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## NOTE VERBALE

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The Permanent Mission of the Slovak Republic to the OSCE presents its compliments to all Permanent Missions and Delegations to the OSCE and to the Conflict Prevention Centre and has the honour to submit the Slovak Republic's response to the Questionnaire on the Code of Conduct on Politico-Military Aspects of Security, valid as of April 15 2019. In accordance with the Interpretative Statement made with regard to the FSC Decision 02/09, additional information concerning implementation of the OSCE MC Decision 14/05 and the UNSCR 1325 on women, peace and security, is included.

The Permanent Mission of the Slovak Republic to the OSCE avails itself of this opportunity to renew to all Permanent Missions and Delegations to the OSCE and to the Conflict Prevention Centre the assurances of its highest consideration.

Vienna, 12 April 2019

Enclosure: 1



To all Permanent Missions and Delegations to the OSCE  
and to the Conflict Prevention Centre  
Vienna

# QUESTIONNAIRE ON THE CODE OF CONDUCT ON POLITICO-MILITARY ASPECTS OF SECURITY\*

## Section I: Inter-State elements

### 1. Account of measures to prevent and combat terrorism

1.1 To which agreements and arrangements (universal, regional, subregional and bilateral) related to preventing and combating terrorism is your State a party?

*The Slovak Republic is a party and implements following agreements and arrangements related to preventing and combating terrorism:*

#### **Multilateral Agreements**

1. *European Convention on Extradition* (Paris, 13 December 1957);
2. *European Convention on Mutual Assistance in Criminal Matters* (Strasbourg, 20 April 1959);
3. *Convention on Offences and Certain Other Acts Committed on Board Aircraft* (Tokyo, 14 September 1963);
4. *Convention for the Suppression of Unlawful Seizure of Aircraft* (The Hague, 16 December 1970);
5. *Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation* (Montreal, 23 September 1971);
6. *European Convention on the Transfer of Proceedings in Criminal Matters* (Strasbourg, 15 May 1972);
7. *Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents* (New York, 14 December 1973);
8. *Additional Protocol to the European Convention on Extradition* (Strasbourg, 15 October 1975);
9. *European Convention on the Suppression of Terrorism* (Strasbourg, 27 January 1977);
10. *Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters* (Strasbourg, 17 March 1978);
11. *Second Additional Protocol to the European Convention on Extradition* (Strasbourg, 17 March 1978);
12. *International Convention against the Taking of Hostages* (New York, 17 December 1979);
13. *Convention on the Physical Protection of Nuclear Material* (Vienna, 3 March 1980);
14. *Convention on the Transfer of Sentenced Persons* (Strasbourg, 21 March 1983);
15. *Protocol on the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation* (Montreal, 24 February 1988);
16. *Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation* (Rome, 10 March 1988);
17. *Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf* (Rome, 10 March 1988);
18. *Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime* (Strasbourg, 8 November 1990);
19. *Convention on the Marking of Plastic Explosives for the Purpose of Detection* (Montreal, 1 March 1991);
20. *International Convention for the Suppression of Terrorist Bombings* (New York, 15 December 1997);
21. *International Convention for the Suppression of the Financing of Terrorism* (New York, 9 December 1999);
22. *United Nations Convention against Transnational Organized Crime* (New York, 15 November 2000);

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\* Participating States are encouraged to highlight major changes or updates in their replies to the questionnaire, as appropriate

23. *Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime* (New York, 15 November 2000);
24. *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime* (New York, 15 November 2000);
25. *Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime* (New York, 31 May 2001);
26. *Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters* (Strasbourg, 8 November 2001);
27. *Protocol Amending the European Convention on the Suppression of Terrorism* (Strasbourg, 15 May 2003 – not in force);
28. *International Convention for the Suppression of Acts of Nuclear Terrorism* (New York, 13 April 2005);
29. *Council of Europe Convention on the Prevention of Terrorism* (Strasbourg, 16 May 2005);
30. *Council of Europe convention on laundering, search, seizure and confiscation of the proceeds from crime and on the financing of terrorism* (Warsaw, 16 May 2005);
31. *Arms Trade Treaty* (New York, 2 June 2013) ;
32. *Convention on Cluster Munitions* (Dublin, 19-30 May 2008.)
33. *Convention between the Kingdom of Belgium, the Federal Republic of Germany, the Kingdom of Spain, The French Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands and the Republic of Austria on the stepping up of cross-border cooperation, particularly in combating terrorism, cross-border crime and illegal migration* (Prüm, 27 May 2005)
34. *Protocol to the North Atlantic Treaty on the Accession of Montenegro to NATO* (Bratislava, 14. July 2016)

### **European Union's Legal Acts**

1. *Council Regulation (EC) No 2580/2001 of 27 December 2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism as amended;*
2. *Council Decision 2008/615/JHA of 23 June 2008 on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime;*
3. *Council Decision 2008/616/JHA of 23 June 2008 on the implementation of Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime;*
4. *Council Decision 2008/617/JHA of 23 June 2008 on the improvement of cooperation between the special intervention units of the Member States of the European Union in crisis situations;*
5. *Council Decision of 13 December 2011 on the conclusion of the Agreement between the European Union and Australia on the processing and transfer of Passenger Name Record (PNR) data by air carriers to the Australian Customs and Border Protection Service.*
6. *Council Decision 2007/533/JHA of 12 June 2007 on the establishment, operation and use of the second generation Schengen Information System (SIS II)*
7. *Council Framework Decision 2002/584/ JHA of 13 June 2002 on the European arrest warrant and the surrender procedures between Member States as amended*
8. *Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC (Text with EEA relevance)*
9. *Directive (EU) 2016/681 of the European Parliament and of the Council of 27 April 2016 on the use of passenger name record (PNR) data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime*

10. *Directive (EU) 2017/541 of the European Parliament and of the Council of 15 March 2017 on combating terrorism and replacing Council Framework Decision 2002/475/JHA and amending Council Decision 2005/671/JHA*
11. *Regulation (EU) 2016/794 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Law Enforcement Cooperation (Europol) and replacing and repealing Council Decisions 2009/371/JHA, 2009/934/JHA, 2009/935/JHA, 2009/936/JHA and 2009/968/JHA*
12. *Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA*
13. *Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC*
14. *Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU*
15. *Directive 2014/42/EU of the European Parliament and of the Council of 3 April 2014 on the freezing and confiscation of instrumentalities and proceeds of crime in the European Union*
16. *Directive 2013/40/EU of the European Parliament and of the Council of 12 August 2013 on attacks against information systems and replacing Council Framework Decision 2005/222/JHA*
17. *Regulation (EU) No 98/2013 of the European Parliament and of the Council of 15 January 2013 on the marketing and use of explosives precursors*
18. *Council Directive 2004/80/EC on relating to compensation to crime victims*
19. *Regulation (EU) No 230/2014 of the European Parliament and of the Council of 11 March 2014 establishing an instrument contributing to stability and peace*
20. *Regulation (EU) 2015/2219 of the European Parliament and of the Council of 25 November 2015 on the European Union Agency for Law Enforcement Training (CEPOL) and replacing and repealing Council Decision 2005/681/JHA*
21. *Council Directive 91/477/EEC of 18 June 1991 on control of the acquisition and possession of weapons*
22. *Implementing Regulation (EU) 2015/2403 establishing common guidelines on deactivation standards and techniques for ensuring that deactivated firearms are rendered irreversibly inoperable*
23. *Commission Implementing Regulation (EU) 2018/337 of 5 March 2018 amending Implementing Regulation (EU) 2015/2403 establishing common guidelines on deactivation standards and techniques for ensuring that deactivated firearms are rendered irreversibly inoperable*
24. *Council Decision (CFSP) 2015/1908 of 22 October 2015 in support of a global reporting mechanism on illicit small arms and light weapons and other illicit conventional weapons and ammunition to reduce the risk of their illicit trade*
25. *Directive (EU) 2018/1673 of the European Parliament and of the Council of 23 October 2018 on combating money laundering by criminal law*
26. *Regulation (EU) 2018/1860 of the European Parliament and of the Council of 28 November 2018 on the use of the Schengen Information System for the return of illegally staying third-country nationals*
27. *Regulation (EU) 2018/1861 of the European Parliament and of the Council of 28 November 2018 on the establishment, operation and use of the Schengen Information System (SIS) in the field of border checks, and amending the Convention implementing the Schengen Agreement, and amending and repealing Regulation (EC) No 1987/2006*
28. *Regulation (EU) 2018/1862 of the European Parliament and of the Council of 28 November 2018 on the establishment, operation and use of the Schengen Information System (SIS) in the field of police cooperation and judicial cooperation in criminal matters, amending and repealing Council Decision 2007/533/JHA, and repealing Regulation (EC) No 1986/2006 of the European Parliament and of the Council and Commission Decision 2010/261/EU*

## Other European Union's acts

29. Council Common Position 2001/930/CFSP of 27 December 2001 on combating terrorism;
30. Council Common Position 2001/931/CFSP of 27 December 2001 on the application of specific measures to combat terrorism as amended;
31. Council Common Position 2003/140/CFSP of 27 February 2003 concerning exceptions to the restrictive measures imposed by Common Position 2002/402/CFSP;
32. Agreement between the United States of America and the European Union on the use and transfer of passenger name records to the United States Department of Homeland Security (2012);
33. Agreement between the European Union and Australia on the processing and transfer of Passenger Name Record data by air carriers to the Australian Customs and Border Protection Service (2012).

## BILATERAL AGREEMENTS

1. Agreement between the Government of the Slovak Republic and the Council of Ministers of the Republic of **Albania** on the Co-operation in Combating Terrorism, Organized Crime, Illicit Trafficking in Narcotic Drugs, Psychotropic Substances and Drug Precursors and other Crimes (Sankt Pölten, 04 May 2015)
2. Agreement between the Government of the Slovak Republic and the Government of the Republic of **Armenia** on Aviation Services (Yerevan, 18 March 2010);
3. Agreement between the Slovak Republic and the **Austria** on Police Co-operation (Vienna, 13 February 2004);
4. Agreement between the Slovak Republic and the Republic of **Austria** on amendment of the Agreement between the Slovak Republic and Austria on Police Cooperation signed on 13 February 2004 in Vienna (Vienna, 14 February 2014);
5. Agreement between the Government of the Slovak Republic and the Government of **Belarus** on Co-operation in the Fight against Terrorism, Illicit Drug Trafficking and other Organized Crime Activities (Bratislava, 14 November 2001);
6. Agreement between the Government of the Slovak Republic and the Government of **Belgium** on Police Co-operation (Brussels, 29 June 2000);
7. Agreement between the Government of the Slovak Republic and the Council of Ministers of **Bosnia and Herzegovina** on Cooperation in Fight against Crime, in Particular Terrorism, Illicit Drug Trafficking and Organized Crime (Sarajevo, 5. 6. 2006);
8. Agreement between the Government of the Slovak Republic and the Government of **Bulgaria** on Police Co-operation (Sofia, 4 November 1999);
9. Agreement between the Government of the Slovak Republic and the Government of the Republic of **Croatia** on Police Co-operation (Zagreb, 17 November 2010);
10. Agreement between the Government of the Slovak Republic and the Government of the Republic of **Cyprus** on Co-operation in Combating Organized Crime, Terrorism, Illicit Trafficking in Narcotic Drugs and Psychotropic Substances as well as other Types of Crime (Bratislava, 26 February 2004);
11. Agreement between the Slovak Republic and the **Czech Republic** on Co-operation in Combating Organized Crime, on the Protection of the Public Order and on the Protection of the State Border (Bratislava, 27 January 2004);
12. Agreement between the Government of the Slovak Republic and the Government of the **Czech Republic** on Cooperation in Military Aviation (Piešťany, 14 December 2011);
13. Treaty between the Slovak Republic and the Czech Republic for Cooperation on Mutual Protection of Airspace (Brussels, 15 February 2017)
14. Agreement between the Government of the Slovak Republic and the Government of the Arab Republic of **Egypt** on Co-operation in the Field of Fighting Crime (Cairo, 20 January 2004);
15. Agreement between the Government of the Slovak Republic and the Government of the Republic of **France** on Co-operation related to the Interior (Bratislava, 7 May 1998);

