

Republic of Croatia

Integral Annual National Report pursuant to Resolution 62/47 of the UN General Assembly – UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons, and the Report on the Implementation of the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons

I. International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapon)

Small arms and light weapons manufactured in the Republic of Croatia are marked in accordance with the requirements referred to in Point 8 of the International Instrument providing that arms and weapons shall bear the name or mark of the manufacturer, country of origin, and the serial number. The only pistol manufacturer in Croatia also marks the model and calibre on each piece in addition to the aforementioned prescribed information. As regards the serial number, it is engraved in three different locations on a pistol i.e. on a stainless plate cast in the plastic of the handgrip, on the barrel and on the pistol slide. The marks required by the International Instrument are also provided on all other arms used by the Armed Forces, so as to facilitate their tracking i.e. database maintenance.

The serial number of every pistol manufactured in the Republic of Croatia is engraved on a stainless plate cast in the plastic material of the handgrip. It is not possible to take out or replace the plate without breaking the grip. In addition, the depth of engraving on the barrel, grip and slide is such as to prevent unnoticed tampering with the serial number.

The manufacture of arms/weapons and the distribution of arms/weapons and ammunition, repair and modification of arms/weapons, setting up and operating civilian shooting ranges, in accordance with the Arms Act, may be engaged into by companies and trades that obtain a permission for it from the Ministry of the Interior prior to their registration. The permission shall not be issued if the person in charge of the company or trade does not meet the general and specific requirements for the permission to procure arms referred to in Article 10 of the Arms Act, or if such a person is not a Croatian citizen or resident in the Republic of Croatia, or if such person is an alien who is not staying in the Republic of Croatia on the basis of a business permit or a permanent stay permit.

II. Annual National Report pursuant to Resolution 62/47 of the General Assembly – UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects

The export and import of arms and military equipment for commercial purposes is prescribed in the Ordinance on Goods Imported and Exported on the Basis of Permits (NN 128/07) which includes the List of Military Goods that has been harmonised with the Common Military list of the European Union.

Presently, the Law on Exporting and Importing Military Goods and Non-military Lethal Goods, Providing Services for Military Goods, and the Supervision and Administrative Measures, is being drafted. This Law is scheduled for a regular procedure with the Government of the Republic of Croatia in the 3rd quarter of 2008.

In 2006, U.S. Government donated to the Government of the Republic of Croatia a program for the control of the permit-based export and import, the "*Tracker System*" with the accompanying equipment and training for officers. Presently, the authorities in charge are being networked and officers are being trained for the process of issuing permits. System rollout is expected in 2008. It envisages the networking of the Ministry for Economic Affairs, Labour and Entrepreneurship, the Customs Authority, the Ministry of Defence, the Ministry of the Interior, the Ministry of Foreign Affairs and European Integration, the Ministry of Maritime Affairs, Transport and Infrastructure, and the State Institute for Nuclear Safety.

At its meeting of June 1 2007, Croatian Parliament passed the Arms Act, published in the Official Gazette of the Republic of Croatia No. 63/07, which entered into force on September 1 2007. The Arms Act has been harmonised with the Council Directive 91/477/EEC of 18 June 1991 concerning the control of purchasing and keeping arms, and the protocol against illegal manufacture and smuggling of firearms, its component parts and ammunition, supplementing the UN Convention against Transnational Organised Crime, ratified on November 7 2002.

According to the Act, arms are divided into four categories: A (prohibited arms), B (permitted arms with approval required), C (permitted arms with police registration required), and D (permitted arms that require neither approval nor police registration).

The conditions for the procurement of arms have been made more stringent (misdemeanours have been introduced from the Law on Protection against Domestic Violence, Consumption of Narcotic Drugs or other Psychotropic Substances). The question of carrying or transporting arms upon Croatia's admission to full membership of the European Union (Articles 62-65 of the Arms Act) has been regulated, and the provisions mentioned shall enter into force as of the date of admission of the Republic of Croatia to full membership of the European Union. Testing and marking firearms has also been regulated, and the mentioned provisions (Articles 82-86 of the Arms Act) entered into force on January 1 2008.

