



Weekly Briefing

**Slovakia external relations briefing:
Incident with Belgium over the Death of Jozef Chovanec
Juraj Ondriaš**

China-CEE Institute

Kiadó: Kína-KKE Intézet Nonprofit Kft.

Szerkesztésért felelős személy: Chen Xin

Kiadásért felelős személy: Huang Ping

 1052 Budapest Petőfi Sándor utca 11.

 +36 1 5858 690

 office@china-cee.eu

 china-cee.eu

Incident with Belgium over the Death of Jozef Chovanec

Along with the long-running issues of the COVID-19 pandemic and the negotiations on the EU budgetary framework, a new diplomatic problem came up for the Slovak government in August and September. This was the release of new information and a video about the death of Slovak citizen Jozef Chovanec in police custody in Belgium two years prior. While the scandal broke on August 19th, the fallout and new developments took place throughout September and are continuing. The ensuing scandal could be seen as the first test for the relatively new government (in place since late March) of a purely bilateral confrontation with another country.

First some background is needed. Jozef Chovanec was a 38-year-old Slovak entrepreneur whose business included hiring Slovak workers for Belgian construction projects. On February 23rd 2018, he was arrested by Belgian airport police for violent behavior and causing a disturbance at Charleroi airport – boarding a plane without a boarding pass, shoving a stewardess because he could not choose his seat, and refusing to leave the plane. The official report stated he carried out acts of self-harm in his cell, like banging his head against the wall. When the officers tried to calm him, he had a heart attack and was hospitalized. There, he fell into a coma and died three days later. No reason was given for his behavior; an autopsy did not confirm alcohol or narcotics, while mental health issues were suggested but not confirmed until September. His widow Henrieta and his family filed a lawsuit to uncover the circumstances of his death.

However, the scandal really started two and a half years later. On August 19th the Belga press agency announced that new security camera footage had come to light. It showed Chovanec being a victim of police brutality in his cell. The video was publicly released by the Belgian daily Het Laatste Nieuws, and picked up by Slovak media the following day. The video confirmed his self-inflicted injuries, but also showed officers restraining him and kneeling on his chest for 16 minutes and thus obstructing his breathing. One policewoman was even seen doing the Nazi salute while Chovanec was being restrained, to the laughter of her colleagues. The officers also neglected to call first aid when Chovanec showed health problems. When a medical team did belatedly arrive, a nurse said that it would not be a loss if Chovanec died. The final medical report stated that Chovanec died of a mechanical obstruction of the respiratory passages, lending credence to the suspicions of police abuse.

Such treatment of Jozef Chovanec prompted comparisons in the Slovak and Belgian media to George Floyd, the African-American man killed by police on May 25th when a policeman suffocated him by also kneeling on his chest. Similar to the George Floyd case being seen as an example of racism in the USA, the killing of Chovanec has been interpreted as an example of the divide between the Western European “older” member states of the EU and the post-Communist Central European “newer” member states which joined in and after 2004. Such an interpretation is admittedly insinuated mostly by alternative media on the political fringes in Slovakia, yet in Slovakia (as well as in other newer EU members) there is a sense that they and the poorer post-Communist nations in general are seen as second-class Europeans by the older and wealthier member states. This idea is periodically strengthened by issues such as the threats by the EU institutions and several Western members of the EU to cut EU funding to those members (such as Slovakia) which refuse to accept migrant quotas, or the scandal unfolding over the previous years that food producers in the EU export lower-quality and less healthy products to the poorer newer members than to the wealthier older ones. The death of Jozef Chovanec plays right into this narrative in Slovakia.

The scandal quickly became an issue of internal political one-upmanship in Slovakia. Starting on August 21st, the Ministry of Foreign Affairs called the incident shocking and disturbing. The Ministry sent a diplomatic note to Bruxelles calling on the Belgian authorities for promptness, responsibility and maximum attention to the investigation, due to the negative reactions of the public. The Minister Ivan Korčok likewise expressed his shock, while the President Zuzana Čaputová condemned the brutality of the police response. The chairman of the Slovak parliament Boris Kollár went the furthest, calling the death of Chovanec illegitimate, comparing him to George Floyd and suggesting that the Belgian authorities were attempting to sweep the matter under the rug. In an emotional interview, he called for the exemplary punishment for those involved. He also vowed to aid the widow of Chovanec in her quest to obtain justice, such as paying her legal fees. In general, the scandal presented an opportunity for representatives of the government to deflect attention from the pandemic and to present themselves as acting tough on behalf of Slovakia’s interests.

