
Information

The Legal Basis for the Participation of the Slovak Republic in the UNFICYP Peacekeeping Operation

Právny základ pre účasť Slovenskej republiky v mierovej operácii UNFICYP

Ján Marek, Pavel Bučka

Abstract: This article looks at the operation of the Armed Forces of the Slovak Republic in Cyprus within the UNFICYP peacekeeping operation. It presents the basic legal framework for the operation of the Armed Forces of the Slovak Republic in this peacekeeping operation and maps the progress of the peacekeeping operation and the fulfilment of tasks by its members. The aim of the research was to evaluate the current approach of the Slovak Republic to UN operations with an emphasis on addressing the security situation at Cyprus. At the same time, the article points to the important role of the Slovak Republic in the UNFICYP peacekeeping operation after it took over responsibility for the entire Sector 4 in 2018.

Abstrakt: Tento článok sa zaoberá pohľadom na pôsobenie Ozbrojených síl Slovenskej republiky na Cypre v rámci mierovej operácie UNFICYP. Predstavuje základný právny rámec pre pôsobenie Ozbrojených síl SR v tejto operácii a mapuje postup operácie a plnenie úloh jej príslušníkmi. Cieľom výskumu bolo vyhodnotiť súčasný prístup SR k operáciám OSN s dôrazom na riešenie bezpečnostnej situácie na Cypre. Článok zároveň poukazuje na dôležitú úlohu Slovenskej republiky v mierovej operácii UNFICYP po tom, čo v roku 2018 prevzala zodpovednosť za celý Sektor 4.

Key words: Armed Forces of the Slovak Republic; Legal Framework; UNFICYP; UN.

Ключовые слова: Ozbrojené síly Slovenskej republiky; právny rámec; UNFICYP; OSN.

INTRODUCTION

Security stemming mainly from peace and the country's closely linked development are a priority for every state that forms the mosaic of the international community. The past has taught us that there are armed conflicts that pose a threat to peace for the global environment. The attempt to prevent or alleviate a war is therefore a legitimate demand of the international community.¹

International crisis management organizations, including the United Nations (UN), play a particular role in efforts to ensure peace in the world, given the wide range of their resources and the areas which they are responsible for. The Slovak Republic, as a member country of this international organization, does not lag behind in fulfilling the goals set by the UN Charter. However, through its participation in UN peacekeeping operations, as one of the most visible activities of the UN, wherein it engages in peacekeeping activities in tense areas around the world, it often faces a critical view of the public.²

In the following section, we offer an overview of the participation of the Slovak Republic and its Armed Forces in the UNFICYP (United Nations Peacekeeping Force in Cyprus) peacekeeping operation in Cyprus, in which professional soldiers of the Slovak Republic have long performed the tasks of international crisis management.

Using analysis and synthesis of the obtained information, the aim of the authors was to prepare an evaluation of the operation of the Armed Forces of the Slovak Republic in the UNFICYP peacekeeping operation. The information used consisted of theoretical sources, but mainly of practical experience gained during the work of professional soldiers in the UNFICYP peacekeeping operation. We chose the UNFICYP peacekeeping operation as an example of the legal basis for the Slovak Republic's participation in peacekeeping missions. The UNFICYP peacekeeping operation is important for the Armed Forces of the Slovak Republic at several levels. Firstly, the number of soldiers in the UNFICYP peacekeeping operation is the largest number of Slovak soldiers abroad. Secondly, it is an important operation, wherein Slovakia commands all of Sector 4. In the following chapters, we will describe in detail the whole process of taking over Sector 4, including the legislative process at the international level.

Before any court ruling on the solved scientific problem of activities of the Slovak Republic in the UN operation, we try to determine how it coincides with objects that are already known to us and how they differ from them. For this reason, we used the method of comparison in the research, which is of great importance in clarifying the processes of change, development and dynamics of the researched problem and the regularities of its development. In addition, qualitative methods of information analysis and synthesis were used, which are used at all stages of scientific research.

1 NAU, H., (2015). *Perspectives on International Relations*. Washington DC: CQ Press. ISBN 978-1-4522-4148-7. p. 252.

2 BLAIR, R., A. (2021). "UN Peacekeeping and the Rule of Law." *American Political Science Review*. 115 (1): 51–68. doi:10.1017/S0003055420000738. ISSN 0003-0554. S2CID 226196050.

