

2 Country assessments

This report presents progress towards the Regional Implementation Plan (RIP) by country. Each country sub-section includes two background sections: 'Small Arms Problem', which details the SALW-related problems in each country, and 'Small Arms Policy and Practice', which gives an overview of current policy and practice on SALW.

These two sections are followed by a third section, 'Small Arms Progress', which gives a detailed assessment of progress made to date. In order to facilitate analysis of the wide-ranging areas in which progress towards the RIP and combating SALW proliferation has been made, a number of sub-sections have been used to categorise and present information for each country (largely based on the functional areas defined by SEESAC). These sub-sections of SALW control activities are:

- Legislative and regulatory issues – this section details countries' current legislative and regulatory control measures and progress made in the context of other agreements on arms control, such as the 2000 OSCE Document on Small Arms, 2001 UN Programme of Action, etc. (For more detail, see Annex H). In order to ensure consistency, all analysis and referencing of legislation in the report is based on English language translations of laws obtained from SEESAC.
- SALW transfers – this section provides an overview of each country's current and recent SALW transfers (exports, imports, transit, transshipment and re-export), focusing on exports, in as far as public information is available, and also details available information on SALW trafficking.
- SALW collection programmes and capacities – this section provides an overview of SALW collection initiatives in each country.
- SALW destruction programmes and capacities – this section provides details of SALW and SALW ammunition destruction projects in each country.
- SALW stockpile management programmes and capacities – this section provides an overview of the stockpile security and management situation in each country.
- SALW awareness activities – this section presents the awareness-raising activities and public information campaigns implemented in each country. (Seminars, conferences and other meetings are not generally included in this section, which concentrates on direct SALW awareness-raising or information campaigns).
- SALW survey activities – this section presents the results of any SALW or related survey conducted in each country. (Research reports, policy reports, needs assessments, small-scale surveys, opinion polls, etc, have not been included in this section as they do not fully correspond with a 'SALW Survey' as defined by SEESAC's regional standards).
- Civil society involvement in SALW interventions – this section provides an overview of civil society and NGO activities on SALW in each country, including a brief note on overall capacity.
- Cross-border SALW control initiatives – this section provides an overview of the situation in terms of border control and cross-border co-operation on SALW trafficking in each country.

- SALW management information and exchange systems and protocols – this section provides an overview of SALW-relevant information systems, both public and confidential; it should be noted that it is not possible to make any assessment of the value and efficacy of confidential information exchange mechanisms.
- Additional SALW-related activities – this section presents any additional activities that may be relevant to a country's efforts to combat SALW, for example, community-based policing initiatives or the development of national SALW action plans.

Bosnia and Herzegovina



Small Arms problem

Previously a key country in the former Socialist Federal Republic of Yugoslavia (SFRY) defence complex, Bosnia and Herzegovina (BiH) produced a substantial amount of military equipment, including the bulk of Yugoslav-manufactured SALW.¹²¹ When war broke out in 1992, thousands were killed by small arms as BiH society split into different factions contesting the secession of the country from the federal republic. Domestic arms production and holding facilities were a source of supply during the fighting and additional weapons were smuggled into the country from neighbouring countries and further afield in spite of a UN embargo;¹²² the then Yugoslav state army, the JNA or VJ, and territorial defence also distributed substantial amounts of weapons to local militias.¹²³ BiH, similarly to Croatia and Kosovo, suffered from hand-to-hand fighting in the conflict across its territory, and the trauma of recent memory results in many civilians, in both urban and rural areas, continuing to retain weapons for self-protection, particularly as many remain mistrustful of the country's security services.¹²⁴

The security situation is now relatively stable in Bosnia and Herzegovina and significant numbers of refugees and internally displaced persons (IDPs) have been able to return to their homes. The presence and activities of the NATO-led Implementation Force (IFOR) and Stabilisation Force (SFOR) and other agencies have made vital contributions to improved perceptions of security, and public information campaigns on SALW and mines continue to yield results. International and local agencies have been active on SALW collection and de-mining,¹²⁵ and have made substantial progress in improving communities' safety. It is, however, clear that many more illegal SALW remain diffused throughout the country. Substantial numbers of SALW were possessed by civilians before the war – statistics from 1989 give a total of 342,131 weapons possessed by

121 'Development Denied', Small Arms Survey 2003, Small Arms Survey, OUP, 2003, p 43 (hereafter 'Small Arms Survey 2003').

122 BICC Conversion Survey 2002, p 131.

123 'The links between Belgrade and the Serbian paramilitary forces were so substantial that the republic's forces were 'considered to be a branch of the Yugoslav Army', with officers holding dual rank in both military formations and salaries being paid from clandestine Yugoslav sources.' Ibid.

124 The results of a perception survey conducted by the Centre for Security Studies in July 2002 indicate that 'citizens are not satisfied with the 'quality of security' provided by the authorities. As a result they feel that they need to possess and carry illegal weapons for the purpose of personal protection'. 'Needs Assessment on Small Arms and Light Weapons in Bosnia and Herzegovina', CSS, Sarajevo, July 2003, (hereafter 'CSS Needs Assessment 2003') pp 25 – 26.

125 Since 1997, when an average of over 50 civilian incidents per month were reported by the Red Cross, clearance operations have dealt with less than 10% of the estimated problem, though the mine action strategy for BiH envisages the country free from the threat of landmines and UXO (rather than free of all mines and UXO) by the end of 2010. The military, the Civil Protection Authority, NGOs and commercial organisations are involved, and mine awareness activities, carried out by organisations such as the Red Cross, have proved effective at improving safety. 'Mine Action 2002', Bosnia and Herzegovina Mine Action Centre: 'Harvest of Death', SFOR Informer, 19 March 1997, www.nato.int/sfor.

civilians, out of a population of just over four million¹²⁶ – and the number of incidents involving firearms suggest that many are still diffused through communities.¹²⁷

Furthermore, SFOR troops also continue to discover large weapons and ammunition caches, described as obviously ‘well-managed’,¹²⁸ and often containing light weaponry of substantial calibres, such as M55 triple-barrelled 20mm anti-aircraft guns, and M57 rocket launchers, as well as mines and explosives.¹²⁹ The existence of such caches indicate that although armed conflict has stopped, there are still groups who believe they will gain from illegally retaining military equipment should the situation deteriorate and that Bosnia and Herzegovina still has some way to go before being free from the threats posed by SALW proliferation. Crime and corruption remain a problem, and are intimately linked to illegal firearms possession.¹³⁰ Arms trafficking also exists, and, although in general at a low level, there have been cases where larger consignments of illegal arms have been exported and arms smuggling remains a concern (see SALW transfers below).

The security of the various over-stocked and under-manned stockpiles across the country is an additional cause for concern, and has risen further up the international agenda in the last year as high-level decisions made in early 2003 will see the entity armed forces downsizing. According to Government sources, the armed forces possessed approximately 540,000 SALW in 1999 and this has been reduced to 210,000 in 2003, with the intention to reduce numbers further as military downsizing continues.¹³¹ It is unclear whether this statement refers to the removal of weapons active service, actual physical destruction or arms transfers.^{131a} SFOR estimates are that approximately 20,000 Federation Army and 30,000 Republika Srpska Army pieces of SALW will be rendered surplus in the downsizing.¹³² The question of destruction obviously presents additional challenges in terms of the safety and efficiency of storage and transport processes, as well as longer-term questions of building national capacity to effectively tackle large-scale weapons destruction. However, one of the most serious SALW issues is the destruction of surplus ammunition and EOD, a more complex process that current resources in the country are unable to meet – resulting in the prospect of highly unsafe material being stored, in some cases close to residential areas and in many cases with poor security against theft, for decades to come.

126 Figure T3.1: Small Arms Ownership in the former Yugoslavia, 1989. BICC Conversion Survey 2002, p 127.

127 ‘In any one week in BiH there are several media reports of incidents involving hand grenades, shootings and attacks with explosive devices of certain persons or public facilities, all proof of the harsh reality... of how many dangers are still lurking in the country.’ ‘Comprehensive Destruction of “Harvest Weapons”’, 2nd Lt Oliver Rolofs, SFOR Informer, September 2003, www.nato.int/sfor.

128 ‘A fine harvest for the Ghurkas’, Lt Hollie Ryan, SFOR Informer, October 2003, www.nato.int/sfor.

129 In the space of a few days, four large caches containing 2,330 mortar rockets, 917 kg of explosives, 433 rounds of small calibre ammunition, 238 anti-tank mines were discovered in the RS in September. ‘NATO Discovers more weapons caches in Serb-run Bosnia’, 17 September 2003, Weekly Media Report 15 – 22 September 2003, www.seesac.org.

130 ‘...almost all murders and suicides committed by firearms in Canton Sarajevo are committed with weapons for which the perpetrator or the suicide victim did not have a valid permit’. CSS Needs Assessment 2003, p 12.

131 Statement by Dr Hasan Dervisbegovic, at the First Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, July 2003 (hereafter ‘Dervisbegovic, UN PoA statement 2003’).

131a There has been no independent verification of any SALW destruction on this scale, so it would seem that the SALW ‘reduction’ noted in the BiH Government statement may be referring to the re-classification of weapons previously in active service as surplus stocks. Therefore they probably still physically exist in the country; Interview with Adrian Wilkinson, SEESAC Team Leader, 18 march 2004.

132 ‘A dream comes true’, 2nd Lt Agustin Lopez Marin, SFOR Informer, 31 March 2003, www.nato.int/sfor.

Small Arms policy and practice

Governance structures and the international community

Since the end of the war in Bosnia and Herzegovina in 1995, international agencies and organisations have played a major role in running the country. The 1995 Dayton Peace Agreement established two entities – the ‘Federation’,¹³³ which comprises ten cantons, and the Republika Srpska (RS) – and one district (Brčko). Mandated by Dayton, SFOR is currently in control of many security-related areas, although these are gradually being handed over to national government authorities. Through an initiative called ‘Operation Harvest’, SFOR has been active in collecting arms from the population since January 1998, a project that has resulted in the collection of over 22,600 SALW to date.¹³⁴ SFOR is also involved in arms destruction, and in the reduction of the number of stockpiles, though downsizing in SFOR troop strength will adversely affect the force’s ability to conduct collection and destruction operations in future.¹³⁵ There are also strong indications that SFOR will finish its mission in BiH at the end of 2004, and it is as yet unclear what policy its successor EU force will have with regard to collection.¹³⁶ The OSCE Mission to BiH, which is tasked with the establishment of an arms control programme and developing the legislative framework for arms control by the Peace Agreement, is currently expanding its staff to assist in SALW control programmes, with particular emphasis on assisting the drafting of new legislation. In addition, Dayton accorded the Office of the High Representative (OHR) responsibility for civilian implementation of the Peace Agreement, including the introduction of state-level legislation and harmonisation of legislation on entity or local, cantonal levels governing arms control. The OHR thus plays a role in terms of policy co-ordination and development of national institutional frameworks that will ultimately be responsible for arms and SALW control in the country.¹³⁷ Several embassies are also involved in SALW-related issues, particularly legislative reform, and the current lead agency for small arms issues, the UNDP Country Office, has recently started a Small Arms Reduction Project (SARP). Amongst other SALW control elements, it aims to focus on development of a state-level SALW commission, specialised training on SALW for public servants working on relevant issues, awareness-raising, and ammunition destruction, an area not comprehensively covered by SFOR.¹³⁸

The complexity of BiH’s governing structures mean inevitable challenges of co-ordination of responsibilities and action to combat SALW proliferation. The state government, the two entity governments and their police and military, the cantonal administrations, the Civil Protection Authority as well as the international community, all have different levels of responsibility for SALW control and regulation. Although progress has been made, there remains a need for improved co-ordination, both within and between the Government and international community, and for increased capacity

133 The Federation of Bosnia and Herzegovina is the legal successor of the Muslim-Croat Federation established in 1994.

134 ‘Summary of Regional SALW Collection Statistics (Weapons) – Bosnia and Herzegovina’, www.seesac.org.

