

PERMANENT MISSION
OF THE SLOVAK REPUBLIC TO THE
INTERNATIONAL ORGANIZATIONS IN VIENNA

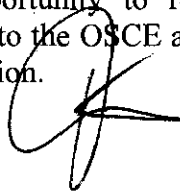
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VERBAL NOTE

The Permanent Mission of the Slovak Republic to the International Organizations in Vienna presents its compliments to all Permanent Missions and Delegations to the OSCE and to the Conflict Prevention Centre and has the honour to convey the Slovak Republic's response to the Questionnaire on the Code of Conduct on Politico-Military Aspects of Security.

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

Vienna, 14 April 2009



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

Updated Information Exchange on the OSCE Code of Conduct on
Politico-Military Aspects of Security
The Slovak Republic
Year 2008



1. Appropriate measures to prevent and combat terrorism, in particular participation in international agreements to that end (Paragraph 6):
 - a) List of international agreements, including all United Nations conventions and protocols related to terrorism, to which the participating State is a party

The Government of the Slovak Republic co-operates fully in combating threats of terrorist activities through implementation of all the United Nations Conventions and Protocols related to terrorism to which the Slovak Republic is a party. These include:

- Convention on Offences and Certain Other Acts Committed on Board Aircraft (Tokyo, 14. 9. 1963)
- Convention for the Suppression of Unlawful Seizure of Aircraft (The Hague, 16. 12. 1970)
- Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (Montreal, 23. 9. 1971)
- Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (Rome, 10. 3. 1988),
- Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf (Rome, 10. 3. 1988),
- Protocol on the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation (Montreal, 24. 2. 1988)
- Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents (New York, 14. 12. 1973)
- International Convention against the Taking of Hostages (New York, 17. 12. 1979)
- Convention on the Marking of Plastic Explosives for the Purpose of Detection (Montreal, 1. 3. 1991)
- Convention on the Physical Protection of Nuclear Material (Vienna, 3. 3. 1980)
- International Convention for the Suppression of Terrorist Bombings (New York, 15. 12. 1997)
- International Convention for the Suppression of the Financing of Terrorism (New York, 9. 12. 1999)
- International Convention for the Suppression of Acts of Nuclear Terrorism (New York, 13. 4. 2005)
- United Nations Convention against Transnational Organized Crime (New York, 15. 11. 2000)
- Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime (New York, 15. 11. 2000)
- 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. 11. 2000)

- 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. 5. 2001)
 - Notice of the Ministry of Foreign Affairs of the Slovak Republic on the signing of Council of Europe convention on laundering, search, seizure and confiscation of the proceeds from crime and on the financing of terrorism.
- b) Accession to and participation in other multilateral and bilateral agreements or measures undertaken to prevent and combat terrorist activities;
- European Convention on the Suppression of Terrorism (Strasbourg, 27 January 1977);
 - Protocol Amending the European Convention on the Suppression of Terrorism (Ratification: 7 December 2005);
 - Council of Europe Convention on the Prevention of Terrorism (Strasbourg, 16 May 2005, Ratification: 29 January 2007);
 - European Convention on Extradition (Paris, 13 December 1957);
 - Additional Protocol to the European Convention on Extradition (Strasbourg, 15 October 1975);
 - Second Additional Protocol to the European Convention on Extradition (Strasbourg, 17 March 1978);
 - European Convention on Mutual Assistance in Criminal Matters (Strasbourg, 20 April 1959);
 - Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters (Strasbourg, 17 March 1978);
 - Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters (Strasbourg, 8 November, 2001);
 - European Convention on the Transfer of Proceedings in Criminal Matters (Strasbourg, 15 May 1972);
 - Convention on the Transfer of Sentenced Persons (Strasbourg, 21 March 1983);
 - Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime (Strasbourg, 8 November 1990);
 - Agreement on Co-operation between the Slovak Republic and the European Police Office (Bratislava, 13 June 2003);
 - Convention based on Article K.3 of the Treaty on European Union, on the establishment of a European Police Office (Europol Convention) (Hague, 31 May 2004);
 - Protocol drawn up on the basis of Article K.3 of the Treaty on European Union, on the interpretation, by way of preliminary rulings, by the Court of Justice of the European Communities of the Convention on the establishment of a European Police Office (Hague, 31 May 2004);
 - Protocol drawn up on the basis of Article K.3 of the Treaty on European Union and Article 41(3) of the Europol Convention, on privileges and immunities of Europol, the members of its organs, the deputy directors and employees of Europol (Hague, 31 May 2004);
 - Protocol drawn up on the basis of Article 43(1) of the Convention on the establishment of a European Police Office (Europol Convention) amending Article 2 and the Annex to that Convention (Hague, 31 May 2004);
 - Protocol amending the Convention on the establishment of a European Police Office (Europol Convention) and the Protocol on the privileges and immunities of Europol, the members of its organs, the deputy directors and the employees of Europol (Hague, 31 May 2004)