1 LEGAL BASIS FOR THE PARTICIPATION OF THE SLOVAK REPUBLIC IN PEACEKEEPING MISSIONS

Founded in October 1945, the United Nations has set itself four primary goals:

1. To maintain international peace and security.
2. To promote friendly relations between nations.
3. To develop cooperation in solving international problems.
4. To promote human rights.

It is with these goals that the UN peacekeeping operations correspond, their sole mission being to build or maintain peace in conflict or post-conflict regions of the world.

Although the operations alone do not have their legal enshrinement explicitly stated in the UN Charter, as their existence was not anticipated at the time of the creation of the organization, their implementation is fully in line with the primary purpose thereof. Former UN Secretary-General Dag Hammarskjöld aptly listed them in the context of the UN Charter as Chapter VI - Peaceful Dispute Settlement and Chapter VII - Actions in the Event of Threats to Peace, Peace Violations and Offenses, as "Operation Six and a Half", due to their kind of placement between the mentioned chapters of the UN Charter.³

The UN Security Council gives the mandate, i.e., the role of the entities involved in the UN operation. It is in the sense of Article 24 of the UN Charter that it has the primary responsibility for the maintenance of international peace and security and acts on behalf of the members of the UN. A minimum of 9 votes out of 15 are required to approve a Security Council resolution legitimizing the deployment, size and mandate of a peace operation, with five permanent members (China, France, Russia, the United Kingdom and the United States) having the right to veto this decision.

The subsequent involvement of the Armed Forces of the UN member states in the approved peace operation is based on voluntariness. It is up to each member state, after approving the mandate of the operation, to negotiate in detail the conditions for the participation of its forces with the UN Secretary-General in the peacekeeping operation concerned.

As regards the Slovak Republic and the participation of the Armed Forces of the Slovak Republic in UN peacekeeping operations, the legal basis is offered by the Constitution of the Slovak Republic No. 460/1992 Coll., which, on the one hand, in its introductory Art. 2 calls for international treaties and thus the UN Charter as part of its legal order with the wording: "The Slovak Republic recognizes and observes the general rules of international law, international treaties by which it is bound and its other international obligations and which establishes the constitutional conditions for sending the Slovak Armed Forces to fulfilment of their tasks outside the territory of the Slovak Republic."⁴

³ RAMSBOTHAM, O., WOODHOUSE, T. (1999): *Encyclopaedia of International Peacekeeping Operations*, Santa Barbara: ABC-Clio, s. XI.

⁴ Čl. 1 ods. 2 Ústavy SR č. 460/1992 Zb.

The Government of the Slovak Republic decides on the deployment of the Armed Forces outside the territory of the Slovak Republic for the purpose of humanitarian aid, military exercises or peacekeeping observation operations, in accordance with Art. 86 of the Constitution of the Slovak Republic. Based on Art. 86, letter I of the Constitution of the Slovak Republic, the deployment of the Armed Forces outside the territory of the Slovak Republic requires the consent of the National Council of the Slovak Republic, except in the case of deployment of the Armed Forces outside the territory of the Slovak Republic, for a maximum period of 60 days, for which the decision of the Government of the Slovak Republic is sufficient.

According to the Act on the Armed Forces of the Slovak Republic No. 321/2002 Coll., humanitarian aid of the Armed Forces outside the territory of the Slovak Republic means activities aimed at mitigating or eliminating the consequences of a natural disaster, catastrophe, industrial, traffic or other operational accident, or other similar event endangering lives and health of people, property or the environment in the state the territory of which the Armed Forces are deployed in; military exercise training of the Armed Forces carried out with foreign Armed Forces outside the territory of the Slovak Republic, which is aimed at harmonizing activities, increasing combat readiness and joint inspection of military units, Armed Forces with foreign Armed Forces; and peacekeeping mission carried out jointly with foreign Armed Forces outside the territory of the Slovak Republic, aimed at observing the development of the situation in the territory of another state where there is a threat of armed conflict, or observing the development of the situation in the territory of another state affected by an armed conflict to help resolve it by peaceful means, to restore mutual trust and to ensure that the democratic order is observed in the territory of the concerned state.⁵