Persons who unlawfully possess arms, may hand them over to the police without any sanctions. Nevertheless, they must report such arms to the authority in charge prior to any investigative activities of the police pursuant to the Misdemeanour Act and prior to the investigation in criminal offences and urgent investigations pursuant to the Criminal Proceedings Act i.e. prior to the exercise of the police powers provided in the Police Act.

Pursuant to Article 76 paragraph 2 of the Arms Act, a permission to transport arms across the state border shall be issued by the Ministry of the Interior, and a copy of the permission shall be sent to all the police departments through the territory of which the transport goes.

With the application for the permission to transport arms the following shall be enclosed pursuant to Article 77 paragraph 1 of the Arms Act: name and address of the sender, name and address of the receiver, name and address of the arms manufacturer, type, make, model, factory number, calibre, quantity and the type of packaging, type and registration number of the vehicle, first and last names of the driver and the escort and their passport numbers, date and approximate time of the beginning of the transport, direction and destination, name of the entry and exit border crossings, and the time when the arms will be transported over the border crossings, security measures during the transport, import or export permit of the ministry in charge of trade in case of arms import or export.

The direct control of the operation of companies or trades that have been issued permissions to engage in the manufacture, transport, repair and modification of arms and setting up and operating civilian shooting ranges, as well as the control of keeping the required records, shall be carried out by police inspectors pursuant to Article 87 of the Arms Act.

Records of the companies and trades that have been issued permissions to engage in the manufacture, transport, repair and modification of arms and setting up and operating civilian shooting ranges, shall be kept permanently pursuant to Article 90 of the Arms Act, and in case the company or trade should cease, the records shall be submitted to the Police Department in charge in the place where the company or trade has its registered office.

The Ministry of Defence and the Armed Forces of the Republic of Croatia organised the biggest destruction of surpluses of small arms and light weapons in the possession of the Armed Forces. The action to destroy 25,000 pieces of various arms/weapons began on 21 January 2008 at the Overhaul Facility of the Armed Forces of the Republic of Croatia in Zagreb, and to date, 7,538 various pistols, rifles, machine guns, mortars and recoilless canons have been destroyed. For the sake of the destruction, a "Paper on Proceeding in Destroying Infantry Weapons" was prepared to determine the method of destruction, the activities of the participants in the process, and the way to dispose of the remnants of destroyed weapons. The paper also prescribes safety-at-work measures and security measures. Two destruction techniques were used: gas or angle cutting, and bending i.e. pressing in a hydraulic press. Prior to destruction, every weapon was examined by a special commission to control whether the serial number of the weapon concurred with the records. Thereupon, the weapons were disassembled to separate metal parts from wooden or plastic ones. The weapons were cut in precisely required places, depending on their type and size. Rifles, machine guns and heavy machine guns were destroyed by cutting their slides and locks, and by cutting their barrels in three. Pistols were destroyed by cutting in three across their barrels and slides. Recoilless canons, calibre 82 mm, were destroyed by burning holes with a gas cutter in the breechblock and then cutting the barrel in two places. Mortars, calibre 60mm and 82 mm, were destroyed by cutting a hole in the base cap with a gas cutter, cutting the barrel in two places and cutting the base plate down the middle.

For further destruction of surplus arms of the Armed Forces, the UNDP offered financial support of US\$ 100,000 to speed up the process. Support was offered by several other countries: United Kingdom, Germany and the U.S.A.

The Customs Authority is conducting the training of customs officers, in accordance with the Training Plan, at the Customs Authority Training Centre. The training includes awareness of the need to strengthen measures for the prevention and suppression of illicit trade in small arms and light weapons.

Within the framework of the international cooperation between the Customs Authority of the Republic of Croatia and the neighbouring states in the region, through joint seminars, workshops and training, the attending officers are made aware of the need to strengthen the measures for the prevention and suppression of illicit trade in small arms and light weapons by improving information exchange, the quality of investigation and training customs officers for the enforcement of such measures.

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