- Council Common Position 2002/402/CFSP of 27 May 2002 (Measures against Usama bin Laden, Al Quaida and Taliban, embargo on arms and related material, embargo on certain services, freezing of funds and economic resources)
- Council Common Position 2003/140/CFSP of 27 February 2003 (Exemptions)
- Council Regulation (EC) 881/2002 of 27 May 2002 (Freezing of funds and economic resources of certain persons and entities associated with Usama bin Laden, Al Quaida and Taliban, embargo on certain services) last amended by Commission Regulation (EC) 14/2007 (74th amendment, list of targeted persons, groups and entities)
- Council Common Position 2001/930/CFSP of 27 December 2001 on combating terrorism
- Council Common Position 2001/931/CFSP of 27 December 2001 on the application of specific measures to combat terrorism
- Council Common Position 2008/959/CFSP of 16 December 2008 amending Common Position 2008/586 /CFSP updating Common Position 2001/931/CFSP on the application of specific measures to combat terrorism
- Council Common Position 2009/67/CFSP of 26 January 2009 updating Common Position 2001/931/CFSP on the application of specific measures to combat terrorism and repealing Common Position 2008/586/CFSP
- Council Common Position 2007/448/CFSP of 28 June 2007
- Council Regulation (EC) 2580/2001 (freezing of funds and economic resources of certain persons, groups and entities with a view to combating terrorism, with certain exemptions, ban on financial services with certain exemptions), last amended by Council Decision 2006/379/EC (list of targeted persons groups and entities) and Council Decision 2006/1008/EC (supplement to the list of targeted persons, groups and entities)

The Government of the Slovak Republic has concluded the following bilateral agreements on co-operation in the fight against terrorism, trafficking in narcotics and other organised criminal activities.

1. Agreement between the Government of the Slovak Republic and the Government of Belgium on Police Co-operation (Brussels, 29 June 2000);
2. Agreement between the Government of the Slovak Republic and the Government of Bulgaria on Police Co-operation (Sofia, 4 November 1999);
3. 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);
4. 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 Organised Crime (Riga, 24 May 1999);
5. Agreement between the Slovak Republic and Hungary on Co-operation in the Fight against Terrorism, Illicit Trafficking in Narcotics and other Organised Crime (Bratislava, 2. October 2006).
6. Agreement between the Government of the Slovak Republic and the Government of Malta on Co-operation in the Fight against Organised Crime (Bratislava, 16 May 2000);
7. 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 Organised Crime (Prague, 13 September 1991);
8. 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 Organised Crime (Bratislava, 14 September 1994);

9. Agreement between the Government of the Slovak Republic and the Government of the Kingdom of Spain on Co-operation in the Fight against Organised Crime (Bratislava, 3 March 1999);
10. Agreement between the Government of the Slovak Republic and the Cabinet of Ukraine on Co-operation in the Fight against Organised Crime (Bratislava, 5 December 2000);
11. 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 Organised Crime and General Aspects of Security Practice (Prague, 23 July 1990);
12. 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 Organised Crime (Ankara, 6 June 1996);
13. 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 Organised Crime (Moscow, 8 August 1996).
14. Agreement between the Government of the Slovak Republic and the Government of the Republic of Croatia on the Co-operation in Combating Organized Crime (Bratislava, 30 November 2000);
15. 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);
16. 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);
17. 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);
18. 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);
19. Agreement between the Slovak Republic and the Czech Republic on Co-operation in Combating Organised Crime, on the Protection of the Public Order and on the Protection of the State Border (Bratislava, 27 January 2004);
20. Agreement between the Government of the Slovak Republic and the Government of the Republic of Cyprus on Co-operation in Combating Organised Crime, Terrorism, Illicit Trafficking in Narcotic Drugs and Psychotropic Substances as well as other Types of Crime (Bratislava, 26 February 2004);
21. Agreement between the Slovak Republic and the Austria on Police Co-operation (Vienna, 13 February 2004);
22. 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);
23. Agreement between the Government of the Slovak Republic and the Council of Ministers of Serbia and Montenegro on co-operation in the field of defence (Beograd, 24 Nov. 2005).
24. Agreement between the Government of the Slovak Republic and the Government of the Republic of Moldova on Cooperation in the Fight against Organised Crime (Chişinău, 16 September 2007)
25. Agreement between the Government of the Slovak Republic and the Government of the Republic of Kazakhstan on Cooperation in Combating Organised Crime, Terrorism, Illicit Trafficking in Narcotic Drugs, Psychotropic Substances and their Precursors as well as other Types of Crime (Bratislava, 21. November 2007),
26. 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),