16. *Agreement between the Ministry of Defence of the Slovak Republic and the Ministry of Defence of the **Georgia** on Defence Cooperation (Bratislava, 27 March 2014)*
17. *Agreement between the government of the Slovak republic and the government of **Georgia** on cooperation in the fight against crime (Bratislava, 13 November 2015);*
18. *Agreement between the Government of the Czech and Slovak Federal Republic and the Government of the Federal Republic of **Germany** on Co-operation in the Fight against Organized Crime (Prague, 13 September 1991);*
19. *Treaty between the Slovak Republic and the Republic of **Hungary** on Co-operation in Prevention of Cross border Crime and in Fight against Organized Crime (Bratislava, 2 October 2006);*
20. *Agreement between the Slovak Republic and the Republic of **Hungary** on amendment of the Agreement between the Slovak Republic and the Republic of **Hungary** on Co-operation in Prevention of Cross border Crime and in Fight against Organized Crime signed on Bratislava, 2 October 2006 (Brussels, 5 December 2014).*
21. *Agreement between the Government of the Slovak Republic and the Government of the Republic of **Italy** on Co-operation in Combating Terrorism, Organized Crime and Illicit Trafficking in Narcotic Drugs and Psychotropic Substances (Bratislava, 19 April 2002);*
22. *Agreement between the Government of the Slovak Republic and the Government of the Republic of **Kazakhstan** on Cooperation in Combating Organized Crime, Terrorism, Illicit Trafficking in Narcotic Drugs, Psychotropic Substances and their Precursors as well as other Types of Crime (Bratislava, 21. November 2007);*
23. *Agreement between the Government of the Slovak Republic and the Government of the Republic of **Latvia** on co-operation in the Fight against Terrorism, Illicit Trafficking in Drugs and other Organized Crime (Riga, 24 May 1999);*
24. *Agreement between the Government of the Slovak Republic and the Government of the Republic of **Lithuania** on co-operation in detecting, investigating and preventing criminal offences (Bratislava, 10 June 2008);*
25. *Agreement between Government of the Slovak Republic and the Government of the Republic of **Macedonia** on Police Co-operation in the Fight against Crime (Bratislava, 5 October 2009);*
26. *Agreement between the Government of the Slovak Republic and the Government of **Malta** on Co-operation in the Fight against Organized Crime (Bratislava, 16 May 2000);*
27. *Agreement between the Government of the Slovak Republic and the Government of the Republic of **Moldova** on Cooperation in the Fight against Organized Crime (Chisinau, 20. June 2007);*
28. *Agreement between the Ministry of Interior of the Slovak Republic and the Ministry of Interior of **Montenegro** on Police Cooperation (Podgorica, 5 June 2012)*
29. *Agreement between the Slovak Republic and the Republic of **Poland** on Co-operation in Combating Crime and on Co-operation on the Border Area (Warsaw, 23 March 2004) as amended;*
30. *Agreement between the Government of the Slovak Republic and the Government of **Romania** on Co-operation in Combating Organized Crime, Illicit Trafficking in Narcotic Drugs, Psychotropic Substances and Precursors, Terrorism, as well as other Serious Crime (Bucharest, 16 October 2003);*
31. *Agreement between the Ministry of Interior of the Slovak Republic and the Federal Financial Monitoring Service (**Russian Federation**) on Cooperation in the Field of Fight against Legalization (Laundering) of Proceeds from Crime and Financing of Terrorism (Sun City, 3 July 2013)*
32. *Agreement on Co-operation between the Ministry of Interior of the Slovak Republic and the Ministry of Interior of the **Russian Federation** (Moscow, 28 February 2014)*
33. *Agreement between the Government of the Slovak Republic and the Government of the Republic of **Serbia** on Cooperation in Combating Crime (Bratislava, 16. November 2007);*
34. *Agreement between the Government of the Slovak Republic and the Government of the Republic of **Singapore** on Aviation Services (Bratislava, 7 October 2010);*
35. *Agreement between the Government of the Slovak Republic and the Government of **Slovenia** on Co-operation in the Fight against Terrorism, Illicit Trafficking in Narcotic and Psychotropic Substances and Precursors and Organized Crime (Bratislava, 14 September 1994);*
36. *Agreement between the Government of the Slovak Republic and the Government of the Kingdom of **Spain** on Co-operation in the Fight against Organized Crime (Bratislava, 3 March 1999);*

37. *Agreement between the Government of the Slovak Republic and the Government of the Republic of **Turkey** on Co-operation in the Fight against International Terrorism, Illicit Trafficking in Drugs and other Organized Crime* (Ankara, 6 June 1996);
38. *Agreement between the Government of the Slovak Republic and the Government of **Turkmenistan** on Co-operation in the Fight against International Terrorism, Illicit Trafficking in Narcotics and other Organized Crime* (Moscow, 8 August 1996);
39. *Agreement between the Government of the Slovak Republic and the Cabinet of **Ukraine** on Co-operation in the Fight against Organized Crime* (Bratislava, 5 December 2000);
40. *Memorandum of understanding on security cooperation and fighting terrorism between the Ministry of interior of the Slovak republic and the Ministry of the **United Arab Emirates*** (Abu Dhabi, 5. April 2015),
41. *Agreement between the Government of the Czech and Slovak Federal Republic and the Government of the **United Kingdom of Great Britain and Northern Ireland** on Co-operation in the Fight against Terrorism, Trafficking in Narcotics and Organized Crime and General Aspects of Security Practice* (Prague, 23 July 1990);
42. *Agreement between the Government of the Slovak Republic and the Government of the **United States of America** for the Exchange of Screening Information Concerning Known or Suspected Terrorists* (Bratislava, 2.10.2008);
43. *Agreement between the Slovak Republic and the **United States of America** on enhancing cooperation in preventing and combating crime* (Washington 8 October 2008);
44. *Agreement between the Ministry of Interior of the Slovak Republic and the Ministry of Interior of the Republic of **Uzbekistan** on Cooperation in Fight against Organized Crime* (Bratislava, 17 January 1997);
45. *Agreement between the Ministry of Interior of the Slovak Republic and the Ministry of Public Security of the **Socialist Republic of Vietnam** on Cooperation in Preventing and Combating Crimes* (Bratislava, 6 March 2017)

1.2 What national legislation has been adopted in your State to implement the above-mentioned agreements and arrangements?

- *Penal Code No. 300/2005 Coll. as amended;*
- *Code of Criminal Procedure No. 301/2005 Coll. as amended;*
- *Act No. 171/1993 Coll. on Police Force as amended;*
- *Act No. 46/1993 Coll. on Slovak Intelligence Service as amended;*
- *Act No. 198/1994 Coll. on Military Intelligence as amended;*
- *Act No. 256/1998 Coll. on Witness Protection as amended;*
- *Act No. 129/1998 Coll. on Chemical Weapons Ban as amended;*
- *Banking Act No. 483/2001 Coll. amending certain other acts as amended;*
- *Constitutional Act No. 227/2002 Coll. on State Security during Wartime, Hostilities, Martial Law, and State of Emergency as amended;*
- *Act No. 319/2002 Coll. on Defence of the Slovak Republic as amended;*
- *Act No. 321/2002 Coll. on Armed Forces of the Slovak Republic as amended;*
- *Act No. 331/2005 Coll. on state administration bodies respecting drugs precursors as amended;*
- *Act No. 404/2011 Coll. on the stay of foreigners and amendments;*
- *Act No. 199/2004 Coll. the Customs Act and on amendments to certain acts, as amended;*
- *Act No. 154/2010 Coll. on the European Arrest Warrant as amended;*
- *Act No. 143/1998 on the Civil Aviation as amended;*
- *Act No. 541/2004 Coll. on the Peaceful Using of the Nuclear Energy as amended;*
- *Act No. 652/2004 Coll. on State Administration Authorities in the Customs and about the amendment and complementing the other acts, as amended;*

- *Act No.: 218/2007 Coll. on Biological Weapons Ban as amended;*
- *Act No. 297/2008 Coll. on the Protection from the Legalization of receipts from the Criminal Activity and on the Protection from the financing of the Terrorism as amended (full implementation of the Directive 2005/60/EC of the European Parliament and of the Council of 26 October 2005 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing);*
- *Act No. 747/2004 Coll. on Supervision of the Financial Market and on changes and amendments of certain acts as amended;*
- *Act No. 566/2001 Coll. on securities and investment services and on amendments and supplements of certain acts (Act on Securities), as amended;*
- *Act. No. 203/2011 Coll. on collective investment as amended;*
- *Act. No. 291/2009 Coll. on the Establishment of the Specialized Criminal Court and on amendments and supplements of certain acts as amended by Act No. 400/2009 Coll.;*
- *Act No. 492/2009 Coll. on payment services and on amendments and supplements of certain acts, as amended;*
- *Act. No. 45/2011 Coll. Critical Infrastructure Act;*
- *Act No. 289/2016 Coll. on the Implementation of International Sanctions and on Amendments to Act No. 566/2001 Coll. on Securities and Investment Services and on Amendments and Supplements to Certain Acts (Securities Act);*
- *Act No. 183/2011 Coll. on Recognition and Enforcement of Judgments Imposing Financial Sanction in the European Union and on amendments and supplements of certain acts, as amended by Act No. 91/2016 Coll.;*
- *Act No. 533/2011 Coll. on Recognition and Enforcement of Judgments Imposing Measures not Involving Deprivation of Liberty or Probation Decisions with a View to the Supervision of Probation Measures in the European Union;*
- *Act No. 549/2011 Coll. on Recognition and Enforcement of Judgments Imposing Custodial Sentences or Measures Involving Deprivation of Liberty in the European Union and on amendments and supplements of the Act No. 221/2006 Coll. on execution of custody as amended, as amended by Act No. 344/2012 Coll.;*
- *Act No. 333/2011 Coll. On the State Administration Authorities in the Field of Taxes, Fees and Customs, as amended;*
- *Act No. 110/2004 Coll. on operations of the Security Council of the Slovak Republic in peacetime as amended.*

### 1.3 What are the roles and missions of military, paramilitary and security forces and the police in preventing and combating terrorism in your State?