Based on § 12, par. 1 of the Act on the Armed Forces, however, the constitutional bodies decide on sending the Armed Forces of the Slovak Republic outside the Slovak Republic except for humanitarian aid, military exercises, peacekeeping missions, fulfillment of obligation, representing the Slovak Republic in an international organization or fulfilling the tasks of the international military headquarters, and further cooperation of the Armed Forces with foreign Armed Forces in accordance with international law. In the sense of the legal definition expressed in this legal regulation, a military operation outside the territory of the Slovak Republic means “the activity of military units, Armed Forces that are armed with military weapons and military weapon systems, relevant combat equipment and logistics carried out under the command of an international organization of which the Slovak Republic is a member, together with foreign Armed Forces in accordance with international law for the purpose of preventing armed conflict, achieving peace and maintaining it in territory threatened or affected by armed conflict.”⁶

Finally, also in accordance with Art. 1, par. 1 of the Constitutional Act on State Security in the Time of War, State of War, State of Emergency and State of Emergency No. 227/2002 Coll., the Slovak Republic exercises its state power, inter alia, with the aim of

⁵ §12 ods. 2 písm. a), b), c) Zákona o ozbrojených silách Slovenskej republiky č. 321/2002 Z. z.

⁶ §12 ods. 2 písm. d) Zákona o ozbrojených silách Slovenskej republiky č. 321/2002 Z. z.

“fulfilling the obligations arising... from international agreements by which the Slovak Republic is bound.”⁷

The statutory legal regulation of the use of Armed Forces in UN peacekeeping operations also corresponds to the above-mentioned constitutional regulation. Pursuant to § 2, par. 1 of the Act on the Armed Forces, the Armed Forces are also created for “the fulfilment of obligations arising from international treaties by which the Slovak Republic is bound.”⁸ Similarly, in accordance with this legal regulation, the fulfilment of international obligations arising for the Slovak Republic from international treaties by which it is bound is among the main tasks of the Armed Forces of the Slovak Republic (§ 4, par. 1 of the Act on the Armed Forces.). The Armed Forces of the Slovak Republic thus “perform tasks outside the territory of the Slovak Republic in accordance with international law; perform tasks within the provision of humanitarian aid, military exercises, peacekeeping observation mission, military operation, tasks arising from the representation of the Slovak Republic in an international organization or the role of the international military headquarters and tasks within the cooperation of Armed Forces with foreign Armed Forces.”⁹

Similarly, according to § 77, par. 1 of the Act on the Civil Service of Professional Soldiers and on Amendments to Certain Acts No. 281/2015 Coll. based on the decision of the relevant constitutional body, the service office sends a professional soldier outside the territory of the Slovak Republic, inter alia, “for humanitarian aid, peacekeeping missions, military operations, fulfilment of obligation in accordance with international law, for the purposes of military exercises.”¹⁰

As for professional soldiers or employees involved in the performance of the tasks of the Armed Forces. in accordance with the Act on the Armed Forces, they may be sent outside the territory of the Slovak Republic only after reaching a specified level of their training and professional readiness, which is determined by the Chief of the General Staff. Likewise, the Chief of the General Staff, or the commander appointed by him, performs the selection of soldiers and employees who participate in the performance of the tasks of the Armed Forces outside the territory of the Slovak Republic. Such soldiers and employees, unless an international agreement provides otherwise, are governed by the law of the Slovak Republic and are required to comply with the law of the receiving state.

Even in the case of sending members of the Armed Forces of the Slovak Republic and its employees to the UNFICYP mission in Cyprus, it was necessary to comply with all constitutional and legal requirements for their deployment in this operation.

The mandate was given to the operation by UN Security Council Resolution 186 of 4 March 1964, through which the main tasks of the operation may include the resolution of incidents in the buffer zone - it affects the political dialogue, conflict prevention and

⁷ §1 ods. 1 ústavného zákona o bezpečnosti štátu v čase vojny, vojnového stavu, výnimočného stavu a núdzového stavu č. 227/2002 Z.z.

⁸ §4 ods. 1 Zákona o ozbrojených silách Slovenskej republiky č. 321/2002 Z. z.

⁹ §4 ods. 3 Zákona o ozbrojených silách Slovenskej republiky č. 321/2002 Z. z.

