

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.

Croatia



Small Arms problem

The Republic of Croatia broke away from the former Yugoslavia following the locally-termed 'Homeland' or 'Patriotic' War, which began in 1991 and saw bitter fighting across much of the country's territory as Croatian armed groups fought against the Yugoslav Army and other, opposed armed factions. The presence of substantial Serb and other non-Croatian ethnic communities in Croatia meant that secession was not a simple business; thousands were killed and displaced before fighting receded and UN peacekeepers arrived in January 1992.⁴¹⁷ The nature of the conflict in Croatia resulted in a militarisation of society as SALW diffused throughout communities. Domestic production substantially increased to equip the war effort and large quantities of SALW flooded into Croatia:⁴¹⁸ '...locally produced, seized from the enemy or imported from other countries... firearms became largely available to the civilians. The negative impact of sudden proliferation became obvious very soon. The rate of tragic incidents increased almost simultaneously'.⁴¹⁹

A decade after the war, Croatia is now peaceful, the security situation 'is on the whole good, crime levels are relatively low and violence is limited to sporadic incidents'.⁴²⁰ There are now few ethnically-related incidents, though these are apparently often not prosecuted with due rigour; there are also similar problems with law enforcement control over mafia and war crime.⁴²¹ This notwithstanding, crime levels are relatively low for the region, and, with the exception of Slovenia, Croatian citizens have enjoyed the fastest progress towards normalisation and economic recovery of all the former-SFRY states.

However, there is consensus that 'there is widespread civilian possession of SALW, including military-style weapons and ordnance such as hand grenades'.⁴²² Despite

417 'The wartime casualties and massive displacement of population caused an absolute decline in numbers. It is estimated that from 1991 to 1998 the population fell by 3 per cent, but taking into account only the population residing in the country, numbers fell by 6.2 per cent'. Statement by Prof Alicia Wertheimer Baletic, Head of Delegation to the Committee on Population and Development, UN, New York, 24 March 1999.

418 The sources of weapons imported remain unclear due to the illegal nature of these shipments in contravention of the UN arms embargo; some reported sources are discussed below in SALW transfers.

419 'Developing weapons collection programmes in a society with a pronounced firearms proliferation', presentation given by Chief Inspector Lav Kalda (hereafter 'Kalda presentation 2002'), Croatian Mol, at a seminar on 'Combating Illicit Trafficking in Central Asia: Regional Follow-up Meeting, Almaty, 21 - 22 May 2002.

420 'Short Mission Report - Clearinghouse Consultation in Croatia, 20 - 24 May 2002, www.seesac.org.

421 'The general level of security in Croatia remains satisfactory. There are only few ethnically related incidents. Nevertheless, the prosecution of such incidents is hampered by a lack of adequate legal provisions characterising such behaviour as criminal acts'; 'The security of witnesses in major crime and war crime cases remains a weak point in the judicial process in Croatia. The Missions provided expert advice on the draft Law on Witness Protection which was adopted by the Parliament in September 2003'. 'Status Report No 13', OSCE Mission to Croatia, December 2003, p 4.

422 'Short Mission Report - Clearinghouse Consultation in Croatia', 20 - 24 May 2002, www.seesac.org.

substantial amnesty and collection efforts undertaken by the Croatian Government (and early on by the UN forces in Eastern Slavonia) from 1992 – 2002 that have achieved very positive results, it is commonly acknowledged that more remains to be done to reverse the extremely high levels of possession following the war. Research in Croatia in 1994 – 1995 found that a third to a fifth of children consulted could access small arms and explosive devices at home,⁴²³ and although there will have been improvement since, the situation in Croatia is similar to that in Bosnia and Herzegovina and Kosovo, where the traumatic memories of hand-to-hand fighting have resulted in a deeply-felt need for self-protection. Even before the war possession levels were significant. In 1989, 299,586 weapons were registered for a population of 4.6 million.⁴²⁴ This has since increased and official statistics outline a high level of registered possession, with 385,000 licensed firearms and 230,000 licensed owners in the country in 2002, indicating that 19 percent of households possessed registered weapons.⁴²⁵ However, many unregistered firearms remain in communities, and even Croatian officials have admitted proliferation remains high and that ‘every household still has some kind of weapon’.⁴²⁶ It is apparently easy to obtain illegal weapons, and official statistics estimate that 90 percent of criminal activities involving firearms are committed with illegal weapons.⁴²⁷ There is also a problem with illicit trafficking, and Croatian weapons have been supplied to criminal groups in Western Europe (see SALW transfers below).

Small Arms policy and practice

Croatia has made substantial progress towards rebuilding its economy and political system in the years following the war. With the ‘overriding goal’ of EU membership,⁴²⁸ the Croatian Government has undertaken many reforms and achieved a significant level of post-conflict recovery.⁴²⁹ NATO membership is the country’s second priority and under the PfP, Croatia has prepared a draft plan for military downsizing that will see a 17,000 reduction of military personnel to 25,000 by the end of 2005. In the meantime, the MoD is preparing troops for peacekeeping support to future UN and NATO operations.⁴³⁰ Other security services are also undergoing reform. The OSCE is working closely with the Croatian police, community policing pilot projects started in April and July 2003 and Croatia has also made commitments to improved cross-border policing and management.⁴³¹ ICITAP has also been active on police reform and support in Croatia. In 1996 it assisted the UN Transitional Administration in Eastern Slavonia (UNTAES) in establishing a multi-ethnic transitional force in Eastern Slavonia which has

423 ‘Evaluation of Community Based Intervention for the Protection of Children from Small Arms and Explosive Devices During the War: Observational Study’, Andrija Stampar School of Public Health, Zagreb University, www.cmj.hr/index.php?P=1050, referenced 20 January 2004.

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

425 Kalda presentation 2002. This is a substantial increase on the previous year, when 379,000 firearms were registered, indicating that even as the war recedes and normalisation continues, Croatian society continues to feel the need to possess firearms. Small Arms Survey 2003, p 65.

426 ‘Small Arms Control in Central and Eastern Europe’, Suzette Grillot, Eurasia Series No 1, International Alert, June 2003, p 12.

427 ‘US officials knowledgeable about civilian gun ownership in Croatia assert that ‘if someone wants a weapons, they can get one’’, Ibid; Kalda presentation 2002.

428 ‘Status Report No 13’, OSCE Mission to Croatia, December 2003, p 2.

429 The UNHCR for example, closed its last three offices in Croatia at the beginning of 2004, stating that this move reflected ‘the profound changes in the country that have made it possible for the government and local relief agencies to take over the task of repatriating remaining refugees’. ‘UN closes last three offices in Croatia’, Daily Media Review, 07 January 2004, www.seesac.org.

