

SECURITY OF THE SLOVAK REPUBLIC IN TIMES OF CRISES AND AIR TERRORISM THREATS

Milan SOPÓCI*, Ľubomír MATTA**

* Prof. Eng., Armed Forces Academy of GEN. M.R.Štefánika,
Liptovský Mikuláš, Slovak Republic

** PhD., Eng., Personnel office of MOD, Liptovský Mikuláš,
Slovak Republic

The article deals with security aspects of the Slovak Republic (SR) in times of air terrorism threats as dominant threats for the SR. It introduces basic legal, legislative and technical options and problems of fighting air terrorism. In conclusion it presents possible solutions, as well as the fact that SR can meet security objectives only in cooperation with coalition partners.

Key words: security, operation, terrorism, doctrine, renegade, strategy.

1. INTRODUCTION

The doctrine of the armed forces of the Slovak Republic as the top doctrinal document offers answers to some basic questions, e.g. how and when will the state use its armed force in the fight against terrorism [1]. These issues must be viewed from the perspective of strategic relations, especially in political and legal context, which represents determining allies, opponents, and enemies, neutral or uninvolved partners in the concrete situation. The most unpredictable elements of the strategic environment for us are non-governmental political elements including semi-military and terrorist organizations [2].

The employment of military power of the state in this environment is very difficult and certainly the most extreme tool of promoting the state interest, in case all other methods have failed. The defence strategy

of the Slovak Republic defines and characterizes two types of basic threats for the national security. These are military threats and non-military threats, see **Figure 1**.



Fig. 1. Threats for Slovak Republic

Regarding the issues of terrorism it is necessary to focus especially on non-military threats that, according to the military strategy represent activities threatening the security, and employ mostly non-military means [3]. Those threats include: terrorist activities, illegal arms trade, internationally organized crime, migration or mass influx of

refugees beyond control, religious or ethnic extremism, riots, social riots, natural and environmental disasters, accidents and catastrophes, as well as many other activities[4].

Terrorist activities of individuals or organized groups and international networks are extremely dangerous for international security. Thus, the armed forces must be ready to support the organs of state power or even assume full responsibility for fighting terrorism.

Regarding the fight against terrorism, the armed forces of the Slovak Republic might be used in two basic types of operations, which are called defensive counterterrorist measures and offensive counterterrorist measures [5]. Contents of these activities are described in **Figure 2**.

Regarding the position of SR in the centre of Europe and its low involvement in crisis areas of the world the biggest threat for us is probably from the air – air terrorism. Some other state’ kidnapped plane or some other source on the Slovak sky could be used for terrorist actions in our country or in neighbouring countries. Thus, the protection of air space will be as important as the protection of Slovak and European borders.

When SR joined NATO and accepted the goals of the forces [FG-Force Goal] it became a part of the joint air space of NATO countries [NATINADS – NATO Integrated Air Defence System] with its inherent rights and duties.

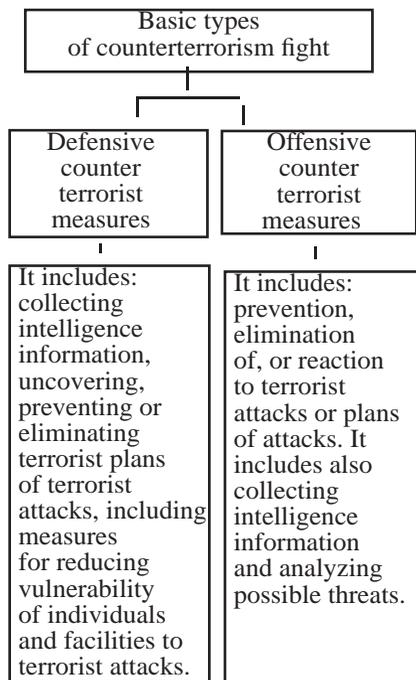


Fig. 2. Types of operations of the fight against terrorism (1)

The protection of air space of SR within NATINADS should be viewed from two main perspectives [6]:

- activities against military and unidentified air objects under the command of Combined Air Operations Centre (CAOC);
- activities against any civilian air object used as a terrorist weapon, the co-called RENEGADE, which are exclusively in the competences of NGA – National Governmental Authority, which has right to use national forces selected for NATINADS.

