laws

MDPI

Article

Special Prosecutor's Offices and Their Position in a State Governed by the Rule of Law: Is the Abolition of Office of Special Prosecution in Slovakia Unconstitutional?

Libor Klimek [1] and Bystrík Šramel [2,*]

[1] Department of Criminal Law, Criminology, Criminalistics, and Forensic Disciplines, Faculty of Law, Matej Bel University, 974 01 Banská Bystrica, Slovakia
[2] Department of Political Science and Public Administration, Faculty of Social Sciences, University of Ss. Cyril and Methodius in Trnava, 917 01 Trnava, Slovakia
* Correspondence: bystrik.sramel@ucm.sk

Abstract: The specialization of public prosecution offices has been a growing international trend, particularly in addressing complex forms of crime such as corruption, economic crime, and organized crime. Many countries have established specialized prosecution bodies to enhance the efficiency and effectiveness of law enforcement in these areas. However, Slovakia has recently taken a different approach by abolishing its Office of the Special Prosecution, a decision that contrasts sharply with prevailing global tendencies. This paper explores the reasons behind this shift, analyzing the political and legal arguments presented by both proponents and opponents of the abolition. The paper examines whether this move aligns with the rule of law and international legal obligations and considers its potential consequences for the effectiveness of criminal justice in Slovakia. While the paper is based on legal principles and comparative methods, it acknowledges the inherently political nature of decisions concerning the structure of prosecution services.

Keywords: specialization; public prosecution office; Slovak Republic; constitutionality; rule of law; criminal law

Academic Editor: Patricia Easteal

Received: 30 January 2025
Revised: 25 March 2025
Accepted: 9 April 2025
Published: 13 April 2025

Citation: Klimek, Libor, and Bystrík Šramel. 2025. Special Prosecutor's Offices and Their Position in a State Governed by the Rule of Law: Is the Abolition of Office of Special Prosecution in Slovakia Unconstitutional? *Laws* 14: 25. https://doi.org/10.3390/laws14020025

1. Introduction

The increasing complexity of serious crime—including corruption, economic crime, terrorism, and organized crime—has led many countries to rethink their approaches to prosecution. One prevailing trend in contemporary legal systems has been the establishment of specialized prosecution offices, designed to enhance efficiency and effectiveness in tackling these forms of crime. The specialization of public prosecution services has been widely regarded as a necessary response to the sophisticated nature of criminal activities, which often require expert knowledge and targeted legal tools.

However, Slovakia has recently taken a contrasting approach by abolishing its Office of the Special Prosecution. This move diverges from prevailing European and international trends that emphasize specialization as a key strategy in law enforcement. The abolition of the Office of the Special Prosecution has sparked debates about whether this step aligns with the principles of the rule of law, Slovakia's constitutional framework, and its international obligations. This article examines this issue by exploring the rationale behind specialization in public prosecution, the reasons for Slovakia's departure from this trend, and the potential implications of this decision.

The main goal of the paper is to find an answer to the question of how widespread the trend of specialization of public prosecution offices is in EU countries and, consequently,

whether the current abolition of the Office of Special Prosecution in the Slovak Republic is a step that denies these trends and whether it can be considered a step contrary to the principles of the rule of law and EU law.

In addressing these questions (goals), the paper is structured as follows: first, it provides an overview of the specialization of public prosecution services and their role in contemporary legal systems. Next, it examines the historical background and legal framework of the Office of the Special Prosecution in Slovakia. The subsequent section focuses on the legal and political arguments behind the decision to abolish this institution and considers the broader implications for Slovakia's criminal justice system. Finally, the article discusses the lessons that can be drawn from this case in relation to international trends in specialized prosecution.

2. Methods

From the methodological perspective, this paper primarily employs a legal-dogmatic approach, focusing on the analysis of legal sources, including national legislation and judicial decisions relevant to the organization of public prosecution in Slovakia. The paper also uses a comparative method, contrasting the Slovak model with approaches adopted in other European countries to highlight broader trends in the specialization of prosecution services.

In addition to these core legal methodologies, the research on which this paper is based is embedded within a broader interdisciplinary framework. Although this specific paper presents a legal perspective, the study also incorporates political science and institutional analysis, examining the intersection between legal reforms and political decision-making in Slovakia. Furthermore, historical research methods were applied to trace the evolution of specialized prosecution and its role in combating crime.

To ensure a more comprehensive analysis, this paper incorporates recommendations and reports from the Council of Europe, including the Venice Commission's opinions on prosecutorial independence, the European Commission for Democracy through Law, and the European Commission's Rule of Law Reports. These sources provide essential insights into the harmonization of prosecution systems across Europe and the legal standards that ensure compliance with the principles of the rule of law.

Additionally, this paper takes into account the legal framework set by international anti-corruption treaties, such as the United Nations Convention Against Corruption (UNCAC) and the OECD Anti-Bribery Convention, both of which emphasize the necessity of specialized institutions for prosecuting financial crimes and corruption. These international perspectives are crucial for assessing whether the abolition of the Slovak Office of the Special Prosecution aligns with or deviates from broader global and European trends.

Based on the applied methods, we have come to the conclusion that the organization of prosecution offices in a given state is a matter of political discretion (supported by expert arguments). If the needs and circumstances of crime prevention require it, tasks may be carried out by a separate, independent, or specialized national body (as was the case in Slovakia until 2024). If circumstances change and socio-political arguments favor a different model, nothing prevents such a transformation. In the context of the Slovak Republic, this conclusion also logically follows from the fact that the organizational structure of the Slovak prosecution office and its functional relationships in the exercise of its competencies are governed by statutory principles, not constitutional ones. The legislator, who establishes the principles of organization and functional relationships in the exercise of the prosecution office's powers, as well as the rules for the appointment, removal, rights, and duties of prosecutors, may also modify and change these principles and rules, naturally with due respect for other constitutional provisions.

3. Public Prosecution Offices: Their Models, Organizational Principles, and Competencies

3.1. International Trends in Public Prosecution Models and Competencies

Before examining the role of specialization as an organizational principle within public prosecution, it is essential to outline the international trends and discussions surrounding the models of public prosecution and the scope of their competencies. Across legal traditions, the structure and powers of prosecution services vary significantly, reflecting historical, political, and institutional factors. However, several broad trends can be identified in the ongoing European and international debates regarding the role and scope of public prosecution services. The Council of Europe (CoE) has played a key role in shaping these discussions. The Recommendation Rec(2000)19 of the Committee of Ministers on the Role of Public Prosecution in the Criminal Justice System outlines the functions of prosecution services in democratic societies and emphasizes the importance of specialization. It highlights that prosecutors should not only be involved in criminal prosecution but also have responsibilities in other areas of legal protection. Another recommendation that should be mentioned is Recommendation Rec(2012)11 of the Committee of Ministers to member states on the role of public prosecutors outside the criminal justice system[1] which focuses on the non-criminal functions of public prosecutors and provides guidance to ensure that their intervention outside the criminal justice system is lawful, transparent, and consistent with democratic principles. It recognizes that prosecutors in many member states have tasks beyond criminal proceedings, such as civil, administrative, and constitutional matters (Šramel 2012).

In several continental European legal systems, public prosecutors exercise non-criminal competences, including family law and child protection (e.g., in France, Portugal, and Italy, public prosecutors intervene in cases involving child custody, parental rights, and the protection of minors), labor law disputes (e.g., in Belgium and Germany, prosecutors may be involved in enforcing labor regulations and ensuring legal compliance in workplace conflicts), public administration supervision (in Scandinavian countries, prosecution services participate in overseeing government accountability and administrative legality), or environmental law enforcement (some jurisdictions, such as Norway and the Netherlands, have specialized prosecutorial units dealing with environmental crimes and regulatory violations) (Šramel 2015a).

These broader competencies reflect a shift in the function of public prosecution beyond traditional criminal proceedings, reinforcing its role as a guardian of legality and public interest in multiple areas of law.

Professional networks and associations of prosecutors, which serve as platforms for judicial cooperation, exchange of best practices, and policy recommendations, also influence the international discourse on prosecution models, competencies, and specialization. The best known organizations are the following: the International Association of Prosecutors (IAP),[2] which promotes standards for prosecutorial independence, ethical conduct, and best practices; the Network of Public Prosecutors or Equivalent Institutions at the Supreme Judicial Courts of the European Union (NADAL Network),[3] which facilitates cooperation between high-level prosecutorial institutions in Europe; the Council of Europe's Consultative Council of European Prosecutors (CCPE),[4] which provides guidance on prosecutorial independence, specialization, and ethical standards; the European Network of Prosecutors

[1] PREMS 72813 GBR 2070Rec(2012)11 RoleOfPublicProsecutors 7670 TXT A5.indd
[2] https://www.iap-association.org/ (accessed on 8 April 2025)
[3] https://nadal2024.public.lu/en.html (accessed on 8 April 2025)
[4] https://www.coe.int/en/web/ccpe (accessed on 8 April 2025)

for the Environment (ENPE),[5] which focuses on the specialization of prosecutors dealing with environmental crimes.

These networks contribute to ongoing debates about the role and structure of prosecution services, particularly in balancing specialization with general jurisdiction. They also issue recommendations on prosecutorial autonomy, division of competencies, and institutional reforms, which influence national legislative changes and judicial policies.