135 ‘Short Mission Report – SEESAC Consultation in Bosnia and Herzegovina, 05 – 07 February 2003’, www.seesac.org

136 ‘SFOR plans new force structure in BiH’, Antonio Prienda, Southeast European Times, 12 January 2004; correspondence with Mr Nikola Radovanovic, BiH National SALW Focal Point, 09 March 2004.

137 Ibid

138 For a more in-depth analysis of the roles and responsibilities for arms control allocated to different organisations, agencies and governments structures, a detailed overview is given in the CSS Needs Assessment 2003.

within both state and entity governments on SALW control issues.¹³⁹ The BiH Council of Ministers established a state-level SALW Co-ordination Board in 2002, and it is to be hoped that with additional support from UNDP, the Board will be able to begin to co-ordinate SALW-related policies and initiatives across the country effectively.¹⁴⁰

The BiH Government is in the process of creating a number of new ministries at the state level. The Ministry of Security in particular has the potential for playing a co-ordinating role on SALW issues in the country, and the recent decision on the establishment of a unified defence ministry and military command structure are very promising.¹⁴¹ Significant progress has also been made on downsizing the military forces - a very positive process, but, as noted above, one that will compound the challenges of destruction of surplus weaponry and ammunition. It is expected that BiH will be admitted to the NATO Partnership for Peace programme in summer 2004.¹⁴² In the last year or so there has been 'a higher involvement of state authorities' as the international community has handed over competencies to national institutions and this process of strengthening state bodies has been accompanied by new legislation to regulate SALW.¹⁴³

The progressive development of state-level institutions to assist coherent policy and implementation on SALW and related issues will vastly improve the situation in BiH. Capacity-building of institutions, and of entity and cantonal bodies, is also a challenge that will need to be addressed before comprehensive controls currently being put in place at higher levels will make any impact on the ground. The international community must consolidate the achievements so far in establishing frameworks that will facilitate implementation of effective SALW control, as ultimately domestic institutions must be responsible for these problems. In addition, amidst the many other pressing needs and issues, both international organisations and national authorities must maintain the political will to prioritise SALW control in the coming years if the problems in BiH are to be fully resolved.

Government SALW policy

Bosnia and Herzegovina has made commitments to the Stability Pact RIP, the UN PoA, and the OSCE Documents on Small Arms and Conventional Ammunition Stockpiles (see Table 8 below). BiH also participates in the OSCE SALW information exchange, but made only a statement, rather than delivering a report on progress towards implementation of the PoA at the UN Biennial Meeting of States in 2003. In terms of policy on SALW, the agenda remains influenced by the international community and agencies with responsibility in BiH. It is clear that national political will to tackle the problem also exists: national representatives have made commitments to progress in international fora, such as the 2001 UN SALW Conference, at which the representatives from BiH stated that, 'we strongly support every idea facilitating the process of disarmament and demobilisation of ex-combatants', and at the subsequent 2003 UN Biennial Meeting of States that, 'we are aware that we are at the very beginning and it is necessary to

139 Op cit, 'Short Mission Report - SEESAC Consultation in Bosnia and Herzegovina, 05 - 07 February 2003.

140 'SALW Activities in Bosnia and Herzegovina', Clearing Guns - The South Eastern Europe SALW Quarterly Newsletter, Issue 1, June 2003.

141 In late September 2003, all three ethnic groups (Serbs, Croats and Muslims) agreed to set up a state defence ministry and unified military command with: defence minister and army chief; soldiers wearing the same uniform with state insignia, swearing same oath and serving under same flag. Draft laws still have to be approved by Bosnian parliaments. 'Bosnian Defence Unified', 29 September 2003, Weekly Media Report 29 September - 06 October 2003, www.seesac.org.

142 'Serbia and Montenegro and Bosnia Herzegovina to Join Partnership for Peace in May 2004', Daily Media Review 03 December 2003, www.seesac.org.

143 Dervisbegovic, UN PoA statement 2003.

engage all state and entity authorities in implementing the programme for small arms and light weapons'.¹⁴⁴ However, it seems clear from these statements that regardless of national will, international assistance will be needed for any substantial action to combat SALW, as BiH representatives also highlighted that, 'For [disarmament], as well as for the standardisation and management of the stockpiles of small arms and light weapons significant financial resources are necessary, and could be the problem for the developing and least developed countries, especially in those recovering from recent conflict', and '[implementing the PoA] is not possible without the assistance of international and regional organisations'.¹⁴⁵

Production

Described as having provided the 'backbone of the military industry in Ex-SFRY',¹⁴⁶ it is estimated that Bosnian factories represented approximately 42 percent of SFRY's military industry, employing some 38,000 workers at that time.¹⁴⁷ While the majority of SFRY's production facilities were located in Serbia, 'important centres existed in the towns of Banja Luka, Novi Travnik and Mostar',¹⁴⁸ as well as plants in Gorazde, Konjic, Sarajevo and Bratunac, in BiH.¹⁴⁹ The war saw the military production base split into two entities and this division exists to a significant level today. In general, the Republika Srpska possesses most of BiH's military servicing facilities (Bratunac, Banja Luka, Bijeljina), and the Federation the majority of production facilities (Gorazde, Konjic, Vogosca, Novi Travnik), and both entities have retained, or are in the process of renewing, close technological and business links with industry in Serbia and Montenegro.¹⁵⁰

Military industry is currently organised on an entity level, and in both cases the state is the majority stakeholder in military production and export companies, with a focus on supplying the needs of the respective armed forces and exporting surplus. Factories are in general operating on a low level of technology with minimum staff, and 'problems related to the military industry are multi-faceted': the lack of organised marketing, and markets, combined with a lack of modern technology severely limit the competitiveness of Bosnian military products.¹⁵¹ In addition, 'the industry also faces internal problems such as the price of electricity, inadequate investment capital and accumulated wartime debts'.¹⁵² The closure of military production plants would cause significant problems in terms of the already-high levels of unemployment in the country, but plans are under development for the conversion of about 70 percent of the industry to civilian production.¹⁵³

144 Respectively; Statement by HE Mr Husein Zivalj, Ambassador and Permanent Representative of Bosnia and Herzegovina to the UN, UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, 10 July 2001 (hereafter 'Zivalj, UN SALW 2001 conference statement'), and Dervisbegovic, UN PoA statement 2003.

145 Ibid

146 Dervisbegovic, UN PoA statement 2003.

147 BICC Conversion Survey 2002, p131.

148 Ibid, p128.

149 Correspondence with Mr Nikola Radovanovic, BiH National SALW Focal Point, 09 March 2004.

150 Correspondence with Mr Nikola Radovanovic, BiH National SALW Focal Point, 09 March 2004.

151 CSS Needs Assessment 2003, p 55.

152 Ibid

153 Ibid p 53.

According to NISAT, since independence, five factories in BiH have produced various SALW, including grenades, rockets, landmines and a range of ammunition.¹⁵⁴ The Small Arms Survey also notes that since the end of the war, several military production facilities have recommenced production and small arms ammunition is produced at the Igman plant in Konjic and Pobjeda plant in Gorazde, although the operational status of other plants is unclear.¹⁵⁵ BICC confirms that BiH still produces SALW and ammunition and notes that BiH industry has 'attempted to reorient its production towards global markets'.¹⁵⁶ Research conducted in 2003 by the Sarajevo-based Centre for Security Studies (CSS), gives information on fifteen main factories in BiH currently producing armaments ranging from SALW ammunition, mortars, artillery and explosives to armoured vehicles, tanks and components for military aircraft.¹⁵⁷ The Small Arms Survey estimates that total defence industry employment amounted to 5,000 in 2002; however, the more recent CSS research reports that Federation factories alone employed approximately 7,000 staff.¹⁵⁸

Table 8 – Bosnia Herzegovina’s commitments to arms or SALW control agreements

ARMS OR SALW CONTROL AGREEMENT	BOSNIA AND HERZEGOVINA'S COMMITMENTS
Stability Pact Regional Implementation Plan	November 2001
UN Programme of Action	July 2001
UN Firearms Protocol	-
OSCE Document on Small Arms	November 2000
OSCE Document on Stockpiles of Conventional Ammunition	December 2003
EU Code of Conduct	Incorporated into domestic legislation in 2003. ¹⁵⁹
EU Joint Action on SALW	-
Wassenaar Arrangement	-

154 The NISAT tables on small arms producers contain the following information on the activities of firms in Bosnia and Herzegovina: the Bratstvo facility produced mortars under 100mm and rockets/projectiles (information from 1997); the Unis-S.Rodic facility produced grenades, hand-fired/rifle-launched, and landmines (information from 1997); the Unis Preduzece Igman facility produced ammunition less than 12.7mm (information from 1997); the Unis Promex d.d. facility produced ammunition less than 12.7mm (information from 2000); the Unis Pobjeda facility produced ammunition less than 12.7mm (information from 1999); the Unis-Pretis facility produced ammunition greater than 12.7mm and rockets/projectiles (information from 1997), and the Zrak facility produced optical sights (information from 1997). www.nisat.org.

155 Small Arms Survey 2003, p 43.

156 BICC Conversion Survey 2002, p 131.

157 In the Federation entity of BiH the nine operational factories manufacturing military products are: UNIS GINEX, in the town of Gorazde (formerly Pobjeda); BINAS, in Bugojno; BNT (TmiH) plant, in Novi Travnik; TRZ, in Hadzici; Igman, in Konjic; Zrak, in Sarajevo; UNIS-Pretis, in Vogosca, and Vitezit, in Vitez. According to data from the Federation MoD the current capacities of these factories allow the production of: small arms ammunition of various calibres; mortar shells of various calibres; artillery ammunition of various calibres; anti-armour ammunition for hand-held grenade launchers and recoilless guns; fuses for mortars, artillery shells and rockets, hand grenades and anti-tank shells; mortars; artillery; rocket launchers; anti-armour weaponry; gun powder and explosives; service equipment for the military industry. In the Republika Srpska, out of 17 registered companies, and 11 active, information is available on the six largest: Famos, Cajevac, TRZ (in Bratunac), Pretis, Orao (in Bijeljina), and Kosmos. In addition to various dual-use products, RS factories have the capacity to produce: armoured vehicles and tanks; components for the air craft industry; engineering equipment; equipment for electrical distribution; rocket chambers. CSS Needs Assessment 2003.

158 Small Arms Survey 2003, p 43; CSS Needs Assessment, p 53.

159 Article 6 of the 2003 Law on Import and Export of Arms and Military Equipment (Official Gazette of BiH, No 5/03) rules that decisions on licensing must be taken in accordance with the EU Code. See Table 9 below for more detail.