2. PROTECTION OF AIR SPACE OF SR

In line with SR’s Constitution, valid laws and legal norms, the Armed Forces of the Slovak Republic

meet the objectives that are stated in its Defence strategy.

One of the objectives is also maintaining the necessary staff of air force in order to secure permanent protection of the sovereignty of our air space and, since SR joined NATO, also the protection of the integrated air space [5].

The protection of SR's air space is provided by the Emergency System of Air Force of the Armed Forces of SR (ES AF AF SR), which meets the objectives in line with the act on *"the organization of activities of the government and central government"*, Act No. 319/2002 Coll. on *Defence of SR*, Act No. 321/2002 Coll. on *The Armed Forces of SR* and Act No. 143/1998 Coll. on *"Civil Aviation"*.

ES AF AF SR in line with the *"Operations plan of force and means utilization"* is the set of measures performed by forces and means of the air force, surveillance and fire equipment of air defence to secure the air space of SR, the integrated air space of NATO and providing assistance to aircrafts in emergency situations.

Priority tasks of ES AF AF SR include:

- checking if the air traffic follows the valid rules, regulations and international agreements;
- continuous surveillance of air space of SR, detection and evaluation of air objects;
- intervening against intruders of air space of SR;
- providing help for aircrafts in emergency situations in the air space of SR;

- mutual exchange of information on situation in air space and weather conditions with neighbouring countries;

- cooperation with air search and rescue service;

- participation in the protection of the integrated air space of NATO within NATINADS.

ES AF AF SR consists of organs of command and control, emergency aircrafts, surveillance and fire equipment of air defence.

Emergency aircrafts and surveillance means of air defence provide permanent protection of air space and fire equipment of air defence can be included in ES AF AF SR if needed on a special command.

Emergency aircrafts are deployed against intruders according to strict rules and criteria. After the detection of an intruder aircraft emergency aircrafts take off in order to find out the necessary data for identifying the intruder aircraft and to offer help using optic and radio signals, which are published for all users of air space in military and civilian rules for flying. If the intruder aircraft does not follow the emergency aircrafts' instructions, it is stopped from threatening the security of the SR and its citizens.

The Air Force of SR, in line with the accepted commitments of goals of SR, meets the objectives of integration into NATINADS by building infrastructure, modernizing selected machinery, safe certification of people, machinery, facilities and selected areas. The selected staff is preferentially educated in technical and linguistic fields. The acquired skills and habits were used for certification in line with NATO

standards. The Command of Air Force of SR issues professional aids, methodologies of activities and regularly updates documents in line with NATO documents. The Centre for Command of Air Force of SR processes and distributes air situation to the competent CAOC and CRC [Control and Report Centre] of neighbouring states of NATO [8].

3. AIR TERRORISM THREAT

After 9/11 all countries over the world faced a completely new form of terrorism – air terrorism threat using civilian aircrafts as weapons.

The term RENEGADE is used to define civilian aircrafts that are suspected of being used as weapons to perform terrorist attacks.

Dealing with the concept of RENEGADE is connected with the problem of protecting air space. We can simply say that the activities against an air target such as RENEGADE are a specific part of protection of air space.

3.1. TAKING ACTION AGAINST RENEGADE OBJECTS IN ACCORDANCE WITH INTERNATIONAL CONVENTIONS

Civil aviation rules result from *Convention on International Civil Aviation* (Chicago, 1944), which was ratified by Czechoslovak Republic in 1947 and published in codex No. 147/1947. This Convention in Article 3, letter a, says: “*The contracting States recognize that every State must refrain from resorting to the use of weapons against civil*

aircraft in flight and that, in case of interception, the lives of persons on board and the safety of aircraft must not be endangered”.

In addition to the Convention there are also *Convention on Offence and Certain Other Acts Committed Aboard Aircraft* (Tokio, 1963), *Convention for the Suppression of Unlawful Seizure of Aircraft* (Haag, 1970) and *Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation* (Montreal, 1971).