27. Agreement between the Government of the Slovak Republic and the Government of the Republic of Moldova on Cooperation in the Fight against Organised Crime (Chisinau, 20. June 2007),
28. Council Common Position 2007/871/CFSP (updates list of targeted persons, groups and entities)
29. Council Regulation 2006/1461/EC (amendment of the list of competent authorities)
30. Council Regulation 2006/1791/EC (amendment of the list of competent authorities-enlargement)
31. Council Decision 2006/868/EC (updates list of targeted persons, groups and entities)
32. 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, 10.6.2008)
33. Agreement between the Slovak Republic and the United States of America on enhancing cooperation in preventing and combating crime (Washington 8. 10. 2008)
34. 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)
35. Notice of the Ministry of Foreign Affairs of the Slovak Republic on the signing of Agreement between the Government of the Slovak Republic and the Government of the Republic Kazakhstan on Cooperation in Combating Organised Crime, Terrorism, Illicit Trafficking in Narcotic Drugs, Psychotropic Substances and Their Precursors as well as Other Types Of Crime
36. Notice of the Ministry of Foreign Affairs of the Slovak Republic on the signing of 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
37. Act No. 297/2008 Coll on the Protection from the Legalisation of Receipts from the Criminal Activity and on the Protection from the Financing of the Terrorism and Amending Other Acts

c) National measures, to include pertinent legislation, taken to implement the international agreements, conventions and protocols cited above;

- 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. 57/1998 Coll. on Railway Police as amended;
- Act No. 179/1998 Coll. on Trading with Military Material as amended;
- Act No. 256/1998 Coll. on Witness Protection as amended;
- Act No. 297/2008 on Money laundering protection from criminal activity and on terrorism financing as amended by the Act No. 445/2008);
- Banking Act No. 483/2001 Coll. amending certain other acts
- Act No. 21/2007 Coll. on goods and technologies of dual use. 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;
- Sanction Act No. 460/2002 Coll. on Carrying out International Sanctions Maintaining

International Peace and Security as amended by the Act No. 127/2005 Coll.;

- Act No. 331/2005 Coll. on state administration bodies respecting drugs precursors;
 - Act No. 477/2003 Coll. on the Protection of the State Border;
 - Act no. 458/2003 Coll. on the Establishment of the Special Court and the Special Prosecutor's office as amended by the Act No. 267/2004;
 - Customs Act of the Slovak Republic No. 199/2004 Coll. as amended;
 - Act No. 403/2004 Coll. on the European Arrest Warrant as amended by the Act No. 342/2007“;
 - 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;
 - Governmental Decree No. 397/2005 Coll. as amended which promulgates international sanctions to secure international peace and security.
 - Governmental Decree No. 397/2005 Coll. which promulgates international sanctions to secure international peace and security and its amendments depending on the update of the relevant Council Common Position
 - Act No.: 218/2007 Coll. on Biological Weapons Ban as amended
- d) Information on national efforts to prevent and combat terrorism including appropriate information on legislation beyond United Nations conventions and protocols (e.g., pertaining to financing of terrorist groups);

The Department on Criminal Terrorism was established within the Ministry of Interior. Its aim is to receive, collect and analyse information on any activities in this field. The Government of the Slovak Republic has approved special List of Preventive Measures for the Fight against Terrorism. The Slovak Republic is a member of INTERPOL. The Slovak Republic became a full member of the Europol on September 1st, 2004.

Actual monitoring of the bank institutions in the territory of the Slovak Republic proved that the sanctioned subjects are not their clients.

By the adoption of the Act No. 458/2003 a Special law-court and the Office of special prosecution were established.

