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## COMBATING TERRORISM IN THE SLOVAK REPUBLIC<sup>2</sup>

In terms of terrorism, security environment in the Slovak Republic has been stable and peaceful to this date, without any imminent risk or threat. The Slovak Republic is not a primary target of any terrorist threat currently. However, on account of its active participation in international organizations, counter-terrorist activities and operations, a threat of a terrorist attack taking place in Slovakia is increasing. The National Action Plan for the Fight against Terrorism for 2015-2018 took on some of the tasks that had been continuously fulfilled in the previous period and, through new tasks, extends the possibilities and instruments for the fight against terrorism in the Slovak Republic. The primary objective is to ensure protection of the life, health and property of the population and public authorities in the Slovak Republic from terrorist attacks. In the counter-terrorist measures, the main focus is placed especially on the preparedness and rapid response to a possible terrorist attack or other similar activity.

**Keywords:** radicalism, risk, terrorism, terrorist attack, crime.

### 1. INTRODUCTION

In recent years, several EU Member States have faced violent terrorist attacks organized by various terrorist cells as well as “lone wolves” acting individually, inspired by terrorist propaganda or extremist narrative. According to the EU Terrorism Situation and Trend Report from 2017 (Te-Sat) in 2016 a total of 142 failed, foiled or completed attacks were reported by 8 EU Member States. As a result of the completed attacks, 379 people were injured and 142 victims died, mostly in the hands of the jihadists (European Parliament resolution of 11 February 2015 on anti-terrorism measures (2015/2530(RSP))). The degree of a terrorist threat was not the same in each EU Member State, however each state might be exposed to threats resulting from an unintentional transit point or a safe haven for terrorists.

In terms of terrorism, security environment in the Slovak Republic has been stabilized and peaceful, without any imminent risks or threats. Authorities have not recorded any direct activity of terrorist groups on the territory of Slovakia so far and any interests of the

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Slovak Republic abroad have not been primary targets of terrorist attacks (National Action Plan for the Fight against Terrorism).

Slovakia has not recorded any persons or groups preparing to commit a terrorist related criminal act on the territory of Slovakia in order to reach their goals. A potentially increased risk exists in misusing the territory of Slovakia by international terrorist organizations for transit, material-technical support and as a safe haven after committing attacks.

Regarding terrorism as a security threat, we find J. Piwowarski's interpretation of these security issues very interesting. Writing about the culture of security, he sees three dominant elements in perceiving threats. Those are in the form of a mental and spiritual layer; rational layer and organizational, legal and material level. On top of that, the concept of threat analysis should be relativized to the concept of security (Piwowarski, 2014, p. 9).

## 2. RISK FACTORS ENCOURAGING TERRORISM

Terrorism possesses a threat to the Slovak Republic mainly due to the presence of potentially risk subjects on its territory and in relation to its political and diplomatic activities and participation in military operations promoting peace abroad.

The Slovak Republic is currently not a primary target of any terrorist groups. However, on account of its active participation in international organizations, counter-terrorist activities and operations, the threat of a terrorist attack on the Slovak territory is increasing.

The increased risk of a terrorist attack on the Slovak territory relates mainly to the development of the security situation in Syria and publicly presented challenges of the IS terrorist leaders to expand worldwide Jihad.

In terms of possible risks and terrorist attacks, the security situation in the Slovak Republic is influenced by various factors. One of these factors are radical aliens from the regions with high occurrence of terrorist attacks residing in the Slovak Republic or with the citizenship. They usually have financial background, military training, organizational skills, links to risk regions and communities abroad, interest in weapon trafficking, interest in strategic objects and radical comments on the situation in critical regions and they usually participate in organized criminal activities and gather in organizations which may serve as a cover for their activities.

Another risk factor is an illegal migration of persons suspected of terrorism or involved in a terrorist group through the Slovak territory. Among all the detained migrants in Slovakia, the authorities have not identified any of the wanted terrorists. However, the Slovak authorities recorded several cases of suspicious activities of people residing in the Slovak Republic with links to the Islamic terrorist organizations. Intelligence activities and cooperation of national security forces with international partners significantly helped to identify these people.

Radicalization of society is one of the main issue which resonates throughout the EU. It is caused by the benevolence in current politics, where the nationalist tendencies are not meeting with a principal stand and refusal as in the past. These tendencies are getting even more popular among young generation. They express and post their opinions and comments on the current issues on the internet and social networks or chat rooms what significantly contributes to the radicalization (Križovský, Kavečanská, 2013, p. 60-69).

The SR operates with intelligence information about activities of the high-risk alien communities and individuals who support terrorist and militant organizations from the Slovak territory ideologically and logistically.