International conventions and agreements on civil aviation strictly prohibit the usage of weapons against civil aircrafts.

3.2. RENEGADE CONCEPT IN NATO

The air space protection principles during peace for supporting the integrity of European air space of NATO, for protecting NATO countries and their forces from air attacks are based on set rules and standards of NATO. The International Military Staff (IMS) prepares a document to elaborate the issue of NATINADS more in detail. The mentioned document defines the term RENEGADE, defines the competences, responsibilities and methods of command and control for individual command levels of NATO and for military as well as civil organs of control of air traffic when preparing measures, coordination and intervention against objects such as RENEGADE [6].

If this is the case, the state in line with the international law must avoid the decision to use weapons against

a civil aircraft and it must accept all necessary measures to secure and lead the civil aircraft in accordance with the competent rules, standards and recommended methods included in the Chicago Convention and its amendments. The state must not be passive if it faces a RENEGADE object threat.

Obviously, according to international law principles, no sovereign state has limits that could prevent it from reacting in case of violation of its territorial integrity or political independence, or if its principles related to the state's responsibilities are violated in some ways.

Sovereign states face the threat of using force against their territorial integrity or political independence by launching corresponding activities, which will secure their preparation for averting the threat by activating the elements of air space defence.

Any state is responsible for protecting its territorial integrity and political independence, which also includes protection of its national interests and people within its territory. Under certain circumstances the activity against RENEGADE object can be justified by the protection of these legitimate interests. If it is necessary the state is authorized to use force to protect itself from activities which would violate its independence.

In this case we must consider activities against the object that violates the state sovereignty and independence as well as security of the citizens who are entitled to protection and freedom, too.

It is not important if the intruder uses civil or military approaches. It is the intention that is important. In case of RENEGADE object, the goals and intentions of the intruder might be achieved by direct action, which can then cause corresponding reactions of the competent state.

In the Czech Republic, for instance, the issue of RENEGADE objects was partially handled during the NATO summit in Prague. Before the summit the CR accepted Act No. 482/2002 Coll. valid just during the summit, which defined the competences of the national authority in line with the legal order of CR regarding the usage of force against an object and ordering the usage of weapons if necessary. A similar Act was also accepted by other NATO and EU countries. These states accepted NATO regulations and standards regarding the RENEGADE concept, created a national authority with the competence to decide on using weapons against RENEGADE, and accepted the responsibility for the damage caused by activities against suchlike object.

3.3. WAYS OF PROTECTION FROM RENEGADE-LIKE OBJECTS IN THE LEGAL ORDER OF SR

Participation of SR in the Alliance's system of collective protection of air space requires handling the questions connected to the protection of the integrated air space of NATO.

The RENEGADE concept is handled in response to the acceptance of the Concept of Integrated Air

Defence of NATO. In order to solve the RENEGADE concept an interdepartmental committee has been established under the authority of the Ministry of Foreign Affairs (MFA) of SR. It consists of staff members of MFA, Ministry of Transport, Posts and Telecommunications, Ministry of Defence, Civil Aviation Authority of SR and MS of SR. The missions of this committee are to define the term RENEGADE legally, to elaborate legal analyses of methods of solving situations, in which a civil object is classified as a military target, to adjust the mechanism of decision-making and deciding on RENEGADE - like objects legally and to define legal consequences in case of elimination of RENEGADE - like objects.

At present the Air Force of SR have the means, tools and mechanisms necessary for an action against a RENEGADE - like air object in case this object can be considered a military target.

Crucial missions of the Air Force in the fight against terrorism include the protection of objects of national importance. After 9/11 2001 our objects of special importance – the capital city Bratislava and nuclear powerplants Mochovce and Jaslovské Bohunice were protected from air attacks by units of air defence of low and medium range (**Figure 3**).