In the EU the vast majority of financial sanctions against terrorists or terrorist organizations are adopted by aquis communautaire directly applicable and binding in all EU Member States. Act No. 460/2002 Coll. as amended by Act 127/2005 Coll. enables adoption of national measures related to 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.“.

- e) Roles and missions of armed and security forces in the preventing and combating terrorism.

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 terrorism 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 based on basic security documents, such as the Security Strategy of the Slovak Republic and the Military Strategy of the Slovak Republic, and the applicable legal acts (No. 387/2002 Coll. as amended by the Act No. 515/2003, No. 227/2002 Coll. and No. 321/2002 Coll. as amended, etc.).

Customs Criminal Office

In accordance with Law No. 652/2004 Coll. on the State Administration Authorities in the Customs, from 1st of January 2005 has been established the Customs Criminal Office as a self-dependent organizational part of the Customs Administration. Customs Criminal Office has been created for fight against illicit import and export and transit of narcotic drugs and psychotropic substances its precursors, protected plants, animal and exemplar, radioactive and other hazardous material. Additional tasks of Customs Criminal Office are fight against smuggling of goods liable to excise duties and other sensitive goods, fight against customs and tax frauds, detection and investigation of customs and tax crimes, monitoring of persons suspected of perpetration of customs and tax crimes. Customs Criminal Office undertakes the above mentioned activities in order to eliminate the illegal incomes and illegal import of goods, which might be used by terrorist groups for their activities.

Customs Criminal Office has follows competencies: fast-track investigation up to 3 year of imprisonment, opening and examination of consignments and their evaluation by using of criminal methods, tracking of persons and objects.

Customs Criminal Office is managed by its director, which is subordinated to the Director General of the Customs Directorate of the Slovak Republic.

2. Description of the national planning- and decision-making process - including the role of the Parliament and Ministries - for the determination/approval of
 - (a) the military posture;
 - (b) defence expenditures

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 for the sector managed by the defence ministry, submitted by the Prime Minister of the Slovak Republic every year. Within the meaning of the Act on the Structure of Government Operations and the Structure of Central State Administration (No. 575/2001 Coll. as amended), ministries and other central state administration bodies – within the scope of their authority operations – are also accountable for the defence tasks and for introducing the prerequisites to implement the requirements relating to preparations for defence and protection. The performance of these tasks is funded from their respective state budget chapters. The National Council of the Slovak Republic has established the Defence and Security Committee (Act on Parliamentary Law of the National Council No. 350/1996 Coll. as amended), which plays an initiating and audit role. Its audit role is played with regard to the sectors headed by the ministry of defence, the ministry of interior (section of security), the Administration of State Material Reserves and the National Security Office. The Security Council of the Slovak Republic established by the Act No. 110/2004 Coll. on the Operation of the Security Council of the Slovak Republic in the Peacetime is government's consultative body of concerning security, defence and military issues.

The Security Planning system is based on the Constitution of the Slovak Republic, the Constitutional Act on State security in wartime, during hostilities, martial law and state of emergency No. 227/2002 Coll. and other legal acts as amended (Act on Defence of The Slovak Republic No. 319/2002 Coll. as amended, Act on the Armed Forces of the Slovak Republic No. 321/2002 Coll. as amended, Act on state service of professional soldiers of Armed Forces of the Slovak Republic and on amendment of some acts No. 346/2005 Coll.).

State budget is the elemental part of the public administration budget and insures the funding of general function of state for the particular year. Chapter of the state 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 effective state 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, subprogrammes and other sources, which help to fulfill all tasks that are important for the defence of the Slovak Republic. Defence expenditure is divided into two department programs (Defence, Defence development) and two additional programs (Economy mobilisation, Additional development in protecting inhabitants against chemical weapons).

3. Description of

- a) Constitutionally established procedures ensuring effective democratic control of the military, paramilitary, and internal security forces, as well as 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.

- b) Constitutionally established authorities/institutions responsible for the democratic political control of military, paramilitary and security forces

Military forces

The democratic political control of the armed forces is exercised by a distribution of responsibilities and control power to various constitutionally established authorities.