430 Statement by Vice Skracic, Head of Section for Arms Control and Disarmament, First Committee, General Assembly fifty-seventh Session, 03 October 2002, www.un.int/croatia/statement57/ga/firstc/021003.htm.

431 Op cit, OSCE Mission to Croatia, p 3.

since been re-integrated into the MoI; ICITAP now works mainly on training and police education, also providing assistance on the development of internal accountability mechanisms and technical equipment such as computers.⁴³²

Elections on 23 November 2003 returned centre-right Croatian Democratic Union (HDZ) leader, Ivo Sanader, who was mandated by the president to form a new government. Formerly an extreme right-wing party, 'the HDZ seems to have excluded a coalition with the extreme right [so] the new government is likely to depend on MPs representing the national minorities for support in Parliament'; however, concerns over the maintenance of policies and the liberal, reformist trend set by the previous government remain.⁴³³

Production

The Croatian military industry did not escape post-war reforms, and has changed greatly since the end of hostilities, when 'the new government cut the defence budget and scaled back the active promotion of the defence industry. The MoD put increased emphasis on quality and regularised production, while defence-related companies were expected to struggle like their civilian counterparts'.⁴³⁴

When the war began in 1991, the Croatian factories represented approximately seven percent of the Yugoslav military industrial complex.⁴³⁵ Croatian industry grew from these roots, with an immediate and substantial impetus from the war, during which approximately 15 percent of the national budget was spent on defence, so that by 1992 over 62 military-related firms had a contract with the MoD, including seven or eight small arms producers.⁴³⁶ Reduced government spending and lack of orders and markets forced many firms to close down and few survived the transition to a peacetime economy. Approximately 10,000 staff worked in the military industry in Croatia during the peak production period in 1993: output is now reduced to 15 percent of 1993 levels, and only 1,500 are employed by around 25 companies that have military production capacity.⁴³⁷ Although the remaining military enterprises 'continue to suffer from a lack of orders, markets and resources', and the industry has shrunk to the point where it is 'no longer a significant part of the economy', analysts note that 'most of the productive capacities developed during the war still exist'.⁴³⁸

Croatia produces various larger conventional arms and components, such as the M-84 battle tank,⁴³⁹ and also various SALW. The majority of arms exports take place under the auspices of RH Allen, which is both state-owned and the largest arms trading company, although several producers have their own export licences. RH Allen co-ordinates nearly all defence-related exporting and importing for the Ministry of Defence, and is described as the 'most important producer of SALW', producing rifles, sub-machine guns and mortars.⁴⁴⁰ One of the largest small arms producers and exclusive supplier of the

432 'Croatia', ICITAP Project Overview page, www.usdoj.gov/criminal/icitap.

433 Op cit, OSCE Mission to Croatia, December 2003, p 2.

434 Small Arms Survey 2003, p 44.

435 Ibid

436 'When the hostilities started, many Croatian engineers and workers employed by the federal defence industry in other parts of the former federation returned home to Croatia, taking documentation and know-how with them. This formed the base of the independent Croatian defence industry'. Ibid.

437 Ibid

438 Ibid; Op cit, Grillot, p 11.

439 Produced by the company DD Special Vehicles. www.hr/www.nr/business/industry.

Croatian defence and security forces, the HS Product company manufactures the 'first Croatian pistol', 'PHP' and subsequent models designed for the Croatian security services and foreign markets, including the US. By 2002 HS Product had enlarged and increased its exports to about 90 percent of the company's output.⁴⁴¹ Other manufacturers operate under licence with foreign manufacturers, and, according to BICC, some weapons companies reportedly produce other foreign weapons designs, such as the 9mm Uzi, without a licence to do so.⁴⁴² Available information on small arms producers also lists IM Metal, which produces pistols, and KK Metallic, which produces grenade launchers.⁴⁴³

However, most military production is aimed at the domestic market, with limited foreign sales. 'Total small arms exports are valued at less than US\$1 million annually, indicating that production is largely for the domestic market'.⁴⁴⁴ Ranked as a 'small' producer of SALW by Amnesty International,⁴⁴⁵ a range of SALW is manufactured in Croatia, including pistols, rifles, sub-machine guns, mortars, and ammunition.

Government SALW policy

Croatia's arms control policy is now influenced by various international control regimes and mechanisms, to which the Government has made commitments as part of its policy of greater assimilation into Western European structures, and also by the recent adoption of a package of new measures on national security and defence strategy, which have NATO membership as an overall goal. According to presentations at international fora, the Croatian Government 'fully supports and actively implements' the UN PoA and the Stability Pact's RIP,⁴⁴⁶ expressing a wish to 'significantly contribute to the future work of the Clearinghouse'.⁴⁴⁷ In addition to hosting several regional meetings on security issues,⁴⁴⁸ Croatia also hosts the Regional Arms Control and Verification Implementation Assistance Centre (RACVIAC), a Stability Pact initiative based near Zagreb which brings together military officials from SEE countries to build capacity and assist compliance of SEE countries with OSCE Code of Conduct on Politico-Military Aspects of Security and other provisions aimed at fostering transparency and co-operation in the region.

A signatory of the Ottawa Convention, the Croatian Government is also very active on the issue of anti-personnel mines, having suffered considerably from the problem in the wake of the 1991 war.⁴⁴⁹ Having taken the decision to align itself with the EU Code of Conduct in advance of its scheduled 2006 EU accession, and having progressed in terms of its commitments to other regimes on chemical and biological weapons, Croatia has also indicated that it wishes to go further in terms of its international commitments in this area.⁴⁵⁰ The Government has applied for membership in two more export control regimes, the Wassenaar Arrangement and the Missile Technology Control Regime, and

440 BICC Conversion Survey 2002, p 133; Information on production in 2001 from the NISAT databases, www.nisat.org.

441 Small Arms Survey 2003, p 44.

442 BICC Conversion Survey 2002, p 134.

443 Information on production in 2001 and 2000 respectively from the NISAT databases, www.nisat.org.

444 Small Arms Survey 2003, p 44.

445 'Proliferation: global growth in small arms', *Terror Trade Times*, June 2001, <http://web.amnesty.org/web/ttt.nsf/june2001/proliferation>.

446 Statement by Mr Vice Skracic, Head of Department for the United Nations, Ministry of Foreign Affairs of the Republic of Croatia, at the First Biennial Meeting 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, 08 July 2003 (hereafter 'Skracic, UN PoA statement 2003').

447 Report of the Republic of Croatia on Implementation of the United Nations Programme of Action to Prevent, Combat and Eradicate Trade in Small Arms and Light Weapons in All Its Aspects, 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 (hereafter 'Croatia UN PoA report'), p 10.