3.2. Specialization as an Organizational Principle of the Structure of Public Prosecution Offices

At the introduction of this chapter, it is necessary to clarify the basic terminology used in the analysis of key questions related to the topic. This includes the concept of specialization. Specialization can generally be defined as "a restriction or concentration on a specific, narrower area or type of activity" or as "a focus on a narrower field, usually accompanied by deeper expertise and qualifications" (Kraus 2005). Specialization involves narrowing the scope of activity or interest to focus on a more specific area or problem. It contrasts with universality and allows for more precise attention to specific issues. Specialization requires a higher level of theoretical knowledge and practical skills, presupposing a certain degree of expertise and qualification. Specialization in a particular field also leads to more efficient processes, enhanced skills, deeper existing knowledge, and the acquisition of new insights.

In the judiciary, specialization is associated with focusing on specific branches of law and addressing selected legal questions. Basic specialization is applied and respected in organizing the work of judges, prosecutors, lawyers, senior court officers, and other legal professions. Here, specialization involves a selective approach to specific issues, concentrating on addressing a narrower range of legal problems. The essence of specialization lies in a subject consistently handling matters of a specific type. Simpler cases are managed routinely over time, while in complex cases, continuous education is required. As a result, the subject becomes capable of understanding what is essential in their area of expertise and may also train less experienced colleagues (Crha 2007, p. 30).

Within the same legal branch, further, even narrower specialization can occur. The advantages of such specialization in the legal field are numerous. First, it allows the respective subject more time to perform their tasks. Handling a large variety of assignments requires significant time for proper preparation and thorough understanding. Specialization in the judiciary also enables more thorough and high-quality execution of tasks. With more time, the subject can delve deeper into issues, considering all aspects and contexts. Specialization also affects the quantity of cases handled, as limiting focus to a specific area frees the specialized subject from handling less significant cases, which can be resolved more quickly and effectively by general bodies. Another advantage of specialization lies in the development of new, more effective ways to address specific problems, including procedures, mechanisms, and methods for eliminating undesirable phenomena. For example, in Switzerland, the establishment of specialized departments for financial crime prosecution in the 1980s led to more effective handling of such cases, breaking a tradition of leniency and inefficiency (Giddey 2022). However, despite its undeniable advantages, specialization also carries certain disadvantages (Wasserman and Slack 2021). It involves higher costs for the proper execution of selected tasks. Detecting serious crime is not only technically demanding but also requires highly skilled personnel. Specialization risks a potential loss of general perspective or the ability to address broader legal questions. By focusing on a single area, attention naturally shifts away from other issues, and upon reassignment, the subject may lack sufficient relevant knowledge and experience to tackle new challenges effectively.

[5] https://www.environmentalprosecutors.eu/ (accessed on 8 April 2025)

While specialization in public prosecution is widely recognized as an effective mechanism for addressing complex crimes, it also carries inherent drawbacks. Specialized prosecution offices, by their very nature, operate independently from general prosecutorial structures. While this autonomy can help shield them from external influences, it can also create a disconnect between specialized prosecutors and the broader criminal justice system. This separation may lead to inconsistencies in prosecutorial decision-making and hinder cooperation with general prosecutors, police forces, and the judiciary (Buribayev et al. 2023).

A frequent criticism of specialized prosecution offices is that their autonomy can lead to diminished oversight. Unlike general prosecution structures, which are subject to hierarchical supervision, specialized offices often operate with greater discretion. This can raise concerns about potential abuses of power, selective enforcement, or politically motivated prosecutions (Kim and Byeon 2017). The Slovak case highlights how such concerns—whether justified or not—can contribute to the eventual abolition of specialized structures.

Given that specialized prosecution offices often deal with high-profile cases, they are particularly susceptible to political scrutiny. Governments may perceive them either as essential tools for fighting corruption or as institutions that can be leveraged for political purposes. In some instances, specialized prosecutors may be accused of bias, eroding public trust in their legitimacy (M. Davis 2025). The Slovak experience suggests that even well-intentioned specialized prosecution bodies can become the focal point of political controversy, leading to calls for reform or dissolution.

While specialized prosecution units require dedicated resources to function effectively, they also risk diverting funds and personnel away from general prosecution offices. This can create disparities in the legal system, where less serious but still significant crimes receive inadequate attention. Additionally, the restructuring or abolition of specialized prosecution offices, as seen in Slovakia, can lead to disruptions in case management, delays in prosecutions, and inefficiencies in resource redistribution (Denyer 2012).

The introduction of specialized prosecution offices often requires the development of distinct procedural rules, which may lead to legal fragmentation. Specialized units may operate under different evidentiary standards, procedural mechanisms, or investigative practices than their general prosecution counterparts. This divergence can create legal uncertainties, making it more difficult for courts, defense attorneys, and law enforcement agencies to navigate the criminal justice process.

Another issue with specialized prosecution is that excessive focus on particular crime categories may lead to tunnel vision. Prosecutors within specialized units may develop rigid investigative approaches, limiting their ability to adapt to evolving criminal methods (Findley and Scott 2006). Additionally, specialized units may be reluctant to relinquish jurisdiction over cases that fall within their mandate, even when collaboration with general prosecutors could lead to more effective outcomes.

The specialization of public prosecution authorities in criminal law can be divided into several types. In this context, Crha (2007) states that, based on the criterion of territorial jurisdiction, one can distinguish so-called regional specialization. This involves a public prosecutor, tied to a specific jurisdiction, becoming an expert on the matters occurring within that area. Such a prosecutor can easily identify the fundamental problems of the region, quickly connect the dots, and efficiently handle cases without major difficulties. The author further identifies so-called personal specialization and organizational specialization. Personal specialization, which assigns specialization to a specific individual, is deemed less advantageous and serves its purpose only if rules of consistent assignment of similar cases are followed—i.e., if the individual is not assigned an excessive variety of specializations. For this reason, Crha considers organizational specialization, which involves creating spe-

cialized organizational units focusing on specific issues, to be more effective (Crha 2007, pp. 29–30). To ensure the efficient functioning of these specialized organizational units, a high degree of autonomous operation must be ensured. The influence of traditional hierarchical procedures, commonly applied in public prosecution systems, could significantly disrupt their ability to fulfill their legally prescribed duties.

Currently, the primary purpose of specialization in combating crime is to address the threats states face to maintain security, stability, and economic development. These threats, in today's modern era, are primarily corruption and organized crime, both of which are on the rise. Corruption undermines the rule of law, democracy, and human rights, disrupts fair competition, hinders economic development, and threatens the stability of democratic institutions and the moral foundations of society (Arnone and Borlini 2014). Organized crime and terrorism endanger the security and economy of individual states, societal functioning, democracy, the independence of state authorities, and the integrity of financial institutions. A few decades ago, corruption, organized crime, and terrorism were perceived as local or national issues. Today, however, these phenomena have taken on a transnational character, becoming significant global challenges. Addressing them requires effective measures, as downplaying these issues can destabilize society, jeopardize security and development, and lower citizens' quality of life. One effective measure appears to be improving criminal procedural tools available to states and their institutions. Among the most efficient measures against serious crime is the establishment of state bodies that do not deal with all types of crime (such as less serious offenses) but focus solely on exceptionally severe crimes (Williams 2012; Dandurand 2019). Specialization in this area enables much more effective crime-fighting and breaks regional connections between serious offenders and local levels. The creation of specialized prosecution bodies involves centralization and nationwide jurisdiction, weakening the influence of local criminal elements on the judiciary's functioning.

The practical impact of establishing centralized and specialized public prosecution authorities is evident. If public prosecutors operating at district or regional levels are removed from handling extremely serious criminal cases, potential existing ties between organized crime and justice institutions are severed, and the influence of such elements on the functioning and decision-making of local prosecution authorities is reduced. It is impossible to overlook that corruption and organized crime have infiltrated official societal structures, including various components of the judiciary. The most accessible components of criminal justice appear to be those operating at the lowest territorial levels, such as district or regional levels. Representatives of these components may, in many cases, have personal stakes in particular matters, close relationships with certain actors, or be easily influenced—directly or indirectly—into acting unlawfully or against general legal standards (Dias 2017). Moreover, the resources available to these authorities are often insufficient to address extremely serious criminal cases. Procedures designed for handling less serious cases can be restrictive, inflexible, and unsuitable for effectively, adequately, and promptly responding to such severe crimes. The aforementioned facts are the reason why the requirements for the construction of specialized bodies are very strict and must meet many standards and principles of construction, e.g., sufficient and reliable financial resources, clear rules and standards of operating procedures, including monitoring and disciplinary mechanisms, to minimize any misconduct and abuse of power by officers (Anku-Tsede et al. 2023, p. 4)

4. Specialization of Public Prosecution in Historical Contexts

The organization of public prosecution in the territory of the Slovak Republic (or former Czechoslovakia) has a typical form in all democratic and rule-of-law states, traditionally

derived from the structure of the judiciary. This means that, similar to judicial authorities, public prosecution authorities are established at multiple levels. Generally, district public prosecution offices (district prosecutor's offices) are established at district courts, and regional public prosecution offices (regional prosecutor's offices) are established at regional courts. The territorial jurisdiction of individual public prosecution offices corresponds to the territorial jurisdiction of the respective courts (Van De Bunt and Van Gelder 2012). Therefore, district public prosecution offices mirror the territorial jurisdiction of district courts, and regional public prosecution offices mirror the territorial jurisdiction of regional courts. This alignment also applies to subject-matter jurisdiction.

One of the most significant historical debates surrounding public prosecution is its relationship with the executive power. In many civil law countries, the public prosecution has traditionally been part of the Ministry of Justice, which has raised concerns about the potential for political interference. However, the degree of prosecutorial independence has evolved over time. For instance, in France, public prosecutors remain under the direct authority of the Minister of Justice, although recent reforms have sought to strengthen their functional independence. In Germany, public prosecutors are also hierarchically subordinate to the executive, as the Minister of Justice retains the power to issue direct instructions in individual cases. In contrast, Italy and Spain have pursued greater prosecutorial independence, particularly in specialized units dealing with corruption and organized crime. In Romania, the establishment of the National Anticorruption Directorate in 2002 represented a high degree of independence, with specialized prosecutors operating under strict legal safeguards against political interference (Šramel 2022; Márton 2024). In post-communist countries, including Slovakia, prosecutorial autonomy has been a contentious issue, particularly in the transition from socialist-era hierarchical structures toward more independent models aligned with European Union standards.