#### Paramilitary force

*Slovak Republic does not possess any paramilitary or security forces.*

#### Military forces

*Roles and missions of armed forces in preventing and combating terrorism are defined in the Constitutional Act on State security in wartime, during hostilities, martial law and state of emergency (No. 227/2002 Coll. as amended), the Act on the Control of state in crisis situations except for wartime and during a state hostilities (No. 387/2002 Coll.) and the Act on the Armed Forces of the Slovak Republic (No. 321/2002 Coll.).*

*According to Article 4, paragraph 1 of the Constitutional Act No. 227/2002 Coll. the President of the Slovak Republic may, upon the proposal of the Government of the Slovak Republic, proclaim a State of Emergency, if a terrorist attack has been carried out or there is an imminent threat of a terrorist attack.*

*According to the Article 4 paragraph 4 lit. d) of the Act on the Armed Forces of the Slovak Republic, the Armed Forces of the Slovak Republic may be used in the fight against terrorism.*

*The missions and roles of the armed forces in combating terrorism are carried out in accordance with applicable legal acts (No. 387/2002 Coll. as amended, No. 227/2002 Coll. and No. 321/2002 Coll. as amended, etc.)*



and the Constitution of the Slovak Republic; their formulation within the appropriate legislative process is influenced by the respective fundamental security documents, such as the Security Strategy of the Slovak Republic and the Defence Strategy of the Slovak Republic approved at the level of the National Council of the Slovak Republic. The White Paper on Defence of the Slovak Republic, adopted by the Government of the Slovak Republic in June 2013, also addresses some aspects of counter- terrorism.

### Police

Roles and missions of the Police in preventing and combating terrorism are defined in the Act No. 171/1993 Coll. on Police forces as amended and are carried out in accordance with the Constitution of the Slovak Republic, Constitutional acts and other acts particularly with the Penal Code No. 300/2005 Coll. as amended, generally binding standards and effective international treaties and agreements signed by the Slovak Republic. Crimes linked to terrorism are contained in § 297 – establishment, plotting and supporting of terrorist group, in § 313 and § 314 – terror and § 419, - terrorist attack, some forms of participation in terrorism in § 419b, financing of terrorism in § 419c, travel for the purpose of terrorism in § 419d and crime committed from a special motive in § 140 point. d) of the Criminal Code No. 300/2005. Investigation of these crimes belongs to the scope of responsibility of the National Counterterrorism Unit (NCTU) of the National Crime Agency. Its competency spreads over the whole territory of the Slovak Republic. For this purpose field offices were established in Bratislava, Western, Central and Eastern parts of Slovakia. Among NCTU's tasks are intelligence gathering, investigation of criminal offences related to terrorism, criminal intelligence analysing, strategic analysing, creating reports, information and positions, threat assessments, conclusions and resolutions for advisory bodies and also policymaking. NCTU was the supervising body in a long process of creating and revising the National Counter Terrorism Action Plan. The Act No. 171/1993 of the Police Force powers NCTU to conduct operative and search activities such as communication interception, surveillance, covert human intelligence sources etc.

NCTU conducts operative investigations in order to prevent, to avoid, to disclose and to document criminal offences related to terrorism. In fulfilling these tasks, NCTU cooperates with other state authorities, intelligence agencies, Europol, Interpol, local authorities and partner services abroad.

### Counter – terrorism approach:

- *Main partners at home: Slovak Information Service, Military Defence Service, Border and Alien Police, Office for the Protection of the Constitutional Agents and Diplomatic Missions, Migration Office of the Ministry of Interior, the Crisis Management Section of the Ministry of Interior, the Public Administration, the Police International Cooperation Bureau etc.*
- *Partners abroad: police liaisons' officers, partner police services, the Police Working Group for Terrorism, the Terrorism Working Party (of the Council of the EU)*
- *Internal communication channels: police emergency lines 158, 112 link together with the Firemen Rescue Corps and Medical Emergency Service*
- *External communication channels:*
  - **PWGT system** – encrypted communication network of the Police Working Group on Terrorism (PWGT). PWGT consists of counterterrorism units from 31 countries (Member States of EU + Switzerland, Norway and Island). Objectives of the PWGT are to promote, enhance, disseminate and exchange of information, intelligence, and operational co-operation, to prevent terroristic and political violent activities, to share relevant expertise and experience, to create harmonisation in international police investigations into terrorist crimes or, violent political actions and to exchange information about incidents rapidly and accurately.
  - **Europol** – exchange of information and knowledge among EU Member States, Third States and organizations, international cooperation among counter terrorism authorities, analytical support – strategic operational analyses, as well as use of all other related Europol products and services.
  - **Interpol** – information exchange outside of the EU, INTERPOL analyses, stores, collects and exchanges information about suspected individuals and groups and their activities. Member countries are encouraged to report on other crimes, which may be linked, to terrorism, such as suspicious financial transactions, weapons trafficking, money laundering, falsified travel and identity documents, and seizures of nuclear, chemical and biological materials. INTERPOL works closely with organizations such as the United Nations Al Qaeda and Taliban monitoring teams and the International Criminal

*Tribunal for the Former Yugoslavia to maintain its lists of suspected terrorists updated. The organization also co-ordinates the circulation of alerts and warnings on terrorists, dangerous criminals and weapons threats to competent police in member countries. A chief initiative in this area is the Fusion Task Force, /FTF/ that was created in the aftermath of the 11 September attacks in the United States. FTF primary objectives are to: identify active terrorist groups and their membership, collect and share information and intelligence, provide analytical support, enhance the capacity of member countries to address the threats of terrorism and organized crime. In order to help member countries report terrorist activity, the Police in the Slovak Republic and the NCTU are regularly informed about latest developments and efforts at international level via INTERPOL Bratislava which plays key role in exchange of information and co-ordination of activities at international level.*

- **SIRENE** – exchange of information related to alerts in Schengen information system. In context of preventing and combating terrorism, sharing and exchange of information on persons and objects suspicious of terrorism related crimes plays an important role within the Schengen territory.
- **Police Attachés** – More effective obtaining and exchange of relevant information due to well-established personal contacts and their physical presence in the country of posting.
- **Passenger Information Unit (PIU)** – exchange and processing of PNR (Passenger Name Record) information for the purpose of the prevention, detection or prosecution of criminal offences related to one or more of the categories of listed criminal and for searching for offenders of selected offences and for the purpose of facilitating border control and combating illegal migration.

1.4 Provide any additional relevant information on national efforts to prevent and combat terrorism, e.g., those pertaining *inter alia* to:

- Financing of terrorism;
- Border controls;
- Travel document security;
- Container and supply chain security;
- Security of radioactive sources;
- Use of the Internet and other information networks for terrorist purposes;
- Legal co-operation including extradition;
- Safe havens and shelter to terrorists and terrorist organizations.

*National Counter-Terrorism Action Plan (NCTAP) approved by the Government of the Slovak Republic in Resolution no. 369/2005 was the first complex program document dealing with the fight against terrorism. It is focused on measures necessary to increase security of the state – its territory and its inhabitants. The second revised NCTAP created a wide platform for fighting terrorism on legislative, institutional and executive level and was approved by the Government of the Slovak Republic in Resolution no. 854/2007. It set up oriented and concrete measures, to reflect the purpose and goal of all the commitments in concrete activities of state bodies.*

*The National Counter-Terrorism Action Plan for 2011 - 2014 approved by the Government of the Slovak Republic in Resolution no. 316/2011 has focused on key issues in the fight against terrorism in Slovakia. It has established the Counter Terrorism Analytical Centre as well as mechanism for defining the scale of the terrorist threat. The aim of this document was to continue to create favourable conditions for the strict fulfilment and implementation of various international obligations, such as bilateral and multilateral treaties, UN Security Council resolutions etc. As an example of tasks and measures, we may enumerate these:*

*Task no. 1. Review the functioning of existing instruments to combat terrorism and terrorist financing and to submit proposals for the amendment of laws related to terrorism.*

*Task no. 2. Create a draft of mechanism for determining the scale of the terrorist threats on the national level and its practical implementation by entities such as Internal Expert Group for Coordination of the Exchange and Analysis of Information and Cooperation in the Fight against Terrorism.*

*Task no. 3 establishes the National Security Analytical Centre (nationwide) within the organizational structure of the Slovak Intelligence Service.*

*Current developments of the world's security situation with an impact on the Slovak Republic demanded a more proactive approach and adequate response and for this reason a new National Action Plan on Combating Terrorism for 2015-2018 (NCTAP 2015-2018) was approved by the Government of the Slovak Republic in Resolution no. 213/2015.*

*The goal of the new tasks included to the NCTAP 2015-2018 was to extend tools of combating terrorism in the Slovak Republic and to adequately react to current phenomenon such as Foreign Terrorist Fighters (FTF), radicalisation and returning of "foreign fighters", "individual terrorist actors", radicalisation and self-radicalisation on the Internet, in education institutions and religious communities, terrorism financing, etc.*

*The situation in the field of terrorism in the Slovak Republic in 2018 has been relatively stable and peaceful, with no immediate risks and threats. No direct link to terrorist attacks abroad, of its planning or organizing was detected on the territory of Slovakia. No terrorist incident was recorded in Slovakia in 2018.*

*The elevated threat persists in possibility of misusing the Slovak territory for transit of terrorists or material by international terrorist organizations potentially carrying out a terrorist attack within European Union. Only sporadic efforts to organize members of terrorist grouping or to recruit terrorists or sympathizers have been recorded among foreigners believed to represent a security threat. The National Counterterrorism Unit continues to execute operational screenings of the individuals who may have any link to foreign organized criminal groups, separatist movements, guerrilla activities, are suspected of committing acts of terrorism or of belonging to terrorist organizations etc.*

*The Slovak Republic is a member of INTERPOL and became a full member of the Europol on 1 September 2004.*

*By the adoption of the Act No. 291/2009 Coll., the Specialized Criminal Court was established.*

*From 29 June 2009, passports with two biometric data are being issued.*

*In the EU, the vast majority of financial sanctions against terrorists or terrorist organizations are adopted by *acquis communautaire* directly applicable and binding in all EU Member States. Act No. 183/2011 Coll. on Recognition and Enforcement of Judgments Imposing Financial Sanction in the European Union and amendments and supplements of certain acts, as amended by Act No. 91/2016 Coll. enables adoption of national measures related to the EU legislation imposing financial sanctions against terrorists (particularly supervisory measures and enforcement measures in case of violation of the EU law) by the respective Slovak governmental institutions (Ministry of Finance in cooperation with the Ministry of Foreign Affairs). The aforementioned legislation provides simultaneously the mandate for the Slovak Government to implement on national level financial sanctions against terrorists or terrorist groups if such measures are not adopted by a directly applicable EU legislation (e.g. sanctions against persons which are resident in the territory of the EU). National sanctions against individual terrorists and terrorist groups pursuant to Council Common Position 2001/931/CFSP were declared by the Decree of the Slovak Government No. 397/2005 Coll. as amended by the Decree No. 488/2007 Coll.*