448 *Ibid*, p.9.

while it waits for a decision on its membership, it 'plans on unilaterally applying the provisions of these abovementioned initiatives until such time as we become member countries ourselves'.⁴⁵¹ Croatia is also preparing to accede to the Firearms Protocol, having ratified the UN Convention Against Transnational Organised Crime in December 2002.⁴⁵²

In terms of public commitments, Croatia is 'fully devoted to work on SALW issues', which it sees as 'one of the most dangerous challenges and threats to global stabilisation and security',⁴⁵³ and regularly stresses its willingness to contribute to efforts to combat the problem, even underlining the specific responsibilities of other states in this regard.⁴⁵⁴

Table 19 – Croatia's commitments to arms or SALW control agreements

ARMS OR SALW CONTROL AGREEMENT	CROATIA'S COMMITMENTS
Stability Pact Regional Implementation Plan	November 2001
UN Programme of Action	July 2001
UN Firearms Protocol	No, but intention to sign and ratify. ⁴⁵⁵
OSCE Document on Small Arms	November 2000
OSCE Document on Stockpiles of Conventional Ammunition	December 2003
EU Code of Conduct	2001 ⁴⁵⁶
EU Joint Action on SALW	-
Wassenaar Arrangement	No, but application to join. ⁴⁵⁷

449 Although still a mine-affected state, mine contamination is gradually decreasing (with only 6 incidents in 2003) as Croatia has undertaken substantial de-mining and educational activities; the Government hopes the country will be mine-free by 2009, but notes a decrease in funding contributions. 'Croatia actively participates in the work of the Ottawa Convention on Anti-Personnel Mines, including through various formal and informal groups that operate within the scope of the Convention'. The destruction of all APL stockpiles is ongoing. Statement by HE Vladimir Drobnjak, Ambassador, Permanent Representative of the Republic of Croatia to the United Nations, Item 22 - Assistance in Mine Action, General Assembly Fifty-eighth Session, 06 November 2003, www.un.int/croatia/statement/58/ga/plenary/031106.htm; Statement by Vice Skracic, Head of Section for Arms Control and Disarmament, First Committee, General Assembly fifty-seventh Session, 03 October 2002, www.un.int/croatia/statement57/ga/firstc/021003.htm (hereafter 'Skracic General Assembly statement 2002').

450 'In 2001 the Croatian Government adopted a Decision whereby it undertook to apply the principles of the EU Code of Conduct of Arms Exports', Croatian Statement to First Biennial Meeting of States, July 2003, <http://disarmament2.un.org/cab/salw-2003/statements/States/Croatia.pdf>; Skracic General Assembly statement 2002.

451 Skracic, UN PoA statement 2003.

452 Croatia UN PoA report, p 12.

453 Skracic, UN PoA statement 2003.

454 The Croatian representative to the UN 2001 SALW conference, while noting that assistance to implement the PoA 'plays a very important role', went further than many others in her statement, emphasising that, 'It is us, each and every member state, that has to do its part'. Statement by Jasna Ogrjanovac, Charge d'Affaires, Head of Croatian Delegation, The United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, 11 July 2002.

455 Croatia signed the UN Convention Against Transnational Organised Crime in December 2000, and ratified it in January 2003; the Government has expressed its intention to ratify the third, 'Firearms Protocol'.

456 Croatian representatives to the UN announced in July 2001 and October 2002 that the Government has taken the decision to apply the EU Code's Criteria in advance of its EU accession. See SALW Policy and Practice above.

457 See SALW Policy and Practice above.

Small Arms progress

Legislative and regulatory issues

The main piece of legislation covering the military industry and trade in the country is the Law on Production, Overhaul and Trade in Arms and Military Equipment, adopted on 25 March 2002.⁴⁵⁸ The Law on Production regulates:

- 'the planning as well as the production and development of arms and military equipment;
- criteria for the determination and use of capacities for producing and refitting arms and military equipment;
- trade in arms and military equipment;
- safety and protection of methods of producing and refitting arms and military equipment;
- confirming that the relevant regulations on arms and military equipment have been adhered to; and,
- the production and refitting of arms and military equipment in time of war or in situations of clear and present danger to the independence and sovereignty of the Republic of Croatia'.⁴⁵⁹

Additional regulations govern the production of military equipment and a new Decree on Conditions and Criteria That Must be Fulfilled by Producers of Arms and Military Equipment, based on Article 6 of the Law on Production, Overhaul and Trade, is expected to be passed soon and producers will then need to abide by its provisions.⁴⁶⁰

The process of export and import control is different for commercial and state actors. Import licences for the Croatian Army and Police are issued by the Ministry of Defence and Ministry of Internal Affairs respectively,⁴⁶¹ and it seems government-to-government weapons deals also require a reduced administrative process for permission.⁴⁶² Independent trade falls under a more thorough licensing system, where 'export and import licences covering weaponry for commercial purposes [is] issued by the Ministry of the Economy, subject to previous approval by the Commission'.⁴⁶³

458 Official Gazette 33/2002.

459 Croatia UN PoA report, pp 2-6.

460 See Table 20 below for detail on additional regulations on production.

461 Article 4, Decree on Goods Subject to Import and Export Licensing. Report of the Republic of Croatia on Implementation of the United Nations Programme of Action to Prevent, Combat and Eradicate Trade in Small Arms and Light Weapons in All Its Aspects, 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, pp 2-6.

462 'Officials admit, however, that military imports for the Ministry of Defence are not subject to licensing - and neither are government-to-government weapon deals'. Op cit, Grillot, p 13.

463 Croatia UN PoA report, pp 2-6.

464 Each member of the Licensing Authority for the Import and Export Control of Weapons for Commercial Purposes is authorised to give an opinion on the issuance of licenses, eg: the MoD representative is responsible for determining whether 'the goods in question are military in nature and if these goods, as such, can be used for military or civilian purposes'; the MoA representative is responsible for 'controlling the type and the purpose, as well as the amount of the goods in question, and for controlling the enclosed specifications and contracts'; the MFA representative is 'responsible for ensuring that the process of approving a request does not bring Croatia's security into danger, as well as ensuring that the request does not violate international legal obligation that Croatia has undertaken to uphold'; the MoE representative 'gathers formal requests submitted by parties interested in importing and exporting weapons; contacts those parties and gives them instructions relating to their requests... ensures that requests follow legal requirements', in addition to managing the administration of the Authority's meetings themselves. Croatia UN PoA report, pp 2-6.