¹⁰ §77 ods. 1 zákona o štátnej službe profesionálnych vojakov a o zmene a doplnení niektorých zákonov č. 281/2015 Z. z.

contributing to order and compliance with the law.¹¹ The sending of the Armed Forces of the Slovak Republic to the peacekeeping operation in Cyprus was approved by the National Council of the Slovak Republic by Resolution No. 1372 of 10 May 2001.

2 THE COURSE OF THE UNFICYP PEACEKEEPING OPERATION

Due to its geographical location and strategic importance, the island of Cyprus was colonized and conquered by almost all important rulers of history: Alexander the Great, Ptolemy, or Richard I. In 1571, the island was acquired by the Ottoman Empire. It maintained its dominance until 1878, when it ceded the island to Great Britain. Great Britain ruled the island until 1960. In that year, Cyprus gained independence after four years of liberation struggle. The Treaty of Independence was signed by the two communities that inhabited the island, enabling the Republic of Cyprus to emerge.

The Hellenic Republic, the Republic of Turkey and the United Kingdom have become guarantors of this agreement. In 1974, with the support of the Greek junta, a coup was carried out, overthrowing the Cypriot government together with President Makarios III. The change in the political situation and the animosity between the two communities led to a two-phase military operation by the Turkish Armed Forces. They occupied 37% of the territory of the northern part of the island. The southern part of the island, with a majority Greek-Cypriot population, acts as a representative of the Republic of Cyprus, while the northern part of the island, inhabited mainly by Turkish-Cypriot populations and Turkish resettlers, acts as an independent “Turkish Republic of Northern Cyprus”, which has not been internationally recognized. It was officially recognized as a state only by Turkey (1984) and the Nakhichevan Autonomous Republic, the inland exclave of Azerbaijan (2004). Following a ceasefire agreement between the two opposition parties and the United Nations, a buffer zone was created on 16 August 1974 (at 6 pm) under the agreements, defined as the space between two ceasefire lines, which are also the front lines of enemy troops.

To control the buffer zone by UN Forces, an “Aide Memoire” was adopted in 1989, setting out the basic rules and provisions for maintaining the “Status Quo” in the buffer zone and on the ceasefire lines. The opposition forces in the conflict in Cyprus consist of the Greek Cypriot National Guard (NG) and the Hellenic Contingent in Cyprus (ELDYK) on the south side of the island and the Turkish troops (TMA) and the Turkish the Cypriot Security Forces (TCSF) in the northern part of the island.

- a) By 1 September 2018, the buffer zone was divided into the following 3 sectors:
- Sector 1 under the command and responsibility of the Armed Forces of Argentina, with the participation of members of the Armed Forces of Chile, Peru, Paraguay, Bolivia and Brazil;
 - Sector 2 under the responsibility of members of the United Kingdom Armed Forces;

¹¹ Rezolúcia Bezpečnostnej rady OSN č. 186 zo dňa 4. 3. 1964.

- Sector 4 under the command of members of the Armed Forces of the Slovak Republic - SLOVCON as the leading country; in Sector 4 there were also members of the Republic of Hungary - HUNCON, the Republic of Serbia - SERBCON, the Republic of Ukraine - UACON. In September 2014, the Croatian contingent - CROCON ended its activities.

b) From 1 September 2018, the division into sectors did not change, but a fundamental change occurred in Sector 4, which was taken over by the members of the Armed Forces of the Slovak Republic after the departure of members of HUNCON, SERBCON and UACON.

During the years 1974 to 1995, only members of the Austrian contingent operated in Sector 4. However, after 1995, Austria reduced its presence not only in Sector 4, but overall in the UNFICYP peacekeeping operation. Since 1995, members of the Hungarian contingent began to operate in this sector as the second country, replacing part of the members of the Austrian contingent with the strength of one platoon. Beginning in September 1997, the Hungarian contingent was further strengthened and it began to perform operational tasks of a company strength as the 1st Guard Company. In 1998, the Slovenian contingent began to perform operational tasks as the third nation in Sector 4, which replaced the Austrian soldiers of the 3rd Platoon, 2nd Company.¹²

In May 2001, the first members of the Armed Forces of the Slovak Republic were deployed to the UNFICYP peacekeeping operation, who gradually began to take command of Sector 4 from the Austro-Hungarian contingent (AUSHUNCON). On 18 June 2001, the official act of handing over Sector 4 to the Slovak contingent took place, which created the Slovak-Hungarian contingent (SLOVHUNCON), which was fully operationally responsible for this sector.