### 3. STRATEGIC OBJECTIVES IN THE FIGHT AGAINST TERRORISM

The EU Member States are primarily responsible for adopting measures against terrorism. The EU, however, still plays a fundamental supportive role because of an increasing transnational character of this phenomenon. In 2005, the Council adopted The EU Strategy for Combating Radicalization and Recruitment to Terrorism. Because of the changing character of this threat and increasing need to understand this issue, the strategy was revised in 2014 and complemented with a set of guidelines. It was updated again in 2017. In this matter, the Council adopted new guidelines for combating terrorism on March 7, 2017 with focus on the foreign terrorist fighters among others (National Action Plan for the Fight against Terrorism).

The National Action Plan for the Fight against Terrorism builds on the EU documents and creates a broad platform for combating terrorism on institutional, legal and executional level.

The aim is to create favorable conditions for consistent implementation of international treaties and commitments in the Slovak Republic such as the UN Security Council resolutions, regulations and framework decisions of the EU institutions, decrees of international institutions and specific states on sanctions against persons and groups suspected of and the promotion of terrorism. Slovakia is also creating conditions for tackling the basic problems in terms of coordination and cooperation among individual key actors combating terrorism what enables to eliminate root causes, criminogenic factors and potential perpetrators of terrorist acts.

The primary objective is to ensure protection of the life, health and property of the population and public authorities of the Slovak Republic against terrorist attacks. In the counter-terrorist actions, the main focus is placed especially on the preparedness and rapid response to a possible terrorist attack or other similar activities.

Another objective is to develop and implement legislative and institutional framework for the fight against terrorism in order to expand the capabilities of the Slovak intelligence services, special police units and authorities active in criminal procedure for the prevention, detection, investigation and prosecution of criminal offences of terrorism and create environment for effective cooperation with the existing EU institutions such as Europol, Eurojust. In the same time it is necessary to adopt such legal and organizational measures that would expand the powers of the Intelligence services and the Police Corps in gathering information necessary for combating terrorism without violating legal norms thereby preventing terrorism and acts of terror and prosecuting the perpetrators of such crimes.

The objective of the National Action Plan for the Fight against Terrorism is also to improve coordination, cooperation and means of exchanging experience between the Police Corps and the Intelligence services and other security services in the area of prevention, identification, verification, investigation and prosecution of terrorist act offences.

Another strategic objective in combating terrorism on the territory of the Slovak Republic is to develop cooperation with international security forces, state authorities and institutions, support international effort in combating terrorism by participating in international military and humanitarian missions, monitor security situation worldwide and security environment in the Slovak Republic in terms of possible terrorist attacks by gathering intelligence information, early recognition and uncovering of security risks and threats at home and abroad thereby contributing to reinforcement of internal security and protecting the interests of the Slovak Republic abroad. Proper analysis and assessment of terrorist threats

within the Slovak Republic and outside in cooperation with the EU and NATO institutions (e.g. Europol, SitCen, NOS) and provision of the uniform analysis on the terrorist threats in the Slovak Republic for the international partners is equally important (Piwowarski, 2014, p. 9).

An effective fight against terrorism is conditioned upon effective exchange of information, experience, knowledge between key actors participating in the fight against terrorism as well as among other state authorities dealing with prevention, detection, verification, investigation and prosecution of terrorist act offences only marginally. It is also important to manage the information flow, so that all the key actors combating terrorism receive information in the area where they have exclusive power, jurisdiction and authority set by the law. The aim is to use the information gathered by the participating subjects effectively. In particular, adopting adequate measures by the Police Corps based on the information from the Intelligence services and vice versa, assessing and verifying clues and information from the Police Corps, Ministry of Interior and other participating subjects by adequate intelligence methods and means as well as creating conditions for gathering, assessing and exchanging relevant intelligence information dealing with terrorism within the security system of the Slovak Republic and international cooperation in this area.

The National Action Plan for the Fight against Terrorism for 2015–2018 sets the goal to focus intelligence activities on identifying places and environment, which enables or facilitates establishment of terrorist cells' members or recruitment of new members into terrorist organizations with the intention to detect or eliminate factors leading to the recruitment and active participation of people in terrorist activities. Online communication, especially through social media represents a powerful instrument of terrorist organizations so that they can get worldwide attention, address new audience and gain financial support. Early and swift identification and removal of the online content can help to restrict this virtual disease. In many occasions, the perpetrators of these crimes were citizens of the states which they attacked or they emigrated into these states and were residing there for long period of time. Besides that, almost one third of the arrested for the terrorist offenses in 2016 were of 25 years of age or younger (Te-Sat, 2017) (European Parliament resolution of 11 February 2015 on anti-terrorism measures (2015/2530(RSP)). Creating more resistant society and stronger social ties can play an important role in decreasing the risk of radicalization especially in the youth, helping to neutralize terrorist propaganda.

