



**PERMANENT MISSION OF THE REPUBLIC OF CROATIA
TO THE UNITED NATIONS**

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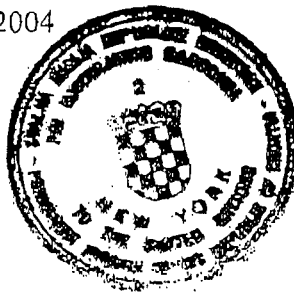
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The Permanent Mission of the Republic of Croatia to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honor to enclose herewith the Report of the Republic of Croatia on Implementation of the United Nations Programme of Action to Prevent, Combat and Eradicate Trade in Small Arms and Light Weapons in All Its Aspects for 2003.

The Permanent Mission of the Republic of Croatia 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. *M*
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New York, 28 June 2004



**Secretary-General
of the United Nations
New York**

Attn: Department for Disarmament Affairs

**REPORT OF THE REPUBLIC OF CROATIA ON
IMPLEMENTATION OF THE UNITED NATIONS PROGRAMME OF ACTION
TO PREVENT, COMBAT AND ERADICATE TRADE IN SMALL ARMS AND
LIGHT WEAPONS IN ALL ITS ASPECTS**

A) NATIONAL LEVEL

1. NATIONAL COORDINATION AGENCY

- i) **Does your country have a national coordination agency or body that is responsible for policy guidance, research and monitoring of efforts to prevent, combat and eradicate the illicit trade in SALW in all its aspects? (II.4)**

The Republic of Croatia does not have such an Agency. Guidance and policy is determined by the Ministry of Foreign Affairs, Department for International Organizations.

2. NATIONAL POINT OF CONTACT

- i) **Does your country have a national point of contact to act as liaison with other States on matters relating to the implementation of the UN Programme of Action? (II.5)**

The National Point of Contact for matters relating to the implementation of the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects is the Ministry of Foreign Affairs, Department for International Organizations, Section for Co-operative Security and Disarmament on phone: 00 385-1-4597-402; 00-1-4569-952; fax: 00 385-1-4597-416.

3. LEGISLATION, REGULATIONS, ADMINISTRATIVE PROCEDURES

- i) **What national laws, regulations and administrative procedures exist to exercise effective control over SALW in the following areas? (II.2)**

• **Production**

Production of arms and military equipment in the Republic of Croatia is regulated by the Law on the Production, Overhaul and Trade in Arms and Military Equipment (*Zakon o proizvodnji, remontu i prometu naoružanja i vojne opreme*), adopted on 25 March 2002 (Official Gazette 33/2002).

For more information, see Report of the Republic of Croatia on implementation of the UN Program of Action (PoA) on Small Arms and Light Weapons (SALW) in document A/CONF.192/BMS/2003/CRP.83

- **Import/Export**

The import and export of arms and military equipment in the Republic of Croatia is regulated by the Decree on Goods Subject to Import and Export Licensing (Official Gazette 67/03). The Decree specifies along with their accompanying Customs Tariff numbers those goods that are subject to export and import licensing, including arms and military equipment.

Request for the issuance of import/export license armament and military equipment intended for commercial use, should be submitted on the MG-TI and MG-TU forms, which are belong to above mentioned Decree. In addition to the above outlined request, in accordance to Article 10 (paragraph ii), it is necessary submit an import license issued by competent authorities of the state in which the goods are exported, and the original statement given by the end user notarized by competent authorities of the state to which the goods are exported. In accordance 11 (paragraph ii) of the Decree exporter/importer of the goods is obliged to submit all remaining documentation, depending on the nature of the goods which are exported/ imported. The State Inspectorate conducts oversight of SALW commerce.

Also, for the import or export of SALW, the Customs service of Croatia requires the filling out of the form "Single Administrative Document" (Customs Declaration), which is regulated by the Rules of Procedure Concerning the Usage of the Single Administrative Document in the Customs Clearance Process (*Pravilnik o obrascima za provedbu Carinskog zakona* – Official Gazette 147/1999). With regard to the import or export of SALW, the Single Administrative Document would be filled out containing data on the nomenclature of the goods regarding the Customs Tariff and the usual commercial name of the goods.

