

SLOVAKIA

Definition and Prosecution of Terrorist Acts

The Slovak government has categorized certain offences as terrorist acts, including unauthorized production or possession of nuclear material and highly risky chemical substances, endangerment of aircraft or civilian vessel, prohibited acquisition or possession of firearms, establishing and supporting a criminal group, and taking hostages. The recruitment of terrorist groups is considered an offence under the Slovak Penal code and is punishable by 3 to 10 years' imprisonment. If the offence was committed in an organized group, the sentence can range from 3 to 10 years. Additionally, if the offence was committed in connection with an organized group operating in several countries, the sentence ranges from 5 to 12 years' imprisonment.

The sentence for prohibited acquisition and possession of firearms was increased to 2 to 8 year's imprisonment (up from 1 to 5 years). This sentence is contingent on the perpetrator not having an appropriate license. It is also a crime to issue a false alarm or send "fake anthrax" through the mail system. The Slovak Criminal Code provides universal jurisdiction of Slovak courts irrespective of the place where such crimes were committed and irrespective of the perpetrator.

Prevention of Terrorism – Security Measures

Slovakia has taken measures to prevent recruitment of terrorist groups and supplies of weapons to terrorist by passing several new laws that criminalize such acts. New laws eliminated an existing gap which allowed importing and exporting of military material and weapons without any license. In April of 2002, Slovakia implemented the TRACKER communication system. The purpose of this system is to process and assess information on transaction of military material and dual-use goods as well as direct communication between the involved ministries and agencies. Violations are now punishable by fines ranging from 10,000 to 10,000,000 SKK. The law also specifies the roles and responsibilities of the Licensing Commission operating within the Slovak Ministry of Economy (which grants licenses for import, export and other handling of military material). These rules include regulations designed to check the preparedness of radiation, chemical, biological protection and medical units of the Slovak Armed Forces and to assess condition in the defense sector and foreign missions.

Money Laundering – Prevention and Prosecution

The Ministry of Finance for the Slovak Republic is instructed to adopt any measures necessary to suppress the financing of terrorism. A decree was passed only aimed at freezing all deposits and funds owned by the UNITA leading representatives, their relatives and members of the Taliban. A list of other suspected terrorists and terrorist organizations was drafted by the Financial Police of the Slovak Police Force Presidium and circulated to banks operating within Slovakia. These banks are to monitor the accounts of these entities for suspicious activity.

Any individuals found guilty of collecting funds to be used in terrorist activities will be sentenced according to the Slovak Penal Code. Any individual found guilty of laundering money is subject to 12 years' imprisonment. The amount must exceed approximately 2000 USD to constitute money laundering. Select articles of the Slovak Code of Criminal Procedure allow for the seizure or forfeiture of any funds collected if they are relevant to criminal proceedings or if there is an urgent need. This order must be in writing by the local prosecutor and must be confirmed by a judge within 3 days of being executed. The same procedure applies to requests from foreign courts and authorities.

Information Sharing

Information exchange and an early warning system are based on bilateral international agreements. The Slovak Republic has concluded bilateral agreements of legal assistance in criminal matters and extradition with many countries, mostly members of the European Union. All information related to terrorism is channeled through the National Centre of Interpol. Slovakia also has strong ties with Europol, and the FBI. Additionally, the Slovak Republic is cooperating with all the EU member states, Switzerland and Norway within the Working Group for Terrorism. Priorities of the Working Group include creating a network of liaison officers, organizing specialized internship programs, and training police officers.

Cooperation between Slovakian Police and police from other States has also been improved by ensuring the free exchange of information. International agreements allow the Slovakian Police force to conduct investigations and participate in peace keeping operations outside of the Slovak territory. In turn, police officers from other countries may apply his/her powers within the territory of Slovakia (provided Slovakia has entered into an international agreement with the other State).

BIBLIOGRAPHY OF SLOVAK LAWS

Definition and Prosecution of Terrorist Acts

1. Slovak Penal Code Articles 7, 10, 252
2. Slovak Penal Code, Articles 93, 180c, 185-187, 234a, 252
3. Slovak Penal Code, Articles 2, 55, 73, 94, 165-166, 199, 260, 261,
4. Act No. 179/1980

Prevention of Terrorism – Security Measures

1. Police Force Act No. 171/1993, Chapter 6, Articles 77a – c
2. Police Force Act No. 50/2001

Laws Pertaining To Biology

1. Royal Decree No. 491/1998, 12 March 1998
2. Royal Decree 664/1997 (concerning the protection of workers from risks related to exposure to biological agents at work), 25 March 1998 (updated, 12 May 1997)
3. Law No. 15/1994
4. Decree No. 824/1993, 28 May 1993

Money Laundering – Prevention and Prosecution

1. Act No. 483/2001
2. Foreign Economic Relations Act No. 483/2001
3. Money Laundering Act No. 367/2000; amended by resolution no. 408
4. Slovak Code of Criminal Procedure, Article 56a, 79c