The President of the Slovak Republic is the commander-in-chief of armed forces, declares war, following a decision of the National Council of the Slovak Republic in the case of the assault on the Slovak Republic or if it follows from its obligations from international treaties on common defence against assault, and concludes the peace. Following a proposal of the Government of the Slovak Republic, the President may order mobilisation of armed forces, declare a state of war or declare the state of emergency and their termination. The President appoints and promotes generals. The National Council of the Slovak Republic may also take vote of no 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 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 (*MOD*) 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 fulfill specific assignments in that field, a special body – the Security Council - chaired by the Prime Minister has been established first time by the The Constitutional Act No. 227/2002 Coll. on State security 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 is the central state administration body to control the defence of the Slovak Republic, to build up, control and audit the Armed Forces of the Slovak Republic, to co-ordinate the functioning of state administration bodies, local government bodies and other legal entities in the preparation for the defence of the Slovak Republic, to co-ordinate the defence planning, to assure the inviolability of the airspace of the Slovak airspace, to co-ordinate the military and the civil air traffic, to control military intelligence, and civil service.

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. The Chief of the General Staff who commands the troops of the armed forces heads the General Staff. He is subordinate to the Minister and accounts

to the latter for the execution of his office. The Chief of the General Staff is appointed and removed by the President of the Slovak Republic following a proposal of the Minister.

Paramilitary forces

The Slovak Republic has no paramilitary forces.

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). Both are governed by special laws, both are overseen by special committees of the National Council.

The Slovak Intelligence Service acts in accordance with the Act on Intelligence Service (No. 46/1993 as amended by later regulations) 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 MPs. 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.

The Military Intelligence is composed of Military Intelligence Service and Military Defensive Intelligence, which is as a matter of fact Military Counterintelligence.

Military Intelligence Service and Military Defensive Intelligence are two independent services with separate directors.

Military Intelligence Service and Military Defensive Intelligence are subordinated to the Minister of Defence, who is also responsible for their functioning. He appoints and dismisses Directors of Military Intelligence Service and Military Defensive 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. This body consists of coalitions' as well as oppositions' Members of Parliament.

Police

The Police Corps is subordinated to the Ministry of Interior and is also subject to the supervision by the National Council and the Government. Tasks and organisation, obligations and the rights of the Police Corps, and the means 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) is established and supervised by the Municipal Council.

By adopting the Governmental Ordinance No. 943/2000 Coll. conditions have been created for establishing a police unit to be used abroad of up to 50 men before December 31, 2002.

Since April 1st, 2001 departments of the Border and Alien Police of regional directorates of the Police Force are subordinated to the Office of Border and Alien Police with an objective to improve co-ordination, management, personal element, material and technical equipment.

Since January 1st, 2001 the National Office of EUROPOL has been institutionalised.

Customs Administration

The Customs Administration is subordinated to the Ministry of Finance of the Slovak Republic and it is supervised by the National Council and Government. 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.

- c) Roles and missions of the military, paramilitary and security forces as well as controls to ensure that they 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), 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, EU).

The authorities elected in democratic elections control the Armed Forces of the Slovak Republic.

Paramilitary

The Slovak Republic has no paramilitary forces.

Security forces

Private Security Services function in accordance with the Act No. 473/2005 on Private Security.

d) Public access to information related to the 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 to the public. The MOD has conducted surveys of public opinion concerning public relations to 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) with basic facts on the armed forces.

There are authorities responsible for contacts with the public at every command level.

The MOD issues the yearbook „Ministry of Defence of the Slovak Republic“ with comprehensive information on military and political issues, organisational 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 issues about the transparency of the exploitation of the state budget financial resources.

4. Stationing of armed forces on the territory of another participating States in accordance with their freely negotiated agreements as well as in accordance with international law

The Slovak Republic does not have its 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 and the Government must give consent for deployment of the national armed forces outside the territory of the Slovak Republic and approves the presence of the foreign armed forces on the territory of the Slovak Republic according to Art. 86, letters k), l), respective Art. 119, letter p)).

The Government of the Slovak Republic decides unanimously on dispatching the armed forces outside 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 consent to passing of the territory of the Slovak Republic by foreign armed forces.

The Government of the Slovak Republic also decides on the deployment of the armed forces outside of the territory of the Slovak Republic in cases where obligations from international treaties on joint defence against assault are to be fulfilled, for a period not exceeding 60 days. The Government shall immediately notify the National Council of the Slovak Republic about the decision. In addition to that case, the National Council of the Slovak Republic grants consent with any sending of armed forces outside of the territory of the Slovak Republic and approval the presence of foreign armed forces on the territory of the Slovak Republic.