From a historical perspective, the subject-matter jurisdiction of both judicial authorities and public prosecution authorities in the territory of the Slovak Republic (or former Czechoslovakia) was initially conceived as comprehensive (unlimited) territorial jurisdiction. Consequently, public prosecution authorities dealt with the prosecution of all criminal offenses committed by all categories of offenders without exception. Neither the severity of the crime nor the status or characteristics of the offender were taken into account. There were no restrictions on prosecuting only certain groups of criminal cases, and such restrictions were generally unnecessary. However, it is worth noting that the idea of creating public prosecution authorities specialized in certain types of criminal cases—an idea dominant in today's modern legal frameworks for organizing public prosecution—is not entirely new. The gradual development and refinement of legal regulations, as well as the emergence of new undesirable phenomena, led to the introduction of certain exceptions to the universally conceived jurisdiction of public prosecution authorities even in the past. Over time, specific forms of criminal activity were singled out, and their prosecution was entrusted to specialized authorities. A typical example was the prosecution of treason (Nuttall 2000, p. 95).

The further development of the organization of public prosecution in the territory of the Slovak Republic (or former Czechoslovakia), particularly in the second half of the 19th century and the early 20th century, was marked by increasing specialization of public prosecution authorities. Gradually, certain categories of offenders began to be prosecuted not by general jurisdiction authorities but by specialized authorities. For this reason, special public prosecution bodies were established to prosecute specific categories of offenders. Among the most widespread types of specialized public prosecution authorities were those dealing with juvenile delinquency. It is important to note that public prosecution authorities specializing in juvenile offenders were historically the only specialized public prosecution

authorities for a long time, and for almost a century, they were also the most common (Nuttall 2000, p. 95). The expansion of such a special approach to juveniles was primarily driven by the introduction of new scientific findings and criminological research. According to these studies, authorities with general jurisdiction could not devote sufficient attention to juveniles, which led to inadequate procedures and the adoption of measures that ultimately proved more harmful to society than the actions of the juveniles themselves. Specialization thus became a tool enabling the relevant authorities to approach this issue comprehensively, considering all societal implications of prosecuting and punishing juveniles. At the same time, it should be noted that the introduction of specialization had practical benefits. Authorities specializing in the prosecution of juveniles were able to handle cases much more quickly and effectively than general jurisdiction authorities (Elrod and Ryder 2011, p. 254).

The development of public prosecution specialization in this direction is also reflected in legal regulations governing public prosecution in the territory of Slovakia (formerly part of the Kingdom of Hungary). Since the development of public prosecution in Slovakia closely mirrored that in other European countries, it is desirable to examine it more closely. In connection with the specialization of public prosecution authorities in Slovakia, it is worth mentioning that the Hungarian legal system already recognized a specialized public prosecution authority at the beginning of the 20th century, namely the State Juvenile Prosecutor (Šanta 2012). The position and jurisdiction of the State Juvenile Prosecutor were defined by a specific law—Act No. VII/1913 on Juvenile Courts. According to Section 5 of this Hungarian legal regulation, a State Juvenile Prosecutor's Office was established at each so-called Juvenile Court to represent public prosecution. This law remained in force in the territory of Slovakia even after the establishment of the independent Czechoslovakia until 1931. That year, based on Act No. 48/1931 Coll. and subsequent Government Decree No. 105/1931 Coll. on Criminal Justice for Youth under 18, new specialized public prosecution authorities were established in the field of criminal justice for offenses committed by juveniles (persons under 18 years of age). These were so-called Youth Prosecutors, appointed at so-called Youth Courts. Their role was to represent public prosecution at Youth Courts, which were common for both regional and district courts at their respective seats, and to oversee the activities of public prosecution deputies in cases involving juvenile offenders at district courts within the jurisdiction of the relevant regional court (Šanta and Čentéš 2018). A Youth Prosecutor thus conducted the prosecution of juveniles and could decide to discontinue prosecution if it was deemed ineffective or if the seriousness of the case was negligible. They could also file appeals both in favor of and against the accused. Youth Prosecutors, selected for their suitability based on their personal attributes, work, and education, were appointed by the Chief State Prosecutor. It should be added that under Hungarian law, as defined by Act No. VII/1913 on Juvenile Courts, the Youth Prosecutor was not an independent institution but rather a specialized unit within the general prosecution system. The Youth Prosecutor's Office was established within the general prosecution structure, meaning it was not a separate, independent institution but functioned under the broader framework of the Hungarian prosecution system. Each Juvenile Court had a dedicated Youth Prosecutor, who was responsible for representing the prosecution in cases involving juvenile offenders.

Throughout the historical development of public prosecution, additional types of specialized public prosecution authorities were gradually integrated into the system. Besides the authorities prosecuting juvenile offenders, institutions specializing in military offenses or crimes committed by members of the armed forces were also established over time. Military crimes represented a specific category of offenses that, unlike general criminality, required thorough knowledge of military regulations. Their creation must also be viewed

within the historical context, as the danger of military threats was particularly significant during the periods in which these specialized authorities were formed. As a result, military criminal cases were relatively frequent and required a dedicated prosecution body. During the First Czechoslovak Republic, the tasks of a specialized public prosecution body for military crimes were carried out by the military prosecutor's office, established at military courts (Čentéš et al. 2014). After the establishment of the Slovak State in 1939, the specialized military prosecution office was retained, and alongside general public prosecution offices, a system of military public prosecution offices also existed on Slovak territory during this period. This system had a two-tier structure: military prosecutor's offices were established at military courts (first-instance courts) in Bratislava and Poprad, while the Main Military Prosecutor's Office was established at the Main Military Court in Bratislava. These specialized authorities focused on prosecuting military offenses, continuing their role from earlier periods (Hubenák 2001, p. 274). After the dissolution of the Slovak State, from 1945 to 1948, the primary task of public prosecution authorities was the prosecution of war criminals, traitors, and collaborators. However, this task was not assigned to general state prosecution authorities. Instead, ad hoc prosecution bodies were established at retribution courts, based on the retribution decrees of the President of the Republic, to handle these cases (Plundr and Hlavsa 1980, p. 27).

Specialization within public prosecution continued even after the advent of socialism in 1948. This period saw significant changes, beginning in October 1948 with the expansion of the structure of public prosecution authorities through the adoption of Act No. 232/1948 Coll. on the State Court. Under this law, a specialized State Prosecutor's Office was established at the new State Court. This office focused exclusively on prosecuting crimes under the Law for the Protection of the People's Democratic Republic, effectively continuing the extraordinary measures introduced after World War II to remove undesirable individuals. The State Prosecutor's Office was composed of the State Prosecutor and State Vice-Prosecutors, with the State Prosecutor as its head, directly subordinate to the Minister of Justice. The office was also responsible for prosecuting individuals subject to military judicial jurisdiction. Its jurisdiction mirrored that of the State Court, covering crimes punishable by death or imprisonment of more than ten years, as well as other crimes or offenses if the public prosecutor proposed that the case be heard by the State Court. It should be noted that the influence of State Prosecutors on criminal proceedings was minimal. They became involved only after receiving materials from the State Security Service during the preparatory proceedings, without the ability to review or supervise those materials. Consequently, State Prosecutors often acted merely as formal approvers of unlawful measures taken by the State Security Service (Vališ 2006, p. 8). The existence of this socialist specialized public prosecution body was relatively short-lived. Its activities were terminated in 1953 with the adoption of new legal regulations governing the judicial system.

It is important to note regarding the State Prosecutor's Office that, while it is naturally impossible to equate the specialization of totalitarian public prosecution authorities with the specialization of public prosecution authorities in modern democratic and rule-of-law states, certain common traits can be identified, particularly in terms of the reasons behind their establishment. Modern specialized public prosecution authorities are created to protect society from crimes that pose the greatest threats in terms of consequences. Similarly, the goal of establishing the socialist State Prosecutor's Office was to protect the society and values deemed most significant and prioritized at that time (Zaťková 2006, p. 235). On the other hand, a marked difference exists between the two: while modern specialized public prosecution authorities aim to protect society from crimes that genuinely endanger the

lives and health of its members, totalitarian specialized public prosecution authorities were often used as tools for persecuting political opponents and other undesirable individuals.

Apart from the specialized State Prosecutor's Office, other specialized military prosecution authorities also existed during the socialist era in Czechoslovakia. These focused exclusively on the prosecution of military crimes. After the fall of the Iron Curtain, these military prosecution authorities were incorporated into the legal systems of the Czech Republic and Slovakia. The entire structure of military prosecution consisted of the Main Military Prosecutor's Office (as the military division of the General Prosecutor's Office), the Higher Military Prosecutor's Office (the superior body of the Military District Prosecutor's Offices), the Military District Prosecutor's Offices (as the lowest level in the system), and the so-called Field Prosecutor's Offices, which had limited jurisdiction and were intended to operate only during wartime or states of war. However, the justification for the existence of specialized military prosecution authorities was frequently questioned after the establishment of the independent Slovak Republic in 1993. This ultimately led to their abolition as of 1 November 2011, as distinct prosecution bodies specializing in certain types of crime. This step became necessary following the abolition of specialized military courts on 1 April 2009, and the transfer of their cases to general courts. As a result, the structure of the prosecution system no longer aligned with that of the court system, necessitating changes in the prosecution system to integrate the military and civil components. The abolition of military prosecution authorities was also expected to bring several benefits to the state and the prosecution system as a whole. These benefits included significant financial savings and increased efficiency in prosecuting general criminality by strengthening civil prosecution offices with additional prosecutors. However, achieving these goals remains a long-term endeavor, as highly specialized military prosecutors must adapt to new roles and integrate into the civil prosecution environment. The evaluation of whether the legislative objectives were achieved will only be possible after sufficient time has passed, when concrete empirical data on the activities of the Slovak Republic's prosecution system become available.