Members of the Slovak Armed Forces began operating in the UNFICYP operation on the basis of Government Resolution No. 353 of 19 April 2001 and Resolution of the National Council of the Slovak Republic No. 1372 of 10 May 2001 on the participation of the Armed Forces of the Slovak Republic in the UNFICYP peacekeeping operation. Based on the resolutions, 280 members of the Armed Forces of the Slovak Republic were sent to this peacekeeping operation in May and June 2001. For the first time in the modern history of the Armed Forces of the Slovak Republic, the Slovak Republic thus became the leading nation in a military peacekeeping operation.

In 2004, the Greek-Cypriot population rejected in a referendum the so-called "Annans's plan", the aim of which was to solve the security situation of Cyprus. The failure of the referendum significantly affected the UNFICYP peacekeeping operation. Pursuant to UN Security Council (UNSC) Resolution 1568 of October 2004, the number of Armed Forces of the UNFICYP peacekeeping operation and thus also of SLOVCON members was reduced by 30% as of 31 January 2005 by an operational order of the Commander of the UNFICYP FORCE 860 CONCEPT OF OPERATIONS.

One of the main elements in the structure of the UNFICYP peacekeeping operation, after the reduction of numbers, since 2005 have become liaison officers - MOLO,

¹² MAREK J. (2019) Mierové operácie OSN. Liptovský Mikuláš: Akadémia ozbrojených síl generála M. R. Štefánika, p. 48. ISBN 978-80-8040-581-6.

whose task was to ensure negotiations and a higher form of communication with units of opposition forces at the level of liaison officers, battalion commanders, or regimental commanders.

On 29 September 2011, SERBCON took over from the Slovak contingent the responsibility for the operational tasks of the 2nd Guard Squadron of Sector 4 in the Pyla area (37 positions) and two positions of MOLO officers at the 1st HUNCON Guard Squadron in the Athena area. In September 2013, two MOLO officers of the Ukrainian contingent also started working in Sector 4. In September 2014, the Croatian contingent (two MOLO officers) ended operations in the UNFICYP operation and SLOVCON members took over these two positions again.¹³

Starting with the September rotation in 2014, the Sector 4 Civil Liaison Officer for Civil Cooperation (SCAMLO) started working in Sector 4 due to the expansion of civilian activities in the buffer zone (the change was implemented at the expense of the MOLO position).

In 2016, according to the “UNFICYP FORCE 860 REVIEW (FORCE 888)” concept, the number of UNFICYP troops was again increased by twenty-eight troops, starting with the September 2016 rotation in all three sectors.

Also in the case of SLOVCON, the implementation of this increase was applied since the September 2016 rotation, when the number of SLOVCON members in Sector 4 was increased by ten members, keeping the number of 169 deployed members of the Armed Forces of the Slovak Republic until the March rotation 2018 (March 9, 2018) in the UNFICYP peacekeeping operation. This number was thus the baseline before the UN made demands for transformation.

Even today, members of the Armed Forces of the Slovak Republic participate in fulfilling the most important task of the mission, which is to resolve conflicts in the buffer zone, which is 180 km long and covers 3% of the island. It is not fenced, so regular patrols are necessary. The UNFICYP peacekeeping operation is more of a political issue, with troops performing mainly support tasks. Political talks affect military life and vice versa. Equally important is conflict prevention itself.

Despite the peaceful situation in the area of operation, we must realize that the role of the UN troops is the supervision of the two Armed Forces (Turkish and Greek), which do not or only minimally communicate. Any wrong step, whether from a general or a soldier, can cause a possible conflict. It is therefore necessary to ensure strict compliance with the rules in the same way for both parties involved.

¹³ Uznesenie Vlády Slovenskej republiky č. 26/2009 k návrhu na schválenie Memoranda o porozumení medzi Organizáciou Spojených národov a vládou Slovenskej republiky ako príspevok k mierovým silám OSN na Cypre (UNFICYP) a návrhu na podpis jeho dodatkov a vykonávacích dokumentov.