The multi-ministerial Commission or 'Authority' with decision-making responsibility for arms import and export licensing is appointed and regulated by the Ministry of Economy (MoE) and representatives of each ministry are authorised to contribute to decision-making by confirming information in their respective competencies (eg the MoD representative will confirm the military nature of the goods in question, the MFA representative is responsible for ensuring the transaction will not damage Croatia's security or commitments to international control regimes).⁴⁶⁴ The Authority will not consider any requests which are not accompanied by full and correct documents, including an original end-user certificate (EUC) and copy of the import licence,⁴⁶⁵ and makes decisions only on the basis of total approval: 'if even one member of the Authority does not give his/her consent for issuing a licence, the request cannot be accepted/approved'.⁴⁶⁶ As administrator of the Licensing Authority, the MoE is responsible for issuing the licences and the Ministries of the Interior and Defence are required to notify the MoE of any import or export they issue for police or military transactions in order to maintain a central register or database.⁴⁶⁷

The MFA is responsible for ensuring all competent authorities in Croatia are regularly informed of any UN Security Council arms embargos, and as of May 2002 has committed to apply the criteria and principles of the EU Code of Conduct when making decisions; no information was available on how the Croatian authorities are incorporating the Code's criteria into their decision-making process.⁴⁶⁸ The EU Code criteria are, however, not incorporated into domestic legislation, and there appears to be no list of controlled items or destinations existing, though 'officials stress that the Ministry of Foreign Affairs (MFA) is charged with making sure the appropriate criteria are followed. The MFA's involvement in the licensing process, officials suggest, is evidence of and imperative for ensuring the country's interest in abiding by international ideas about responsible arms practices'.⁴⁶⁹ However, officials also admit that difficulties remain with their ability to determine who is an acceptable partner and what is an acceptable export.⁴⁷⁰ Another potential weak point in the Croatian export control system is the lack of any legislation covering brokering activities.⁴⁷¹

There are also lower standards over control of transit of arms shipments through Croatian territory, which is the responsibility of the MoI and does not require permission from the multi-ministerial Licensing Authority, only a valid copy of the import licence issued by the relevant national authority in the country of destination. Following consultation with the MoD, the MoI will issue a transit licence.⁴⁷² Retransfer is, however, considered with the same rigour as any normal commercial import or export, and standard import-export requirements and licences have to be obtained from the Licensing Authority for companies wishing to import and then retransfer arms and military equipment from the country.⁴⁷³

465 Applications including documents which have not been translated into Croatian by an official interpreter are refused consideration. Croatia UN PoA report, pp 2-6.

466 Croatia UN PoA report, pp 2-6.

467 'The Arms Export Regime - Croatia', Materials, SEESAC Arms Law Roundtable November 2002, www.seesac.org.

468 On 9 May 2002, the Croatian Government 'adopted a Decision whereby it agreed to accept the principles contained in the European Union Code of Conduct for Arms Exports'. The Decision states: 'The Republic of Croatia announces that it shares the objectives contained in the European Union Code of Conduct for Arms Exports, formally adopted by the European Union on 8 June 1998, and that it shall follow the criteria and principles contained in the Code, which shall guide it in its arms control export policies'. Croatia UN PoA report, pp 2-6.

469 Op cit, Grillot, p 13.

470 Ibid

471 Croatia UN PoA report, pp 2-6.

472 Ibid

473 Ibid

Civilian possession in Croatia is governed primarily by the Law on Arms and various amendments, under which citizens are allowed to possess, and in certain cases carry, firearms for reasons of self-protection, hunting or sport.⁴⁷⁴ Civilian possession is regulated by the police, who administrate a two-stage licensing procedure. In order to acquire arms a time-limited licence to possess arms is required. Once a person has acquired an appropriate weapon, this is registered with the police and, all being in accordance with the Law, an arms permit is issued, authorising the owner to possess and/or carry their weapon (see Table 20 below for more detail).⁴⁷⁵ The Croatian Government has carried out a series of amnesties – six in all – with the last ending on 31 December 2002. With the excuse of amnesty over, citizens in possession of illegal firearms can now face fines up to 6,500 and compulsory prison sentences from six months to three years, and five years in grave cases.⁴⁷⁶ The current Law on Arms does not define the marking of weapons, although the Law does give the relevant police authority the right to deny a permit to carry arms ‘for which the origin cannot be traced, or which have no engravings or markings’.⁴⁷⁷

The question of implementation is, as always, crucial to effective control. In addition to the questions over capacity, both in terms of personnel resources and education in the country’s arms control obligations, it appears that various officials are unclear of the nature or legal basis of penalties for breaking arms laws, and many report that ‘they believe the legal penalties available for prosecution of those who break the arms trade law are too weak and do not provide a strong-enough deterrent’.⁴⁷⁸ There are also issues relating to the control of arms exports, and imports, at borders (see Cross-border SALW control initiatives below).

474 Law on Arms, Official Gazette 46/97; amendments, Official Gazette 27/99, 12/01, 19/02. Ibid.

475 Ibid

476 Kalda presentation 2002.

477 Croatia UN PoA report, pp 2-6.

478 ‘The specific penalties for the violation of arms trade laws, however, are unknown, as officials interviewed for this report did not know what the penalties were. Moreover, some officials claim that penalties are mentioned in the law governing the weapons trade, while others say that specific punishments are listed only in the country’s penal code.’ Op cit, Grillot, p 13.

479 Croatia UN PoA report, p 1.

480 Ibid

481 The primary statute governing arms production, export, import and transit is the Law on the Production, Overhaul and Trade in Arms and Military Equipment, adopted 25 March 2002 (official Gazette 33/2002).

482 As ‘Legislation’ above. The Law on Production regulates: ‘the planning as well as the production and development of arms and military equipment; criteria for the determination and use of capacities for producing and refitting arms and military equipment; ... safety and protection of methods of producing and refitting arms and military equipment...’. In addition, Producers are ‘required to abide by the Regulation on Special Measures for Securing and Protecting the Production, Overhaul and Trade in Arms and Military Equipment’ January 2003 (Official Gazette 5/2003) and a regulation governing, the Regulation on Special Conditions for Defense Equipment Development (Official Gazette 67/2003), which governs the application of safety measures in the production of military equipment. Croatia UN PoA report, pp 2-6.

483 Under the 2002 Law on Production, the multi-ministerial Licensing Authority for the Import and Export Control of Weapons for Commercial Purposes (referred to as ‘the Agency’ in the text of the Law on Production) decides on the issuing of licences for commercial import and export; licences for the import or export of weaponry or equipment for the Croatian Army or Police are issued by the MoD or MoI respectively. The import and export aspects of the Law on Production are also supplemented by the Decree on Goods Subject to Import and Export Licensing (Official Gazette 67/03), which specifies the commodities subject to import and export licensing, alongside accompanying customs tariff numbers. Articles 15-21, Law on Production.

484 As ‘Export’ above.

485 Arms consignments must use only international border crossings, ‘unless otherwise provided under interstate agreement’; Article 20, Law on Production. The Law on Weapons also contains provisions on the transport of weapons within the country, for which permission must be obtained from the police for more than 12 firearms or 500 pieces of ammunition; for transport across state borders, the Law states that permission from the MoI is required (Articles 63-65).