A strategic goal in the fight against terrorism is also a need to revise legislation in this field and prepare legislative proposals so that the potentials and rights of the Intelligence services, law enforcement agencies and special police units in preventing, detecting, investigating and prosecuting terrorists acts will increase. It is also a need to create the environment to utilize the existing EU institutions such as Europol, Eurojust effectively and fulfill tasks of preventing terrorists from access to weapons (especially weapons of mass destruction), increase capacities in dealing with consequences of terrorist attacks, determine factors supporting terrorism as well as fulfill tasks regarding network security and its protection against terrorist attacks, eliminate potential risks to key state authorities, energy networks, control centers.

The issue of radicalization, and extremism is addressed in several documents in the Slovak Republic.

- a) Strategy on countering extremism represents a basic document defining strategic priorities of the Slovak Republic in the prevention and elimination of radicalism,

extremism and associated antisocial behaviors undermining basic human rights and freedoms and basics of the rule of law.

- b) The National Action Plan for the Fight against Terrorism for 2015–2018 took on some of the tasks from the previous period and through new tasks, extends the possibilities and instruments for the fight against terrorism in the Slovak Republic. The objective is to continue in creating favorable conditions for the consistent fulfillment and implementation of international commitments such as bilateral and multilateral treaties, the UN Security Council resolutions, regulations and framework decisions of the EU institutions, decrees of international institutions and specific states on sanctions against persons and groups suspected of terrorism and the promotion of terrorism.

#### **4. NATIONAL LEGISLATION COVERING THE FIGHT AGAINST TERRORISM**

Slovak legislation reacts to the development of terrorism and synchronize its legal rules with the EU legal rules, e.g, 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.

Act no. 161 of 15 March 2018 amending act no.300/2015 Coll of Criminal Code defines criminal offense of terrorism as establishing, masterminding and supporting a terrorist group pursuant to section 297, terror pursuant to sections 313 and 314, terrorist attack pursuant to section 419, some forms of participation in terrorism pursuant to section 419b, financing of terrorism pursuant to section 419c, offences committed by reason of specific motivation pursuant to section 140d.. According to the new legal definition, terrorist offences commit those who act with the intention to undermine the constitutional system or defensibility of the state, seriously destabilize or defeat political, economic or social establishment of the state or a structure of an international organization, seriously intimidate inhabitants or to coerce a government of the state or an international organization to act or to omit to act

- a) threat by commitment or commit an offence endangering the life, health of people, their personal freedom or a property,
- b) destroy, disable or cause harm to utility facilities, transport system, telecommunication system, information system, including serious hindering of the functioning of an information system or preventing an information system, seabed platform, power plants, hydropower plant, healthcare facility or other important facilities from functioning, destroy public space or property or threaten to do so,
- c) destroy, damage, sabotage a water supply system, electric power supply or another natural resource with the objective to expose people to the death or grievous bodily injury or expose other person's property to substantial damage or threaten to do so,
- d) seizes control over a civilian vessel, aircraft or other means of transport or seabed platform or exercises control over any means of transport or platform or destroy or seriously damage the navigation system or interferes with its operation or make a false announcement and in doing so endanger the life and health of people, safety of the means of transport or expose another person's property to substantial damage or threaten to do so,

- e) ask for, produce, get, owns, possess, export, import, transport, deliver or in another way use explosives, nuclear, radioactive or chemical material, biological agents or toxins, firearms, nuclear weapons, radiological weapons, biological weapons, chemical weapons or other weapons or material of similar character or perform research or development of a nuclear weapon, biological weapon or other weapon or means of war or apparatus for producing, modification, storage and usage of nuclear materials, radioactive materials, chemical materials or biological agents and toxins or threaten to do so or,
- f) expose a group of people to the danger of death or grievous bodily harm or expose the property of another to the danger of substantial damage by causing fire or flooding or harmful effects of explosives, gas, electricity, radioactivity or other similarly dangerous substances or forces or commits other similarly dangerous acts or increases general endangerment or frustrates effort designated to prevent it or mitigate it or threaten to do.

