

*Stálka misia Slovenskej republiky
pri Organizácii Spojených národov
New York*



*Permanent Mission of the Slovak Republic
to the United Nations
New York*

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The Permanent Mission of the Slovak Republic to the United Nations presents its compliments to the Secretary-General of the United Nations and with regard to the note No. LA/COD/50 of 8 January 2010 has the honour to transmit herewith information concerning the UN General Assembly resolution No. 64/110 relating to criminal accountability of United Nations officials and experts on mission:

The national legal system of the Slovak Republic include laws, which to large extent cover issues regulated by this resolution. These are mainly included in the Code of Criminal Procedure, Act No. 301/2005 Coll., as amended.

The Criminal Law Department of the Ministry of Justice can provide particular information to paragraph 5a aimed at providing mutual assistance in connection with criminal investigations or criminal or extradition proceedings in respect of serious crimes committed by UN officials and experts on missions:

In this respect it is necessary to point out the provision of Section 3 of the Code of Criminal Procedure – Cooperation of state authorities, natural and legal persons.

This section implies the duty of the wide range of authorities, organizations and other persons to cooperate and provide assistance to law enforcement agencies as well as duty of law enforcement agencies and courts of the Slovak Republic to assist each other in fulfillment of duties resulting from law.

As regards to paragraph 5c related to duty to provide effective protection to the victims and witnesses and other persons, the Code of Criminal Procedure of the Slovak Republic includes provision of Section 136, which regulates the position of witness, if his/her testimony could make a reasonable threat to his/her life, bodily integrity or such threat is real in relation to person with close relation to witness.

Increased number of serious forms of criminal activities and witness intimidation during the course of criminal investigation has required the establishment of categories of protected witnesses, secret witnesses and witnesses in threat. Such witnesses are free from duty to state their personal, employment, address etc. a data in public, i.e. that such data are not

publicly available in the criminal files (they are kept separately as secret files and are available only to persons having permits issued allowing access to classified information).

Even in the case of such witnesses, law enforcement agencies and courts are obliged to provide possibility for the accused persons (or their defense lawyer) or injured party to pose questions aimed at verifying the testimony given by a witness. For this purpose it is possible to provide interrogation of the witness by means of technical equipment or by means of changed integrity or appearance or voice of a witness.

The Slovak Republic will further continue its efforts aimed at strengthening and increasing the efficiency of mentioned rights in accordance with national legal regulations as well as with principles contained in international standards.

The Permanent Mission of the Slovak Republic to the United Nations avails itself of this opportunity to renew to the Secretary-General of the United Nations the assurances of its highest consideration.

New York, 29th June 2010



*H.E. Mr. Ban Ki-moon
Secretary-General
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