Meanwhile, the opposition took it as an opportunity to criticize the government response as weak, insufficient, and slow, with politicians from the main opposition Smer-SD party condemning the Slovak government as much as the Belgian police officers involved in the scandal. The Chairman of Smer-SD, Robert Fico, indirectly criticized Minister Korčok for not summoning the Belgian ambassador for an explanation. A week later, on August 27th, Smer-SD promised to introduce a draft parliamentary resolution, to condemn the treatment of Chovanec and demand more information. This was directed as much against what Smer-SD

saw as the weak response of the Slovak government as against the Belgian authorities. The resolution was adopted on September 2nd. These initial responses nicely illustrated the division between politicians generally seen as the most populist on the Slovak political scene (Kollár and Fico), whose criticism was more severe, and those seen as moderate or pragmatic (Korčok and Čaputová), who had a more muted response. Because of political polarization, there was not much uniting around the government response by the various political groupings as happens in international confrontations. The “human-interest” nature of the story and serving as a break from the pandemic propelled the affair within the Slovak media and thus kept it in the public consciousness, which made it into an issue of domestic politics.

Further consternation and mistrust was caused by the slow pace of the Belgian investigation, explained by the Belgians as due to the pandemic. Nevertheless, the widow of Chovanec and other next-of-kin suspected that the incident was being covered up, and called for a new judge and prosecutor. However, after the video leaked, the policewoman doing the Nazi salute was released from active duty on August 20th. The deputy chief of the Belgian federal police force André Desenfants resigned the following day and the chief of the Charleroi airport police Danny Elst resigned the day after, both temporarily while the investigation continues. These steps were welcomed by Korčok and Slovak diplomacy. Spurred on by the criticism from within Slovakia, the Ministry of Foreign Affairs stressed that the investigation was in Belgian hands, without interference by Slovakia, but insisted on a more rapid pace. Eventually, on September 3rd, Korčok did summon the Belgian ambassador to indicate his displeasure at the investigation, as Fico suggested earlier. In general, it seems that much of the initiative was with Slovak MPs and MEPs rather than the government, which favored a less confrontational approach. This could be due to the pro-Western orientation of the government, unwilling to antagonize a Western ally, compared to the populist streak in the previous government, which often criticized the West.

On September 2nd the Belgian authorities determined there was no evidence that the police officers were to blame for the death of Chovanec. A week later, September 9th, Korčok got a government mandate to insist upon a thorough investigation and punishment for those responsible. The next day, President Čaputová also indicated her displeasure, and offered to send a medical expert from Slovakia, which Belgium accepted by September 16th. While she did not specify the role of this expert, she said this step would increase the credibility of the process in the eyes of the Slovak as well as Belgian public opinion. Minister Korčok supported this request on September 11th, and the Minister of Justice Mária Kolíková held a phone call the next day with her Belgian counterpart to discuss Slovakia becoming a party in the dispute.

Slovakia was aided by outrage from Belgian politicians, media and citizens. The Belgian police was embroiled in another racist scandal, hurting their credibility and helping their critics in the Chovanec case. The Belgian politicians forced a hearing in the Belgian parliament, at which a Slovak diplomat was present, but all involved denied their responsibility. Among those questioned was Catherine de Bolle, now president of Europol, but formerly chief of the Belgian police force.

The Members of the European Parliament (MEPs) for Slovakia were also active in the matter, trying to bring it before the European Parliament (EP). They disputed the official reports from the investigation and vowed to hold Catherine de Bolle accountable. Their efforts had some success when EP President David Sassoli promised on September 14th that the EP will pay close attention to the matter. Issues Slovak MEPs highlighted were: police brutality, extremism in law enforcement, the slow pace of the investigation and why several witnesses were not yet interrogated who came forward with testimony unfavorable to the police. They also initiated a letter to the European Commission on this issue, which received more than 7 000 signatures by mid-September. A week later, on September 21st, Korčok informed the European Commission of the developments in the incident, as he was directed by the Slovak Parliament. Slovak politicians obviously hope that the EU can put pressure on Belgium in a way that Slovakia itself cannot. The incident is framed as fighting against police brutality in general, which is a current issue in the EU. If this strategy succeeds, it may help undercut nationalist and populist euroskeptics in Slovakia by showing that the EU can help protect Slovak national interests and demonstrating to Slovaks some equality with Western Europeans.