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V Bruseli, 29. novembra 2007

VEC: INTEREST OF AMICI CURIAE predkladaný poslancami Európskeho parlamentu
Ústavnému súdu Slovenskej republiky, v právnej veci: PL. US 12/01.

Vážený Ústavný súd Slovenskej republiky,

v prílohe si Vám dovoľujem zaslať INTEREST OF AMICI CURIAE predkladaný
poslancami Európskeho parlamentu v právnej veci PL. US 12/01.

S úctou,

MUDr. Miroslav Mikolášik
Poslanec Európskeho parlamentu

Príloha: INTEREST OF AMICI CURIAE
Zoznam podpísaných poslancov Európskeho parlamentu

INTEREST OF AMICI CURIAE
SUBMITTED TO THE CONSTITUTIONAL COURT OF THE SLOVAK REPUBLIC
CASE: PL. US 12/01

We, the undersigned Members of European Parliament, hereby jointly attest to sanctity of human life and the necessity of judicial protection for the unborn child. The disposition of this case raises serious issues of concern for us as representatives of the European Parliament in that the outcome of this case is judicially decisive on the issue of the protection of the unborn within the first trimester of life and ultimately in maintaining the well being and respect belonging to family life in Slovakia. We therefore unanimously ask that the Constitutional Court of the Slovak Republic deem the Law on Artificial Interruption of Pregnancy [Law no. 73/1986 of Coll., as amended by law no. 419/1991 of Coll.] as contrary to the Constitution of the Slovak Republic.

The most basic and fundamental building block of the State is the individual. The Slovak Constitution, in Article 15, recognizes this by providing the highest level of protection for all people, regardless of age and prior to birth: “Everyone has the right to life. Human life is worthy of protection even prior to birth.” The depth of this Constitutional protection cannot be underestimated as the ratification of this Article clearly recognizes that before birth a human life exists, and that only because a human life exists from the moment of conception, can a person come into existence. Precisely stated, that only because a human life exists from conception, can that life develop and grow into childhood.

This same concept is internationally recognized by perhaps the greatest human rights document of recent generations, the Universal Declaration of Human Rights, which in Article 3 states that the right to life is inalienable and extends to all members of the human family.

The lack of provision of any form of protection in the first trimester of life runs afoul of the Constitutional recognition of the right to life and legal protection from before birth, and is equally violative of the Constitutional prohibition against discrimination by differentiating the unborn child in its first trimester from other trimesters and ultimately from life commencing after birth. Absent the right to life, all human rights become meaningless. As such, all other rights become subject to this right as the antecedent of all other rights. Further, the fundamental right to life cannot and must not be made inferior to the right to privacy because of the irreversible nature of the termination of pregnancy and the destruction of human life.

Empirically and scientifically, life at its various stages cannot be differentiated. Legally, absent protection from conception, the right to life enshrined in the Slovak Constitution is divested of all meaning and protection. It is therefore imperative that this Court hold the Law on Artificial Interruption of Pregnancy as an unconstitutional legislative enactment.

Respectfully submitted,

List of Members of the European Parliament submitting the statement:

1.	Miroslav Mikolášik
2.	Ján Hudacký
3.	Peter Šťastný
4.	Milan Gaľa
5.	Zita Pleštinská
6.	Gay Mitchell
7.	Peter Liese
8.	Georgios Georgiu
9.	Kathy Sinnott
10.	Ari Vatanen
11.	Marie Panayotopoulos-Cassioutou
12.	Simon Busuttil
13.	Carlo Casini
14.	Marcin Libicki
15.	László Surjan
16.	José Ribeiro E Castro
17.	Patrick Louis
18.	Boguslaw Rogalski
19.	Maciej Giertych
20.	Mirosław Piotrowski
21.	Witold Tomczak