In terms of the most recent developments in the specialization of public prosecution authorities, the late 20th century in continental Europe was significantly influenced by the emergence of new types of criminality. This has been reflected in the structure of public prosecution systems, which have been continuously supplemented with new types of specialized prosecution authorities. These authorities primarily focus on prosecuting crimes in the realm of economic criminality (e.g., money laundering, white-collar crime) and organized criminality (e.g., terrorism, arms smuggling, drug trafficking). In some countries, specialized authorities have also been created to address other types of criminality. For instance, Norway established a specialized public prosecution authority dedicated to combating environmental crime (Gottschalk 2024, p. 2). This demonstrates that the specialization of public prosecution authorities has continually evolved and adapted throughout history in response to current societal needs and the ability to address emerging forms of antisocial behavior.

As already indicated, in recent decades, the organization of public prosecution in various countries of continental Europe has increasingly leaned toward stricter specialization than before. The reason lies in the fact that specialization is considered one of the key tools for effectively combating the rising tide of corruption, economic crime, and organized crime. The importance of specialization is even emphasized in various international documents from significant global and regional organizations.

In this regard, it is worth noting that Recommendation No. R (87)18 of the Committee of Ministers of the Council of Europe on the simplification of criminal justice, adopted as early as 1987 (Coscas-Williams and Alberstein 2019), suggests in its third part that cases

related to economic crime, where the collection of evidence is technically highly complex, should be handled and decided by judges and other state bodies with appropriate training, knowledge, and experience. The recommendation further states that, where the constitution permits, such cases should be dealt with by public prosecution offices, investigative bodies, or possibly courts that are specially organized and adapted to handle the difficulties arising from the nature and complexity of economic crime. These offices should also have access to a sufficient number of experts, as necessary, from fields such as social psychology, medicine, psychiatry, accounting, economics, or forensic science, particularly due to the increasing technical demands of crimes and the evidence-gathering process.

The necessity of specialization for public prosecution authorities is also highlighted by a document from the Council of Europe, the Recommendation Rec(2000)19 of the Committee of Ministers on the Role of Public Prosecution in the Criminal Justice System, adopted in 2000 (Kamber 2017). In point 8, it states that "as new types of crime, especially organized crime, develop, specialization should also be a priority concerning the organization of prosecution offices, training, or career progression. The formation of specialist teams, including multidisciplinary ones, which could assist prosecutors in fulfilling their tasks, should also be encouraged". According to the provisions of this recommendation, specialization is essential in highly expert fields (e.g., economic and financial crime) as well as in areas of highly organized crime for the sake of efficiency. Therefore, the Committee of Ministers also recommends two types of specialization in the explanatory memorandum to this document. The first type is classical specialization, involving the formation of teams of prosecutors specializing in specific areas within the prosecution service (at regional and national levels). In this sense, distinguishing ranks and roles could contribute to strengthening specialization. The second type, which should be supported, involves creating multidisciplinary teams consisting of professionals from various fields (e.g., in combating financial crime and money laundering: accountants, customs officers, banking specialists, etc.) under the leadership of specialized prosecutors. The aggregation of competencies in a single unit may, in fact, be one of the prerequisites for the effectiveness of the system.

A manifestation of specialization as a prevailing trend in the current organization of public prosecution is the establishment of various national prosecution offices combating the most serious types of crime, primarily organized crime, financial crime, and economic crime (Strémy et al. 2021). The characteristic features of these specialized offices include teamwork between police, public prosecutors, and experts, and nationwide jurisdiction regardless of judicial organization. The aim of these changes is primarily to ensure the concentration of resources and enable a flexible response, which can be considered the most effective way to combat the most severe forms of crime. The trend of creating specialized public prosecution authorities can be observed in the legal systems of virtually all European countries, with the introduction of specialized nationwide prosecution offices for prosecuting certain types of crimes dating back to the 1970s.

5. The Office of the Special Prosecution in Slovak Republic

5.1. The Position of the Office of the Special Prosecution in the Legal Order of the Slovak Republic from 2004 to 2024

The Slovak Office of the Special Prosecution was established with effect from 1 May 2004, by Act No. 458/2003 Coll. on the Establishment of the Special Court and the Office of the Special Prosecution, and on Amendments to Certain Laws. The reason for establishing the Office of the Special Prosecutor as a distinct part of the General Prosecutor's Office of the Slovak Republic was to create specialized bodies for detecting, investigating, and prosecuting corruption and organized crime. The primary goal was to ensure better specialization while also providing protection and, in the case of corruption-related crimes,

breaking certain local ties that could influence the detection, investigation, and potentially even the judicial proceedings in such cases. In its explanatory report, the Slovak government in 2003 stated that corruption and organized crime were among the greatest threats that states must confront to maintain security, stability, and economic development. It was stated that corruption endangered the rule of law, democracy, and human rights, disrupted economic competition, hindered economic growth, threatened the stability of democratic institutions, and undermined the moral foundations of society. Organized crime jeopardized the security and economy of individual states, the functioning of society, democracy, the independence of state authorities, and the integrity of financial institutions. Before 2003, the problem of corruption and organized crime in Slovakia was perceived merely as a local or national issue. In 2003, corruption and organized crime had a transnational character and were becoming a significant global problem for humanity, requiring effective measures to address them. According to the legislator, the effective suppression of corruption and organized crime could only be achieved through a comprehensive set of measures at a high professional level.

As indicated above, the creation of the Office of the Special Prosecution within the prosecution system was necessitated by the need to ensure effective legal measures for uncovering and prosecuting the most serious forms of crime, particularly corruption and organized crime (Demovič 2023, p. 1008). Its jurisdiction covered the entire territory of Slovakia, with its tasks including supervising the observance of legality before the initiation of criminal proceedings and during the preparatory phase, prosecuting individuals suspected of committing crimes, and exercising the prosecutor's authority in court proceedings in cases falling under the jurisdiction of the Special Criminal Court.

According to the Act on Prosecution[6] in its version effective from 1 May 2004, until its abolition in 2024, the prosecution system included, among others, the General Prosecutor's Office, of which the Office of the Special Prosecution was a distinct part with nationwide jurisdiction. The Office of the Special Prosecution was established and operated throughout its existence as a component of the General Prosecutor's Office. While it held the status of a distinct unit within the General Prosecutor's Office,[7] this distinction arose from its institutional integration within the prosecution system as part of the General Prosecutor's Office.[8] The Office of the Special Prosecutor was not established as an independent state body within the prosecution system, nor as a prosecution body independent of the General Prosecutor's Office. This structure ensured that the Office of the Special Prosecution passed the constitutionality test. The Constitutional Court stated that the establishment of the Office of the Special Prosecutor and the definition of its position and jurisdiction did not conflict with the constitutionally defined mission of the prosecution as a body protecting the rights and legally protected interests of individuals, legal entities, and the state, nor with the constitutionally defined position of the General Prosecutor, who, under Article 150 of the Constitution, heads the prosecution system. Furthermore, the position of the Office of the Special Prosecutor and, in particular, the Special Prosecutor was not so autonomous as to negate the supervisory and control authority of the General Prosecutor[9] (case no. PL. ÚS 17/08).

The Office of the Special Prosecutor was headed by a Special Prosecutor, through whom the General Prosecutor managed its activities. The Special Prosecutor was elected by the National Council of the Slovak Republic based on a selection process from among the

[6] Section 38(1)(a) of the Act on Prosecution in its version effective from 1 May 2004.
[7] See Section 55b to 55l of the Act on Prosecution.
[8] Section 55d(1) and (3), Section 55f, Section 55h(1) and (2), and Section 55k of the Act on Prosecution in its version effective until the contested provisions came into effect.
[9] As defined in Section 10 of Act No. 153/2001 Coll.

prosecutors of the General Prosecutor's Office for a term of five years, upon the proposal of the General Prosecutor. The Special Prosecutor was accountable to the General Prosecutor for the performance of their duties (Svák et al. 2017, p. 116). However, under the Act on Prosecution,[10] in matters falling under the jurisdiction of the Office of the Special Prosecutor, the General Prosecutor was not authorized to issue so-called negative directives (e.g., directives to not initiate criminal proceedings, not press charges, not request the detention of an accused, transfer the case for resolution to another authority, terminate criminal proceedings, not file an indictment or an appeal, or not use extraordinary legal remedies to the detriment of the accused), nor could the General Prosecutor carry out actions on behalf of the Special Prosecutor or prosecutors of the Office of the Special Prosecutor or decide that such actions would be performed by another subordinate prosecutor. Additionally, the General Prosecutor could not intervene in the review of the legality of the procedures of the Office of the Special Prosecutor or in the decision-making on appeals against decisions of the prosecutors of the Office of the Special Prosecutor (Čollák 2016, p. 206).