*From September 1 2010 the Act No. 154/2010 Coll. on the European Arrest Warrant came into force.*

*In 2014 Criminal Office of the Financial Administration particularly monitored and controlled activities in relation to import, export and transit of military equipment, weapons, ammunition, explosives, nuclear, radioactive and other dangerous materials, as well as dual-use goods. A significant part of these activities were focused on compliance with control measures based on UN Security Council resolutions, such as actions over Iran's nuclear program etc. In addition, the Criminal Office of the Financial Administration performed the tasks resulting from the updated National Action Plan on Combatting Terrorism, particularly in the form of operational cooperation with other involved state authorities in this area.*

*In the field of the supply chain security and the security of containers the Criminal Office of the Financial Administration elaborates risk profiles aimed to identify shipments of military equipment, weapons, ammunition, explosives, nuclear, radioactive and other hazardous materials and dual-use goods as well. Individual shipments are analysed and selected for control according to risk profile.*

*Ministry of Foreign and European Affairs of the Slovak Republic (MFEA) meets on crisis management, including terrorist threats, the role of the Act no. 387/2002 on State management in crisis situations excluding the time of war and hostilities, as amended, and other tasks under the Act no. 575/2001 on the organization and activities of government organizations, government departments, the National Counter-Terrorism Action Plan 2011 – 2014 and other generally binding legal regulations, as well as the tasks arising from Slovakia's membership in international organizations and bodies.*

## Additional information on national efforts to prevent and combat terrorism, pertaining to financing of terrorism

*The Slovak Republic is not perceived as a significant country in terms of terrorist financing, what has been also confirmed by the findings and results of the National Legalization and Financing of Terrorism Risk Assessment (“NRA”), which was in the Slovak Republic carried out in the form of self-assessment by the Slovak authorities using the evaluation tool for national risk assessment based on the contractual relationship provided by the World Bank. The Slovak Republic as an EU member state is obliged to introduce high standards of protection against terrorist financing.*

*The obligation of the Slovak Republic to carry out NRA is based on § 26a of the AML Act No. 297/2008 Coll., as well as the Art. 7 of the Directive (EU) 2015/849 of the European Parliament and of the Council on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing. The first round of NRA for the period 2011 – 2015 was completed in December 2017.*

*The NRA project was coordinated by the Financial Investigation Unit (“FIU”) and almost 70-member team worked on the project. The team consisted of representatives of the Ministry of Finance, the Ministry of Justice, Ministry of Interior, the General Prosecutor’s Office, the National Bank of Slovakia, the Slovak Finance Directorate, the Slovak Information Service, the Ministry of Defence and the Academy of the Police Force in Bratislava. Representatives of the private sector were an integral part of the working group, mainly representatives of professional associations and chambers. The members of the working group were divided into eight teams responsible for assessing specific areas, one of which was the risk assessment of terrorist financing at national level.*

*Based on the evaluation of the collected information and data, the overall level of terrorist financing threat in the Slovak Republic was determined at a low level and the overall level of terrorist financing risk in the Slovak Republic at a moderately low level. In the evaluated period there was not recorded any case of terrorist financing and no criminal prosecution has been started by the Slovak law enforcement authorities regarding terrorist financing, in the Slovak Republic, or in connection with the Slovak Republic.*

*Even when investigating suspected terrorism cases, the elements of its financing in accordance with FATF standards were not confirmed. This process resulted in elaboration of a final report, which presents a comprehensive picture of threats and vulnerabilities of national system in the relation to money laundering and terrorist financing.*

*Based on the conclusions of the NRA report, an Action Plan on Combating Money Laundering and Terrorist Financing for the period 2019-2022 was created. The Action Plan includes proposed measures, organised by the individual sectors and designated entities, to eliminate identified shortcomings.*

## **2. Stationing of armed forces on foreign territory**

2.1 Provide information on stationing of your States armed forces on the territory of other participating States in accordance with freely negotiated agreements as well as in accordance with international law.

*The Slovak Republic does not have any armed forces permanently stationed in any other participating State. Each deployment of the Armed Forces of the Slovak Republic must be in accordance with the Constitution of the Slovak Republic (the National Council or the Government must give consent for deployment of the national armed forces outside of the territory of the Slovak Republic and approve the presence of the foreign armed forces on the territory of the Slovak Republic according to Art. 86, letters ), l), m) respective Art. 119, letter o) and p)).*

*The Government of the Slovak Republic decides on dispatching of the armed forces outside of the Slovak Republic for the purpose of humanitarian aid, military exercises or peace observer missions. It also grants the consent to the presence of foreign armed forces on the territory of the Slovak Republic for the purpose of humanitarian aid, military exercises or peace observer missions as well as the consent to foreign armed forces to pass through the territory of the Slovak Republic.*

*The Government of the Slovak Republic also decides on the deployment of the armed forces outside of the territory of the Slovak Republic, for a period not exceeding 60 days, in case it is an obligation arising from international treaties on joint defence against assault. The Government shall immediately notify the National Council of the Slovak Republic about the decision. In addition to this, the National Council of the Slovak Republic grants consent with any deployment of the armed forces outside of the territory of the Slovak Republic and approves the presence of foreign armed forces on the territory of the Slovak Republic.*

*By the end of December 2018, there were 701 members of the Armed Forces of the Slovak Republic deployed in operations and missions under UN, NATO and EU command. The Slovak Republic participated in international crisis management operations under UN command (UNFICYP in Cyprus with 232 personnel, UNTSO observation mission in the Middle East with 2 personnel). Under NATO command (NATO-led Resolute Support Mission in Afghanistan with 72 personnel, NATO HQ Sarajevo with 1 personnel, NTCB-I in Iraq with 29 personnel, NMI in Iraq with 7 personnel, eFP/PPL in Latvia with 304 personnel). Under EU command (ALTHEA in Bosnia and Herzegovina with 43 personnel, EUNAVFOR MED SOPHIA with 10 personnel, EUMM in Georgia with 1 personnel).*

### **3. Implementation of other international commitments related to the Code of Conduct**

3.1 Provide information on how your State ensures that commitments in the field of arms control, disarmament and confidence- and security-building as an element of indivisible security are implemented in good faith.

*The Slovak Republic participates in the arms control agreements, such as Treaty on Conventional Armed Forces in Europe (CFE), Open Skies Treaty, politically binding Vienna Document 2011 etc., and implements all the obligations set forth in the aforementioned documents. In this view, our country annually carries out a number of inspection and evaluation missions in other states' territories as well as provides the foreseen military information to all OSCE participating states. The Slovak Republic receives inspection and evaluation missions and acts in accordance with the actions that have been agreed upon by the Organization.*

*Regarding the competences of the Slovak Police, in a multidimensional matter, our country, responds to its obligations stemming from signed trans-national, bilateral cooperation agreements with neighbouring countries and from its participation in international and regional organizations.*

3.2 Provide information on how your State pursues arms control, disarmament and confidence- and security-building measures with a view to enhancing security and stability in the OSCE area.

*Slovak Republic, as a participating State of the OSCE, attributes special importance to the role that the OSCE plays in the international security environment; participates in the majority of the OSCE initiatives, which contribute to regional security. Motivated by the fundamental need to promote and ensure the confidence and security in the OSCE area, our country steadily supports the initiatives of the Organization by implementing a number of confidence and security-building measures in the field of arms control.*

*All competent enforcement authorities of our country are in direct and constant cooperation with each other as well as with the respective authorities of the countries from which the imported or transferred weapons come in order to prevent and suppress cases of illegal trafficking of weapons from country to country.*

## **Section II: Intra-State elements**

### **1. National planning and decision-making process**

1.1 What is the national planning and decision-making process in determining/approving military posture and defence expenditures in your State?

*The cardinal institutions in defence planning process are:*

*The National Council of the Slovak Republic adopts laws in the field of security and defence and also adopts the act on state budget for the particular year; containing a chapter about the sector managed by the Ministry*

of Defence (MOD) and other departments contributing to state defence. The draft-proposal of the State Budget Act is based on a decision of Government submitted by the Prime Minister of the Slovak Republic to Parliament every year. The Parliament makes decisions on basic issues of state defence and security, approves basic state defence and security concepts, fundamental strategic documents (Defence Strategy, Security Strategy), development programmes and plans, which are submitted by the Government. The Defence and Security Committee; established by the National Council National Council Rules of Order Act No. 350/1996 Coll. as amended); plays an initiating and oversight role to the defence sector. Its oversight role concerns sectors headed by the Ministry of Defence, the Ministry of Interior (sections of security), the Administration of State Material Reserves and the National Security Authority.

The Government of the Slovak Republic is the supreme authority charged with the management of defence planning processes. To fulfil its role, it is assisted by the Security Council of the Slovak Republic, the government's consultative body concerning the security, defence and military issues, which takes part also in coordination of defence planning.

The Ministry of Defence of the Slovak Republic is the central state administration body to control the defence of the Slovak Republic and responsible for coordination of defence planning. In November 2015 based on conclusions of NATO summit minister of Defence approved Directives for Defence planning for 2017 – 2019 Directives stipulates entanglement of strategic objectives and tasks with resources (human and financial) for the following three years.

The Ministry of Finance of the Slovak Republic participates in the defence planning process with the management of program of budgeting, National Budget's creation and its implementation.

Within the meaning of the Act No. 575/2001 on Organization of Government Activities and Organization of the Central Institutions of State Administration, as amended (hereinafter referred to as „Act on Organization“), Ministries and other central state administration bodies – within the scope of their authority operations – are also accountable for the preparation of defence planning and for introducing the prerequisites to implement the requirements relating to preparations for defence and protection. The performance of these tasks is financed from their respective state budget chapters.

Defence planning documents of the Slovak Republic consist of Initial/Fundamental, Basic and Supporting planning documents. Fundamental documents are to be approved by the Government and National Council; Security Strategy and Defence Strategy of the Slovak Republic (adopted in 2005) are strategic documents representing a “point of departure”. Basic documents comprise long-term, medium-term planning of defence development, Program planning etc. Supporting planning documents are all documents assisting in Basic planning documents development and implementation.

The National Budget is the elemental part of the public administration budget and ensures the financing of general functioning of state for the particular year. Chapter of the National Budget, which is managed by the Ministry of Defence, is created on the basis of program budgeting with regard to the Act on Budget Rules of the Public Administration (No. 523/2004 Coll. as amended). Program budgeting is effective and transparent tool for public expenditures. It informs how effectively the National Budget is used and where are all its sources heading to.

Program budgeting is based on Program planning which is the main and crucial element in evolving the defence expenditures. It includes programmes, sub programmes and other sources, which help to fulfil all tasks that are important for the defence of the Slovak Republic. Defence expenditure is divided into two department programmes (Defence and Defence Development) and three additional programmes (Economy Mobilization, Defence Support and Civil Emergency Planning).

1.2 How does your State ensure that its military capabilities take into account the legitimate security concerns of other States as well as the need to contribute to international security and stability?

No Armed Forces of the Slovak Republic are permanently stationed in any other participating State. Each deployment of the Armed Forces of the Slovak Republic must be in accordance with the Constitution of the Slovak Republic (the National Council or the Government must give consent for this deployment and approve the presence of the foreign armed forces on the territory of the Slovak Republic according to Art. 86, letters), l), m) respective Art. 119, letter o) and p)).