486 See ‘Export’ above.

487 Croatia UN PoA report, p 5.

488 The report of Croatia on the UN PoA to the UN DDA notes that EUCs are part of the documents necessary for an export or import licence to be issued; however, there is no direct reference in the Law on Production to EUCs. Croatia UN PoA report, p 4.

489 Ibid, p 5.

490 Ibid, p 8.

Table 20 – Features of Croatia's legislative and regulatory framework

FEATURES OF LEGISLATIVE & REGULATORY FRAMEWORK	CROATIA
National	
National Co-ordinating Agency	No, however 'guidance and policy are determined by the MFA'. ⁴⁷⁹
National Point of Contact	Yes, but the MFA as a whole rather than an individual. ⁴⁸⁰
Laws & Procedures on Production, Export, Import and Transit	
Legislation	Yes ⁴⁸¹
Production	Yes ⁴⁸²
Export	Yes ⁴⁸³
Import	Yes ⁴⁸⁴
Transit	Reduced licensing requirement; licences issued by the MoI after consultation with MoD. ⁴⁸⁵
National System of Export & Import Licensing or Authorisation	
System	An administrative process exists for both state and commercial licensing, it is however more stringent for non-state exporters or importers. ⁴⁸⁶
Diversion risk	Not specified in law, but should be taken into consideration if commitments to implement the EU Code criteria applied as of May 2002 are met. ⁴⁸⁷
End-user certificate	Not specified in law, but the Government reports that an EUC is a procedural requirement for commercial export licensing. ⁴⁸⁸
Retransfers	No specific legislation or regulations exist, but the Government reports that retransfer is treated as import and export. ⁴⁸⁹
Verification (pre/post)	No information available.
Brokering controls	No ⁴⁹⁰
Domestic Possession, Stockpiling & Trade	
Legislation	Yes ⁴⁹¹
Manufacture	Yes ⁴⁹² (see 'Production' above).
Marking and tracing	No, but a firearms licence not be issued for a firearm without any marks to indicate its origins. ⁴⁹³
Possession	Yes: Croatian civilians can possess firearms for self-protection and sport, but must have a licence to acquire an arm and a permit to possess it. ⁴⁹⁴
Stockpiling	To a certain extent – army and police stockpiles are governed by regulations of the MoD and MoI respectively. ⁴⁹⁵
Trade	Yes ⁴⁹⁶

491 'The acquisition, keeping, carrying, collection, manufacture, repair and alteration, circulation and transport of weapons and ammunition' (Article 1) are governed by the Law on Weapons (Official Gazette 46/97) and its amendments (Official Gazette 27/99).

492 See 'Production' above. The Law on Weapons also contains provisions for manufacture: manufacturers of weapons and ammunition must have a permit, 'issued by the MoI in consultation with the MoD', which may only be issued if trading companies meet certain conditions, including secure premises (Articles 55-58).

493 There is no mention of marking at point of production in the Law on Production. The current Law on Weapons does not stipulate the marking of weapons, but does give the relevant police authority the right to withhold a licence for 'a weapon the origin of which cannot be proved, which, before being put into circulation, has not been marked with a seal or marked in accordance with the regulations on trial and testing' (Article 30).

SALW transfers

Croatia submitted a report on 2002 to the UN Register of Conventional Arms; no exports or imports were registered.⁴⁹⁷ The NISAT databases recorded no registered SALW exports from Croatia, despite significant levels of trade, but contained reports of SALW imports from Germany, the UK and the US in 1996, 1997, 1998 and 1999, comprising pistols and revolver parts, rifles and non-military shotguns from the limited information available to the database.⁴⁹⁸

According to BICC, 'while legal exports of small arms are fairly limited, Croatia has become an important center for illegal trade, with smugglers relying on skills, contact networks and surplus stock built up during the war, and taking advantage of Croatia's geographic location and its ineffective cooperation with the customs authorities of neighbouring Bosnia and Serbia'.⁴⁹⁹ The 'flourishing black market in military hardware' in the countries of the former Yugoslavia is, according to Jane's analysts, controlled largely by the Croatian and Albanian mafia, who utilise the 'porous' border with Bosnia and Herzegovina and the many small ports along the Croatian coast to ship illegal weapons across the Adriatic to Italy.⁵⁰⁰ The long border with Bosnia and Croatia's rugged and islanded coast present real logistical challenges to combating trafficking and, 'Croatian territory has been highlighted as a place where arms smugglers operate with few constraints – even transiting illegal arms shipments "under the guise of humanitarian aid deliveries"'.⁵⁰¹

Jane's reports that a criminal supply chain from Croatia to the Real IRA in Ireland was uncovered in Ireland, and in July 2000 Croatian police seized a consignment near the port of Split containing seven anti-tank RPG-18s, AK-47s, ammunition and military

494 'Citizens may be issued a permission to obtain weapons for the purposes of personal protection, hunting and sports shooting', (Article 14) if they are over 21, have a clean criminal record, good record of behaviour is medically fit, has the required technical knowledge, a justified reason for possession and 'the space for safe storage and keeping of a weapon'; persons over 18 may possess weapons if they are employees of certain ministries or are members of competitive shooting clubs or hunting associations (Articles 18-22). A permit to obtain a weapon expires after 6 months, and, once a weapon has been obtained legally, are issued either a firearms licence for possession or possession and carrying, valid for ten years (Articles 23, and 27-30); it is not possible to inherit firearms permits (Article 45). All registered firearms must be kept in secure, locked cabinets, accessible only by the person holding the license (Articles 36 and 37). Possession, trade, manufacture, repair or transport of military-style weapons are largely forbidden (Article 11), and citizens may keep up to three 'old weapons' without a firearms licence, though they are prohibited from using them, carrying them or keeping ammunition for them (Articles 31-34). Law on Weapons.

495 The Law on Weapons gives the police authority to confiscated illegally held weapons and ammunition and to 'carefully keep' them at the police administration in the territory' concerned (Article 51), and the MoI has the responsibility for determining their 'disposal', which can mean using the weapon for their own purposes, selling it or destroying it (Article 53). Beyond this the Law gives no details of storage regulations however, although it does refer at several points to accompanying regulations on storage, which it envisions will follow the Law - in the meantime, Article 97 rules that old regulations, or 'Rule Book' provisions on storage conditions should be followed; no copies of regulations or Rule Book provisions were available for analysis. Further to this, Croatia's report to the UN DDA notes that, 'Croatia's Armed Forces and the Ministry's of Internal Affairs weapons and ammunition are stored and kept in accordance with Regulations and instructions developed by the Armed Forces General Staff and Ministry of Internal Affairs respectively. According to these regulations, inventory is controlled monthly, and one detailed inventory is undertaken every year. Technical inspection of ammunition is conducted annually on a required percentage for different types of ammunition'; Croatia UN PoA report, p 8.