Thus, it can be concluded that the Office of the Special Prosecutor had a certain degree of autonomy vis-à-vis the General Prosecutor's Office, which distinguished it from other components of the prosecution system. This degree of autonomy frequently raised concerns within the professional community about its compliance with the fundamental principles of the prosecution system in Slovakia. Moreover, such an arrangement raised questions about whether this structure created a dualism in the management of the prosecution and the execution of criminal policy. However, it is believed that despite establishing a relatively autonomous specialized body of public prosecution, the principle of unity and the absence of dualism in its management were not undermined. The creation of specialized public prosecution bodies in this manner was justified and not exceptional, as evidenced by similar arrangements in several European countries (e.g., Spain, Romania, Croatia). Moreover, the Constitutional Court of the Slovak Republic, in the aforementioned ruling (case no. PL. ÚS 17/08), concluded that the position of the Office of the Special Prosecutor was not so autonomous as to undermine the supervisory and control authority of the General Prosecutor. Therefore, it cannot be argued that the level of autonomy granted to the Office of the Special Prosecutor contradicted the basic organizational principles of the Slovak prosecution system, particularly the principle of centralism. This is because the General Prosecutor remained the superior prosecutor to the Special Prosecutor and managed the activities of the Office of the Special Prosecutor through them. As noted, the Special Prosecutor remained accountable to the General Prosecutor for their performance, and the General Prosecutor retained significant influence over the appointment and number of prosecutors in the Office of the Special Prosecutor and the election of the Special Prosecutor.

5.2. The Abolition of the Office of Special Prosecution in Slovakia and Its Political–Legal Aspects

As previously indicated, the Slovak Office of the Special Prosecution was abolished following the adoption of Act No. 40/2024 Coll., effective from 20 March 2024. Members of the Slovak Parliament approved the abolition on 8 February 2024. The office ceased to exist as of 20 March 2024, and its prosecutors were transferred under the General Prosecutor's Office.

According to the explanatory memorandum to this law, the Slovak government justified the abolition by claiming that the de facto autonomy of the Office of the Special Prosecution had grown beyond what was provided for by law, thereby disrupting both the hierarchy and the uniformity of procedures within the prosecution system, particularly in the application of several procedural institutes of criminal proceedings. The government

[10] Section 55d(2) of the Act on Prosecution.

argued that the purpose of the law was to restore public trust in the prosecution system and to achieve "unity" within the structure of the prosecution, aligning its internal organization with the common practices observed in most European countries.

When presenting the reasons for and causes of the abolition, the Slovak government also noted that public opinion regarding the nearly two decades of operation of the Office of the Special Prosecution was significantly divided. According to the government, the activities of the Office in recent years elicited unprecedented public reactions and were sometimes perceived by parts of the professional community as political and marked by arbitrariness. The truth is that during the operation of the Office of the Special Prosecutor, there had been relevant and practical application issues, which were also highlighted by professional literature (Šanta 2015, p. 668). Several actions and decisions by the Office were said to have violated the constitutional rights of complainants or rights guaranteed by international conventions. The government emphasized that the unprofessional and unlawful decisions of prosecutors from the Office of the Special Prosecutor were criticized not only by academic and legal circles but also by the General Prosecutor's Office of the Slovak Republic itself. Legislative efforts by the National Council of the Slovak Republic during its eighth electoral term to limit the interventions of the Slovak General Prosecutor in preparatory proceedings under the supervision of the Office of the Special Prosecutor were deemed to have failed. The Constitutional Court of the Slovak Republic, the government claimed, also resisted political pressure to declare unconstitutional one of the fundamental legal mechanisms enabling the Slovak General Prosecutor to rectify deficiencies in the activities of the Office of the Special Prosecutor.

The Slovak government further stated in its explanatory memorandum that the impartiality of prosecutors from the Office of the Special Prosecutor had been questioned even by the Specialized Criminal Court, which sought a review of the constitutionality of certain provisions of the Act on Prosecution by the Constitutional Court of the Slovak Republic. One of the reasons cited was the lack of valid legal provisions allowing the transfer of a case from the Office of the Special Prosecution, even in cases of apparent lack of objectivity. According to the government, this issue also stemmed from the fact that the Specialized Criminal Court, in the court system, held the status of a regional court, while the Office of the Special Prosecutor was a distinct component of the Slovak General Prosecutor's Office, with its prosecutors being prosecutors of the General Prosecutor's Office of the Slovak Republic.

To clarify the system for the reader, according to the Slovak law on courts, the judicial system consists of district courts, regional courts, and the Supreme Court. The legislator has also incorporated the Specialized Criminal Court into the judicial system. Within this system, district courts serve as first-instance courts. Regional courts act as appellate bodies for decisions made by district courts.[11]

Therefore (in the interest of ensuring parity among the main subjects of criminal proceedings), the government proposed to entrust the authority over the investigation of criminal activities falling under the jurisdiction of the Specialized Criminal Court to regional prosecutor's offices, with the General Prosecutor's Office of the Slovak Republic overseeing their activities. According to the government, the regional prosecutor's offices have a sufficient, impartial, and professionally competent prosecutorial staff.

[11] However, in certain cases, regional courts also function as first-instance courts. The Specialized Criminal Court holds the status of a regional court as well. The Supreme Court reviews and decides on ordinary legal remedies against decisions of regional courts and the Specialized Criminal Court (Giba et al. 2019). In contrast to the aforementioned, the Office of the Special Prosecutor was established as a distinct part of the General Prosecutor's Office of the Slovak Republic, with jurisdiction over the entire territory of Slovakia (Svák et al. 2017).

The Slovak government concluded that its goal was to find a compromise between the differing opinions on the existence of the Office of the Special Prosecution and to adopt legislation that would not only increase the efficiency of prosecutorial proceedings as a whole, strengthen the independence of the prosecution from political influence, and uphold the principles of the rule of law but also endure changes in the government. According to the Slovak government, it was unacceptable for the criminal prosecution system to be dominated by any parliamentary majority. The inclusion of regional prosecutor's offices in criminal proceedings before the Specialized Criminal Court was cited as one of the guarantees of independence and impartiality in the decision-making process of each prosecutor, supported by legal safeguards against unlawful directives from their superiors.

Given the strong public, political, and partially professional opposition triggered by the abolition of the Office of the Special Prosecution (Tomášková 2024, p. 756), the President of the Slovak Republic and a group of members of parliament filed a motion with the Constitutional Court to review the constitutionality of the government's actions after the law was passed.

Before we move on to the individual reasons presented by the petitioners, we consider it necessary to clarify the issue of the composition and formation of the Constitutional Court of the Slovak Republic. According to Article 134(1) of the Constitution of the Slovak Republic, the Constitutional Court of the Slovak Republic consists of 13 judges. The process of appointing a constitutional judge has three phases. The first phase involves the submission of proposals for candidates for constitutional judges to the National Council of the Slovak Republic. The second phase consists of the selection of candidates for the position of constitutional judge by the National Council. The third phase involves the selection of a suitable candidate by the President of the Slovak Republic and their subsequent appointment as a constitutional judge.[12] In this process, both electoral and appointment principles are applied (Drgonec 2012). The second phase takes place in the parliament itself. The task of the parliament is to select, in a secret vote, the required number of candidates for the position of constitutional judge. It is evident that the selection of candidates is the result of political decision-making, which may raise justified concerns regarding the expertise and independence of the candidates. In the third phase, the President of the Slovak Republic enters the process of appointing constitutional judges. The decision on the election of candidates is submitted to the President by the parliament, and the role of the head of state is to select those candidates who provide genuine guarantees of a proper, professional, and independent performance of the function of a constitutional judge.[13] The President is bound by the proposal submitted by the parliament and cannot select a candidate who was not nominated (Šramel 2015b).

As indicated above, the petitioners presented several arguments asserting that the abolition of the Office was unconstitutional.

Argument 1: Procedural Delays Due to Case Transfers. The abolition of the Office of the Special Prosecutor resulted in the transfer of ongoing cases to eight regional prosecutor's offices, where they were reassigned to new prosecutors. The new prosecutors would need to familiarize themselves with case files, often comprising thousands of pages, leading to inevitable delays. The contested law did not include any transitional period (legislation)

[12] Proposals for the election of candidates for judges may be submitted to the National Council of the Slovak Republic by the following: (a) members of the National Council of the Slovak Republic, (b) the Government of the Slovak Republic, (c) the President of the Constitutional Court of the Slovak Republic, (d) the President of the Supreme Court of the Slovak Republic, (e) the Prosecutor General of the Slovak Republic, (f) professional organizations of lawyers, (g) scientific institutions.

[13] The Constitution of the Slovak Republic requires that the National Council always propose twice the number of candidates for judges that the President of the Slovak Republic is to appoint. From this group, the President selects the necessary number of judges, without being bound by any specific instructions.

to allow the prosecution system to prepare technically, personally, and organizationally for the change in jurisdiction, thereby risking delays in proceedings and undermining the effective investigation of criminal activity.

Argument 2: Breach of International Obligations. Slovakia is bound by international treaties to establish specialized bodies or independent authorities to combat corruption (Michel 2021). The explanatory memorandum to Act No. 458/2003 Coll., which established the Office of the Special Prosecution, stated that its creation was in line with Slovakia's international obligations under anti-corruption conventions, including the United Nations Convention against Corruption and the UN Convention against Transnational Organized Crime (Webb 2005; Rose 2019). Abolishing the Office of the Special Prosecutor created a situation inconsistent with these international commitments, specifically Article 20 of the Anti-Corruption Convention, Article 36 of the UN Convention against Corruption, and Article 29 of the UN Convention against Transnational Organized Crime. The transfer of cases to regional prosecutor's offices was deemed insufficient, as these offices cannot be considered specialized bodies, and their prosecutors are not systematically specialized for such tasks.