## 2. Existing structures and processes

### 2.1 What are the constitutionally established procedures for ensuring democratic political control of military, paramilitary and internal security forces, intelligence services and the police?

*The National Council of the Slovak Republic, the President of the Slovak Republic, the Government of the Slovak Republic and its bodies share the assignments and responsibility in the field of defence and security of the Slovak Republic.*

*The democratic political control of the armed forces is exercised through sharing of responsibilities and control of power by various constitutionally established authorities.*

#### Military

*In accordance with the Act on the Armed Forces of the Slovak Republic (No. 321/2002 Coll. as amended), the Act on Defence of the Slovak Republic (No. 319/2002 Coll. as amended) and the Act on Compulsory Service (No. 570/2005 Coll.), the armed forces are tasked with protection of liberty, independence, sovereignty and territorial integrity of the state, assistance in prevention and rehabilitation of large-scale natural disasters, catastrophes and accidents threatening the human lives or the property. In addition, the Armed Forces of the Slovak Republic contribute to international security by participating in multilateral operations (UN, OSCE, NATO, and EU).*

#### Security forces

*Private Security Services' operations are legal if they act in accordance with the Act No. 473/2005 on the Provision of Services in the field of Private Security.*

#### Internal security forces

*The Slovak Republic has no special internal security forces.*

#### Intelligence services

*There are two intelligence services in the Slovak Republic, the Slovak Intelligence Service (SIS) and the Military Intelligence (MI). Special laws govern both; special committees of the National Council oversee both.*

*The Slovak Intelligence Service acts in accordance with the Act on Intelligence Service (No. 46/1993 as amended) and is controlled by the Government and National Council. The oversight of the Slovak Intelligence Service is carried out by the Special Committee for the Oversight of the SIS, composed of coalition and opposition Members of the National Council. Members of the Committee have the right to inspect facilities of the intelligence services and right to request certain information from the directors of the services.*

*Concerning the legal regulations related to the Military Intelligence, the Act on Military Intelligence (No. 198/1994 Coll. as amended) defines the Military Intelligence, its mission, roles, general rules and principles of parliamentary control and oversight. The Military Intelligence is a special service within the Ministry of Defence of the Slovak Republic, which fulfils tasks of defence intelligence security of the Slovak Republic in a scope of this Act. Minister of Defence is responsible for its functioning; he appoints and dismisses Director of Military Intelligence. The Government of the Slovak Republic determines the overall numbers of the Military Intelligence that – following a proposal of the Minister – approves the Statute of the Military Intelligence regulating details of focus and structure of the Military Intelligence. The National Council of the Slovak Republic elects and oversees the operation of the Military Intelligence through Special Control Committee for the Control of Activities of the Military Intelligence and Special Control Committee for the Control of Activities of Slovak Intelligence Service. These committees consist of coalition as well as opposition members of Parliament.*

*In 2012, the Act on Military Intelligence was amended. The previous principle of dual control and liability in respect of the Minister of Defence of the Slovak Republic to the Director of Military Intelligence Service and to the Director of Military Defensive Intelligence was removed. Intelligence tasks of ensuring the defence of the Slovak Republic are conducted by the Military Intelligence considered as a single special service subordinated to the Minister of Defence. The amendment came into effect on January 1 2013.*

*This Act was further amended by the Act No. 444/2015 Coll. amending and supplementing Act no. 300/2005 Coll. Criminal Code as amended, and amending and supplementing certain laws and by the Act No. 281/2015 Coll. on civil service of professional soldiers as amended. Both of these amendments came into effect on January 1 2016.*

*Latest amendment of the Act on Military Intelligence was enacted as a packet of counterterrorism measure of the Government of the Slovak Republic in 2015. Amendment established identical authorisations of Military Intelligence with authorizations of Slovak Intelligent Service in counterterrorism area.*

#### Police forces

*The Police Corps is subordinated to the Ministry of Interior of the Slovak Republic and is subject to the supervision of the National Council of the Slovak Republic and of the Government of the Slovak Republic. Tasks and organization, obligations and the rights of the Police Corps, and the means and methods they may lawfully use, are defined in the Police Corps Act (No. 171/1993 Coll. as amended).*

*The Municipal Police (Act No. 564/1991 Coll. as amended) may be established and supervised by municipal council authorities.*

#### Financial Administration

*The Financial Administration is subordinated to the Ministry of Finance of the Slovak Republic and is supervised by the National Council of the Slovak Republic and the Government of the Slovak Republic. The organization, tasks and legal means used by customs officials are defined in the National Law No. 652/2004 Coll. on the State Administration Authorities in the Customs and about the amendment and complementing the other acts, as amended and in the National Law No. 333/2011 Coll. on the State Administration Authorities in the Field of Taxes, Fees and Customs, as amended.*

## 2.2 How is the fulfilment of these procedures ensured, and which constitutionally established authorities/institutions are responsible for exercising these procedures?

*The President of the Slovak Republic is the commander-in-chief of the Armed Forces, based on the decision of the National Council of the Slovak Republic declares war in the case of the assault on the Slovak Republic or if it arises from its obligations from international treaties on common defence against assault, and s/he concludes the peace. Requested by the Government of the Slovak Republic, the President may order mobilization of the Armed Forces, declare a state of war or declare the state of emergency as well as termination of these circumstances. The President appoints and promotes generals. If the National Council of the Slovak Republic votes a non-confidence of an individual member of the Government (including the Minister of Defence), in such case the President of the Slovak Republic shall recall the member of Government.*

*The National Council of the Slovak Republic has a special Committee for Defence and Security Issues. The Government is charged with the management and implementation of defence policy. It decides the size of the Armed Forces in accordance with the security needs and in accordance with international agreements that are binding for the Slovak Republic. Its special body is the Security Council chaired by the Prime Minister. The Ministry of Defence implements Defence Policy according to guidelines and decisions of the Government and develops concepts and plans for the armed forces.*

*The Government of the Slovak Republic is the supreme body of executive power. For the execution of its function, the Government of the Slovak Republic is responsible to the National Council of the Slovak Republic, which may pass a note of non-confidence to the former at any time. To fulfil specific assignments in that field, the Constitutional Act No. 227/2002 Coll. on State security has established a special body – the Security Council - chaired by the Prime Minister in wartime, during state hostilities, martial law and state of emergency. The Government of the Slovak Republic is accountable for the defence policy management and implementation. The Security Council serves as an advisory body to the Government and its main tasks are to take part in the formation and implementation of security system of the Slovak Republic, the fulfilment of the international obligations, evaluation of the security situation in the Slovak Republic, preparation of the proposals for the maintenance of security of the Slovak Republic, for the prevention of crisis situations, and proposals for the solution of current crisis situations. In the year of 2004 Act No. 110/2004 Coll. on Operation of the Security Council of the Slovak Republic in the peacetime was adopted.*

*The Ministry of Defence of the Slovak Republic, in accordance with Act on Organization, is responsible for the management and supervision of the defence of the Slovak Republic; control, development and oversight of the Armed Forces of the Slovak Republic; coordination of activities of the state administration bodies, local government bodies and other legal entities in the preparation for the defence of the Slovak Republic and their inspection;*



ensuring the inviolability of Slovak airspace; coordination of military and civil air traffic; alternative service in wartime and the state of war; and finally, military intelligence.

General Staff of the Armed Forces of the Slovak Republic manages the operations of the Armed Forces, provides for co-ordination of operations and assignments of the individual types of troops and the respective military facilities. At the head is the Chief of the General Staff who is highest commander of the Armed Forces troops. He is subordinate to the Minister of Defence and accounts to the latter for the execution of his office. Minister of Defence proposes the Chief of the General Staff who is appointed and removed by the President of the Slovak Republic.

The authorities elected in democratic elections control Armed Forces of the Slovak Republic. Roles of military and security forces are outlined below, but do not include any paramilitary forces, as the Slovak Republic does not have any.

## 2.3 What are the roles and missions of military, paramilitary and security forces, and how does your State control that such forces act solely within the constitutional framework?

### Military

In accordance with the Act on the Armed Forces of the Slovak Republic (No. 321/2002 Coll. as amended), and the Act on Compulsory Service (No. 570/2005 Coll.), the armed forces are tasked with protection of liberty, independence, sovereignty and territorial integrity of the state and the assistance to the police and other public authorities in the prevention of and recovery after of large-scale natural disasters, catastrophes and accidents threatening human lives or property. In addition, the Armed Forces of the Slovak Republic contribute to international security by participating in multilateral operations (UN, OSCE, NATO, and EU). Since 2005 the Armed Forces of the Slovak Republic are fully professional.

The Armed Forces of the Slovak Republic are under civilian control and democratic oversight executed by the Parliament (and inside the Parliament by a special Parliamentary Committee on Security and Defence), by the President of the Slovak Republic, by the government and by the Ministry of Defence of the Slovak Republic itself. Each of these bodies has its special task in exercising civilian control of the Armed Forces rooted in the Constitution and other legal acts. The Government decides on the employment of the Armed Forces and manages the defence planning process for directing and facilitating their development. The Ministry of Defence is a central institution of state administration for controlling, developing and building of the Armed Forces.

Professional soldiers also serve in the Military Police (Act No. 124/1992 Coll. as amended) and in Military Intelligence (Act No. 198/1994 Coll. as amended) which are subordinated to the minister of defence.

### Paramilitary

The Slovak Republic has no paramilitary forces.

### Security forces

There are several security forces dealing with security issues according to the legal framework:

- The Police Corps (Act No. 171/1993 Coll. as amended);
- The Justice and Prison Guard Corps (Act No. 66/2014 Coll.);
- Customs Officers (Act No. 652/2004 Coll. as amended);

There is also the intelligence service – The Slovak Information Service (Act No. 46/1993 Coll. as amended). One of the central institutions of state administration is the National Security Authority, which is responsible for protecting classified information.

### Tasks of the Police Force

1. The Police Force performs the following tasks:
  - co-operates in protecting fundamental human rights and freedoms, especially by safeguarding the life, health, personal freedom and security of persons and in the protection of property,
  - detects criminal acts and identifies their perpetrators,
  - co-operates in detection of tax evasions, illicit financial transactions and legalisation of incomes from criminal activities,
  - carries out investigations of criminal offences and checks of the reports on facts indicating the commission of a criminal offence, and other accusations to criminal prosecution,
  - leads combat against terrorism and organised crime,

- ensures personal security of the President, chairman of the National Council of the Slovak Republic, prime minister of the Government of the Slovak Republic, chairman of the Constitutional Court of the Slovak Republic, The Minister of the Interior of the Slovak Republic and other persons designated by the Government,
  - ensures protection of the diplomatic missions and other premises designated by the Government and co-operates on the physical protection of the nuclear facilities
  - ensures control of the borders of the Slovak Republic, if not stated otherwise by a special regulation,
  - co-operates in safeguarding public order and in case of its breach takes measures for its reestablishment,
  - monitors and co-ordinates safety and smooth flow of traffic,
  - discloses minor offences and identifies their perpetrators, and if included in specific rules, investigates and resolves them,
  - carries out searches for missing persons and things,
  - offers protection and help to the threatened witness and protected witness,
  - carries out forensic investigation.
2. The Police Force performs the tasks of public administration and other designated duties, if included in specific rules.
  3. The Police Force performs crime prevention within the scope of the law.
  4. While performing its tasks, the Police Force uses technical means, means of transport, including air conveyances.