496 The Law on Production states that 'Circulation of AMH [armaments and military hardware] may be undertaken domestically by manufacturers in accordance with commercial regulations' and with the Law, and manufacturers are required to keep records of every transaction and submit excerpts from these records to the MoD and MoI (Article 16). The Law on Weapons goes into more detail: 'trading companies and shops for the circulation of weapons and ammunition', and, companies undertaking repair, may operate on the basis of a permit issued by the MoI, and their premises and storage facilities must comply with safety regulations (Articles 59-62). The Law on the Production, Overhaul and Trade in Arms and Military Equipment.

497 Reports were also submitted for the years 2001, 2000, 1999, 1998, 1997, 1996, 1994, 1993, and 1992; the only export registered in these reports was in 2000, when 40 mortars (120mm) were exported to 'PECOS' in Guinea. http://disarmament.un.org:8080/UN_REGISTER.nsf, referenced 13 February 2004.

498 www.nisat.org, referenced 16 February 2004.

499 BICC Conversion Survey 2002, p 134.

500 'Real IRA arms purchasing in Croatia indicates a change of tactics', Jane's Terrorism and Security Monitor, 23 August 2003, www.janes.com.

501 Op cit, Grillot, p 13.

explosive.⁵⁰² Croatian arms have also reached the Basque ETA terrorist group in Spain, and a smuggled Croatian pistol was used to assassinate the president of the Aragon People's Party in 2001.⁵⁰³ More recently, in November 2002 UK customs found 30 sub-machine guns, silencers and ammunition concealed inside the spare wheel of a Croatian-registered truck carrying frozen pizzas; interestingly the guns were not marked with serial numbers, making them untraceable, although they have since been identified as the Croatian manufactured 'Mini-Ero' 9mm sub-machine pistol.⁵⁰⁴ The Croatian Government has also been criticised for illegal arms activities: International Alert notes that aside from wartime imports against the UN embargo, the Government has also been implicated in weapons transfers to the Occupied Palestinian Territories.⁵⁰⁵ BICC reports that although 'the illegal trade in small arms is alleged to have had the tacit approval of the former nationalist government', the trade has survived the change in administration, and that retired officers have been implicated in various cases of illicit trafficking, 'suggesting the continuing existence of shadowy networks, which were used by the government for embargo-busting during the conflict and which are now being "privatised"'.⁵⁰⁶

The problem of arms export control does appear to be at least partly linked to a lack of capacity, rather than political will, as government statements above (see Small Arms Policy and Practice) indicate; apparently a very small number of officials work on non-proliferation – only one or two per ministry.⁵⁰⁷

SALW collection programmes and capacities

To combat the serious problem posed by very high levels of proliferation following the war, in 1992 the Croatian Government launched the National Programme for Increasing General Security by the Voluntary Submission of Arms, Ammunition and Explosive Ordnance Devices. The aims of the National Programme were multiple, but primarily to improve security by reducing the number of illegal weapons in circulation and raising awareness of the dangers of firearms possession.⁵⁰⁸ A Working Group, co-ordinated by the MoI and consisting of representatives of relevant ministries, met at least once a month to oversee the implementation of a series of six amnesty and collection periods, accompanied by media public information campaigns, from 1992 to the end of 2002.⁵⁰⁹

502 'Real IRA arms purchasing in Croatia indicates a change of tactics', Jane's Terrorism and Security Monitor, 23 August 2003, www.janes.com.

503 'Organised Crime, corruption and illicit arms trafficking in an enlarged EU - challenges and perspectives', Ian Davis, Chrissie Hirst and Bernardo Mariani, Saferworld, December 2001, p 23.

504 'Balkan gun traffickers target UK', Darius Bazargan, article based on the BBC2 'Correspondent' documentary broadcast at 1900 hours, 07 December 2003, www.bbc.co.uk, referenced 25 January 2004.

505 Op cit, Grillot, p 129.

506 'BICC Conversion Survey 2002, p 134.

507 Op cit, Grillot, pp 12-13.

508 The Aims of the National programme are outlined as: 'raising the level of general security... ; collecting and putting under police control as many pieces of firearms, ammunition and EOD as possible which are currently illegally owned by citizens; raising the level of public awareness that firearms when not used for sport, hunting and collection purposes are neither acceptable nor necessary in the households of responsible Croatian citizens; informing citizens of their rights to legalise arms and of their liabilities regarding holding and handling registered firearms; building new trust among citizens towards the police forces (police do not disarm former soldiers of the Patriotic War, but protect their families from dangerous war 'trophies' by complying with the promise that voluntary submission of firearms, ammunition and explosive ordnance devices shall not be sanctioned'; compliance with international obligations re firearms control; compliance with terms of membership and participation of MoI officials in international associations dealing with firearms issues; decreasing the number of criminal acts and accidents with firearms and EOD; decreasing the availability of firearms on the illegal market. 'National Program for Increasing General Security by Voluntary Submission of Arms, Ammunition and Explosive Ordnance Devices', report of the Croatian MoI given to SEESAC in May 2002.

509 Amnesty periods ran as follows: 30/10/1992 to 30/4/1993; 10/5/1993 to 10/5/1994; with financial compensation, 5/1/1996 to 5/1/1997; 19/2/1997 to 19/8/1997; 1/1/1999 to 2/8/1999; 22/2/2001 to 22/2/2002 [in the event, extended to end on 31/12/2002], *ibid*.

Although collection started early, and got good results, it was clear there was a need for the Programme to continue and go further. In 1996 the third amnesty phase was combined with a 'buy-back' financial incentive for surrender. Overlapping with a collection implemented in co-operation with UNTAES, which managed the logistics of an 18-month 'buy back' in Eastern Slavonia, collecting approximately 10,000 weapons,⁵¹⁰ the Croatian Government funded the buy-back initiative across the country at a cost of over 4 million.⁵¹¹ Despite the potentially negative aspects of offering financial incentives when collecting weapons, not considered best practice in the international community and therefore not supported by an international donor, it was felt necessary to implement a buy-back phase as there was a flourishing black market at the time. Many citizens had spent large sums of money to buy weapons during the war and as the 'value of a Kalashnikov rifle often exceeded six monthly salaries of an average worker' at that time, Government collection without any monetary incentive was inevitably a worse option than illegal sale.⁵¹² 'Price lists' for different weapons were elaborated carefully in correlation with black market prices, and citizens were offered anonymous cash in return for their arms. Police calculations estimate the majority of the surrendered weapons were collected during this phase of the Programme.⁵¹³