Small Arms progress

Legislative and regulatory issues

The complexity of governance in the dual-entity and cantonal Bosnian state is mirrored in the legislative and regulatory systems employed at the three levels of state government, entity government and cantonal administration. The state established by Dayton was intentionally one of a very localised nature that preserved the authority of local government. However successful in other ways, until recently this structure posed significant problems for regulating SALW, and even after significant harmonisation of the relevant legislation it continues to present challenges to implementation and co-ordination of SALW control.¹⁶⁰

Thankfully, new legislation and regulations on import and export have now been introduced,¹⁶¹ largely as a result of the Orao scandal of 2002 (See SALW transfers below), which highlighted the inadequacies of the previous system, embarrassed BiH's international 'guardians' and brought with it the threat of sanctions. Many loopholes existed in the old legislative framework governing arms production, export and import: until January 2003 the entity Ministries of Defence were the highest authority for decisions relating to the production and transfer of arms and military equipment, with SFOR playing a role through its regulation of any movements of arms across the country's territory.¹⁶² Now, four state-level ministries have responsibilities for arms control: the Ministry of Foreign Trade and Economic Relations (MoFTER), the Ministry of Foreign Affairs (MFA), the Ministry of Security and the Ministry of Defence (the former Standing Committee on Military Matters secretariat).¹⁶³

Responsibility lies primarily with the new Ministry of Foreign Trade and Economic Relations, which drafted the new law governing arms import, export and transit, the January 2003 Law on the Import and Export of Arms and Military Equipment.¹⁶⁴ The 2003 Law on Import and Export specifies the conditions under which arms can be imported, exported and transited through BiH, the responsibilities of different institutions, conditions for registration, issuing permits and sanctions.¹⁶⁵ The implementation of the Law is progressing and MoFTER began issuing import and export permits in accordance with its provisions in early 2003.¹⁶⁶ A Law on the Manufacture

160 'The state of BiH is composed of two entities, ... While some powers remain at state level, many are devolved and the entities have responsibility for many key areas of government, including the military, police and various elements of arms import and export control. Local government at the canton level represents a third stage of devolution and another challenge to information exchange and consistency of policy on SALW... In practice, the deepest administrative division is between the two entities and there is little co-ordination between the authorities in the RS and the Federation. All state and entity level officials consulted by the SEESAC team felt that better co-ordination between the two entities on SALW control issues was badly needed. The suggestion of a state-level National Commission on SALW composed of state and entity ministers and officials was given unanimous support.' Op cit, 'Short mission Report - Clearinghouse Consultation in Bosnia and Herzegovina, 01 - 03 July 2002'.

161 An excellent overview of the legal framework relating to SALW in BiH can be found in the 'Needs Assessment on Small Arms and Light Weapons in Bosnia and Herzegovina', produced by the CSS, Sarajevo, July 2003

162 Op cit, 'Short mission Report - Clearinghouse Consultation in Bosnia and Herzegovina, 01 - 03 July 2002'.

163 Correspondence with Mr Nikola Radovanovic, BiH National SALW Focal Point, 09 March 2004.

164 Official Gazette of BiH, No 5/03. The Law on Import and Export was briefly amended (Official Gazette of BiH No 33/03) and is supported by a number of instructions and decisions on registration, customs obligations, and the issuing of import/export permits.

165 All physical and legal bodies must be registered with MoFTER, which is responsible for issuing export, import and transit permits. Accompanied by sub-acts regulating how customs and MoFTER implement control, the documentation process for export/import companies is also defined, and provisions include a Joint List of Military Equipment that encompasses EU Directives on arms export. The entity MoDs are still included in process but cannot issue licences. CSS Needs Assessment 2003, pp 19 and 36.

166 Ibid, pp 35-36.

of Arms and Military Equipment was also adopted by parliament in February 2004:¹⁶⁷ this will, alongside the January 2003 Law on Import and Export, govern the production and overhaul of arms and military equipment, complete the legislative framework and 'serve as a cornerstone for the improved work of military industry' in BiH.¹⁶⁸

According to the 2004 Law on Manufacture, all manufacturers of arms and military equipment must be registered, and licensed by MoFTER, following approval from the relevant entity Government. Manufacturers are required to inform MoFTER of contracts and are responsible for the safekeeping and security of all materials, products and equipment, while MoFTER and the entity Ministries of Industry are responsible for inspection and supervision of manufacturing activities. The supervisory or inspection provisions of the Law on Manufacture are deemed some of the most significant, and although by-laws and regulations will need to be adopted before the new inspection regimes can begin to function, the Law represents 'the first and most significant step' in the introduction of state-level control over arms manufacture.¹⁶⁹

Upcoming legislation will also substantially improve control of civilian weapons possession. Until the new laws are introduced in each entity, rather out-dated regulations governing firearms possession continue to vary – not only between the two entities, but also between cantons. The drafts currently under discussion will see a far greater harmonisation,¹⁷⁰ both between the two entities and with Brčko District, which passed a new Law on Arms and Ammunition in December 2002,¹⁷¹ although some differences will remain. Under the current system the Ministries of Internal Affairs in each entity have responsibility for drafting and implementing legislation on civilian arms possession. The Federation Law on Arms and Ammunition, that was sent to the Parliament for consideration in August 2002, and the Republika Srpska Law on Weapons and Ammunition, that was submitted to OHR in April 2003, are similar on all key provisions, and overrule former lower level regulations covering the licensing of firearms and trade in firearms and spare parts.

In addition, a state-level Law on Testing, Stamping and Marking Small Arms and Ammunition was passed in March 2003,¹⁷² making provisions for entity authorities to issue permits for the possession for SALW and ammunition that have been marked in accordance with provisions of law. Determining which arms and ammunition should be tested, stamped and marked and the required procedures, including accreditation with official bodies, and the implementation of the Law on Testing will be the responsibility of MoFTER.¹⁷³

167 Although the Law on Manufacture of Arms and Military Equipment passed through the final stages of parliamentary approval on 26 February 2004, at the time of writing it had not yet been entered into the Official Gazette, so no formal reference or final draft of the Law was available. Analysis of the 2004 Law on Manufacture is therefore based on a May 2003 draft of the Law, obtained from OHR Legal Department (via SEESAC), 05 February 2004.

168 CSS Needs Assessment 2003, p 36.

169 At present, entity MoDs are responsible for inspection, while also being majority shareholders in arms manufacturing bodies. The 2004 Law on Manufacture (and subsequent by-laws and entity legislative reform) will see this responsibility moved in the near future to the entity Ministries of Industry, as well as the state-level MoFTER, thus bringing military production under full civilian control. Letter 'BiH Law on Manufacture of Arms and Military Equipment', Mudzahid Hasanbegovic, Legal Officer for Public and Administrative Law, OHR Sarajevo, 10 March 2004.

170 The current system of cantonal legislation on arms possession results in a number of variance between cantons on substantive provisions, such as type of weapon permitted to be owned and/or carried: 'Sanctions for unlawful acts also greatly vary from canton to canton. For example, lending arms to another person in Canton Sarajevo is a criminal act, whereas in West Herzegovina Canton, it is petty crime. This is not only confusing for the citizens, but also for the police.' In addition to other inconsistencies, the current RS law on civilian possession provides for financial sanctions, to be paid in dinars, the former Yugoslav currency. CSS Needs Assessment 2003, pp 37–39.

171 Official Gazette of the Brčko District of BiH, No 17/02.

172 Official Gazette of BiH, No 21/03.

173 CSS Needs Assessment 2003, pp 36–37.

Table 9 – Features of Bosnia and Herzegovina's legislative and regulatory framework

Note: As new legislation will shortly be passed or come into force, the table below on BiH's legislative and regulatory framework has been completed with reference to the new draft possession laws in the RS and Federation and a draft of the 2004 Law on Manufacture of Arms and Military Equipment, though in lesser detail than other laws, as provisions in the possession law drafts may still change and the final text of the Law on Manufacturing was not available. The draft laws used for analysis, as with other legislation, were obtained from SEESAC.

FEATURES OF LEGISLATIVE & REGULATORY FRAMEWORK		BOSNIA AND HERZEGOVINA
National		
National co-ordinating agency	Yes, although the activities of the state-level co-ordinating body so far have been minimal.	
National point of contact	Yes	
Laws & Procedures on Production, Export, Import and Transit		
Legislation	Yes ¹⁷⁴	
Production	Yes ¹⁷⁵	
Export	Yes ¹⁷⁶	
Import	As 'Export' above.	
Transit	Yes ¹⁷⁷	
National System of Export & Import Licensing or Authorisation		
System	Yes ¹⁷⁸	
Diversion risk	Not specified, but licence decisions should be in accordance with the EU Code, whose criteria include risk of diversion.	
End-user certificate	Yes ¹⁷⁹	
Retransfers	See 'Transit' above.	
Verification (pre/post)	No	
Brokering controls	Yes ¹⁸⁰	

174 The 2003 Law on Import and Export of Arms and Military Equipment (Official Gazette of BiH, No 5/03) and the Law on Manufacture of Arms and Military Equipment (adopted by parliament on 26 February 2004, but not yet published in the Official Gazette) govern, and will govern, respectively, activities in this area.

175 The 2004 Law on Manufacture of Arms and Military Equipment will, when in force, regulate the manufacture and overhaul of arms and military equipment. The main provisions of the Law are that: these activities can only be carried out by legal entities/persons licensed by MoFTER and with the agreement of their entity Government, and who are also registered for these activities; MoFTER must be informed of contracts for manufacture or overhaul; records of all manufacture, materials, products and semi-final products must be kept; the licensed manufacturer has a responsibility for safe-keeping and security of all materials and products according to a security plan; and, the entity Governments and MoFTER have responsibilities for supervision of manufacturing activities (May 2003 draft).

176 According to the 2003 Law on Import and Export, import and export of arms and military equipment is permitted by registered persons and legal entities who have obtained a licence for export from the MoFTER (see 'System' below for more details).

177 Under Article 2 of the 2003 Law on Import and Export, 'import, export and transit of arms and military equipment shall include the import and export trade of arms and military equipment across the borders of Bosnia and Herzegovina by terrestrial, maritime or aerial routes regardless of final destination'. Article 13 notes that, in the case of transit flights landing on BiH territory, the responsible customs authority is authorised to 'review the complete list of arms and military equipment and run a check on the arms and military equipment'.

178 Under the Law on Import and Export all persons and legal entities engaged in AME import or export, or 'trade mediation', including long-term co-operation agreements, must be registered with the MoFTER, which also issues licences for import, export, transit or 'mediation'; licensing by MoFTER requires consent from the BiH Ministries of Foreign Affairs and Security (in accordance with Amendment Official Gazette No 33/03) and the Standing Committee on Military Matters (Articles 4 and 5). In giving consent to licences, the MFA must in particular take in account of UNSC sanctions, BiH's international obligations and commitments, the EU Code of Conduct on Arms Export and the 'principle of prevention of production and use of mass destruction weapons'; licences shall also be issued when the activity is in support of UN SC and OSCE decisions, and any other peace-keeping operation carried out according to the principles of the UN Charter (Articles 6 and 7). Licences must contain: a deadline for realisation of the transaction; a waiver clause should conditions change; requirements for transport, such as itinerary, border crossings and security provisions; mandatory and immediate notification of the MoFTER once the transaction has been completed (Article 9). MoFTER has the responsibility of maintaining a database of records on licences issued and to provide information on licences and other data for the MFA, UN, and OSCE; the MFA is authorised to inform other countries of licence refusals and to consult with other countries on their licence refusals (Article 11). Penal provisions range from fines up to 10,000KM (approximately 5,000 equivalent) and prison sentences between 60 days and 10 years (Articles 14 and 15 and amendment No 33/03). 2003 Law on Import and Export, Official Gazette No 5/03.

FEATURES OF LEGISLATIVE & REGULATORY FRAMEWORK		BOSNIA AND HERZEGOVINA
Domestic Possession, Stockpiling & Trade		
Legislation	Federation	Yes ¹⁸¹
	RS	Yes ¹⁸²
	Brchko District	Yes ¹⁸³
Manufacture	Federation	Repair and modification only; ¹⁸⁴ see 'Production' above.
	RS	Repair and modification only; ¹⁸⁵ see 'Production' above.
	Brchko District	Repair and modification only; ¹⁸⁶ see 'Production' above.
Marking and tracing	Yes for 'hand firearms', eg rifles, handguns, revolvers. ¹⁸⁷	
Possession	Federation	Yes ¹⁸⁸
	RS	Yes ¹⁸⁹
	Brchko District	Yes ¹⁹⁰
Stockpiling	Not specified. There is only limited reference to safe storage of possessed weapons by civilians and trading entities in the possession legislation of the entities and Brchko District. However, the 2004 Law on Manufacture does include provisions on the responsibility of arms manufacturers to store products and materials safely and securely.	
Trade	Federation	Yes ¹⁹¹
	RS	Yes ¹⁹²
	Brchko District	Yes ¹⁹³

179 Under Article 5 of the 2003 Law on Import and Export, end user certificates must be provided to the MoFTER prior to the issue of licences for export.