For a more detailed description on import/export practice in the Republic of Croatia, see Report of the Republic of Croatia on implementation of the UN PoA on SALW in document A/CONF.192/BMS/2003/CRP.83

Moreover, in conformity with the *aquis communautaire*, in April 2004 Croatia initiated the Parliamentary procedure for adopting a draft Law on the Export of Dual-Use Goods. The new draft Law specifies the conditions under which dual-use goods can be exported, the responsibilities of the competent state institutions as well as the rights and obligations of the exporter of dual-use items. The draft Law has already passed its first reading in Parliament and is expected to be adopted during 2004. It should also be mentioned that a Regulation on Items which will be considered dual-use goods as per the draft Law on the Export of Dual-Use Goods will be adopted by the Government of Croatia on the recommendation of the Ministry responsible for trade (economy), in line with the provisions contained in the Decree of the Council of the European Union 149/03 from 27 January 2003.

- **Transit or Retransfer**

See Report of the Republic of Croatia on implementation of the UN PoA on SALW in document A/CONF.192/BMS/2003/CRP.83

- ii) **What national measures exist to prevent the manufacture, stockpiling, transfer and possession of unmarked or inadequately marked SALW? How have these been implemented? (II.8)**

See Report of the Republic of Croatia on implementation of the UN PoA on SALW in document A/CONF.192/BMS/2003/CRP.83

4. LAW ENFORCEMENT/CRIMINALIZATION

- i) **What national legislation or other measures exist to make the illegal manufacture, possession, stockpiling and trade of SALW criminal offences under domestic law? How have these measures been implemented? (II.3)**

National legislation regulating the use and possession of SALW include the Law on Arms (Zakon o oružju - Official Gazette 46/97) and Law on Amendments on the Law on Arms (27/99, 12/01) and 19/02).

For a precise description on the implementation of this legislation see Report of the Republic of Croatia on implementation of the UN PoA on SALW in document A/CONF.192/BMS/2003/CRP.83.

- ii) **What national measures have been taken, including legal or administrative means, against activity that violates a United Nations Security Council arms embargo in accordance with the Charter if the United Nations? (II.15)**

With regard to the implementation of arms embargoes or other sanctions regimes imposed by UN Security Council resolutions, the Croatian Ministry of Foreign Affairs regularly informs all competent authorities in the Republic of Croatia of the provisions of these resolutions as well as of the requirement to fully comply with and respect those provisions. Presently, this is being done with regard to UN Security Council arms embargoes imposed on Somalia, Liberia, Rwanda, Sierra Leone and Afghanistan (the Taliban regime).

Also, the Government of Croatia has initiated intergovernmental procedures for drafting a new Law on Sanctions, whose aim is to place the implementation of international sanctions within domestic legislation. The new Law on Sanctions is expected to be adopted by the end of 2004.

5. STOCKPILE MANAGEMENT AND SECURITY

- i) **What national standards and procedures exist for the management and security of SALW stocks held by armed forces, police or other authorized bodies? (II.17) How often are these stocks reviewed? (II.18)**

Croatia's Armed Forces and the Ministry's of Internal Affairs weapons and ammunition are stored and kept in accordance with Regulations and instructions

developed by the Armed Forces General Staff and Ministry of Internal Affairs respectively. According to these regulations, inventory is controlled monthly, and one detailed inventory is undertaken every year. Technical inspection of ammunition is conducted annually on a required percentage for different types of ammunition.

With regard to the Ministry of Internal Affairs, the Department for Police Technical Issues (*Odjel policijske tehnike*) in cooperation with the Police Directorate will determine the number of weapons and ammunition to be stockpiled. These weapons and ammunition will be distributed to police units only on the basis of a direct Order from these two responsible bodies. Entry and exit of weapons and ammunition in stockpiles is recorded in a registry kept by the Ministry of Internal Affairs.