Before the deployment of these units there was a simulation of activities of the units against an intruder based on prof. Sopóci's project from the end of the 80s called *Optimization of air defence for the needs of the units of air defence of land forces* [7]. Based on the

digitalized model of terrain it was possible to display the defended units and objects. The chosen criteria allowed optimization of the choice of firing positions and battle formations of the units of air defence of land forces, the calculation and display of destroyed areas for various altitudes, speed and RCS, the possibility of centralized control of various types of anti-aircraft rocket systems. The mentioned project was innovated in the first half of the 90s because of organization changes, modernization of armament and especially because of new hardware and operation systems in computers. Based on the calculations of areas of destruction and areas of firing tasks (yellow colour and green colour or outer curves) the units were deployed in formations that were considered optimal (**Figure 1**). Aviation resources (emergency aircrafts – Mig-29) were used for protection of objects of special importance.

4. CONCLUSIONS

If we admit that air terrorism is a dominant global threat for SR, then the AF of SR have the mission to provide protection, countermeasures and measures to reduce the impacts on eliminating the results of terrorist actions.

The participation of SR in the system of collective protection of air space of the Alliance resulted in the need to solve problems connected to the protection of integrated air space of NATO. If these problems are solved, the technical side of the problem will be activities against RENEGADE-like objects.

The political and legal context of the problems remains open.

According to the mentioned facts we can say that the Air Force of SR has the means, tools and mechanisms to intervene against air objects such as RENEGADE.

However, according to the current valid laws, norms and regulations it is not possible to intervene against civil aircraft using weapons and threaten the security of people aboard the aircraft. Thus the question is: when can an aircraft not respecting the guidelines of organs of air traffic

command and the other participating aircrafts be considered a reasonable threat to be declared a military target?

The territory of SR is too small to identify, decide on classification and take countermeasures in case of RENEGADE threat. That means that SR can effectively apply the RENEGADE concept just in the international context, i.e. in cooperation with neighbouring countries within the integrated air space of NATO [9].

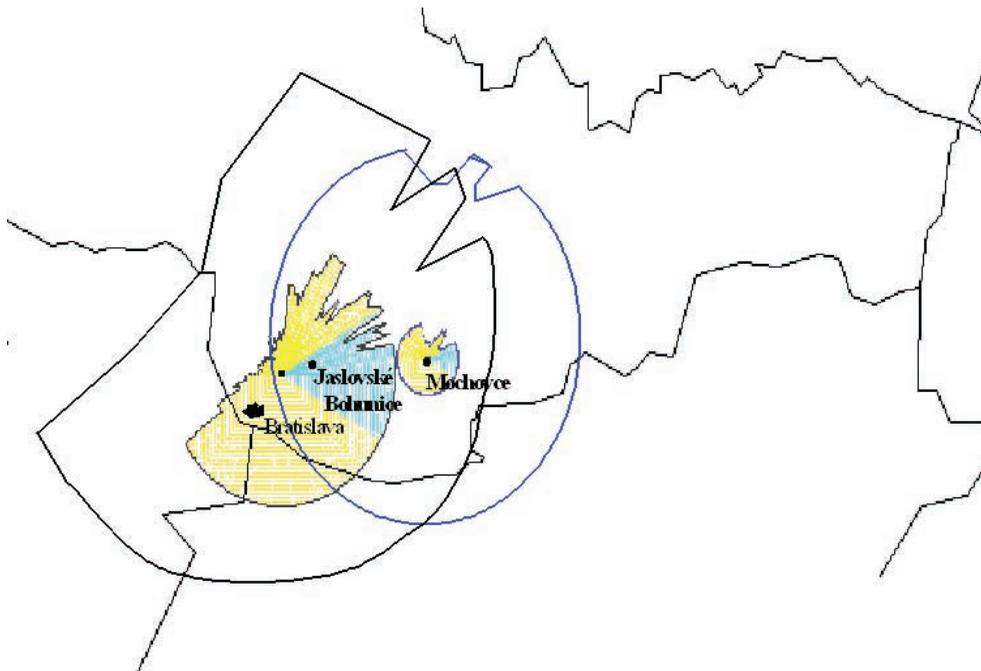


Fig. 3. Protection of objects of special importance by air defence units

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