#### Control of the Police Force

- The activity of the Police Force is subordinated to the control of the National Council of the Slovak Republic and the Government.
- The Police Force is subordinated to the Minister.
- The services referred to in Article 4, Subsection 1, and the departments of the Police Force referred to in Article 4, Subsection 2, of the Law No. 171/1993 are directed by the President of the Police Force.
- Police investigation offices are managed by the General Director of Forensic Investigation of the Police Force.
- The President of the Police Force and General Director of Forensic Investigation of the Police Force is appointed and discharged by the Minister.
- The President of the Police Force and General Director of Forensic Investigation of the Police Force are responsible to the Minister.

### **3. Procedures related to different forces personnel**

#### **3.1 What kind of procedures for recruitment and call-up of personnel for service in your military, paramilitary and internal security forces does your State have?**

*From January 1 2006, the Armed Forces of the Slovak Republic are fully professionalized. In peacetime, they consist of professional soldiers and reservists who are called up for a specialized preparation performance. In time of war, state of war, emergency and crisis the Armed Forces comprise in addition the reservists who are called up for an extraordinary service performance.*

*The state service of professional soldiers and legal relations to its performance (beginning, mutation and termination of State Service of professional soldiers) are adjusted by the Act No. 281/2015 Coll. on State Service of Professional Soldiers of the Armed Forces of the Slovak Republic as amended and on amendments to certain acts as amended (hereinafter referred to as "Act on the State Service") – in effect from January 1 2016.*

*A documentation of registered citizens who gave a statement on rejecting the extraordinary service and a documentation of registered citizens obliged to conduct the alternative service in time of war and state of war is kept by territorial military administrations; they will also secure a call-up of registered citizens for the alternative service performance in time of war and state of war to fulfil tasks related to securing defence and security of the State and civilian protection of population.*

*The current concept of the Armed Forces of the Slovak Republic assumes their full professionalization at the time of peace on the basis of a voluntary contractual relation between the citizen and state. The liability for*

*enlistment lay down by the Constitution remains preserved, but the compulsory recruitment is carried out only in the event of a threat to the state's safety or in the state of war.*

*The fulfilment of the necessary conditions arising from the nature of the activities to be performed by professional soldier in the state service is verified in selection procedure. Selection procedure is announced by the staff office in the press or by other public communication means at least three weeks prior to its start, stating the name of function, type of state service, conditions for admission etc.*

*The first part of the selection procedure begins at the recruitment group, which is situated in each district city of the Slovak Republic. Here, the candidate obtain all necessary information on the admission to the professional service in the Armed Forces of the Slovak Republic as well as counselling and assistance in taking the decision to become a professional soldier done by professional advisory services. District cities recruitment groups provide information as well by phone. Information is available at the Internet sites [www.regrutacia.sk](http://www.regrutacia.sk) and [www.personal.mil.sk](http://www.personal.mil.sk). The selection procedure continues in the Section of Staff Selection of the Office Personnel of the Armed Forces of the Slovak Republic in Liptovský Mikuláš. Based on the results of the selection procedure, the staff office shall send, not later than 21 days after the conclusion of the selection procedure, a written notice of the fulfilment/non-fulfilment of conditions for the admission to state service.*

*The candidate will fill in and deliver a personal questionnaire to the recruitment centre, curriculum vitae, documents certifying achieved education, confirmations from the previous employers on the practice credit or from the employment bureau, recommendation from the last employer, certificate of citizenship, transcription of the Penal Register, birth certificate. The respective recruitment centre will contact the candidate and invite him to a personal interview. During the interview, the candidate will submit his identity card and personal identification card (military book) if he has completed military service and the medical documentation from respective physician. Directly in the recruitment centre, he shall fill in the application for admission to state service, the declarations on oath stating the fulfilment of conditions for admission to state service and the declaration on protection of personal data.*

*In case the candidate meets the preliminary conditions, the centre of personnel selection will invite him to undergo tests of physical sturdiness (the disciplines are focused on the physical perseverance and performance – always three various disciplines), psychodiagnostic assessment, assessment of health competence for the performance of professional soldier state service and personal interview with personal advisory services to determine a suitable state service function. After the successful passing of the selection procedure and execution of the order of admission to state service, the recruitment centre will deliver a determination sheet, with which the candidate will report himself in the specified military unit on a specified day. The service relation comes into existence on the date of accession to a military unit, by signing a personal order and the oath. In the event that the citizen fulfilled the conditions of admission to state service (and there is a suitable function for him), pursuant to § 22 of the Act on the State Service he is admitted to the preparatory state service. Preparation is carried out in the function of:*

- a) expectant, if he is trained for the rank corps and non-commissioned officers corps,*
- b) cadet, if he is trained for the rank corps of officers.*

*During the preparatory state service, a professional soldier takes a basic training. The professional soldier, who is trained for the rank corps of officers, studies during the preparatory state service also at a military university (if he has not achieved university education) or an officer's course for university graduates (if he has achieved university education at a university different from the military university). After successful completion of the preparatory state service, the professional soldier is admitted to temporary state service, which he performs during the period stated by the Act on the State Service.*

### **Police Force**

*According to the Law No. 73/1998 on state service of members of the Police Force, of the Slovak intelligence service, of the Corps of Prison Wardens and Judiciary Guards of the Slovak republic and of the Railway Police, a citizen of the Slovak republic older than 21 years, who submits a written application and meets the following conditions, can become a member of the Police Force:*

- a) Integrity,*
- b) Reliability,*
- c) General education required for execution of the function he/she is expected to be posted and appointed to,*
- d) Satisfactory condition of health and mental fitness for duty,*
- e) Completion of national service or substitute service, when subject to conscription,*

- f) Command of the state language,
- g) Permanent residence in the territory of the Slovak republic,
- h) to the date of becoming the member of the Police Force is not a member of any political party,
- i) He/she is has full legal capacity

*During the admission procedure, the candidate is subject to examination of the physical condition, state language, psychological and medical examination. The recruitment standards for women and men in the admission procedure differ only in the examination of the physical condition.*

*The education and training of the officers is performed at secondary schools of the Police Force in Pezinok and Košice. If the police officer is to become a commissioned officer, he will also have to attend the secondary school in Bratislava – Devínska Nová Ves for specialized training. All police officers who have completed their secondary education can achieve higher qualifications at Bachelor or Master's levels at the Academy of the Police Force of the Slovak Republic.*

### 3.2 What kind of exemptions or alternatives to military service does your State have?

*An extent of conscription duty, national registration, recruitment, health fitness examination, reserves of the Armed Forces of the Slovak Republic and a call-up, discharging and exemption from an extraordinary service performance in crisis situation are adjusted by the Act No. 570/2005 Coll. on Conscription Duty and on Amendment and Supplement of Some Acts – in effect from January 1 2006 and Act No. 518/2007 Coll. on Liability for Military Service amending the Act 570/2005 Coll.*

*The Constitution of the Slovak Republic states in art. 25 Para 2 „no person can be forced to exercise military service if this is in contradiction with his conscience or religious belief“. Based on a change of the Conscription Duty extent from January 1 2006 and in accordance with Article 18 Para 2 letter b) and Article 25 Para 2 of the Constitution of the Slovak Republic, in time of war and state of war an alternative service may be conducted instead of the extraordinary service, adjusted by the Act No. 569/2005 Coll. on Alternative Service in Time of War and State of War. A registered citizen is obliged to conduct the alternative service if he rejects conducting the extraordinary service in line with Article 25 Para 2 of the Constitution of the Slovak Republic through a statement in writing that the extraordinary service performance contradicts his conscience or religion.*

### 3.3 What are the legal and administrative procedures to protect the rights of all forces personnel as well as conscripts?

*The international treaties and agreements ratified by the Slovak Republic, the Constitution of the Slovak Republic, the Act on State service, the Act on Defence of the Slovak Republic (No. 319/2002 Coll.), the Act on Compulsory Service (No. 570/2005 Coll.), the Act on Social Support of Policemen and Soldiers (No. 328/2002 Coll. as amended), and others ensure that all military personnel is treated fairly and equally in legal and administrative matters. All military personnel enjoy its constitutional and legal rights during military service, however some rights are limited. The petition right and the right of free assembly are limited when there is a need to accomplish a military mission. The professional military personnel cannot participate in political parties, however they have right to vote. The military personnel cannot establish the trade unions and have not the right to go on strike.*

*In July 2015 came to force amendment of Act No. 99/1963 Coll. on Civil Procedures which stipulates in § 248 letter d) that court do not examines decisions of administrative authorities, the study excludes special laws.*

*In 2015, a new Act on State service of professional soldiers no. 281/2015 Coll. was adopted which continued the set trend of the previous Act on state service of professional soldiers' no. 346/2005 Coll. However, the aim of the new legislation is to create the better conditions for service performance of the best-qualified professional soldiers and their stabilization in the Slovak Armed Forces. The new act required modifications in other relevant laws/acts related to the state service of the professional soldiers (already mentioned above). Moreover, Slovak Republic has adopted Act No. 378/2015 Coll. on Voluntary Military preparations as amended. For professional soldiers paragraph 91 and paragraph 10 of the Act No. 281/2015 Coll. lays down that nothing but staff ordered the termination of civil service could be examined by court.*

#### **Police Force**

*Rights laid down by the Act No. 73/1999 Coll. shall be guaranteed equally to all citizens when entering civil service and to police officers when performing civil service in compliance with the principle of equal treatment in*

*employment relationships and similar legal relationships provided for in a separate regulation. In accordance with the principle of equal treatment, any discrimination based on such grounds as marital status and family situation, complexion, language, political or any other opinion, trade union activities, national or social origin, property or any other position shall also be prohibited.*

*The exercise of rights and obligations arising from the civil service employment relationship must be in compliance with good morals. No one may abuse such rights and obligations to the detriment of another. In connection with the civil service performance, a police officer must not be prosecuted or otherwise sanctioned for having lodged a complaint, action or petition to commence criminal prosecution against other police officer or supervisor.*

*A citizens when entering civil service or after its termination or a police officer who believes that his right or legally protected interest has been breached by failure to adhere to the principle of equal treatment may claim his right before a court and seek legal protection laid down under a separate regulation.*

*The Service Office or superior police officer shall not sanction or disadvantage a police officer for exercising his rights arising out of the civil service employment relationship.*

*The Service Office shall notify police officers of the provisions pertaining to the principle of equal treatment.*

*Violation of the principle of equal treatment by a police officer shall be considered a breach of his statutory duty.*

#### **4. Implementation of other political norms, principles, decisions and international humanitarian law**

4.1 How does your State ensure that International Humanitarian Law and Law of War are made widely available, e.g., through military training programmes and regulations?

4.2 What has been done to ensure that armed forces personnel are aware of being individually accountable under national and international law for their actions?