At present, the Armed Forces of the Slovak Republic participate in missions of the international crisis management under the UN command (UNFICYP in Cyprus, UNTSO in the Middle East, NATO (KFOR in Kosovo, ISAF in Afghanistan, NATO HQ in Sarajevo), EU (ALTHEA in Bosna and Herzegovina) and OSCE (Monitoring Mission in Georgia). The Slovak Republic has acceded to the Agreement between the Parties to the North Atlantic Treaty regarding the status of their forces (NATO SOFA), which came into force for the Slovak Republic on 13th October 2004 and the Protocol on the status on the international military headquarters set up pursuant to the North Atlantic Treaty which came into force the same day.

5. Description of

- a) Procedures for the recruitment or call-up of personnel for service in the military, paramilitary, or security forces, if applicable:

Military

From 1 January 2006 the Armed Forces of the Slovak Republic are fully professionalized and in peace time they are created by professional soldiers and reservists called up for a specialized preparation performance. In time of war, state of war, emergency and crisis the Armed Forces are created in addition to the mentioned soldiers also by the reservists called up for an extraordinary service performance.

The state service of professional soldiers and legal relations in its performance (beginning, change and termination of State Service of professional soldiers) are adjusted by the Act No. 346/2005 Coll. on State Service of Professional Soldiers of the Armed Forces of the Slovak Republic and on Amendment and Supplement of Some Acts – in effect from 1 September 2005.

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 1 January 2006 and *Act No. 518/2007 Coll.* on Liability for Military Service amending the Act 570/2005 Coll.

Paramilitary

The Slovak Republic has no paramilitary forces.

Security forces

The Slovak Republic has no security forces.

b) Exemptions or alternatives to extraordinary service, if applicable

According to the Constitution of the Slovak Republic, 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 1 January 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. It is 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 state of security in line with Article 25 Para 2 of the Constitution of the Slovak Republic through a statement in writing that the extraordinary service performance contravenes his conscience or religion.

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 employers who are fulfilling tasks related to securing defence and security of the State and civilian protection of population.

c) Legal and administrative procedures protecting the rights of all forces personnel

The international treaties and agreements ratified by the Slovak Republic, the Constitution of the Slovak Republic, the Act on state service of professional soldiers of Armed Forces of the Slovak Republic and on amendment of some acts (No. 346/2005 Coll.), 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 necessary for accomplishing the 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.

The rights of all military personnel are protected by the military justice system consisting of Military Courts and Military Prosecution, which form a part of the Slovak independent judicial system.

6. Instruction on international humanitarian law and other international rules, conventions and commitments governing armed conflict included in military training programmes and regulations

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 MOD 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 and academy of the national defence as well. 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 between the Ministry of Defence and the International Committee of the Red Cross on co-operation in promoting of international humanitarian law.

During the period of 2003 - 2005 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 were distributed to the Armed Forces of the Slovak Republic. In the years of 2007 – 2008 handbooks for military personnel of the Armed Forces of the Slovak Republic in foreign operation (KFOR), military operation (ISAF) and UN peacekeeping operation UNFICYP were published. The aim of these handbooks is to improve the preparedness of members of armed forces for implementation of principles of the international humanitarian law in their activities.

The Ministry of Defence in cooperation with the International Committee of the Red Cross has carried out a specialized course of "Ius Bellum" for military personnel. Some personnel from General Staff, command of the Air Force and command of Land Forces is taking part in the specialized course "Ius Bellum" in the International Institute of Humanitarian law in San Remo yearly.

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 has the aim to implement the principles of the Convention for the Protection of Cultural Property in the Event of Armed Conflict (The 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 (the Hague, 26 March 1999) into planning as well as execution of the international crisis management military operations and into education and training of the Armed Forces of the Slovak Republic personnel as well. In the year of 2008 Regulations of the Ministry of Defence of the Slovak Republic regarding the training in the area of the law of the armed conflict will enter into force.

In co-operation with the Regional Delegation of the ICRC in Budapest, the course „Law of Armed Conflict for the Training Instructors of the Armed Forces of the Slovak Republic“ was held in September 2006. It consisted of two parts – the theoretical one and the practical one aimed at training of the model situations of the treatment of victims of armed conflict on the one hand and the use of allowed means and methods of combat on the other hand.

Committee for international humanitarian law performs as a consultative interdepartmental body for minister of foreign affairs of the Slovak Republic. Activities of the committee are concentrated on propagation of the international humanitarian law and law of armed conflict's ideas and principles. The members of the committee give lectures for the students of the universities and high schools and help as well as support activists of non-governmental humanitarian organizations.