Argument 3: Failure to Pass the Proportionality Test. The abolition of the Office of the Special Prosecutor failed the proportionality test (Bindi 2016; Lailam et al. 2024) because lawmakers did not demonstrate that this measure was necessary or essential to achieve their stated objectives. Moreover, they did not prove that the rights and freedoms (Funta and Horváth 2024) affected by the abolition would be restricted only to the extent strictly necessary. The abolition infringed on the rights of victims and injured parties, particularly their right to an effective investigation, timely proceedings, and the protection of fundamental rights such as the right to life, human dignity, privacy, property, and judicial protection. The abolition also contravened the state's positive procedural obligation to conduct effective investigations in criminal matters in compliance with efficiency and expediency requirements. It was evident that the abolition would result in unnecessary delays, at the very least due to the transfer of case files to new offices. These delays were compounded by shortened statutes of limitations, the immediate application of new rules without a transitional period, and the absence of special procedures for ongoing cases. This significantly increased the risk of unresolved and uninvestigated criminal cases, undermining public trust in the prosecution system and Slovakia's adherence to its international legal obligations.

Argument 4: Non-Compliance with EU Law on Financial Interests. The abolition of the Office of the Special Prosecutor fails the proportionality test, particularly in its second step (the necessity test), as it contradicts Article 325(1) of the Treaty on the Functioning of the European Union (TFEU). This provision obliges Slovakia to combat fraud and other illegal activities affecting the financial interests of the European Union. The abolition also violates Directive (EU) 2017/1371 on combating fraud affecting the financial interests of the European Union by means of criminal law and Council Regulation (EU) 2017/1939 implementing enhanced cooperation for establishing the European Public Prosecutor's Office (EPPO). The abolition jeopardizes the protection of the EU's financial interests both materially (by shortening statutes of limitations and lowering penalties) and procedurally (by reducing the specialization of prosecutors handling cases previously overseen by the Office of the Special Prosecutor).

Argument 5: Breach of the Principle of Loyal Cooperation. The abolition of the Office of the Special Prosecutor is clearly incompatible with Articles 4(3), 3(1), and 2 of the Treaty on European Union (TEU), violating the principle of loyal cooperation (Klamert 2014). This principle requires member states to refrain from measures that could threaten the EU's objectives, including the promotion of its values, such as the rule of law

(Funta and Králiková 2022). Additionally, the abolition conflicts with the draft directive of the European Parliament and Council on combating corruption, which requires member states to establish specialized anti-corruption bodies. Article 4 of this directive explicitly calls for the establishment of specialized agencies to prevent corruption.

Argument 6: Violation of the Right to Effective Legal Protection. Article 19(1) of the TEU obliges member states to establish remedies necessary to ensure effective legal protection in areas covered by EU law (Gentile 2023; Becková 2018). A member state cannot amend its legislation in a way that reduces the level of protection for the rule of law, especially regarding judicial independence and the proper functioning of legal systems. This obligation extends not only to the judiciary's structure but also to laws applied in court proceedings, including criminal law. The abolition of the Office of the Special Prosecutor represents a step back in protecting the rule of law and legal safeguards, thereby failing to comply with EU standards.

Despite these arguments, the Constitutional Court of the Slovak Republic dismissed the motion to declare the abolition of the Office of the Special Prosecutor unconstitutional and inconsistent with international law. The court concluded that the abolition was fully compliant with Slovak legal provisions and Slovakia's international obligations. Thus, the abolition of the Office of the Special Prosecutor was deemed lawful and valid.

It should be noted that the final ruling of the Constitutional Court of the Slovak Republic was adopted under case number PL. ÚS 3/2024-761 and was published in the Collection of Laws on 6 August 2024. Since this is a decision in which the Constitutional Court assessed the constitutionality of a law passed by parliament, no appeal can be filed against the Constitutional Court's decision. This means that the abolition of the Office of the Special Prosecutor must be generally accepted, and any change is only possible through a new legislative process as prescribed by law (if sufficient political will is found in the future).

In assessing the constitutionality of abolishing the Office of the Special Prosecutor of the Slovak Republic, the Slovak Constitutional Court relied on several legal considerations.

Consideration 1: EU Law Perspective. When assessing the constitutionality of the abolition of the Slovak Republic's Special Prosecutor's Office, the Constitutional Court of the Slovak Republic considered several legal arguments. Firstly, it referred to the case law of the Court of Justice of the European Union (CJEU), according to which the organization of the judiciary in EU member states falls within the competence of those states, provided they respect EU law (Harbarth and Spielmann 2023). The same applies to prosecution services. According to the Advocate General of the CJEU in Case C-634/2022, any model of criminal justice is permissible—whether specialized or one where general courts rule on all criminal offenses. The Constitutional Court of the Slovak Republic concluded that the Slovak Republic, in regulating the structure of its prosecution service, acts within powers not transferred to the European Union. However, the Court also emphasized that, in exercising this competence, the Slovak Republic must adhere to the obligations arising from EU law (e.g., the CJEU ruling of 24 June 2024, Case C-107/23 PPU, para. 127). Therefore, the structure of the prosecution service must ensure compliance with the requirements of EU law, particularly the requirement of judicial independence in matters related to the application or interpretation of EU law (Funta and Schultz 2023). This is to guarantee effective judicial protection of the rights derived from EU law for individuals subject to judicial authority (CJEU judgment of 18 May 2021 in Joined Cases C83/19, C127/19, C195/19, C291/19, C355/19, and C397/19, para. 211). The Constitutional Court argued that the abolition of the Special Prosecutor's Office does not interfere with the independence of the judiciary and does not endanger the effective judicial protection of individuals' rights under EU law. The legal provision abolishing the Special Prosecutor's Office, therefore,

does not conflict with Article 19(1), second subparagraph, of the Treaty on the European Union (TEU), nor does it conflict with Articles 2, 4(3), and 3(1) of the TEU.

Consideration 2: Charter of Fundamental Rights. The Constitutional Court also stated in its ruling that since the Slovak Republic, in regulating the structure of the prosecution service, acts within the scope of powers not transferred to the European Union, it is not implementing European Union law (Mahmutovic 2023; Łazowski 2013). As a result, the Charter's applicability under Article 51 is not established, meaning that in proceedings regarding the compliance of legal regulations, the Charter cannot serve as a reference framework, and it is not necessary to assess the compliance of the relevant legal provision with Article 17(1) and Article 46 of the Charter.

Consideration 3: Specialization and International Obligations. One of the Constitutional Court's arguments for declaring the abolition of the Special Prosecutor's Office constitutional provisions was the assertion that, given the natural diversity or variability of national bodies designated to combat crime—all levels of the United Nations, the Council of Europe, and even the European Union—these documents do not specify the exact institutional framework for fulfilling the obligations of the contracting party to the relevant convention or member state of the European Union. On the contrary, considering the goal to be achieved, the issue of domestic solutions is left to the discretion of the contracting party to the relevant convention or member state of the European Union. The requirement for the specialization of national bodies does not necessarily have to be fulfilled by establishing independent, separate, or specific national bodies dedicated to combating the type of crime addressed by the particular convention or source of EU law (such a requirement would not even be met by the Special Prosecutor's Office). Instead, this requirement can also be satisfied through internal specialization within an otherwise general body. This can be achieved, for example, by creating a special, specialized organizational unit or by specializing specific individuals within the relevant state authority, primarily, given the nature of the matter, within the General Prosecutor's Office in the Slovak Republic.

Consideration 4: Legal vs. Constitutional Principles. Finally, the reasoning that led the Constitutional Court to confirm the constitutionality of the government's actions also relied on the fact that the organizational structure of the prosecution service and the functional relationships in the exercise of its powers are governed by statutory principles rather than constitutional ones. The legislature, which establishes the principles of organization and functional relationships in the exercise of the prosecution service's powers, as well as the rules for appointing and removing prosecutors and their rights and obligations, also has the authority to modify and amend these principles and rules (Šramel 2022). Naturally, this must be achieved with respect for other constitutional provisions, including Articles 149 and 150 of the Slovak Constitution (ref. PL. ÚS 25/2020). These articles define the fundamental role and responsibility of the prosecution service in the Slovak Republic as a democratic and legal state and its sole constitutional organizational element: that the General Prosecutor heads the prosecution service. This role of the General Prosecutor is reflected as a central element in the statutory regulation of the prosecution service's organization and internal relationships (ref. PL. ÚS 2/2023). The Constitutional Court previously found no violation of Article 150 of the Constitution in the establishment of the Special Prosecutor's Office as part of the General Prosecutor's Office because the General Prosecutor's authority concerning the activities of the Special Prosecutor's Office was only partially restricted. This restriction was not to an extent that would undermine the General Prosecutor's position as outlined in Article 150 of the Constitution. Consequently, according to the established case law of the Constitutional Court, the legislature's decision to abolish the Special Prosecutor's Office cannot constitute an unconstitutional interference with the organization and structure of the prosecution service.

6. Conclusions

Specialization of public prosecution offices is one of the modern trends dominating the organization of public prosecution in contemporary democratic and legal states. It focuses primarily on combating the most serious forms of crime, such as organized crime and economic crime. However, the current form of specialization in public prosecution has a relatively short history—the need to establish bodies to combat these forms of crime only emerged in recent decades. Nonetheless, the existence of specialized public prosecution bodies is not entirely new. The creation of bodies focusing on specific categories or types of criminal activity can be traced back to earlier periods, particularly toward the end of the 19th century. These early examples primarily involved bodies specializing in the prosecution of juvenile criminal cases and, later, military criminal cases. In conclusion, the specific form of public prosecution specialization has been, is, and will always be determined by current societal needs. With the emergence and growth of new forms of serious crime, it can be expected that such cases will increasingly be excluded from the jurisdiction of general criminal prosecution bodies, leading to the establishment of new types of specialized public prosecution bodies.