6. COLLECTION AND DISPOSAL

- i) **Please give details of any national programmes that have been established and implemented for the responsible disposal of surplus stocks of SALW held by armed forces, police and other authorized bodies. (II.18)**

See Report of the Republic of Croatia on implementation of the UN PoA on SALW in document A/CONF.192/BMS/2003/CRP.83

- ii) **What methods/means are used to dispose of such stocks? (II.18, 19)**

See Report of the Republic of Croatia on implementation of the UN PoA on SALW in document A/CONF.192/BMS/2003/CRP.83

- iii) **What national measures exist to safeguard such stocks prior to their disposal? (II.18)**

See Report of the Republic of Croatia on implementation of the UN PoA on SALW in document A/CONF.192/BMS/2003/CRP.83

- iv) **Subject to the exceptions set out in paragraph II.16 of the UN PoA (legal restraints associated with the preparation of criminal prosecutions), are all confiscated, seized or collected SALW destroyed? (II.16)**

See Report of the Republic of Croatia on implementation of the UN PoA on SALW in document A/CONF.192/BMS/2003/CRP.83

7. EXPORT CONTROLS

See Section A3 on legislation, regulations and administrative procedures.

8. BROKERING

- i) **What national legislation or administrative procedures exist to regulate the activities of those who engage in SALW brokering within national**

jurisdiction and control? (e.g. registration of brokers, licensing or authorization of brokering transactions and appropriate penalties) (II.14)

Even though there is presently no law in Croatia regulating the question of brokering, new legislation on this issue is being drafted and will enter intergovernmental procedure some time in 2004.

9. MARKING, RECORD KEEPING AND TRACING

- i) **Does your country require licensed manufactures of SALW to apply an appropriate and reliable marking on each weapon as an integral part of the production process and does this marking identify the country of manufacture? (II.7)**

See Report of the Republic of Croatia on implementation of the UN PoA on SALW in A/CONF.192/BMS/2003/CRP.83

10. AWARENESS-RAISING

- i) **Please describe any public awareness and confidence-building programmes on the problems and consequences of the illicit trade in SALW in all its aspects that your country has developed and implemented (including the public destruction of surplus weapons and voluntary surrender of SALW). (ii.20)**

The Ministry of Internal Affairs and the Police Directorate are in the process of implementing the new strategy of "Community Policing" whose primary goal is reinstate partnership between the police and the wider community in order to better problem solving that effect security and quality of life in communities. In this sense the illegal possession of arms is one of the biggest problems facing "Community Policing". Creating close relationships between citizens and contact-police officers will have a positive effect on the quantity and quality of information received from citizens, which will hopefully be used to better results in uncovering criminal acts.

B) REGIONAL LEVEL

1. MORATORIA AND ACTION PROGRAMMES

- i) **Please give details of any support your country has given moratoria or similar initiatives on the transfer and manufacture of SALW, and/or regional action programmes to prevent, combat and eradicate the illicit trade in SALW in all its aspects (including cooperation with States concerned in the implementation of these initiatives). (II.26)**

Croatia regularly reports to the OSCE Document on SALW, including information on the import and export of small arms and light weapons, as well as the exchange of information on national procedures for the control of the manufacture of SALW,

national legislation on SALW and stockpile management and destruction procedures. Croatia submitted its latest report to the OSCE Document on SALW on 22 June 2004.

Croatia also supports and regularly attends meetings of the Regional Clearinghouse for the Control of Small Arms and Light Weapons in Southeast Europe (SEESAC) centred in Belgrade, Serbia and Montenegro. The establishment of the Clearinghouse is the realisation of the Stability Pact Implementation Plan on Combating the Proliferation of SALW, formulated and adopted by the Stability Pact countries in November 2001 in Budapest.

- ii) **Please describe any involvement your country has had in the establishment of sub-regional or regional mechanisms with a view to preventing, combating and eradicating the illicit trade in SALW across borders (in particular trans-border customs cooperation and networks of information sharing among law enforcement, border and customs control agencies). (ii.27)**

See Report of the Republic of Croatia on implementation of the UN PoA on SALW in document A/CONF.192/BMS/2003/CRP.83

C) GLOBAL LEVEL

1. INTERNATIONAL INSTRUMENTS AGAINST TERRORISM AND CRIME

- i) **What existing international legal instruments against terrorism and transnational organized crime has your country ratified or acceded to? (II.38)**