2.1 Requirements for the transformation of the UNFICYP peacekeeping operation by the UN

2. 1. 1 Strategic evaluation of the UNFICYP peacekeeping operation

In UNSC Resolution No. 2369 of 27 July 2017, the UN Secretary-General was requested to carry out a strategic evaluation of the UNFICYP peacekeeping operation in order to make recommendations for its reconfiguration and optimization of structures within the existing mandate. At the same time, the resolution called on the UN Security Council to inform the UN Security Council of the outcome of the strategic review of UNFICYP peacekeeping operation within four months of its adoption (i.e. by 27 November 2017).¹⁴

For the actual evaluation of the UNFICYP peacekeeping operation, the UN Secretary-General appointed a commission headed by German diplomat Wolfgang Weisbrod-Weber, who served as UN Special Representative for Western Sahara in the past.

The strategic evaluation of the UNFICYP peacekeeping operation consisted of the following three phases of strategic evaluation:

1. **In the first phase**, all UN stakeholders, both counterparts and participating countries were consulted. At the same time, the methodology and period of the actual strategic evaluation were set. In parallel with the above activities, administrative tasks were performed consisting of concentrating and evaluating documentation in order to identify critical competencies needed to perform the required tasks and their evaluation in terms of their availability, identifying the shortcomings to be amended in order to implement mandate-related activities.
2. **In the second phase**, the evaluation team led by Wolfgang Weisbrod-Weber visited Cyprus. Extensive consultations were held with key partners of relevant civilian and military authorities representing both parts of the island, representatives of the UNFICYP peacekeeping operation as well as the diplomatic corps. The assessment team visited all three sectors of the UNFICYP peacekeeping operation.
3. **In the third phase**, the UNFICYP peacekeeping operation was assessed by members of the Department of Peacekeeping Operations (DPKO), field services, political affairs and security, who added comments to the strategic evaluation. Following the comments, the strategic evaluation of the UNFICYP peacekeeping operation was submitted to the UN Secretary-General with a recommendation to reduce the military personnel from 888 to 802 peacekeepers.

2. 1. 2 A study of the military capabilities of the UNFICYP peacekeeping operation

Following this strategic evaluation, the UN Secretary-General's Commission, Lieutenant General Carlos H. Loitey, Jean-Pierre Lacroix and Atul Khare, conducted a confidential study of the military capabilities of the UNFICYP peacekeeping operation and

¹⁴ MAREK J. (2019) Mierové operácie OSN. Liptovský Mikuláš: Akadémia ozbrojených síl generála M. R. Štefánika, p. 48. ISBN 978-80-8040-581-6.

submitted it to the UN Secretary-General in December 2017. The message of the study was to carry out a comprehensive analysis of the UNFICYP peacekeeping forces in accordance with the conclusions of the strategic evaluation. At the same time, it evaluated the planned measures and procedures of the operation to solve the set tasks and proposed changes related to improving the synchronization of the implementation of the operation concept ("Concept 2007") in line with the existing mandate and strategic or operational development of the operation.¹⁵

One of the key conclusions of this study was, among other things, the recommendation to offer Sector 4 to a single country, which should have a positive impact on the command and control in this sector. This recommendation accelerated extraordinary political and diplomatic activity at several levels of Slovak diplomacy or diplomacy of our foreign partners. The Slovak Republic has taken over responsibility of the entire Sector 4 of the UNFICYP peacekeeping operation.

2.2 Transformation of Sector 4 of the UNFICYP peacekeeping operation according to "Concept 802"

In the first stage, the Slovak Republic implemented "Concept 802" and was able to implement this model in the first quarter of 2018. In the March 2018 rotation, the number of members of the Slovak Armed Forces in the UNFICYP peacekeeping operation was reduced from 169 (as of March 9, 2018) to 141 (from 20 March, 2018), thus reaching the level required under "Concept 802" from the then 295 to 253 members. The UNFICYP peacekeeping operation in Sector 4 continued to involve 65 members of the Hungarian Armed Forces, 2 Ukrainian MOLO officers and 45 members of the Serbian Armed Forces.¹⁶

In the second stage, in 2018, the Slovak Republic focused on strategic communication with the existing partners participating in Sector 4. The Slovak Republic, as the leading country of Sector 4, stated a clear interest and ambition to take over the whole Sector 4 to fulfil the conclusions of the UNFICYP military capability study of December 2017. Communication was conducted at the highest political and diplomatic level between the top representatives of the Ministry of Foreign and European Affairs of the Slovak Republic and the Ministry of Defence of the Slovak Republic with the relevant foreign representatives of Hungary, Serbia and Ukraine.