Despite the significant controversies surrounding the abolition of the Special Prosecutor's Office in Slovakia, it must be noted that it is solely up to the national legislator to determine the structure of its prosecution office. As mentioned earlier, the organization of the judiciary and prosecution in EU member states falls within the competence of these states, provided they adhere to European Union law. The requirement for the specialization of national bodies does not necessarily have to be fulfilled through the creation of separate, independent, or distinct national bodies dedicated to combating crime addressed by specific conventions or EU legal sources. Instead, this requirement can also be satisfied through internal specialization within a general body.

For this reason, the organization of prosecution offices in a given state is a matter of political discretion (supported by expert arguments). If the needs and circumstances of crime prevention require it, tasks may be carried out by a separate, independent, or specialized national body (as was the case in Slovakia until 2024). If circumstances change and socio-political arguments favor a different model, nothing prevents such a transformation. In the context of the Slovak Republic, this conclusion also logically follows from the fact that the organizational structure of the Slovak prosecution office and its functional relationships in the exercise of its competencies are governed by statutory principles, not constitutional ones. The legislator, who establishes the principles of organization and functional relationships in the exercise of the prosecution office's powers, as well as the rules for the appointment, removal, rights, and duties of prosecutors, may also modify and change these principles and rules, naturally with due respect for other constitutional provisions.

The abolition of the Office of the Special Prosecution in Slovakia raises broader questions regarding the organization, function, and legitimacy of specialized prosecution offices in democratic legal systems. While some of the legal issues discussed in this case are unique to Slovak constitutional law and its relationship with European Union law, the underlying concerns and debates are relevant to specialized prosecution institutions in general.

In the following text, we will attempt to summarize/develop on the most important lessons or implications that might be drawn for specialized prosecution generally:

The first lesson addresses the rationale for specialized prosecution. Specialized prosecution offices have been established in various jurisdictions primarily to enhance the efficiency and effectiveness of law enforcement in complex areas such as organized crime, corruption, economic crime, and terrorism. Their creation is often justified on the basis that certain crimes require prosecutors with specialized knowledge, dedicated resources, and the ability to work independently from general prosecution structures, which may be more

vulnerable to local political and criminal influences (A. J. Davis 2001). The Slovak case highlights the tension between this rationale and concerns about accountability, oversight, and potential politicization of specialized prosecution bodies. One key question arising from Slovakia's experience is whether specialized prosecution should exist as a structurally independent body or as an internal division within a broader prosecutorial framework. The argument in favor of internal specialization—such as maintaining dedicated units within the general prosecution service—is that it preserves hierarchical oversight and mitigates the risk of excessive autonomy. However, this model may also reduce the flexibility and independence needed to investigate and prosecute high-profile cases, particularly where corruption within state structures is a concern.

The second lesson concerns constitutional and legal frameworks. The Slovak case demonstrates the importance of establishing specialized prosecution offices on a clear constitutional or statutory basis. One of the arguments in favor of the abolition of the Office of the Special Prosecution was that it had grown beyond its legally defined limits, potentially undermining the principle of unity in prosecution. This raises a broader question about the legal safeguards necessary to ensure that specialized prosecution offices operate within a well-defined mandate while maintaining institutional independence and integrity. In countries where specialized prosecution offices exist, their legal foundation varies. Some jurisdictions, such as Romania and Spain, have created specialized prosecution units with clear legislative backing, ensuring their institutional legitimacy. Others rely on internal organizational measures within the general prosecution service, which may offer greater flexibility but potentially weaker protections against political interference (Popova and Post 2019). The challenge is to strike a balance between these approaches, ensuring that specialized offices are sufficiently independent to function effectively while remaining accountable to constitutional and legal principles.

The third lesson addresses allocation of competences and jurisdiction. A fundamental issue in the Slovak case was the redistribution of cases following the abolition of the Office of the Special Prosecution. The transfer of complex cases to regional prosecutor's offices led to concerns about delays and potential inefficiencies, particularly given the need for newly assigned prosecutors to familiarize themselves with extensive case files. This raises a broader question about how competences should be allocated in specialized prosecution models. In many jurisdictions, specialized prosecution offices handle cases based on specific criteria, such as the nature of the crime (e.g., corruption or terrorism), the severity of the offense, or the involvement of high-profile individuals. An alternative approach, seen in some systems, is to allow for case-by-case allocation, ensuring that specialized resources are used efficiently without creating rigid institutional structures. The lesson from Slovakia is that abrupt changes in competence allocation can lead to operational disruptions, highlighting the need for transitional mechanisms and clear procedural guidelines when restructuring prosecution systems.

The fourth conclusion concerns ensuring accountability and avoiding politicization. One of the most contentious aspects of specialized prosecution is the risk of political interference or perceived bias in high-profile cases. The abolition of the Office of the Special Prosecution in Slovakia was partly justified on the grounds that it had become too autonomous and lacked sufficient oversight. However, critics argued that its dissolution was politically motivated, aiming to reduce scrutiny over corruption cases linked to high-level officials. This raises a broader issue of how specialized prosecution offices can be designed to ensure both independence and accountability. Possible solutions include clear procedural safeguards, such as judicial review of prosecutorial decisions as well as transparent appointment and removal processes for specialized prosecutors, ensuring that changes in government do not lead to politically motivated dismissals. We can also

mention external oversight mechanisms, such as parliamentary committees or independent review bodies, to monitor the performance and impartiality of specialized prosecution offices (Sheptycki 2017).

Finally, the fifth lesson addresses international commitments and comparative perspectives. The Slovak case also underscores the relevance of international legal obligations in shaping national prosecution structures. Many international conventions, including the United Nations Convention Against Corruption and EU directives on financial crime, emphasize the importance of specialized prosecution mechanisms. While these instruments do not prescribe a single model for specialized prosecution, they establish principles that member states must respect, including effectiveness, independence, and adequate resourcing (Ritleng 2016). Comparative experiences show that different countries have adopted diverse models to meet these obligations. The key takeaway is that specialization can take different forms, but its success depends on a combination of legal guarantees, operational effectiveness, and institutional credibility.

Author Contributions: Conceptualization, B.Š.; methodology, L.K. and B.Š.; validation, L.K. and B.Š.; formal analysis, L.K. and B.Š.; investigation, L.K. and B.Š.; resources, B.Š.; data curation, L.K.; writing—original draft preparation, B.Š.; writing—review and editing, L.K. and B.Š.; visualization, B.Š.; supervision, L.K.; project administration, L.K.; funding acquisition, L.K. All authors have read and agreed to the published version of the manuscript.

Funding: The paper was elaborated as a part of the research project VEGA No. 1/0100/24 'Implementation of European Crimes into the Legal Order of the Slovak Republic' ['Zavedenie európskych trestných činov do právneho poriadku Slovenskej republiky']. The funding was awarded to the Matej Bel University in Banská Bystrica, Slovak Republic.

Institutional Review Board Statement: Not applicable.

Informed Consent Statement: Not applicable.

Data Availability Statement: No new data were created or analyzed in this study. Data sharing is not applicable to this article.

Conflicts of Interest: The authors declare no conflicts of interest.

References

Anku-Tsede, Olivia, Reginald Arthur, and Majoreen Osafroadu Amankwah. 2023. Special prosecutor: Panacea or facade to institutionalised corruption in Ghana? *Cogent Social Sciences* 9: 1–17. [CrossRef]

Arnone, Marco, and Leonardo S. Borlini, eds. 2014. Governance, corruption, and effects on institutions. In *Corruption: Economic Analysis and International Law*. Cheltenham: Edward Elgar Publishing, pp. 153–76.

Becková, Dominika. 2018. The fundamental right to an effective judicial protection enshrined in Art. 47 of the Charter of Fundamental Rights of the EU and its application by individuals before Courts of the EU. *Acta Universitatis Carolinae Iuridica* 2018: 167–79.

Bindi, Elena. 2016. Proportionality test in the "age of balancing". *Revista de Derecho Politico* 96: 291–330. [CrossRef]

Buribayev, Yermek, Zhanna Khamzina, Gakku Rakhimova, Kuralay Turlykhankyzy, and Nessibelli Kalkayeva. 2023. Advantage and Risks of the Specialization of Courts in Social and Labor Disputes. *International Journal for Court Administration* 14: 1–16. [CrossRef]

Coscas-Williams, Béatrice, and Michal Alberstein. 2019. A Patchwork of Doors: Accelerated Proceedings in Continental Criminal Justice systems. *New Criminal Law Review* 22: 585–617. [CrossRef]

Crha, Lumír. 2007. Specializace státních zástupců v trestním řízení [Specialization of public prosecutors in criminal proceedings]. *Státní Zastupitelství* 5: 28–36.

Čentéš, Jozef, Michal Považan, and Ján Šanta. 2014. *Dejiny prokuratúry na Slovensku [History of the Public Prosecutor's Office in Slovakia]*. Bratislava: Atticum.

Čollák, Jaroslav. 2016. *Organizácia súdov a prokuratúry SR: Štruktúra, postavenie a úlohy orgánov ochrany práva [Organization of Courts and the Public Prosecutor's Office of the Slovak Republic: Structure, Position, and Roles of Law Protection Authorities]*. Plzeň: Vydavatelství a nakladatelství Aleš Čeněk.

Dandurand, Yvon. 2019. Strategies and practical measures to strengthen the capacity of prosecution services in dealing with transnational organized crime, terrorism and corruption. In *Transnational Terrorism*. Edited by Steven M. Chermak and Joshua D. Freilich. Surrey: Ashgate, pp. 427–48.