180 'Mediation in trade of arms and military equipment' requires licensing by the MoFTER (see above); 'mediation' is 'designated as an action wherewith a physical or legal person with a permanent or temporary abode within the borders of Bosnia and Herzegovina provides for or organizes the transport of arms and military equipment located outside Bosnia and Herzegovina to another country' (Article 2). 2003 Law on Import and Export, Official Gazette No 5/03.

181 The draft Federation Law on Arms and Ammunition, June 2002, covers possession, trade, repair and modification and transport of firearms in the Federation, and is significant in that it will overrule cantonal regulations or legislation on arms and ammunition.

182 The Draft RS Law on Arms and Ammunition, April 2003, covers purchase, possession and carrying of weapons and ammunition, and the repair and modification, trade and transport of weapons.

183 Weapons procurement, possession, confiscation, trade and transport are governed by the 2002 Brchko District Law on Arms and Ammunition, (Brchko District Official Gazette No 17/02). Provisions do not apply to the carrying or keeping of arms and ammunition by State Border Service employees or Brchko District Police in accordance with their service. Penalties range from 500 to 20,000 KM (approximately 10,000 equivalent), and confiscation of arms, ammunition and licences to possess or trade; no prison sentences are noted as penalties (Articles 64 to 67).

184 Repair and modification of licensed firearms is possible only by registered legal entities registered for business of this kind. Draft Federation Law on Arms and Ammunition, June 2002.

185 Repair and modification of licensed firearms is possible only by registered legal entities registered for business of this kind. Draft RS Law on Arms and Ammunition, April 2003.

186 Repair and modification of licensed firearms is possible only by registered legal entities registered for business of this kind (Article 56). 2002 Brchko District Law on Arms and Ammunition.

187 The Law on Testing, Stamping and Marking Hand Fire Arms and Ammunition (Official Gazette of BiH, No 21/03) rules that all 'hand fire arms', whether manufactures in BiH or imported from abroad, must be tested, stamped and marked according to its provisions (Article 1). Exceptions to this general rule are: imported hand firearms and ammunition already appropriately marked and tested; hand firearms and ammunition imported exclusively for research and study purposes; hand firearms and ammunition in transit; and, hand firearms and ammunition 'intended to be exclusively used by entity's military and police forces' (Article 4). Licences for possessing and carrying hand firearms and ammunition may only be issued for items which have been tested, stamped and marked in accordance with the provisions of the law (Article 6).

SALW transfers

The Small Arms Survey estimates that in 2001 defence exports were worth approximately US\$10 million a year.¹⁹⁴ CSS research suggests a rather higher level of exports, with Federation factories alone making over US\$20 million profit in the first half of 2001.¹⁹⁵ Less information is available on military production in Republika Srpska, but it seems clear that the size of Bosnian military industry and exports remains significant. A forthcoming report on BiH arms import and export in 2003, produced by MoFTER, is expected to be available by the end of March 2004 and will provide precise figures on levels of military exports and detail on the 220 export permits issued in 2003.¹⁹⁶

BiH submitted a report on 2002 to the UN Register of Conventional Arms in June 2003, and there were no reports of arms exports.¹⁹⁷ NISAT databases contain no registered exports, although BiH imported SALW from the US in 1996 and 1998, including a range

188 It is forbidden for civilians to procure or keep military-style firearms and weapons (including automatic weapons, although certain semi-automatic weapons are permitted), and forbidden to procure, keep or carry firearms which are unmarked, arms equipped with silencers, and exploding and gas firearms (trade of which is also prohibited). Licences for the purchase of weapons or ammunition are issued, but not to those underage, with mental disabilities or illness, those without an official health certificate or with a criminal record, and according to police discretion. Following the issuing of procurement licence and the purchase of a firearm, a 5-year renewable weapons registration licence allowing possession and carrying of weapons must be applied for and obtained. Draft Law on Arms and Ammunition, Federation of Bosnia and Herzegovina, June 2002.

189 It is forbidden for civilians to procure or keep military-style firearms and weapons (including automatic weapons, although certain semi-automatic hunting weapons are permitted), and forbidden to procure, keep or carry firearms which are unmarked, arms equipped with silencers, and exploding and gas firearms (trade of which is also prohibited). Licences for the purchase of weapons or ammunition are issued, but not to those underage, with mental disabilities or illness, or with a criminal record, those who have not been trained in firearms handling and according to police discretion. Following the issuing of procurement licence and the purchase of a firearm, a weapons registration licence (valid for an indefinite period of time) allowing possession and carrying of weapons must be applied for and obtained; weapons may be carried for personal security by the licence holder with approval from the authorities. Draft RS Law on Arms and Ammunition, April 2003.

190 Civilians may procure, keep and carry arms and ammunition (including some firearms parts and trophy weapons and 'old arms') with a permit, including some kinds of semi-automatic and self-loading firearms (Articles 11 and 12); this is somewhat confusing, as the Law also states that it is forbidden to procure or keep military-style arms, including certain automatic/semi-automatic weapons, as well as hand grenades and launchers, anti-aircraft guns etc, or disguised firearms, or firearms that are unmarked (Articles 9 and 10). Non-transferable permits are issued on citizen's written request to the District Police – permits are not issued to persons who are underage, mentally ill or impaired, convicted of a crime or under investigation or who have been punished for disturbance of the peace in the last 5 years or more than three times in the last decade (Articles 16 and 34). Permits may also be issued to legal entities for the purposes of property protection, and authorised employees meeting the permit requirements may carry and keep these weapons on the property of the legal entity, with the exception of crop-keepers, foresters and game-wardens who may carry arms for the guarding of territory, crops and herds, and to and from their homes (Article 40). Shooting and hunting clubs may also lend weapons to members (Articles 41 and 42). After a permit has been issued and a firearm purchased, citizens must register the procured weapon with the District Police and a licence will be issued: 5-year renewable licences to keep and carry firearms are issued for a maximum of 5 hunting weapons per person, and to a maximum of 3 persons for one weapon (Although approved collectors may obtain more licences); the District Police must keep a register of all firearms licences (Articles 22–25). 'Old arms' may be kept and carried without a firearms licence, but it is illegal to purchase, manufacture or use ammunition for such arms, as it is for 'trophy' weapons, which do however require a permit and which may not be carried or used (Articles 26–30). Firearms must be safely stored in a locked metal cabinet or case, may not be carried at public gatherings (except shooting competitions) and must be unloaded and holstered for transport (Articles 31 and 32). 2002 Brčko District Law on Arms and Ammunition.

191 Trade in firearms is permitted by companies, entrepreneurs and other legal entities which are registered as legal entities for procuring arms and ammunition; all traders have a responsibility to keep detailed records and to notify the police of all sales, which are only possible to civilians possessing a valid licence, to keep firearms and ammunition under specified safe storage conditions. Draft Federation Law on Arms and Ammunition, June 2002.

192 Retail trade in weapons and ammunition may be conducted by enterprises and shops which before registration as a trading enterprise obtain a license to trade weapons, parts for weapons and ammunition; such licenses will only be issued if storage conditions are met and the responsible person meets the conditions necessary for obtaining a weapons acquisition permit. Draft RS Law on Weapons and Ammunition, April 2003.

193 'Retail sale in arms and ammunition can be performed by entrepreneurs and other legal entities that are, in accordance with law, registered as legal entities engaged in trade in arms and ammunition'; data on traders must be entered into police registers and only those meeting the conditions for procurement of weapons and ammunition can be issued a licence to trade (Article 51). Weapons and ammunition may only be sold to citizens and legal entities with permits for procurement, and copies of permits and notes of all sales must be kept and reported to the district police within 5 days of any sale (Articles 52 and 53). Traders must keep weapons and ammunition 'at a specified place, out of reach of unauthorised persons' (Article 54). Brčko District Law on Arms and Ammunition, 2002.

194 Small Arms Survey 2003, p 43.

195 'During the first half of 2001, the Federations' nine armament factories had a profit of BAM 12 million [approximately 6 million Euro]. In the first half of 2003 they made a profit of BAM 23 million [approximately 11.5 million Euro].' CSS Needs Assessment 2003, p 53.

196 Correspondence with Mr Nikola Radovanovic, BiH National SALW Focal Point, 09 March 2004.

197 Reports were also submitted on the years 2001, 2000 and 1999, which also contained no registered export; however, imports of 18 large calibre artillery systems in 2000, and 25 armoured combat vehicles in 1999, were reported. http://disarmament.un.org:8080/UN_REGISTER.nsf, referenced 13 February 2004.

of small arms ammunition, grenades and handguns, assault rifles, machine guns, light anti-tank weapons and pistols.¹⁹⁸ It does however seem clear that the country is exporting arms and SALW. SAS notes that 'Bosnian small arms companies have reportedly sold various types of small arms to countries such as Azerbaijan, Croatia and Turkey' in the late nineties.¹⁹⁹ CSS research lists the primary markets for the Federation's exports as Croatia, Slovenia, Austria, Switzerland, Germany, US, Canada, Singapore, New Zealand and Thailand,²⁰⁰ while the RS industry focuses more on Soviet-standard weaponry and servicing markets.²⁰¹

In addition to production, another source of exports is the result of efforts to downsize military arsenals surplus to requirements. For instance, in September 2003, weaponry from the Bosnian Serb Army's 'once impressive military arsenal' was put to tender.²⁰² Described as 'a garage sale – of sorts', 11 foreign and regional companies applied to buy the weaponry through SFOR, which had the responsibility for ensuring the credibility and licensed status of all potential purchasers and end-users.²⁰³ One deal approved was the sale of more than 15 tonnes of explosives to a Serbian firm, the Prva Iskra Baric chemical company, on 15 November 2003.²⁰⁴ All weaponry that remained unsold by the end of 2003 is reportedly destined for destruction.

SEESAC reports indicate that the majority of the 'registered arms production facilities are now under private-public management but little supervision', and cases of illicit arms trafficking highlight the need for stricter controls, both over BiH military production, and the state borders, where 'the lack of rigorous border controls and indications of corruption within the customs service present additional obstacles to illicit SALW control across the region'.²⁰⁵ Although arms smuggling on a low level is not a large problem, it does exist, and both entity customs administrations have been 'confronted with cases of arms and military equipment smuggling on BiH border crossings'.²⁰⁶ The Trebinje-Herceg Novi-Adriatic route was previously a major artery for heavy weapons in the past decade; 'this historic route is not completely inactive, but overall border assessments from border policemen in BiH and Montenegro suggest that if weapons are smuggled across the border it is only in small numbers and mainly pistols now'.²⁰⁷ However, weapons definitely present a threat in terms of their facilitation of other serious cross-border crime, such as drug and human trafficking, and the effective functioning of border control, evidenced by the use of a hand grenade against a State Border Service (SBS) officer near the Deleusa border in September 2002.²⁰⁸ However, research conducted on the Bosnian-Montenegrin-Croatian border

198 www.nisat.org, referenced 13 February 2004.

199 Small Arms Survey 2003, p 43.

200 CSS Needs Assessment 2003, p 53.

201 *Ibid*, p 55.

202 The auction included 105 tanks, 20,000 machine guns, 13,000 sub-machine guns, 21 missiles and 13 million artillery pieces and ammunition; 'Weaponry via Tender' 16 September, Weekly Media Report 15 – 22 September, www.seesac.org: 'Bosnian Serb Republic Looking to Sell Weapons', Deutsche Welle, 15 August 2003, www.dw-world.de.