As the replacement of HUNCON, SERBCON and UACON personnel required the Armed Forces of the Slovak Republic to increase the numbers in the UNFICYP operation at the same time, intensive staff training was started in parallel with diplomatic activities held by HUNCON, SERBCON and UACON.

¹⁵ MAREK J. (2019) Mierové operácie OSN. Liptovský Mikuláš: Akadémia ozbrojených síl generála M. R. Štefánika, p. 48. ISBN 978-80-8040-581-6.

¹⁶ OPLAN NGŠ OS SR vo vojenskej operácii UNFICYP (Rev.2) č.: ŠBSP-17-1/2017 z 18.1.2018.

2.3 The Armed Forces of the Slovak Republic in fulfilling the ambition of a single Sector 4 under its responsibility

On 18 January 2018, the Chief of the General Staff of the Armed Forces of the Slovak Republic issued the Operational Plan for the use of the Armed Forces in the UNFICYP (Rev. 2) of 2014. This operational plan set out the number of staff in accordance with the required “Concept 802” and thus created the conditions for the takeover of Sector 4. In connection with the new numbers in accordance with “Concept 802”, it was necessary for the Armed Forces of the Slovak Republic to anticipate an increase of 99 members in relation to the takeover of Sector 4, due to the need to fill positions after foreign partners leave. On 22 May 2018, the Commander of the Air Force of the Armed Forces of the Slovak Republic approved his Operational Order for the preparation to the UNFICYP peacekeeping operation for the September 2018 rotation. After the departure of foreign partners from Sector 4 of the UNFICYP peacekeeping operation (contractual obligations were terminated on 31 August 2018), it was necessary to modify the rotary flights from Slovakia in order to ensure a smooth takeover and fulfilment of operational tasks.¹⁷

3 DISCUSSION

Assumption of Sector 4 of the UNFICYP peacekeeping operation under the sole responsibility of the Slovak Republic within the concept of a single sector presented a significant milestone in the history of the Slovak Republic with effects for all stakeholders participating in fulfilling the national interests of the Slovak Republic in its participation in UN operations. The concerted effort to take over Sector 4 had a strong supra-ministerial character in carrying out a coordinated effort based on meeting the requirements of the UN Security Council, taking advantage of the dominance of the benefits associated with the status of a leading country under international law. The efforts of the foreign partners who remained involved in Sector 4 together with the Slovak Republic must be seen objectively in their efforts to maintain their military presence in a relatively secure UN-led operation. The growing pressure and demands of the UN on the deployment in Africa meant a separate set of challenges for each of the countries concerned. The financial aspects of UN-led operations, namely payments for the deployed personnel (Hungary, Slovakia, Serbia, and Ukraine) and payments for the used national Slovak equipment by the UN are among the motives of all actors in their effort to remain in Sector 4. The Slovak Republic is the country with the highest amount of national technology in Cyprus (engineer platoon) used for the benefit of the entire UNFICYP peacekeeping operation,

¹⁷ BUČKA, P., PÁSTOR, R. (2019). *Factors influencing the effectiveness of training of the RDP OS SR*. In: Human Resources Management in the Armed Forces, Security and Rescue Corps. International Scientific Conference. Liptovský Mikuláš: Academy of the Armed Forces of General M. R. Štefánik, 2019. ISBN 978-80-8040-579-3.

not only for Sector 4. Since 2001, the Slovak Republic has been the leading nation. Also based on contractual obligations, the Slovak Republic has been providing logistic support for its foreign partners within Sector 4 for a period of 20 years.

The UNFICYP peacekeeping operation in Cyprus is the operation in which members of the Slovak Armed Forces have been active for the longest time. The total of 3347 members of the Slovak Armed Forces, including 158 women, took turns in this operation, which is more than good for such a small country as Slovakia.