Davis, Angela J. 2001. The American Prosecutor: Independence, Power, and the Threat of Tyranny. *Iowa Law Review* 86: 393–465.

Davis, Michael. 2025. *Institutional Breakdown Cases*. Heimdalsvegen: Publifye AS.

Demovič, Peter. 2023. Je vecná príslušnosť pri trestných činoch extrémizmu aj naďalej opodstatnená? [Is the Subject-Matter Jurisdiction in Cases of Extremist Crimes Still Justified?]. *Justičná Revue* 75: 1008–19.

Denyer, Roderick. 2012. *Case Management in Criminal Trials*. London: Bloomsbury Publishing.

Dias, João Paulo. 2017. Multiple Competences of Judicial and Social Intervention: Portuguese Public Prosecutors in Action. *Laws* 6: 19. [CrossRef]

Drgonec, Ján. 2012. *Ústava Slovenskej republiky: Komentár. 3. preprac. a rozš. Vyd [The Constitution of the Slovak Republic: Commentary. 3rd Revised and Expanded Edition]*. Šamorín: Heuréka.

Elrod, Preston, and R. Scott Ryder. 2011. *Juvenile Justice: A Social, Historical and Legal Perspective*. Sudbury: Jones & Bartlett Learning.

Findley, Keith A., and Michael S. Scott. 2006. The Multiple Dimensions of Tunnel Vision in Criminal Cases. *Wisconsin Law Review* 2: 291–397.

Funta, Rastislav, and Andreas Schultz. 2023. The Interpretation of Article 101 (3) of the TFEU by the European Commission. *Prawo i Wiez* 4: 651–70.

Funta, Rastislav, and Kristína Králiková. 2022. Obligation of the European Commission to review national civil court judgements? *Juridical Tribune* 12: 215–26. [CrossRef]

Funta, Rastislav, and Marian Horváth. 2024. A Legal-Dogmatic View on Freedom of Expression in Social Networks. *Studia Iuridica Lublinensia* 33: 117–29. [CrossRef]

Gentile, Giulia. 2023. Effective judicial protection: Enforcement, judicial federalism and the politics of EU law. *European Law Open* 2: 128–43. [CrossRef]

Giba, Marián, Kamil Baraník, Marek Domin, Tomáš Ľalík, and Lívia Trellová. 2019. *Ústavné parvo [Constitutional Law]*. Bratislava: Wolters Kluwer.

Giddey, Thibaud. 2022. The institutionalization of the fight against white-collar crime in Switzerland, 1970–1990. *Business History* 64: 1185–210. [CrossRef]

Gottschalk, Petter. 2024. Deterrence effects despite lack of prosecution: Punishment outcomes of white-collar crime investigations in Norway. *Policing* 18: paae015. [CrossRef]

Harbarth, Stephan, and Christoph Spielmann. 2023. EU Review of Judicial Independence in the Member States: Its Foundations and Limits. *European Law Review* 48: 681–95.

Hubenák, Ladislav. 2001. *Právne dejiny Slovenska do roku 1945: (II. diel) [Legal History of Slovakia until 1945: (Volume II)]*. Banská Bystrica: Právnická fakulta Univerzity M. Bela.

Kamber, Krešimir. 2017. *Prosecuting Human Rights Offences. Rethinking the Sword Function of Human Rights Law*. Leiden: Brill.

Kim, Iljoong, and Jaewook Byeon. 2017. Discretionary prosecution of regulatory crimes: Disproportionate emphasis and consequences to other serious crimes. *Asia-Pacific Journal of Regional Science* 1: 559–87. [CrossRef]

Klamert, Marcus. 2014. *The Principle of Loyalty in EU Law*. New York: Oxford University Press.

Kraus, Jiří. 2005. *Slovník cudzích slov (akademický) [Dictionary of Foreign Words (Academic Edition)]*. Bratislava: Slovenské pedagogické nakladateľstvo.

Lailam, Tanto, Putri Anggia, and Chakim Luthfi. 2024. The Proportionality Test Models of Competing Rights Cases in the Civil and Common Law Systems: Lesson to Learn for Indonesia. *Hasanuddin Law Review* 10: 206–25. [CrossRef]

Łazowski, Adam. 2013. Decoding a Legal Enigma: The Charter of Fundamental Rights of the European Union and infringement proceedings. *ERA Forum* 14: 573–87. [CrossRef]

Mahmutovic, Adnan. 2023. The European Union Charter of Fundamental Rights: Strengthening the Participation in the European Union. *Padjadjaran Jurnal Ilmu Hukum* 10: 17–35. [CrossRef]

Márton, Balázs. 2024. Independence of the European Public Prosecutor's Office in the context of the appointment procedures. *New Journal of European Criminal Law* 15: 146–63. [CrossRef]

Michel, Verónica. 2021. Institutional Design, Prosecutorial Independence, and Accountability: Lessons from the International Commission against Impunity in Guatemala (CICIG). *Laws* 10: 58. [CrossRef]

Nuttall, Christopher. 2000. *Crime and Criminal Justice in Europe*. Strasbourg: Council of Europe.

Plundr, Otakar, and Petr Hlavsa. 1980. *Organizace justice a prokuratury [Organization of the Judiciary and the Public Prosecutor's Office]*. Praha: Panorama.

Popova, Maria, and Vincent Post. 2019. Prosecuting high level corruption in Eastern Europe. *Soviet and Post-Soviet Politics and Society* 208: 183–220. [CrossRef]

Ritleng, Dominique. 2016. *Independence and Legitimacy in the Institutional System of the European Union*. Oxford: Oxford University Press.

Rose, Cecily. 2019. The Creation of a Review Mechanism for the un Convention Against Transnational Organized Crime and Its Protocols. *American Journal of International Law* 114: 51–67. [CrossRef]

Strémy, Tomáš, Klaudia Popélyová, and Lilla Ozoráková. 2021. *Prokuratúra v podmienkach Európskej únie [The Public Prosecutor's Office in the Conditions of the European Union]*. Bratislava: C. H. Beck.

Svák, Ján, Boris Balog, and Ladislav Polka. 2017. *Orgány ochrany práva [Law Enforcement Authorities]*. Bratislava: Wolters Kluwer.

Šanta, Ján. 2012. História prokuratúry: Obdobie rokov 1918–1939 [History of the Public Prosecutor's Office: The Period of 1918–1939]. *Justičná Revue* 64: 920–30.

Šanta, Ján. 2015. Pôsobnosť Špecializovaného trestného súdu—Niektoré teoretické a praktické aplikačné problémy [Jurisdiction of the Specialized Criminal Court—Some Theoretical and Practical Application Issues]. *Justičná Revue* 67: 667–77.

Šanta, Ján, and Jozef Čentéš. 2018. História prokuratúry na území Slovenska [History of the Public Prosecutor's Office in the Territory of Slovakia]. *Notitiae Iudiciales Academiae Collegii Aedilium in Bratislava* 4: 56–68.

Sheptycki, James. 2017. *Transnational Crime and Policing*. Oxon: Taylor & Francis.

Šramel, Bystrík. 2012. Vplyv harmonizačnej činnosti Rady Európy a OSN na postavenie slovenského orgánu verejnej žaloby [The Influence of the Harmonization Activities of the Council of Europe and the United Nations on the Status of the Slovak Public Prosecutor's Office]. In *Aktuálne otázky medzinárodného trestného práva v kontexte európskych a vnútroštátnych noriem [Current Issues of International Criminal Law in the Context of European and National Legislation]*. Edited by Dagmar Lantajová. Trnava: Trnavská univerzita v Trnave. Právnická fakulta, pp. 246–64.

Šramel, Bystrík. 2015a. Non-criminal competence of public prosecution and its forms in the V4 countries. In *SGEM 2015 Conference Proceedings, Vol. 1: Political Sciences, Law, Finance, Economics and Tourism*. Sofia: STEF92 Technology, pp. 623–30.

Šramel, Bystrík. 2015b. *Ústavné súdnictvo [Constitutional Judiciary]*. Trnava: Občianske združenie FSV.

Šramel, Bystrík. 2022. Possibilities of Strengthening the Independence of the Public Prosecutor's Office of the Slovak Republic: A System of Appointment of the Prosecutor General to the Office as a Key Element? *Social Sciences* 11: 364. [CrossRef]

Tomášková, Miriam. 2024. Korupce na Slovensku jako "never ending story" [Corruption in Slovakia as a "Never-Ending Story"]. *Právník* 163: 746–63.

Vališ, Zdeněk. 2006. Státní prokuratura a státní soud [State Prosecutor's Office and State Court]. *Státní zastupitelství* 4: 3–14.

Van De Bunt, Henk, and Jean-Louis Van Gelder. 2012. The dutch prosecution service. *Crime and Justice* 41: 117–40. [CrossRef]

Wasserman, Melissa F., and Jonathan D. Slack. 2021. Can there be too much specialization? Specialization in specialized courts. *Northwestern University Law Review* 115: 1405–504.

Webb, Philippa. 2005. The united nations convention against corruption. *Journal of International Economic Law* 8: 191–229. [CrossRef]

Williams, Sarah. 2012. *Hybrid and Internationalised Criminal Tribunals: Selected Jurisdictional Issues*. Bloomsbury: Hart.

Zaťková, Veronika. 2006. Špeciálna prokuratúra a Špeciálny súd [Special Prosecutor's Office and Special Court]. In *Trestněprávní prostředky boje proti kriminalitě. (Aktuální problémy) [Criminal Law Instruments in the Fight Against Crime (Current Issues)]*. Edited by František Novotný. Praha: Policejní akademie ČR, pp. 234–46.