203 *Ibid*, Deutsche Welle.

204 'Bosnian Serb Army sells Surplus Explosives to Serbian Firm', Daily Media Review, 26 November 2003, www.seesac.org.

205 'Military production facilities are visited once every three years by the OSCE and twice a year by SFOR. SFOR admitted that they do not fully monitor the entire production, but stressed that this is primarily a responsibility of the Governments of the Federation and RS – the MoD is responsible for military production, the MoIA for civilian weapons', 'Short mission Report – Clearinghouse Consultation in Bosnia and Herzegovina, 1 – 3 July 2002', www.seesac.org

206 CSS Needs Assessment 2003, p 60.

207 'Cross-border trafficking in South Eastern Europe – assessing trafficking activities in the Southern Adriatic region', EastWest Institute, SEESAC APD 17, September 2003, p12.

208 *Ibid*

triangle in 2003 concluded that 'on a higher (political) level, smuggling in weapons and ammunition appears still to be present',²⁰⁹ and BICC describes BiH as 'a substantial source of illegal weaponry entering the regional and western European markets'.²¹⁰

A prime example of the risks posed by loose controls is provided by the Orao ('Eagle') factory in Republika Srpska, which in 2002 was discovered to have been sending military equipment to Iraq in violation of a UN arms embargo.²¹¹ Technically owned by the state arms import/export company in the then Federal Republic of Yugoslavia (now Serbia and Montenegro), Jugoiimport, the Orao aircraft engineering plant in Bijeljina sent arms across the border to Serbia and Montenegro and then by sea freight from Montenegro to Syria, bound for Iraq. A consignment was intercepted in October 2002, but it became clear that previous deliveries had reached Iraq successfully after a raid of Orao offices uncovered documents detailing illicit transfers and co-operation.²¹² The scandal implicated politicians and government officials at the highest levels – top officials have since been forced to resign, in both BiH and Serbia,²¹³ and Orao staff and military personnel are currently standing trial. On a positive note, the extent of the Orao scandal lent substantial impetus to efforts to strengthen regulations over BiH's arms exports, and new, improved and harmonised, legislation has been passed at the state level.

SALW collection programmes and capacities

SFOR began to collect SALW from the local population across BiH through an initiative called 'Operation Harvest' in 1998, and the following year involved local police forces, the entity armed forces and the Civil Protection Authority (CPA) in the process.²¹⁴ As well as SFOR the police, SBS, CPA and entity armed forces are also engaged in weapons collection.²¹⁵

Although SFOR are also involved in searching for and confiscating illegal arms, and continue to discover extremely substantial caches of weapons left over from the war,²¹⁶ Operation Harvest is a voluntary collection scheme, allowing citizens the opportunity to turn in weapons and ammunition to SFOR or the local police without the threat of prosecution. A further distinction, 'active harvest' is the term used to describe the more proactive approach SFOR developed to improve results, involving door-to-door visits to

209 Ibid

210 BICC Conversion Survey 2002, p 133.

211 Small Arms Survey 2003, p 43; 'The Belgrade-Baghdad Axis', Ian Traynor and Nicholas Wood, Bosnia Report No 32–34, December–July 2003, The Bosnian Institute, www.bosnia.org.uk.

212 As noted below in the Serbia and Montenegro chapter, documents discovered by NATO indicate that 'significant elements of the arms activity... were spread across borders to include not only the Serb entity in Bosnia but also the Federation', and these were traced back to the Belgrade-based state import/export company, Jugoiimport; 'Arming Saddam: the Yugoslav Connection', ICG Balkans Report No 136, 3 December 2002, Executive Summary: Op cit, Deutsche Welle.

213 The Serb member of BiH's three-man, multi-ethnic presidency resigned to avoid the humiliation of being sacked by the international community's High Representative in BiH: Mirko Sarovic 'was found to have known about and done nothing to halt an elaborate scheme to smuggle military aircraft engines and spare parts to Baghdad, in league with Serbia's main arms trading company'. 'Bosnia's arms to Iraq scandal claims top political scalp', Ian Traynor, The Guardian, 03 April 2003.

214 The Civil Protection Authority in BiH is organised at entity level, and is primarily engaged in collecting UXO; it also facilitates SFOR Operation Harvest collection operations by securing specified locations, but does not collect SALW. CSS Needs Assessment 2003, p 19.

215 The CPA's 'function varies depending on the tasks that are set, as well as on the organisational level in various parts of BiH (in certain parts of RS the police are more engaged in collecting the SALW due to not existing military barracks or lack of existing office of the Civil Protection Authority)'. CSS Needs Assessment 2003, p 20.

216 SFOR troops 'collected approximately 120 tonnes of weapons and ammunition in the past three weeks': 115,557 rounds of small arms ammunition, 15,570 mortar shells, 2,755 grenades, 680 rockets, 19 kg explosives and other weapons, 953 rifles, 750 pistols and 777 mines, were discovered, mostly in the Prijedor area. 'NATO seizes 120 tonnes of illegal weapons in Bosnia', 24 September 2003, Weekly Media Report, 22 – 29 September 2003, www.seesac.org.

inform citizens and collect weapons voluntarily surrendered directly from their homes, rather than simply providing opportunities for surrender at collection points.²¹⁷ The general approach employed by the various national contingents within SFOR consists of several stages: a survey or needs assessment of the target area is conducted, often with the assistance of the CPA; SFOR, and in some cases local police, conduct a first round of information activity with the community, often going from door-to-door to explain the collection process and dates to people. Local radio and TV stations are also engaged to publicise the collection, community leaders are often involved, and posters and leaflets are distributed. On the day of the collection, there are further rounds of door-to-door visits to collect arms and ammunition, as well as common collection points.²¹⁸ Once weapons have been turned in, SFOR will take control of them for storage until destruction can be arranged (depending on numbers this happens approximately once every few months), although in some cases local police will take responsibility for storage until SFOR is able to transport them to more centralised storage sites.

The door-to-door, personal contact approach of 'active harvest' is one that SFOR believes to be vital to good results. The process of 'making friends with the locals', alongside good co-operation with local police and CPA, 'built up an important level of trust' and resulted in the good relations with the local population which officers believe determined the success of collection efforts.²¹⁹ These door-to-door visits also provide opportunities for local people to inform SFOR and the CPA of the location of unexploded ordnance (UXO), a continuing safety concern in BiH.²²⁰ Although the intensive, 'active' harvest operations tend to be scheduled mostly in the spring and autumn in order to avoid over-saturation of citizens with media campaigns on arms reduction, activities within the Harvest framework continue year-round.²²¹

In the northern Tuzla region of BiH,²²² a more novel approach took place between May and June 2003: 'Harvest Rewards', run by the US contingent within SFOR, involved the local community in a more inclusive way.²²³ Local media, local government officials and businesses joined forces to offer incentives and advertise a raffle for voluntarily surrendered SALW – for each weapon handed in, citizens received a set number of tickets, giving them a chance to win one of several daily prizes and the grand prize of a car.²²⁴ The initiative worked well, exceeding expectations and engaging a 'great response from citizens' in the opinion of the Brčko police station commander.²²⁵ The raffle was particularly successful in terms of the surrender of hand grenades, and by the end of the campaign over 5,000 had been collected.²²⁶

217 'Active Harvest: Between Wishes and Hope', Capt Constantin Spinu, SFOR Informer, 21 November 2002, www.nato.int/sfor.

218 'Impressive Harvest for the Portuguese', Maj Viktor Nikolla, SFOR Informer, 31 July 2003, www.nato.int/sfor.

219 SFOR soldiers 'encourage the civilians to hand in weapons, ammunition and explosives by knocking on every single door and making friends with the locals'; such liaison tactics, conducted twice weekly in area of operations, 'built up an important level of trust'; 'Operation Harvest knows no limits', Lt Oystein Paulsen, SFOR Informer, 13 October 1999, www.nato.int/sfor. 'The success of our efforts is based to a large extent on the relations with the local population. We experienced good co-operation with them during the operation,' Maj Erdal Erbayraktar, S3 Turkish Battalion; 'Active Harvest for the Turkish', Capt Besnik Cukali, SFOR Informer, October 2003, www.nato.int/sfor.

220 Op cit, Nikolla, SFOR Informer; Op cit, Cukali, SFOR Informer.

221 CSS Needs Assessment 2003, p 71.

222 Srebrenik, Modrica, Odzak, Orasje, Samac and the Brčko District.

223 'Everyone is a winner in this raffle', 2nd Lt Dunphy Christopher, SFOR Informer, 01 August 2003, www.nato.int/sfor.

224 Local radio and television stations assisted with airtime on their broadcasts about the initiative and local businesses donated funding and in-kind support for the daily prizes, which ranged from free dinners to fitness centre membership. Funds for the grand prize, a new Volkswagen Polo, came from the Mayor of each municipality and a local car dealer. Ibid.

225 Ibid

226 CSS Needs Assessment 2003, p 75.

Since 1998, SFOR has collected over 22,620 weapons of various types²²⁷ and 7,500,000 rounds of ammunition, 98,208 hand grenades, 25,918 mines, 22,141 kg of explosive and 90,931 assorted mortars, rifle grenades, hand-made ordnance, etc²²⁸ (see Table 10 below). Although it is hard to estimate the effectiveness of SFOR's Operation Harvest because of the lack of reliable estimates for the number of illegal SALW present in BiH before the collection began, the collection totals are high in relation to the rest of the region and activities have made the vast majority of Bosnian citizens aware of the collection process and the dangers of illegal weapons, ammunition and UXO. SFOR is confident that voluntary surrender will continue to yield results before there is a need for programmes involving incentives, such as the weapons in exchange for development approach.²²⁹



Banja Luka, October, 2000. Soldiers from Burma Company unload weapons collected during Project Harvest. Photo: MND-SW PIO.

There are, however, various drawbacks and deficiencies in the Harvest process. Despite the much-lauded 'active' approach and efforts put into developing relationships with local communities, some BiH citizens still do not fully trust the 'amnesty' aspect of the collection, and are still 'reluctant to be recognised... still afraid of being punished if they are identified'.²³⁰ Although in general people are friendly and willing to co-operate, the fear of identification lingers and the number of anonymous calls with information about arms for collection indicates that regardless of information campaigns people still fear the consequences of surrendering weapons.²³¹ Unfortunately, the very tactics that seem to prove most effective at overcoming this distrust, SFOR's active harvest house calls, are the most problematic in terms of the dwindling resources of time and personnel, another problem facing the force.²³²

There are also questions over the quality of the weapons surrendered, the majority of which 'are in a bad state. It is dubious whether more than 10 percent of them could actually be used': SFOR media reports note 'a persistent feeling that people just discard the rubbish they do not want anymore'.²³³ Although these are valid concerns to raise, it is nevertheless important to bear in mind that apart from the psychological step forward that voluntary weapons surrender represents, the collection of any weapon is worthwhile, as even old and malfunctioning weapons can be repaired or used for spare parts.

227 'Summary of Regional SALW Collection Statistics (weapons) - BiH', SEESAC SALW Databases, www.seesac.org.

228 Unclassified data received from SFOR HQ; ref. 'Harvest total results 1998-2002', 02 July 2002. Op cit, 'Short Mission Report - Clearinghouse Consultation in Bosnia and Herzegovina, 01 - 03 July 2002'.

229 Op cit, 'Short mission Report - Clearinghouse Consultation in Bosnia and Herzegovina, 01 - 03 July 2002'.

230 Op cit, Cukali, SFOR Informer.

231 Although in general people are friendly and willing to co-operate, the fear of identification lingers and the number of anonymous calls with information about arms for collection indicates that regardless of information campaigns people still fear the consequences of surrendering weapons. Op cit, Nikolla, SFOR Informer.