4.3 How does your State ensure that armed forces are not used to limit the peaceful and lawful exercise of human and civil rights by persons as individuals or as representatives of groups nor to deprive them of national, religious, cultural, linguistic or ethnic identity?

4.4 What has been done to provide for the individual service member's exercise of his or her civil rights and how does your State ensure that the country's armed forces are politically neutral?

4.5 How does your State ensure that its defence policy and doctrine are consistent with international law?

*The Slovak Republic is party to all core international agreements in the field of international humanitarian law and the law of war, respectively law of armed conflict. Instructions on international humanitarian law and other international rules, conventions and commitments governing armed conflict are the integral part of training programmes for all military personnel. The Ministry of Defence has effective training and education programs on international humanitarian law. Military personnel is trained in International Law of Armed Conflict with the emphasis on Geneva and Hague Conventions, peaceful settlement of international conflicts, sanctions against war crimes and crimes against humanity, protection of property and others. The international humanitarian law is a part of basic education and training in the military courses of various levels, in the Academy of the Armed Forces. There are special international humanitarian law courses with participation of international lecturers. Troops being prepared for international peacekeeping operations within the UN, NATO and EU are specifically trained on international humanitarian law. The Minister of Defence and the President of the International Committee of the Red Cross have signed the Agreement on co-operation in promoting of international humanitarian law.*

*The Geneva Convention and additional protocols in the last Slovak version, videotape with training film on the Law of Armed Conflict and manual for commanders about “ius bellum”, Law Concerning the Conduct of Hostilities (Collection of Hague Conventions and some other International Instruments), Handbook on the Law of War for Armed Forces, The Law of Armed Conflict – Teaching File for Instructors and manuals for soldiers participating in military operations outside of the territory of the Slovak Republic were distributed to the Armed Forces of the Slovak Republic.*

*Military personnel from General Staff, command of the Air Force and command of Land Forces has the possibility to take part in the specialized course “Ius Bellum” in the International Institute of Humanitarian law in San Remo.*

*Regulations of the Ministry of Defence of the Slovak Republic regarding the Protection of Cultural Property in the Event of Armed Conflict were approved and entered into force in 2006. This document implements the principles of the Convention for the Protection of Cultural Property in the Event of Armed Conflict (Hague, 14 May 1954) and the Second Protocol to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict (Hague, 26 March 1999). A personnel training contains other document and regulations of the Ministry of Defence of the Slovak Republic concerning the training on the law of the armed conflict.*

*The Slovak Committee for international humanitarian law performs as a consultative interdepartmental body under minister of Foreign and European Affairs of the Slovak Republic. Activities of the committee are concentrated on propagation of the international humanitarian law and law of armed conflicts’ ideas and principles. The members of the committee give lectures for universities and high schools students and assist in supporting activists of non-governmental humanitarian organizations.*

*Within the framework of criminal law recodification in the Slovak Republic, new criminal codes were adopted – Act No. 300/2005 Coll. Criminal Code as amended (hereinafter referred to as “Criminal Code”) and Act No. 301/2005 Coll. Code of Criminal Procedure as amended (hereinafter referred to as “Code of Criminal Procedure”), which came into effect on 1 January 2006. Both Codes have been amended several times, most recently in 2015. Chapter Twelve of the Criminal Code (§ 417 to 435) lays down criminal offences against peace, humanity, criminal offences of terrorism, extremism and war criminal offences.*

*Basic principles of criminal liability are laid down in § 15 – 18 of the Criminal Code. In compliance with § 435 paragraph 3 of the Criminal Code, a military commander shall be also criminally responsible for the criminal offences provided in Chapter XII of the special part of the Criminal Code, if the offence was committed by armed forces under his effective command and control as a result of his or her failure to exercise control over such forces, if he knew or should have known on the basis of circumstances at that time that the armed forces were committing or were going to commit such criminal offences, and he did not take all necessary and reasonable measures within his power to prevent or repress the commission or failed to report the case to competent authorities for investigation and prosecution. The superior who issues an order shall be responsible for a criminal offence committed on the basis of such order as the offender. The Act on State Service in § 132 (Professional Discipline) paragraph 3 lays down that if a professional soldier thinks that a military order, command, directive or instruction of his commander is in conflict with a generally binding legal regulation, he is obliged to alert the commander to it. If the commander insists on the fulfilment of the military order, command, directive or instruction, he must confirm it to the professional soldier in writing and the professional soldier shall be obliged to fulfil it. This section further lays down in paragraph 5 that a professional soldier is obliged to refuse to fulfil a military order, command, directive or instruction of his commander, if by its fulfilment he would commit a criminal act. He shall notify this fact immediately to the nearest superior of the commander, who has issued the military order, command, directive or instruction. A member of the armed forces shall be criminally liable if he was aware or could have been aware immediately after receiving an order that the order was illegal and a criminal offence would be committed by fulfilling the order. If the soldier was aware that by fulfilling the order a criminal offence was committed, he should have warned his superior in order not to be criminally liable.*

*The Slovak Republic is bound by the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity, signed in New York on 26 November 1968 (for the Slovak Republic signed on 26 November 1968, ratified on 13 August 1970, Regulation No. 53/1974 Coll.). Pursuant to § 88 of the Criminal Code, the expiry of the limitation period shall not result in the extinction of the punishability for criminal offences set out in Chapter Twelve of the Special Part of the Act, except for criminal offence of supporting and promoting groups leading to the suppression of fundamental rights and freedoms pursuant to § 421 and § 422, the criminal offence of defamation of a nation, race and conviction pursuant to § 423 and the criminal offence of incitement to national, racial or ethnic hatred pursuant to § 424.*

*Pursuant to the provision of § 431 paragraph 1 to 2 of the Criminal Code (War Atrocities), any person, who in wartime violates the rules of international law by inhuman treatment of vulnerable civilian population, refugees, wounded persons, members of the armed forces who have put down their arms, or prisoners of war, shall be liable to a term of imprisonment of four to ten years. The same sentence shall be imposed on any person, who in wartime violates the rules of international law by failing to take effective measures for the protection of persons, who are in need of such help, in particular children, women, wounded or old persons, or who prevents such measures being taken or by impeding or blocking civil protection organizations of an enemy, of a neutral or other state in the fulfilment of their humanitarian tasks.*

*Fundamental rights and freedoms as well as human and civil rights are governed by national law, in particular by the Constitution of the Slovak Republic. The Constitution stipulates that the obligations/duties can be imposed by law or on the basis of law, within its limitations and in maintaining of the fundamental rights and freedoms, by international treaties, which directly confers rights and imposes duties on natural persons or legal persons, or by a regulation of the Government.*

*Act No. 321/2002 Coll. the Armed Forces of the Slovak Republic as amended defines the composition, role and use of the armed forces, armed forces command, control, status and roles of different authorities from the President of the Republic, over the Government to the commanders of individual components of the Armed Forces. In accordance with the Act on Defence of the Slovak Republic (No. 319/2002 Coll. as amended) and the Act on Compulsory Service (No. 570/2005 Coll.), the Armed Forces are tasked with protection of liberty, independence, sovereignty and territorial integrity of the state, assistance in prevention and rehabilitation of large-scale natural disasters, catastrophes and accidents threatening the human lives or the property.*

*The legal system of the Slovak Republic guarantees the protection of rights and interests protected by law to all without the difference of sex, nationality, colour of skin and citizenship.*

*The international treaties and agreements ratified by the Slovak Republic, the Constitution of the Slovak Republic, the Act No. 281/2015 Coll. on State Service of Professional Soldiers, the Act No.319/2002 Coll. on Defence of the Slovak Republic as amended, the Act No. 570/2005 Coll. on Compulsory Service as amended, the Act No. 328/2002 Coll. on Social Support of Policemen and Soldiers as amended, and others ensure that all military personnel is treated fairly and equally in legal and administrative matters. All military personnel enjoy its constitutional and legal rights during military service, however some rights are limited. The petition right and the right of free assembly are limited when there is a need to accomplish a military mission. The professional military personnel cannot participate in political parties, however they have right to vote. The military personnel cannot establish the trade unions and have not the right to go on strike.*

*Act on the State Service stipulates legal relations at the performance of state service of professional soldiers, conditions of admission to state service, the origin of service relationship. According to this Act the professional soldier, in connection with the performance of state service, must not be persecuted or otherwise affected for the fact that he lodges a complaint, brings an action or proposal for commencement of prosecution against the manager of the staff office, the commander or another professional soldier. This Act ensures the principle of equal treatment and prohibition of discrimination. While applying Article 54 of the Constitution that the law may restrict the civil rights of the armed forces and armed corps, restricts certain constitutional rights of professional soldiers (the right to petition is limited to individual applications, proposals and complaints; there is prohibition of membership in a political party or political movement, active participation in meetings of political parties and movements, prohibition of association in trade unions). The Act defines the rights of professional soldiers, such as right to fair conditions necessary to regularly perform the state service, the financial particulars in the state service, the particulars in kind, protection of health at the performance of state service, the protection of human dignity in service contacts and in personal contacts with the manager of the staff office or the commander and the other professional soldiers, an adequate spiritual care and participation in religious activities, if it is not in contradiction with the needs of Armed Forces and the performance of state service. Professional discipline is determined as the obligation to follow the Constitution of the Slovak Republic, constitutional acts, acts, further generally binding legal regulations, military oath, the Ethical Code of professional soldier, service regulations, military commands, directives, orders and instructions of managers of staff offices and commanders. Commanders issue oral or written military orders, which commit the professional soldier to act according to them or to abstain from an action. The military order must not be issued in contradiction with the Constitution of the Slovak Republic, constitutional acts, acts, further generally binding legal regulations, service regulations, military oath and the Ethical Code of professional soldier.*

*The Slovak Republic included in its legal order the institute of ombudsman – public defender of rights, whose position and activity are regulated by the Constitution of the Slovak Republic in article 151a and Act No.*

*564/2001 Coll. on the public defender of rights as amended. The public defender of rights is an independent body of the Slovak Republic that within the scope and in the way set down by law protects basic rights and freedoms of natural persons and legal entities in proceedings before state administration bodies and other public power bodies, if their operation, decision-making or inactivity is in conflict with the legal order. In the cases laid down by law, the public defender of rights may take part in the exercise of liability of persons operating in public power bodies, if the persons violated a basic right or freedom of natural persons and legal entities.*

*Everybody who presumes that his basic rights or freedoms have been violated can turn to the public defender of rights. The public defender of rights may, in the matters of compliance with legal regulations pursuant to article 125 paragraph 1 of the Constitution of the Slovak Republic, if their further application can threaten the basic rights or freedoms, or the human rights and basic freedoms resulting from an international treaty, which was ratified by the Slovak Republic and which was declared in a way set by law, file a suggestion for starting proceedings before the Constitutional Court of the Slovak Republic.*

*The democratic political control over the Armed Forces in the Slovak Republic is exercised by shared responsibilities and control power to various constitutionally established authorities. The National Council of the Slovak Republic, the President of the Slovak Republic, the Government of the Slovak Republic and its bodies share the assignments and responsibility in the field of defence and security of the Slovak Republic. In the field of state defence the National Council makes decisions on basic issues of state defence and security, approves basic state defence and security concepts, fundamental strategic documents (Defence Strategy, Security Strategy, White Book), development programmes and plans in the field of state defence and security (submitted by the Government). It conducts supervision over fulfilment of state defence and security tasks as well. It has a special Committee for Defence and Security Issues. The Government approves state security system concepts and state defence system concepts, submits to the National Council proposals of fundamental state defence concepts and proposals of principal strategic state defence and security documents, which must be in accordance with international agreements that are binding for the Slovak Republic. The Ministry of Defence implements defence policy according to guidelines and decisions of the Government and develops concepts and plans for the Armed Forces. Respect of international law and international treaties is condition sine qua non for Slovak national legislation. As the Party to Vienna Convention on the Law of Treaties, signed at Vienna on 23 May 1969 ensures compliance with commitments and obligations under international treaties including their implementation into national law.*

## **Section III: Public access and contact information**

### **1. Public access**

1.1 How is the public informed about the provisions of the Code of Conduct?

1.2 What additional information related to the Code of Conduct, e.g., replies to the Questionnaire on the Code of Conduct, is made publicly available in your State?