Further phases of the Programme incorporated more awareness-raising and media activity in order to sustain impetus without monetary compensation. In early 2001, the Government launched the 'Zbogom Oruzje' (Farewell to Arms) collection initiative. 'This action promoted the handing over of weaponry retained by civilians following the armed conflict in Croatia, in a media friendly way and most importantly achieved great popularity and a high level of recognition among the general public'; and in the words of the Government, 'an excellent example of co-operation between relevant ministries, NGOs and the media, and the need to combine these efforts in order to achieve a common goal'.⁵¹⁴

The amnesty and collection programme ended with the last day of the sixth amnesty, on 31 December 2003, and 'registration and licensing procedures according to the Croatian law on civilian possession of firearms are now in full effect across the country'.⁵¹⁵ Totals as of May 2002 were impressive: 'The total number of SALW collected in the period from 1992 until now is as follows: 33,598 automatic and semi-automatic weapons voluntarily surrendered and 27,413 automatic and semi-automatic weapons seized; 1,670,355 mines and explosive ordnances voluntarily surrendered and 235,041 seized; 7,601 kilos of explosives voluntarily surrendered and 7,935 kilos seized; and 5,080,693 pieces of ammunition voluntarily surrendered and 737,955 seized. This is in addition to the weapons legalised and put under control according to our very stringent laws'.⁵¹⁶ Nearly 58,000 additional weapons were brought under police control through 'legalisation' or licensing: of this number, approximately 46 percent are registered for possession, 4 percent as 'war trophies', and 50 percent

510 UNTAES oversaw the collection of approximately 10,000 firearms, 50,000 explosive arms such as grenades, and 2.5 million rounds of ammunition, all worth approximately US\$6 million; 'Small Arms Control in Central and Eastern Europe', Op cit, Grillot, p 11. Op cit, 'Short Mission Report - Clearinghouse Consultation in Croatia', 20 - 24 May 2002.

511 Kalda presentation 2002.

512 Ibid

513 'Short Mission Report - Clearinghouse Consultation in Croatia', 20 - 24 May 2002, www.seesac.org.

514 Croatia UN PoA report, p 9.

515 Preliminary discussions about a possible extension of the amnesty, and / or additional and continuing public information and education activities seem to have fallen by the wayside as the Croatian Government has undertaken no further activities since the end of 2002. Op cit, 'Short Mission Report - SEESAC Consultation in Croatia', 16 December 2002 - 31 January 2003.

516 Croatia UN PoA report, p 9.

are registered for possession and carrying, apparently a relatively high figure because, in addition to guns registered for hunting and shooting, this category includes arms carried by police, army and penal correction officers, who have a professional right to carry as well as possess firearms.⁵¹⁷

Unfortunately, the Croatian efforts in SALW collection did not result in high figures of destroyed weapons (see below SALW Destruction) and there seems to be no systematic destruction of all collected weapons. It is also clear that despite such large numbers collected, Croatia still has a problem with illegal SALW. Although no reliable estimates exist of the remaining numbers of illegal weapons in the country, all SEESAC contacts interviewed 'expressed their belief that there is widespread illegal possession of SALW in Croatia, and that the various efforts to collect SALW have not been entirely successful' and 'it was noted that SALW-related crime figures were rising'.⁵¹⁸ Even MoI officials will admit 'that despite their successes in collection over the last six years there are still a substantial number of illicit SALW in civilian possession and more work should be done on SALW control'.⁵¹⁹

Table 21 – Summary of SALW collection in Croatia 1991 – 2003⁵²⁰

COLLECTION ACTIVITY	SALW	AMMUNITION (TONNES)	REMARKS
UNTAES-implemented	14,439		10 February 1996 – 3 July 1997
UNTAES-implemented		100	Various explosive ordnance devices and ammunition 10 February 1996 – 3 July 1997
Croatian MoI-implemented	61,011		1 March 1992 – 31 December 2002
Croatian MoI implemented		15	Bulk explosives 1 March 1992 – 31 December 2002
TOTALS	75,450	115	

SALW destruction programmes and capacities

There seems to be no systematic programme of destruction in Croatia. Some weapons have been destroyed, but available evidence points to infrequent and minor destructions of obsolete confiscated weapons following long periods of storage.

As noted above, the Croatian authorities began collection very promptly after the war, and there are various references to the destruction of some of these weapons, following a sifting process during which the MoI and MoD took charge of weapons with potential for use by their forces. 'During the Homeland War in Croatia the Croatian Armed Forces did seize a substantial amount of weapons, ammunition and military equipment. Serviceable items were recorded and incorporated into the Croatian Armed Forces inventory. Obsolete and damaged items went through the regular procedures

⁵¹⁷ 'National Program for Increasing General Security by Voluntary Submission of Arms, Ammunition and Explosive Ordnance Devices', report of the Croatian MoI given to SEESAC in May 2002.

⁵¹⁸ Op cit, 'Short Mission Report - Clearinghouse Consultation in Croatia, 20 - 24 May 2002, www.seesac.org.

⁵¹⁹ Ibid

⁵²⁰ Statistics taken from the SEESAC SALW Database, www.seesac.org, referenced 15 January 2004.

for disposal'.⁵²¹ A similar process was employed for weapons collected through later activities under the MoI National Programme: 'The seized and voluntary surrendered firearms are submitted to the Committee for Firearms Management with MoI HQ in Zagreb. After the thorough record check of a shipment firearms that the Committee finds to be interesting to the Police Forensic Institute, to the Museums or to Movie Houses are separated' before destruction.⁵²²

It is however unclear what 'regular procedures' mentioned above involve. Aside from 'ceremonial destruction', public breaking of weapons for public awareness-raising purposes, there are sparse records of real destruction activities. Information on the fate of collected firearms states that, following storage by the MoI, weapons are smelted 'in the electric furnace of a steel factory, a procedure that is performed about 3 to 4 times a year'.⁵²³ Croatian reports to the UN refer to the 'established procedure for the disposal of surplus stocks of small arms and light weapons, as well as ammunition' within the armed forces, based on continuous analysis of current stocks and requirements and according to the Regulation on Sales of Obsolete Weapons and Defense Equipment (Official Gazette 95/02): 'if surplus stocks are not to be sold on the market, they will be destroyed according to established procedure, using Armed Forces facilities'.⁵²⁴ Weapons are apparently 'destroyed in declared maintenance shops and then melted down in steel plants. Ammunition is destroyed at declared sites on military testing grounds'.⁵²⁵

Despite these references to regular destruction, the only confirmed report of weapons destruction is the smelting of 15,000 weapons in the steelworks at Sisak (Zeljezara Sisak), and SEESAC has not received any destruction totals for its regional databases.⁵²⁶ Other research has found that 'surplus arms in Croatia are reportedly not targeted for destruction' and that 'although some officials report that collected weapons are "usually destroyed", others say that they "keep and store the surplus because it is cheaper than destruction"'.⁵²⁷ In SEESAC discussions with officials in Croatia, it appears that 'funding constraints were an issue' in the destruction of SALW.⁵²⁸

SALW stockpile management programmes and capacities

Little information is available on stockpiles and stockpile management practices in Croatia. The only information available was that in the July 2003 report of Croatia on the implementation of the UN PoA.