232 As an SFOR officer commented, the ideal strategy is door-to-door relationship-building and awareness-raising among local communities, but this is extremely time consuming: 'We wish we could be everywhere that we are needed but, unfortunately, this is not possible... We cannot cover all areas, although we sincerely wish we could'. Op cit, Spinu, SFOR Informer.

233 'Weapon Out-processing', Lt Eric Bouysson, SFOR Informer, 28 February 2002, www.nato.int/sfor.

Safety issues are another serious concern. Casualties have been sustained during Operation Harvest activities, although not many,²³⁴ but more serious questions arguably lie over the capacities of the local forces involved in the collection process. The CPA for example, have a role in 'prepping' collection sites, but also in collecting and destroying UXO. According to some commentators, CPA personnel are trained in 'Soviet-style' methods, which are not in compliance with European safety requirements; the transport of unexploded ordnance to destruction sites and the process of destruction itself (see SALW Destruction below) is unsafe, and a further problem is the inadequacy of their storage sites (see Stockpile Management below).²³⁵ The role of the local police is to support SFOR Harvest activities in their areas and to collect various pieces of weaponry on an ongoing basis, to be handed over to SFOR after registration. There are consequent problems of storage, with a lack of training to deal with old and potentially dangerous arms and UXO, and a pressing need for adequate transport vehicles for material collected from rubbish tips and other 'dumping' sites used by citizens for unwanted weaponry.²³⁶ Police stations have complained about infrequent collection of inadequately stored weaponry by SFOR and the uncertainty over procedures for written records.²³⁷



Human error on the part of an EOD Operator was found to be the cause of this UXO explosion in Rabic during 2003.

Overall, however, Operation Harvest continues to bring results and seems the best option at the current time. A potentially positive development is the handover of some responsibilities to local authorities. In addition to building capacities that will be needed following the withdrawal of the international organisations, the involvement of local institutions will assist in making up for the reduced resources for collection that will result from SFOR downsizing in both personnel and budget. Transfer of responsibilities to BiH authorities is foreseen in 2004, when the so-called 'National Harvest' will be carried out in both entities by the military, CPA and police. SFOR will continue to be involved in the near future in order to co-ordinate collection operations, to monitor the capacity of local institutions and assist in its development.²³⁸ Partial handover of Harvest Operations to national forces has already begun. In December 2003 and January 2004, the local authorities and police conducted collection operations with the assistance of SFOR in the Srebrenica area.²³⁹ SFOR sources note that to date the handover of collection responsibilities to local authorities is 'slow, but progressing',

234 The development of an educational campaign for children by the Combined Joint Psychological Operations Task Force (CJPOTF) on the dangers of handling explosives, weapons, ammunition etc was sparked by the deaths of one civilian and one SFOR soldier, the result of an explosion in a UXO safe area near Bugojno. 'Harvest Campaign for Children', Capt Jesus Campuzano, SFOR Informer, 16 September 1999, www.nato.int/sfor.

235 'At present UXOs are transported from and to sites in vehicles, placing both the driver of the vehicle and people in its immediate surrounding in danger'. CSS Needs Assessment 2003, p 67.

236 'One of the main problems faced by police in their collection endeavours is the widespread disposal by citizens of illegal-possessed arms and ammunition into rubbish containers, by riversides and similar places. This indicates that the population is either uninformed or does not believe that they will truly receive amnesty if they surrender their arms and weapons properly'. Ibid, p 65.

237 Police stations 'complained that SFOR does not visit their territory frequently (3-4 times per year) for the purpose of collecting the gathered arms and ammunition. They are not able to provide adequate storage place for the period of waiting for SFOR collection. Moreover, there is no agreed upon procedure about the form of a written record on the hand-over of weapons (SFOR members do not wish to sign documents certifying the amount of weapons and ammunition they take over from local police). The same complains have been expressed in few others police departments.' Ibid, p 64.

238 Ibid, p 73.

239 'Srebrenica Civil Protection Co-ordinator Maksimovic... said that the following items had been collected: ten rifles, 56 hand grenades, 13 rifle grenades, 0.5 kg of explosive, 1,156 rifle bullets and 25 rounds of ammunition'. 'Operation Internal Harvest in Srebrenica', Daily Media Review, 06 January 2004, www.seesac.org.

and that they are happy with achievements so far.²⁴⁰ It is of paramount importance that local authorities do take up the responsibility of collection, and that their levels of commitment and capacity for the task are high. Despite the positive results of Operation Harvest, comparison with estimates of the thousands of illegal weapons remaining diffused throughout BiH leads some commentators to describe collection totals so far as 'no more than the proverbial drop in the ocean'.²⁴¹

Table 10 – Summary of SALW collection in Bosnia and Herzegovina 1998 – 2003²⁴²

COLLECTION ACTIVITY	SALW	AMMUNITION (TONNES)	REMARKS
SFOR activities and operations (January 2000 – November 2003)	22,620		
SFOR activities and operations (January 2000 – November 2003)		20	Bulk explosives.
TOTALS	22,620	20	

240 Telephone interview with Maj Ron Carson, Brigade Spokesman, MNB Northwest – Banja Luka, 13 February 2004.

241 BICC Conversion Survey 2002, p 133.

242 SALW Databases, www.seesac.org, referenced 08 February 2004; data on collections before 01 January 2000 is unfortunately not available.

SALW destruction programmes and capacities

As discussed above, SFOR's Operation Harvest and additional illegal collection activities result in fairly large numbers of weapons designated for destruction. Added to these are the military surpluses of the entity armed forces, which are substantial, particularly in terms of ammunition and UXO, and which will grow as downsizing continues.

Weapons collected through Operation Harvest are currently destroyed at Zenica steel mill, the plant belonging to BH Steel, once the biggest steel producer in the former Yugoslavia. Weapons are first crushed, and then smelted in a furnace according to OSCE guidelines. BH Steel gets relatively high-quality recycled raw steel from the melted-down scrap weapons and offers the service for free to SFOR. SFOR EOD teams check that no ammunition or explosives remain in the weapons and SFOR monitors the safety of the whole process.²⁴³ Weapons are usually destroyed in batches of 200 to 1,000, following post-collection storage by SFOR until a destruction date can be scheduled. More recently, destruction events have also been used to promote the collection and destruction actions, with representatives of the entity armed forces, local government officials and local media attending to observe the process, and there is potential for further exploiting these opportunities to raise awareness.²⁴⁴



Zenica, collected weapons are crushed before smelting. Photo: Turkish Battalion Task Force.

Despite the 'good deal' for both sides (free destruction in return for raw steel), there are questions over the use of Zenica: according to a BH Steel engineer, Berislav Djukic, Zenica processes '10,000 tonnes of metal every month in order to produce recycled steel, whereas we only support the destruction of weapons twice a year on average. This is very little weight for us but it is a hazardous material'.²⁴⁵ However, there is a possibility that the amount of small arms processed by Zenica could increase with the downsizing of armed forces, making it more efficient for BH Steel to continue offering this destruction 'service'. In March 2003 for example, over 3,000 small arms previously belonging to the Federation Army were destroyed at Zenica, monitored by SFOR.²⁴⁶

SFOR also carries out on-site destruction of ammunition, UXO and some weapons because of safety risks of transport or storage.²⁴⁷ Demolition pits on unused land or rifle ranges are commonly used, and local observers have also attended such events.²⁴⁸ This is also the method used to destroy the surplus and/or unsafe ammunition and ordnance in armed forces' storage sites²⁴⁹ – a huge challenge with the limited manpower and EOD expertise currently available considering the large amounts involved. The armies of both entities



A Dutch EOD Officer from SFOR prepares small arms ammunition, mortars, grenades and mines for open detonation. Photo: CPO Tim Adams.

243 'Comprehensive Destruction of "Harvest Weapons"', 2nd Lt Oliver Rolofs, SFOR Informer, September 2003, www.nato.int/sfor.

244 'Harvest Weapons Destruction', 2nd Lt Bruno Menard, SFOR Informer, 11 July 2001; Op cit, Rolofs, SFOR Informer.

245 Op cit, Bouyssou, SFOR Informer.

246 'A dream comes true', 2nd Lt Agustin Lopez Marin, SFOR Informer, 31 March 2003, www.nato.int/sfor.

247 Op cit, Cukali, SFOR Informer.

248 'Harvest Campaign: the days after', 1st Lt Giovanni Lobocono, SFOR Informer, 26 May 2003; 'Iron Harvest', Capt Russell Craig, SFOR Informer, 14 November 2001, www.nato.int/sfor.

249 The destruction arrangement SFOR has with Zenica steel mill is unsuitable for ammunition destruction: the returns for BH Steel are negligible compared to the difficulty and risks involved in destroying ammunition and therefore they cannot offer this service for free.

have substantial surplus ammunition and 'many of the munitions are in poor condition', with a large quantity of unsafe, unserviceable and obsolete ammunition requiring destruction.²⁵⁰ SFOR is supporting the entity armed forces to dispose of this ammunition under 'Operation Armadillo', the 'main effort' to help deal with this problem which began on 11 November 2003.²⁵¹ NATO has reinforced SFOR with two Belgian and three US EOD teams for this operation, which aims to deal with over 5,000 MANPADS, 75 percent from the RS military and the rest from the Federation forces. Future plans involve building the capacity of BiH soldiers to dispose of their own ammunition.²⁵² Despite these efforts, the rate of destruction remains relatively slow in relation to the very substantial quantities of ammunition requiring destruction, and additional resources for the disposal of unstable surplus in BiH would be welcome.

Some SFOR methods of destruction, however, and those employed by the CPA to destroy UXO, do pose problems: citizens living nearby often complain about noise, tremors, flying debris and the increasing concentration of heavy metals which pose a health hazard.²⁵³ CPA practices have been criticised, in terms of unsafe transport and storage practices, and for the low levels of safety around destruction sites, as 'at present, neither depots nor destruction sites for example have safety fencing to prevent access to the sites of flying debris in case of explosion. This is particularly concerning given the proximity of the sites to settlements'.²⁵⁴

Some sources argue that the best method of ammunition destruction in BiH has proven to be disassembly, conducted at the Vitezit factory in Vitez, where limited Federation Army stocks have been disposed of in a safe and environmentally sound manner; however, current facilities for disassembly in the country are limited.²⁵⁵ Despite the need, and the large amount of existing military plant in the country, facilities are low technology and there are only 'limited capacities for destruction of mines, ammunition and arms'.²⁵⁶ Yet it appears that a certain amount of investment could change the situation and equip BiH facilities properly for the destruction of various types of weapons and ammunition: 'potentials and a will to expand destruction facilities do exist'.²⁵⁷

The current total of weapons destroyed by SFOR is 23,145 (see Table 11 below), and official figures give an estimate of over 4 million rounds destroyed by the end of May 2003.²⁵⁸

250 'Summary of regional SALW projects', Project Reference 0055, SEESAC Database, www.seesac.org.

251 Currently scheduled to continue until 01 April 2004.

252 'Summary of regional SALW projects', Project Reference 0055, SEESAC Database, www.seesac.org.

253 'In Mostar, citizens recently cut off access with truckloads of sand to an area surrounding a destruction polygon in protest of destruction activities, which left houses in the vicinity of the polygon damaged'. CSS Needs Assessment 2003, p 54.

254 *Ibid*, p 67.

255 *Ibid*, p 54.

256 *Ibid*, p 53.

257 'According to Mr. Mensur Secerovic, Director for Development of Unis Pretis from Vogosca, the present capacities for destruction in this factory are 200-300 pieces per day, depending on the calibre... Additional investments for one short period of time could extend their capacity for the destruction of hand grenades and ammunition. Those capacities already exist in Unis Binars from Bugojno and Unis Gineks from Gorazde... Vitezit from Vitez is ready to, with additional investment, extend its scope of action regarding the destruction of all kind of arms and ammunition.' *Ibid*, p 54.