CONCLUSION

In all UN operations, and towards UNFICYP Headquarters at UN Headquarters in New York, it is very important that soldiers be prepared for the tasks arising from the operation's mandate. As several countries contribute to this military component, the New York Peace Operations Division has a clear policy in this regard. Before sending troops to the operation, each country conducts domestic training, which continues even after their arrival in the operation. In the first days, the soldiers pass on functions, experience and then undergo introductory training.

The intention is to prepare them in accordance with the tasks and the current situation of the operation. Various types of training are performed, including practical training, but exercises are also organized to prepare the soldiers well as a whole and to achieve the required quality of performance of crucial tasks.¹⁸

UNFICYP is an operation acting as an intermediary between opposing troops on both sides, who do not maintain any contact with each other. For this reason, a system of liaison MOLO officers for the military component is implemented, as well as liaison SCAMLO officers, who deal with civilian activities in the buffer zone. At present, there are a number of civilian activities in the buffer zone, which are controlled by members of the military police and are the responsibility of the Department of Civil Affairs, the so-called Civil Affairs Section.

UNFICYP has been positively evaluated by the international community. It is one of the peacekeeping operations where we do not record numerous losses of life and a number of injuries. It cannot be said that the problem will be solved, a small incident is enough and the situation can quickly get out of control.

This research was supported by the outcome of the project "Analysis and Simulation of Information and Security Threats Workplace (PASIBO)", which has received funding from the European Union's Grant Agreement Number OPVaV-2015/1.1/03-SORO, ITMS code 26210120044, and, in addition, of the project "Support for creating the security and defence capabilities of the state by preparing crisis management actors", IM_4200513, which has received funding by MOD SR.

¹⁸ IVANČÍK, R. 2013. Vojenské aspekty asymetrie v medzinárodnej bezpečnosti. *Politické vedy*, 2013, Vol. 16, No. 3, pp. 6-37. ISSN 1335-2741.

LIST OF ABBREVIATIONS

AUSHUNCON	Austrian and Hungarian Contingent
CROCON	Croatian Contingent
DPKO	Department of Peacekeeping Operations
HUNCON	Hungarian Contingent
LDYK	Hellenic Contingent in Cyprus
MOLO	Military Observer Liaison Officer
SCAMLO	Civil Liaison Officer for Civil Cooperation
SLOVCON	Slovak Contingent
SLOVHUNCON	Slovak and Hungarian Contingent
SERBCON	Serbian Contingent
TCSF	Turkish Cypriot Security Forces
TMA	Turkish Mainland Army
NG	National Guard
UACON	Ukrainian Contingent
UNFICYP	United Nations Peacekeeping Force in Cyprus
UNSC	UN Security Council

Authors:

Assoc. prof. Pavel Bučka, PhD., born in 1957. He is a graduate of the Military Technical University in Liptovský Mikuláš (1982), the Joint Services Command and Staff College in Bracknell (1998), the George C. Marshall European Center for Security Studies (2006). He worked in leading and pedagogical positions in the field of State Security and Defence. He currently works as a professor at the Department of Security and Defence of the Military Academy in Liptovský Mikuláš. He deals with issues of International Crisis Management, Modelling and Simulation, Operation Analysis, Management of Military Units. He is an author of four monograph and more than 300 professional articles in domestic and foreign journals. He is an author or co-author of 15 domestic or foreign research projects.

Ján Marek, PhD., MBA, born in 1970. He is a graduate of the Army College in Vyškov (1992), the Military Academy in Liptovský Mikuláš (2001), the George C. Marshall European Center for Security Studies (2009), the Baltic Defence College (2015), the European School of Business and Management (2019). He worked in leading and pedagogical positions in the field of State Security and Defence. He currently works as an assistant professor at the Department of Security and Defence of the Military Academy in Liptovský Mikuláš. He deals with issues of International Relations, Security Policy and International Crisis Management. He is an author of one monograph and many professional articles in domestic and foreign journals.

How to cite: BUČKA, Pavel and Ján MAREK. The Legal Basis for the Participation of the Slovak Republic in the UNFICYP Peacekeeping Operation. *Vojenské rozhledy*. 2021, 30 (4), 154-167. ISSN 1210-3292 (print), 2336-2995 (online). Available at: www.vojenskerozhledy.cz