1.3 How does your State ensure public access to information related to your State's armed forces?

*Under the Constitution, the Act on Free Access to Information No. 211/2000 Coll. and other laws as amended, all citizens have the right to receive information on activities of the armed forces unless this information is restricted under the Act No. 215/2004 Coll. on Protection of Classified Information or under other special laws for national security reasons. The MOD has a concept of media policy for enhancement of transparency of the activities of the Armed Forces. The MOD has conducted surveys of public opinion concerning public attitude towards the Armed Forces. Survey results are accessed to public through media. The MOD public relations and information service provides the public with comprehensive information on national security policy and activities of the Armed Forces. There are regular press conferences, radio and television interviews, seminars, open days in garrisons, exhibitions and presentations, meetings with NGOs, periodicals and publications, brochures, audio-visual materials and helpline. The MOD has its own web site ([www.mod.gov.sk](http://www.mod.gov.sk)) with basic facts on the armed forces.*

*There are authorities responsible for contacts with the public at every command level. For official statements of the Armed Forces of the Slovak Republic there is one authorized person – spokesman of the Armed forces. Journalists may contact him at his e-mail [hovorca.ossr@mil.sk](mailto:hovorca.ossr@mil.sk). Concurrently information about current events in the armed forces are provided on the Facebook page [www.facebook.com/ozbrojenisily/](http://www.facebook.com/ozbrojenisily/).*



*The MOD issues the yearbook „Ministry of Defence of the Slovak Republic“ with comprehensive information on military and political issues, organizational structure of the Ministry of Defence as well as the Armed Forces, defence planning and resources management, armaments modernization, international cooperation activities of the Slovak Armed Forces in operations of the international crisis management, military education system, cultural and sports activities, as well as the social system for the military personnel. The MOD public relations and information service issues a yearbook „Budget in figures, Facts and graphs with comprehensive data, which ensures the transparency of the exploitation of the state budget financial resources. According to the White Paper on Defence of the Slovak Republic), the aim in the field of communication and public relations is to achieve positive attitudes of the public towards the status and legitimacy of national defence and the Armed Forces, and to the mobilization of resources needed to fulfil the tasks set.*

## **2. Contact information**

2.1 Provide information on the national point of contact for the implementation of the Code of Conduct.

*This Questionnaire on the Code of Conduct on politico-military aspects of security was prepared in cooperation with Ministry of Interior, Ministry of Defence, Ministry of Finance and National Council of the Slovak Republic. The national point of contact is the Ministry of Foreign and European Affairs.*

## **Attachment 1: Questions contained in the Interpretative Statement Under Paragraph Iv.1(A)6 of The Rules of Procedure of the Organization for Security and Co-Operation in Europe**

Implementation of OSCE MC.DEC 14.05 and UNSCR 1325 on Women, Peace and Security.

### **Section I: Prevention**

1. Measures to increase armed forces personnel understanding of the special needs and contributions of women in conflict.  
*Gender related issues have been integrated into the NATO/EU/UN led operations pre-deployment training.*
- Inclusion of specific matters related to the protection of women's and girl's rights in the basic education of armed forces.  
*Gender related issues have been integrated into the NATO/EU/UN led operations pre-deployment training.*
- Availability of specialised in-service training for armed forces personnel on the protection of women's and girl's rights.  
*Training as mentioned above has been integrated into the NATO/EU/UN led operations pre-deployment training.*
- Inclusion of specific matters related to the protection of women's and girl's rights in the pre-deployment training for international peacekeeping missions.  
*Gender related issues have been integrated into the NATO/EU/UN led operations pre-deployment training. Lectures covering the gender topic have been delivered by national experts. Since 2010 NATO e-learning and Joint Advanced Distributed Learning (JADL) Courses partially covering the gender topics have been used as well.*
- Availability of plans to address and gather information from local women populations in areas at risk of conflicts.  
*Plans as mentioned above are not available. Information resources and experience of lead nation of operation are used.*
- Inclusion of systematic gender analysis of areas at risk of conflicts, including gender-disaggregated socio-economic indicators and power over resources and decision making.  
*Not applicable in the armed forces. See remark mentioned above.*
2. Measures to address the violation of the rights of women and girls, in line with international standards.  
*The legal aspects of state service of professional soldiers (beginning, change and termination of state service of professional soldiers) are governed by the Act No. 281/2015 Coll. on State Service of Professional Soldiers of the Armed Forces of the Slovak Republic and on Amendments and Supplements to Some Acts, as amended – in effect from 1 January 2016. Act No. 281/2015 Coll. strictly sets protection standards (§4).*

- Number and percentage of military manuals, guidelines, national security policy frameworks, codes of conduct and standard operating procedures/protocols of national security forces that include measures to protect women's and girls' human rights.  
*Considering equal opportunity standards mentioned above (§ 4 Act No. 281/2015 Coll.) there is no need to set other specific rules/codes of conduct etc. in military environment on the national level. However, other relative legislation must be also applicable – such as Antidiscrimination Act No. 365/2004 Coll.  
On the international level all military personnel involved in NATO/EU/UN led operations must also follow specific rules applicable for the particular operation.*
- Number and percentage of directives for peacekeepers issued by head of military components and standard operating procedures that include measures to protect women's and girl's human rights.  
*0 – on the national level. NATO/EU/UN directives covering the protection of women's and girl's human rights have been used.*

## **Section II: Participation**

1. Measures to increase the number of women in general and in decision-making positions in the armed forces and the ministry of defence.  
*Adoption of the Act No. 281/2015 Coll. on State Service of Professional Soldiers of the Armed Forces of the Slovak Republic was the most significant factor in building equal opportunity environment in the armed forces. Since the Act No. 281/2015 Coll. prevents discrimination in some key aspects of military life like pay grades or promotion board rules etc. no further measures in this area have been identified as necessary. From this perspective, present female representation in the armed forces reflects their interest and ambitions.*
- Number and percentage of women applying to be part of the military forces.  
*2018: 487 female applicants; 1753 male applicants; overall percentage of women applicants: 21.74%*
  - Establishment of policies to attract female candidates (Targeted campaigns, review of accession tests, etc.).  
*No specific policies to attract female candidates in joining armed forces have been established. Interest of female population reaches the level sufficient to cover armed forces needs of having 11 - 12 % female in military service.*
  - Establishment, promotion, maintenance and use of specialised rosters of female profiles in the military fields.
  - Number and percentage of women in the military forces disaggregated by rank.  
*Overall percentage of women in the armed forces reaches 11.46%. Number of women disaggregated by rank can be found in Appendix 1*
  - Number and percentage of discrimination and sexual harassment complaints that are referred, investigated and acted upon.  
**0; 0 %**

- Development of regular analysis of retention and promotion practices for men and women in the forces.  
*Regular analyses as mentioned above are not available.*
- 2. Measures to increase the number of women in peacekeeping forces.  
*Any specific measures have not been taken. Women have been standardly included in NATO/EU/UN led forces.*
- Number and percentage of women in peacekeeping forces disaggregated by rank.

<b>Updated to 31 December 2018</b>		
	Number of women in the armed forces	<b>1414</b>
	Number of women in the NATO/EU/UN led operations	<b>29</b>
	%	<b>2.05%</b>

- Number and percentage of international missions where gender advisors were appointed.  
**0; 0 %**
- Number and percentage of participating State's international missions that address specific issues affecting women and girls in their terms of reference and the mission reports.  
**0; 0 %**

### **Section III: Protection**

1. Increased access to justice for women whose rights are violated.
  - Number and percentage of reported cases of exploitation and abuse allegedly perpetrated by uniformed peacekeepers that are referred, investigated and acted upon.  
**0; 0 %**

### **Section IV: Other information**

- Information on the development, implementation and evaluation of a National Action Plan to implement UNSCR 1325.  
*Slovakia strongly supports full implementation of UNSC resolution No. 1325 (2000) on Women, Peace and Security that represents a concrete tool for promotion and protection of the rights of women in conflict and post-conflict situations. Active and equal participation of women in peace and security processes, including in peace and reconciliation efforts, represents the best tool of prevention of sexual exploitation, abuse and all other forms of violence against women. Women's empowerment can play a critical role in peace-building processes.*  
*As far as Slovakia's own implementation of this resolution is concerned, the long-term reform plan of the Slovak Armed Forces called "Model 2015" addresses also the gender issues and refers specifically to UNSC resolution No. 1325. Its implementation has already led to a moderate increase of the number of female officers (currently representing the figure of 20.90 %) in all kinds of army units, including among the*

*Slovak troops deployed in the UN, NATO and EU missions. Women in the Slovak Armed Forces undergo the same training as men and pre-deployment training of our peacekeepers includes also special gender training with particular emphasis on the promotion of gender equality and prevention of sexual crimes.*

- Information on best practices and lessons learned.

*Not applicable.*

- Any other relevant information.

*Implementation of UNSC resolution No. 1325/2000 on Women, Peace and Security and related resolution No. 1820 of 2008 is a long-term political process. The issue deserves more attention at NATO and the EU levels (particularly in the field of CFSP/CSDP). Nevertheless, it can be already concluded that the adoption of the resolution No. 1325 in 2000 has helped to increase awareness of the importance of women's participation in peace and reconstruction process.*

**APPENDIX 1**

	Rank																				
	OR-1	OR-2	OR-3	OR-4	OR-5	OR-6	OR-7	OR-8	OR-9	WO-1	WO-2	WO-3	OF-1	OF-2	OF-3	OF-4	OF-5	OF-6	OF-7	OF-8	OF-9
<b>Number of women</b>	<b>3</b>	<b>202</b>	<b>145</b>	<b>108</b>	<b>96</b>	<b>221</b>	<b>102</b>	<b>42</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>327</b>	<b>122</b>	<b>32</b>	<b>11</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

	Rank category			
	Enlisted	Warrant officers	Officers	Generals
<b>Number of women</b>	<b>921</b>	<b>0</b>	<b>493</b>	<b>0</b>

<b>Overall number of women</b>	<b>1414</b>
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