Regarding participation in some forms of terrorism, legally prosecuted are those who:

- publicly incite to commit the act of terrorism or publicly defends commitment of such acts,
- gain knowledge of methods or techniques for production, storage, transport and using of explosives, firearms, nuclear, biological or chemical weapons, nuclear materials, radioactive materials, chemical materials, biological agents and toxins or other similarly maleficent or dangerous stuffs for the purposes of commitment of the act terrorism,
- provide knowledge of methods or techniques for production, storage, transport and using of explosives, firearms, nuclear, biological or chemical weapons, nuclear materials, radioactive materials, chemical materials, biological agents and toxins or other similarly maleficent or dangerous stuffs for the purposes of commitment of the act terrorism,
- ask another person to commit or participate in committing the act of terrorism.

Criminal offences of financing terrorism mean collecting or providing financial or other means, personally or through another person for an individual terrorists, terrorist group, its members or for commitment the act of terrorism, or collecting financial or other means for the purposes of their use or allowing their use for commitment of a criminal offence of travelling abroad for the purpose of terrorism from the Slovak Republic or through the territory of the Slovak Republic to another state for the purpose of commitment an act of terrorism (Act No. 300/2005 Coll. – the Criminal Code of the Slovak Republic as amended).

Overview of legislation related to the fight against terrorism:

- Act No. 460/1992 Coll. – the Constitution the Slovak Republic as amended.
- Act No. 300/2005 Coll. – the Criminal Code of the Slovak Republic as amended.
- Act No. 301/2005 Coll. – the Code of Criminal Procedure of the Slovak Republic as amended.
- Act No. 171/1993 on Police Force as amended.
- Act No. 256/1998 on Witness Protection as amended.
- Act No. 297/2008 on the Prevention of Legalization of Proceeds of Criminal Activity and Terrorist Financing and on Amendments and Supplements to Certain Acts as amended.
- Banking Act No. 483/2001 amending certain other acts.

- Act No 404/2011 on Residence of Aliens and Amendment and Supplementation of Certain Acts.
- Act No. 610/2003 on Electronic Communications as amended.
- Act No. 387/2002 on state administration in states of crises outside wartime or a state of war, as amended.
- Act No. 46/1993 on Slovak Intelligence Service as amended.
- Act No. 198/1994 on Military Intelligence as amended.
- Act No. 190/2003 Coll. on firearms and ammunition and on amendments to certain acts.
- Act No. 45/2011 Coll. on Critical Infrastructure.
- Act No. 144/2013 on trading with designated products the possession of which is limited for safety reasons and amending the Act of the National Council of the Slovak Republic No. 145/1995 Coll. on administrative fees, as amended.
- Act No. 39/2011 Coll. on Dual Use Items.
- Act No. 58/2014 Coll. on blasting goods and ammunition and on amendments and changes to certain acts.
- Act No. 392/2011 Coll. on Trading with Defence Industry Products and on amendments and supplements of certain acts.
- Act No. 480/2002 Coll. on Asylum and on change and amendments of some acts.
- Act No 126/2011 Coll. on carrying out international sanctions.

## 5. CONCLUSION

In general we can say that the problem of terrorism is adequately discussed in the Slovak Republic. The authorities and organizations in charge react to the needs and development of national and international situation. The SR continually develops tasks related to the fight against terrorism and implements international approaches into the process with an accent on the EU security environment as well as on specific conditions in the Slovak Republic. However, in terms of legislation, this issue is fragmented into significant number of Acts. In this regard, it would be convenient to think of adopting one Framework Act for the fight against terrorism and solve particular measures by decrees, regulations and directives in the individual resorts. We definitely have to describe rules, set rights and obligations and control mechanisms, including sanctions for noncompliance with these rules.

## REFERENCES

- Act No. 300/2005 Coll. – the Criminal Code of the Slovak Republic as amended.
- EU Terrorism Situation & Trend Report (Te-Sat) 2017, available at: [www.europol.europa.eu/activities-services/main...](http://www.europol.europa.eu/activities-services/main...)
- European Parliament resolution of 11 February 2015 on anti-terrorism measures (2015/2530(RSP)).
- Križovský, S., Kavečanská, A. (2013). *Radikalizmus v Európe*, In: Bezpečná Evropa 2013, Zborník príspevkov z 6. ročníka medzinárodnej vedeckej konferencie, Karlove Vary, 25. November 2013. Karlove Vary: Vysoká škola Karlovy Vary o.p.s.
- National Action Plan for the Fight against Terrorism.

Piwowski, Cf. J. (2014). *Fenomen bezpieczeństwa. Pomiędzy zagrożeniem a kulturą bezpieczeństwa*. Kraków: Wyższa Szkoła Bezpieczeństwa Publicznego i Indywidualnego „Apeiron” w Krakowie.

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