Croatia is a State Party to 8 key United Nations anti-terrorist conventions:

- 1) Convention on Offences and Certain Other Acts Committed on Board Aircraft – Croatia became a State Party on 8 October 1991 following notification of succession;
- 2) Convention for the Suppression of Unlawful Seizure of Aircraft – Croatia became a State Party on 8 October 1991 following notification of succession;
- 3) Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation – Croatia became a State Party on 8 October 1991 following notification of succession;
- 4) Protocol on the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, Supplementary to the Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation – Croatia became a State Party on 8 October 1991 following notification of succession;
- 5) Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons, Including Diplomatic Agents – Croatia became a State Party on 8 October 1991 following notification of succession;

- 6) Convention on the Physical Protection of Nuclear Materials – Croatia became a State Party on 8 October 1991 following notification of succession;
- 7) International Convention for the Suppression of the Financing of Terrorism – Croatia signed this Convention on 11 November 2001 and became a State Party on 1 October 2003;
- 8) International Convention Against Taking of Hostages – Croatia became a State Party on 17 July 2003 following notification of succession.

Croatia has initiated the necessary legislative procedures to accede to the following 5 United Nations anti-terrorist conventions:

- 1) International Convention for the Suppression of Terrorist Bombings – the Ministry of Internal Affairs has initiated the ratification process, which is currently in intra-governmental procedure;
- 2) Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation – the Ministry of Maritime Affairs, Transport and Communications has initiated the ratification process, which is currently in intra-governmental procedure.
- 3) Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf – the Ministry of Maritime Affairs, Transport and Communications has initiated the ratification process, which is currently in intra-governmental procedure.
- 4) Convention on the Marking of Plastic Explosives for the Purpose of Detection – the Ministry of Defense has initiated the ratification process, which is currently in intra-governmental procedure.

To date the Republic of Croatia has submitted four reports to the Counter-terrorism Committee on the national implementation of the SC resolution 1373 (2001). In its last report submitted on 30 January 2004, Croatia informed the Committee about the legislative changes it has proposed in order to fully implement Security Council resolution 1373 (2001).

In order to fully implement Security Council resolution 1373 (2001) and resolution 1456 (2003), and in conformity with the *aquis communautaire*, the Croatian Parliament adopted a new Law on Asylum (Official Gazette 103/03) and a new Law on the Control of the State Border (Official Gazette 173/03), while a new Anti-Money Laundering Act is now in parliamentary procedure.

2. INTERNATIONAL COOPERATION AND ASSISTANCE

- i) Please describe any initiatives your country has undertaken to enhance mutual legal assistance and other forms of cooperation in order to assist

investigations and prosecutions in relation to the illicit trade in SALW in all its aspects. (III.13)

See Report of the Republic of Croatia on implementation of UN the PoA on SALW in document A/CONF.192/BMS/2003/CRP.83

- ii) **Please give details of your country's cooperation with Interpol for the purpose of identifying those groups and individuals engaged in the illicit trade in SALW in all its aspects. (II.37)**

See Report of the Republic of Croatia on implementation of UN the PoA on SALW in document A/CONF.192/BMS/2003/CRP.83

- iii) **Please describe any steps your country has taken in cooperation with other States, or regional or international organizations, to develop common understandings of the basic issues and the scope of problems related to illicit brokering in SALW. (II.39)**

See Section B2(i)(ii).

3. TRAINING, CAPACITY-BUILDING AND RESEARCH

- i) **Please describe any initiatives your country has undertaken to enhance cooperation and exchange of experience and training among competent officials, including customs, police, intelligence and arms control officials, at the national, regional and global levels in order to combat the illicit trade in SALW in all its aspects. (III.7)**

See section B1(i)(ii). Also, issues relating to SALW will be added to the curricula of Regional Arms Control Verification and Implementation Assistance Centre (RACVIAC), established in 2000 in Zagreb. For more on RACVIAC, see Section B1(i).

- ii) **Please give details of any action-oriented research aimed at facilitating greater awareness and better understanding of the nature and scope of the problems associated with the illicit trade in SALW in all its aspects that your country has developed or supported. (III.18)**

Nothing new to report.