258 Dervisbegovic, UN PoA statement 2003.

Table 11 – Summary of SALW destruction in Bosnia and Herzegovina 2000 – 2003²⁵⁹

DESTRUCTION ACTIVITY	SALW	AMMUNITION (TONNES)	REMARKS
SFOR activities and operations (January 2000 – November 2003)	22,068	NA ²⁶⁰	
SFOR activities and operations (11 November 2002)	1,077		Surface-to-Air Missiles
TOTAL	23,145		

SALW stockpile management programmes and capacities

The Dayton Agreement mandated SFOR with responsibility for storage of military equipment belonging to the different entity forces. When the war ended, much of weaponry and ammunition held by the entity armed forces and other armed factions were gathered for storage in over 500 Weapons Storage Sites (WSS) under SFOR control and later guarded by entity armed forces. In partnership with the entity armed forces, SFOR is in the process of reducing their numbers for easier management. This vital process of consolidating and reducing stockpiles in the country will be lengthy and challenging. Crucial if thefts and accidents are to be prevented, improved stockpile management is arguably one of the top SALW control priorities in BiH.

As part of the overall military re-structuring and downsizing, the numerous stockpiles of weapons and ammunition across the country will be reduced from the current 169 sites to only nine. This entails a significant challenge, particularly in the context of SFOR troop reduction and the large amount of potentially unsafe ammunition and EOD contained in these stockpiles that needs to be either transported safely and/or destroyed. SFOR has begun a programme of destruction and reduction of these ‘very dangerous’ stockpiles,²⁶¹ but is hampered by lack of funds and, perhaps most importantly, lack of technically skilled EOD officers.²⁶²

Although SFOR monitors the storage facilities concerned, and has a responsibility for accounting, the WSSs are far below NATO standards – many sites are filled too full, containing unstable ammunition stored in an unsafe way and with inadequate security.²⁶³ Ammunition is a particular problem, as ‘a great proportion of ammunition in military storage in Bosnia is no longer safe and requires destruction’,²⁶⁴ and storage sites are ‘overloaded’ with such ammunition. ‘The military storage sites are... not fully maintained according to international standards. Security is a big problem – the storage sites are located in close proximity to populated areas. In terms of human security, another great concern is also the lack of detailed knowledge of the stockpiles

259 SEESAC SALW Destruction Database, www.seesac.org, referenced 10 February 2004.

260 As noted above, no information on tonnes of ammunition destroyed exists; however, official figures estimated over 4 million pieces were destroyed by the end of May 2003.

261 Telephone interview with Maj Ron Carson, Brigade Spokesman, MNB Northwest – Banja Luka, 13 February 2004.

262 ‘Short mission Report – Clearinghouse Consultation in Bosnia and Herzegovina, 01 – 03 July 2002’, www.seesac.org

263 ‘Each room is full with ammunition boxes up to the roof’; almost 20,000 rounds out of the five million stored at the Federation Army site at Slimena are unsafe and therefore unusable. In addition to the ammunition, the site contains explosive ordnance and mines, which are not safely stored in boxes, but ‘spread all around the site, making the whole area very hazardous’. ‘Counting the bullets’, Lt Anne-Claude Gouy, SFOR Informer, 05 December 2002, www.nato.int/sfor.

264 CSS Needs Assessment 2003, p 72.

in terms of stability.²⁶⁵ Safety of weapons storage sites is also a concern of the OSCE, which feels that sites are located in unsafe areas and are not well guarded due to a lack of manpower.²⁶⁶ The SFOR Operation Armadillo noted above will help solve this problem as its destruction of surplus ammunition stocks will assist the Ammunition Storage Site reduction programme, 'a key element of the Defence Reforms Committee's restructuring package', and will also reduce the burden on the entity armed forces of maintaining storage site security.²⁶⁷

In addition to the armed forces' stockpiles, the storage of collected or confiscated weapons remains an issue. Despite the CPA's arguably valuable contribution to tackling the problem of UXO, problems remain with the safety of their current methods, in particular of UXO stored prior to destruction. 'One of the greatest problems pertaining to the capacity of the CPA is the absence of containers for the safe storage of UXOs by the CPA. At present UXOs are stored in carton boxes... in Civil Protection Authority offices or in other similar places, all of which are located in populated areas'.²⁶⁸ Police stations are also not properly equipped, nor police properly trained, for the storage of arms or ammunition. Several sources, including the EU Police Mission,²⁶⁹ indicate that storage conditions are unsafe, and certain police stations have made complaints about the length of time they are forced to store weapons, in inadequate conditions, before SFOR arrives to remove them (see above SALW collection).²⁷⁰

In addition to the many official stockpiles, there remains a problem with illegal stockpiles or caches of SALW and ammunition, a legacy of the civil war, which present a much greater threat than those at least within the SFOR system of control and reduction. For example, in October 2003, NATO troops discovered 36 illegal arms caches around the RS town of Prijedor in the space of a month, comprising approximately 120 tonnes of weapons.²⁷¹

SALW awareness activities

The SFOR-led Operation Harvest collection process has been accompanied by media campaigns, public information distribution and door-to-door awareness-raising activities. SFOR funds the media campaigns that support Operation Harvest, which are designed and co-ordinated by the media operations teams of five to ten people in each multi-national brigade (MNB). Activities range from weekly news conferences and press releases to poster campaigns and daily announcements or advertisements on radio and television and in the



SFOR setting up information panels showing the dangers of landmines and SALW during a school visit. Photo: Pfc. Gina O'Bryan.

265 Ibid

266 Ibid p 76.

267 'Summary of regional SALW projects', Project Reference 0055, SEESAC Database, www.seesac.org.

268 CSS Needs Assessment 2003, p 67.

269 EUPM and local inspection unit carried out inspections at local police stations and found that 'there were neither adequate storage facilities nor safe and secure cabinets available for confiscated items and firearms'. 24 February 2002, 'A Few of Many Events', www.eupm.org.

270 Police stations 'complained that SFOR does not visit their territory frequently (3-4 times per year) for the purpose of collecting the gathered arms and ammunition. They are not able to provide adequate storage place for the period of waiting for SFOR collection... The same complains have been expressed in few others police departments.' CSS Needs Assessment 2003, p 64.

271 'Former Army Officers hiding stockpiles', 08 October 2003, Weekly Media Review, 06 October - 13 October 2003, www.seesac.org.

print media, including the SFOR magazine *Mostovi*. Messages encourage people to hand in weapons for the sake of their family's safety, and many focus on celebratory fire, warning of the risks this poses to bystanders.²⁷² In line with the handover to Internal Harvest and co-operation with local police and authorities, SFOR is working on releasing joint press statements and combining other media work; TV spots are also beginning to be developed by local government bodies responsible for collection. Although local collection actors have little experience of working with media, they are slowly gaining capacity in this area.²⁷³ SFOR troops have found that increased outreach work with local communities and media has had a very positive impact on collection rates and it is now fairly standard for SFOR battalions implementing collection to involve local community figures and media as well as local police and CPA. As one SFOR officer commented on a local Harvest activity in September 2003, 'The success of this particular harvest was in part due to the participation of the local media, from newspapers, TV and radio'.²⁷⁴

There are, however, indications that awareness-raising has not gone far enough, evidenced by the reluctance of some citizens to publicly surrender weapons.²⁷⁵ SFOR do accept that public awareness on SALW could be further improved and are reasonably open to assistance and new input in this area, including the involvement of NGOs and other actors in future campaigns.²⁷⁶ It is difficult to assess SALW awareness campaigns when there is no opportunity to refer to pre-campaign opinion surveys, but it is fair to conclude that SFOR have achieved a great deal, and that there are now few citizens in BiH who are unaware of SALW collection activities.

The challenge of increasing risk education and information campaigns remains to be met comprehensively, and the new legislation on firearms possession will also require promotion to ensure that BiH citizens are aware of their new obligations and rights. The Bosnian Red Cross societies have undertaken substantial work on awareness-raising campaigns on the dangers of mines, and it is hoped that this knowledge and experience will be converted into SALW awareness-raising capacity under the new UNDP SAP. Training of Red Cross representatives on the problems surrounding SALW proliferation and methods for raising awareness of the dangers of SALW among school children was held in June 2003.²⁷⁷ A subsequent BiH Red Cross Training of Trainers has produced a number of staff who are currently preparing to begin awareness-raising activities in schools and disseminate printed campaign materials across BiH within the framework of ongoing mine awareness activities. This small pilot project will run from February to December 2004, funded with approximately US\$22,000 from UNDP. Based on its success and field-testing of SEESAC-developed awareness raising tools (the SALW Awareness Support Pack, SASP 2003), it is hoped the project will be expanded and a larger-scale awareness-raising campaign will be developed by UNDP later in the year following input from the ongoing SALW survey research.²⁷⁸



June 2003, a group of Mine Risk Education specialists from the Red Cross Society of BiH receive preliminary training in SALW Awareness from SEESAC in preparation for a project with UNDP BiH.

272 For example, the poster published on the SFOR website shows a picture of weapons, asking 'Do you want SFOR to find this... or your children?', www.nato.int/sfor.

273 Telephone interview with Maj Ron Carson, Brigade Spokesman, MNB Northwest - Banja Luka, 13 February 2004.

274 Op cit, Cukali, SFOR Informer.

275 See above SALW Collection.

276 'Short mission Report - Clearinghouse Consultation in Bosnia and Herzegovina, 01 - 03 July 2002', www.seesac.org

277 'UNDP and SEESAC SALW Awareness Training for Bosnia Red Cross Society', SEESAC Activity Report, 27 June 2003, www.seesac.org.

278 Telephone interview and correspondence with Nedim Catovic, Human Security Portfolio Assistant, UNDP BiH, 13 February 2004.

Table 12 – SALW awareness activities

CAMPAIGN AND IMPLEMENTER	DURATION	TARGET GROUP	METHODS	INDICATORS OF SUCCESS	DONOR
SFOR	1998 – 2004	General public	Local radio and television, posters, print media, pamphlets, door-to-door community outreach; also promotion of destruction events.	NA	SFOR
BiH Red Cross, SALW AR as part of MAC activities	February – December 2004	School children, general public	Presentations and activities in schools; billboard advertisements.	NA – just started.	UNDP, with funds of approx US\$22,000.

SALW survey activities

No surveys on SALW have been conducted in BiH, although the UNDP commissioned a detailed survey from BICC, and preliminary research activities had begun in February 2004; the report is scheduled to be completed by the end of April 2004.²⁷⁹

The UNDP Country Office funded the local NGO, the Centre for Security Studies (CSS) to conduct a needs assessment on SALW in BiH in 2003. CSS's 'Needs Assessment on Small Arms and Light Weapons in Bosnia and Herzegovina' was published in July 2003 and is a valuable reference point for any analysis of the SALW problem and capacities in the country. Covering SALW collection and awareness activities so far, the complex legal framework, the military industry, government capacities and role of the international community, the report also provides a number of recommendations for policy development.²⁸⁰

Civil Society involvement in SALW interventions

Due to the lead role of SFOR in SALW collection and awareness-raising in BiH, there has been little involvement of NGOs in this more traditional area of NGO activity in the sphere of SALW. However, the CSS report represents a valuable contribution in terms of non-governmental research on the issue, and there is potential for NGOs to play a role in both capacity-building and lobbying of government, as well as advocacy on policy development and transparency.

Capacities also exist for awareness-raising, in the form of the Red Cross, the primary implementer of mine education, and now SALW risk education (see note on SALW awareness above), and in other local NGOs, such as Conscientious Objectors BiH, a large network which has lobbied successfully for an end to military service for Bosnian citizens and promoted pacifism in general. Both these NGOs have also played a significant role in regional NGO SALW activities and network development.

²⁷⁹ Ibid

²⁸⁰ The report is available from both UNDP BiH and CSS: www.undp.ba; www.css.ba.

The media has played a significant role in promoting SALW awareness. Partnering with SFOR in many of the activities detailed above, Bosnian radio, television and print media have given a substantial amount of coverage to SALW control issues and have therefore helped to promote weapons surrender. The knowledge and education of the media on SALW and wider security issues is, however, still fairly limited. Efforts are underway to improve reporting of SALW issues, and the NGOs Saferworld and the Institute for War & Peace Reporting held a media training seminar in Sarajevo in September 2003, part of an ongoing programme of regional media capacity-building activities.

Cross-border SALW control initiatives

The Bosnian system of border control has substantially improved with the introduction of the State Border Service (SBS), a state-level service that began to take over from the entity services in 2000, bringing additional and welcome coherence to the BiH system. The formation of the SBS was agreed in the New York Declaration of 15 November 1999 by the BiH's tri-partite presidency, a declaration which 'sought to combat widespread smuggling across the country's loosely guarded borders', and which indicates the challenges facing the new service.²⁸¹ Different services still have different competencies in the border area (SFOR, the entity militaries, the entity customs services and police forces), but the advent of the SBS, which now operates along all Bosnian borders has greatly assisted co-ordination.²⁸²

Described as 'the most modern border police service in the Southern Balkans',²⁸³ the SBS is a young multi-ethnic force with a mission to supervise state border security, control cross-border traffic, prevent and investigate certain border-related crime and search for wanted persons.²⁸⁴ With the introduction of new legislation on arms import, export and transit, the SBS now also has responsibility for controlling consignments of arms and military material crossing the border and checking the validity of accompanying documentation.²⁸⁵ The SBS also has responsibility for confiscating the relatively few illegal arms carried by persons crossing the border, and within the border zone, where 'heightened quantities of arms' were disposed of or handed over to SBS personnel in the first few months of 2003.²⁸⁶

The establishment of the SBS, alongside that of the State Information and Protection Agency (SIPA), has greatly assisted co-ordination outside as well as inside BiH and 'made regional police cooperation possible'.²⁸⁷ Cross-border operations take place within the framework of the UN Mission in Bosnia and Herzegovina (UNMIBH) Regional Task Force, through which Bosnian, Croatian and Montenegrin police forces launched joint operations to strengthen borders, combat arms smuggling and illegal migration and intensify actions against organised crime and terrorism.²⁸⁸ The

281 'An Unprecedented Experiment: security sector reform in Bosnia and Herzegovina', Jeremy King, A Walter Dorn and Matthew Hodes, Saferworld/BICC, September 2002, p 21.

282 For example, illegal migration through Sarajevo airport from over 25,000 in 2001 to a few hundred by the end of 2002. 'Police Reform and Re-structuring in Bosnia and Herzegovina', Presentation by Jacques Paul Klein, Special Representative of the Secretary General and Co-ordinator of the UN Operations in BiH, CIVPOL Contributing Countries, New York, 11 December 2002, www.unlos-bih.org.

283 Ibid.

284 Op cit, SEESAC APD 17, Annexes B and C.

285 CSS Needs Assessment 2003, p 59.

286 Ibid.

287 Tasked with co-ordinating national law enforcement, SIPA has been described as 'the final building block necessary for the country to become fully integrated into international police crime fighting'. Op cit, Presentation by Jacques Paul Klein.

288 'Ibid.

UNMIBH handed over policing responsibility to EUPM in January 2003, and the new EU agency is now providing support and advice to the SBS as well as focussing on encouraging cross-border and international police co-operation as one of its priorities.

Various anti-trafficking and anti-organised crime initiatives are ongoing and regional co-operation is growing with new initiatives and increased effort. Alongside other countries of the region, BiH committed to the Ohrid Border Security and Management Common Platform in May 2003; BiH plans to undertake several activities by the end of 2004, including implementation of a single information system, stronger communications links with police forces, harmonisation of current legislation with EU standards, drafting of co-operation protocols with customs, police and Interpol, and signing of agreements on co-operation with neighbouring police services.²⁸⁹ In October 2003, high-ranking officers from BiH and its neighbours convened a meeting of the Committee for the Fight Against Organised Crime, set up as part of the Southeast Europe Police Chiefs Association (SEPCA), to discuss 'the first results of regional co-operation in fighting organised crime... especially crack-downs on networks of criminals involved in trafficking of humans, money forgery and theft of cars as well as arms smuggling'.²⁹⁰ Both Customs and SBS officers have participated in international operations aimed at combating arms as well as human trafficking involving EU member states and agencies such as Europol and the SECI Regional Center, and BiH police have apparently acquitted themselves well.²⁹¹

However, the complex nature of BiH's governing structures poses challenges for border control as it does for many other issues.²⁹² Information and intelligence sharing continues to be a problem,²⁹³ and differences in structures and unclear delineation make co-operation across, as well as inside, Bosnian borders complicated. A confusing framework of agreements and competencies mean that, 'in reality inter-agency co-operation both on intra-state and inter-state levels is still hampered'.²⁹⁴ Some level of information sharing is in place, but despite positive examples, a systematic level of co-operation, such as the co-ordination of joint patrols has yet to be achieved.²⁹⁵

The SBS still faces problems of division of competencies with entity police and customs.²⁹⁶ The variance of regulations and laws governing arms possession and carrying also poses problems, and SBS officers have made a number of requests for

289 'Way Forward Document', Ohrid Regional Conference on Border Security and Management, 22 - 23 May 2003.

290 'Southeast European police cooperation in combating organized crime', Press release, Croatian Embassy, www.croatiaemb.org.

291 'The Law Enforcement Agencies of the EU Member States and states participating in SECI, supported by EUROPOL, carried out and Anti-Human Trafficking Operation in South-East Europe, named 'Leda'... to combat human trafficking through simultaneous coordinated actions of the LEAs of the participant countries... BiH police came up with some of the best results in the region', 05 May 2002, 'A Few of Many Events', www.eupm.org; CSS Needs Assessment 2003, p 60.

292 As Dragan Mektic, the Deputy Minister of Security commented, 'We have too many boundaries in our country. Police Officers respect boundaries; criminals do not respect them'; 'In BiH, you have 14 Ministries of Interior: at State, Entity and Cantonal level, plus Brčko District. Fourteen, it is 13 too much. And 17,000 Police Officers working with almost 20 different Law Enforcement Agencies (LEAs), it is also too many... We have to re-organise and build a more efficient system'. 'Security at State Level', Thierry Domin, 08 January 2004, www.eupm.org.

293 Jean-Michel Cadenas, Deputy Chief Adviser to the MoS: 'No information is forwarded from the Entities to our Ministry. As an example, an anti-terrorist meeting was held recently, presided over by the MoS. It looked like all the participants wanted to keep secret their own intelligence; but at the same time, they required others' intelligence'. Ibid.

294 'Inter-agency cooperation at the Croatian, BiH and Montenegrin borders in the region [South Adriatic], especially operating procedures and competencies of the individual agencies, is based upon numerous regulations, agreements, memoranda of understanding and other documents. However in reality inter-agency co-operation both on intra-state and inter-state levels is still hampered by unclear dividing lines between competencies of different agencies and within their subordinate elements and missing legislation, treaties, protocols agreement, etc. This is compounded by individual tensions over salary differences, war grievances, and various levels of corruption in the ranks and has created a system where inter-agency and cross-border cooperation is possible, but not systematic.' Op cit, SEESAC APD 17, p.2.

295 Ibid, p 3.

296 'At the same time, clear breaks in communication between SBS officials, either from the Federation or the RS and municipal level police, were cited by the police officials themselves in Trebinje region as a point of concern': 'Even with the newly created SBS in BiH, the pamphlets distributed confuse the duties of the SBS and of the customs officers'. Ibid, pp 4 and 5. SEESAC also notes the 'need for improved co-ordination of the SBS and Customs Services'. Op cit, 'Short mission Report - Clearinghouse Consultation in Bosnia and Herzegovina, 01 - 03 July 2002'.

additional education on the different legislation; however, the advent of harmonised legislation should help to resolve this issue.²⁹⁷ A more long-term problem is the lack of suitable equipment for detection of arms at borders, such as x-rays and metal detectors, and lack of suitable storage space for confiscated arms.²⁹⁸ Customs control could also benefit from increased capacity and better co-ordination: 'Customs officers believe that control of arms and military equipment could be improved through better co-ordination and information exchange in between all relevant bodies and strict following of regulations'.²⁹⁹

SALW management information and exchange systems and protocols

The different competencies of international and Bosnian institutions in BiH do confuse issues of national information exchange, as do the war-shattered relations with neighbouring countries. However, co-ordination within the country has improved recently with inter-agency and government meetings organised by international agencies (the UNDP has held regular meetings to update and co-ordinate SALW activities since early 2003) although the recently-formed state-level SALW Co-ordination Board seems to play a very weak or minimal role in co-ordination. In addition, substantial improvements in the field of cross-border police co-operation (as noted above) and engagement in international fora have been facilitated and supported by the international organisations operating in the country.

BiH is a member of Interpol and is negotiating a co-operation agreement with Europol,³⁰⁰ it is also involved in the Stability Pact framework and the SECI Regional Centre, to which it seconded one law enforcement officer. Representatives have attended and presented on the SALW situation in BiH at the UN SALW conferences, although the level of information reporting has been relatively low. At present, transparency in many areas is limited, possibly not so much from a desire to conceal information as the poor organisation of information held by government and other authorities. BICC notes that, 'as a result of the prevailing mistrust and lack of co-operation among the authorities of the various 'entities', there is very little reliable information' on SALW available, and that this lack of transparency and mistrust represents 'a stumbling block for large-scale disarmament'.³⁰¹ Public discussion of policy on SALW or related issues is very limited, and local civil society is not consulted, and only involved on a very limited basis, in discussions or policy development on SALW control.³⁰² It is to be hoped that as the state institutions take over more responsibility for SALW control activities, they will participate more fully in the relevant regional and international mechanisms, that transparency will be encouraged by the international community and that parliamentary oversight will be developed on SALW policy and decision-making.

297 CSS Needs Assessment 2003, p 60.

298 Ibid

299 Ibid, p 60.

300 'Europol annual report and work programme for 2004', News article May 2003, www.statewatch.org, referenced 22 January 2004.

301 BICC Conversion Survey 2002, p 133.

302 Interview with Sarajevo-based civil society representative, 13 February 2004.

Table 13 – Information and exchange progress

INFORMATION AND EXCHANGE SYSTEMS AND PROTOCOLS	BOSNIA AND HERZEGOVINA
International	
Reporting to the UN DDA on the Programme of Action	To a certain extent. ³⁰³
Reporting to the UN Register of Conventional Arms	To a certain extent. ³⁰⁴
Reporting to other international regimes, if appropriate (eg Wassenaar Arrangement)	NA
Interpol/Europol	Yes/Yes ³⁰⁵
Regional	
Information exchange with OSCE	Yes
Annual reporting to EU (if relevant)	NA
SECI Regional Centre intelligence exchange	Yes
National	
Transparency – on SALW imports, exports and decision-making	To a certain extent – public report on 2003 arms imports and exports forthcoming. ³⁰⁶
Publication of national reports on arms/SALW transfers	No
Publication of SALW national strategy	No

303 The BiH statement at the UN Biennial Meeting of States in 2003 did not go into any substantial detail in terms of reporting on the PoA implementation in the country and no specific report was submitted to UNDDA. Dervisbegovic, UN PoA statement 2003.

304 See SALW Transfers above.

305 As noted above, BiH is currently negotiating a co-operation agreement with Europol.

306 See SALW transfers above.