The Report states that: 'Croatia's Armed Forces and the Ministry's of Internal Affairs weapons and ammunition are stored and kept in accordance with Regulations and instructions developed by the Armed Forces General Staff and Ministry of Internal

521 Croatia UN PoA report, pp 2-6.

522 Kalda presentation 2002.

523 Ibid

524 Croatia UN PoA report, p 7.

525 Ibid, pp 7-8.

526 'National Program for Increasing General Security by Voluntary Submission of Arms, Ammunition and Explosive Ordnance Devices', report of the Croatian MoI given to SEESAC in May 2002.

527 Op cit, Grillot, p 12.

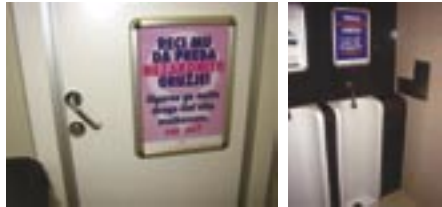
528 Op cit, 'Short Mission Report - Clearinghouse Consultation in Croatia', 20 - 24 May 2002, www.seesac.org.

Affairs respectively. According to these regulations, inventory is controlled monthly, and one detailed inventory is undertaken every year. Technical inspection of ammunition is conducted annually on a required percentage for different types of ammunition'.⁵²⁹ Surplus weaponry stored in military warehouses is apparently regulated by the same rules and procedure as normal stored military equipment, which include 'regulations on the maintenance of safety, fire prevention and environmental standards. There are no exceptions, regardless of possible changes in status or ownership'.⁵³⁰ No copies of regulations were available for comment.

It should be noted that although Croatia has made great progress on collecting illegal arms, if these, and other military stocks and surplus, are not destroyed, and stockpile management practices are not of the highest order, there is a risk that weapons could seep back into circulation and fuel both illicit trafficking and crime.

SALW awareness activities

Various awareness-raising and public information activities accompanied the Croatian Government's amnesty and collection. Unfortunately no detailed information on these activities was available, but it seems that public campaigns were substantial. The media provided 'active support and advertising free of charge', with national television channels broadcasting campaign advertisements and messages at peak viewing times. The MoI established co-operation with the Ministry of Education and various civil society organisations, including veterans' and hunters' associations, in order to help raise awareness.⁵³¹ Educational sessions in schools were organised, during which police officers visited elementary and secondary schools to make SALW risk education presentations and advocate the collection initiative to both children and parents, 'telling them how much better it would be to surrender "father's hand grenades from the attic and the rocket launcher hidden under the matrimonial bed"'.⁵³² Public events were also organised in key public spaces in major cities in order to promote the amnesty campaign and encourage a re-education in terms of attitudes to weapons. Activities included public breaking of weapons in 'ceremonial destructions' as noted above and distribution of campaign materials.⁵³³ Informed observers note



Croatia's 'Farewell To Arms' campaign materials seen here in public toilets.



SALW Risk Education campaigner Dubravko Gvozdanic (DELTA shooting club) works in schools, introducing children to the 'Don't Touch' message using cartoon characters.

529 Croatia UN PoA report, p. 7.

530 Ibid, p. 8.

531 'The Ministry of Interior established the cooperation with the Ministry of Education, Ministry of Defence, Veteran Associations, national Shooting Union, hunters Confederation, Women's and other Non Governmental Organisations. It was felt that these institutions were natural allies that would help to raise the public voice against the possession of firearms and toward its voluntary surrender.' Kalda presentation 2002.

532 Ibid.

533 'The ceremonial destruction, performed in frequented public places is found to be a very popular awareness raising activity. Several dozen of selected firearms and big tree stump with fixed blacksmith's anvil are brought into the pedestrian area and bystanders can 'destroy' any chosen gun by striking it with a heavy sledgehammer. Such 'destruction' attracts the media and public attention. It also strengthens the social commitment against firearms, having a high educational impact on bystanders and their children.' Ibid.

that the campaign was ‘clear, concise and effective’, one of the most successful in the region, and that it was unfortunate it has not been continued.⁵³⁴

The only awareness-raising currently ongoing is through a relatively small-scale project (limited by funding constraints) implemented by the DELTA Shooting Club, which is undertaking firearms safety work in schools and gun clubs.

Table 22 – SALW awareness activities

CAMPAIGN AND IMPLEMENTER	DURATION	TARGET GROUP	METHODS	INDICATORS OF SUCCESS	DONOR
Croatian Mol 'Farewell to Arms' AR campaign	1992 – 2002	General public	Media (national TV and radio) announcements, promotion in communities, public events.	There are no figures on the number of people reached by the campaign, and no evaluation has been done, but the use of national television will have meant the vast majority of the population saw campaign broadcasts, and individual opinions are generally very positive.	Croatian Government funded.
DELTA Practical Shooting Club 'Let Us Tame the Strength' programme	2002 ongoing	School children and adult firearms owners	Presentations in schools and at shooting clubs, dissemination of campaign materials such as colouring books.	NA	Private contributions from shooting club members and local businesses.

SALW survey activities

No survey of SALW has been conducted in Croatia.

Civil Society involvement in SALW interventions

Civil society in Croatia is in various ways more advanced than that in other SEE countries. The liberal and inclusive policies of the previous government have encouraged its development, and, more importantly, its involvement in the process of government. As the OSCE comments, ‘the state of civil society in Croatia has benefited from improved working relations between the Government and NGOs. Encouraging steps have recently been taken by the Government to establish institutional structures and organisational

⁵³⁴ Interview with Craig Rutherford, current SEESAC Deputy Team leader and former Mine Co-ordinator with the OSCE Mission in Croatia, 10 February 2004.

networks to support the development of civil society', although, 'progress at the regional and local level has not kept pace with the national level'.⁵³⁵

With this in mind, and given the lively debate within the media and NGO sectors on issues such as military service and Croatia's accession to NATO, it is somewhat surprising that there has been little significant involvement of NGOs in SALW activities so far. Although civil society organisations were involved in the MoI-run SALW collection as noted above (see SALW awareness activities), and the media played a large role in publicising the amnesty campaign, NGO involvement seems to have been mostly limited to representation on a committee linked to the National Programme. It seems that certain hunters' or shooters' associations, such as the DELTA Club, played a rather more active role during the collections and amnesties, but no information was available on the details of this. One of the largest of the many shooters' associations in Croatia, the DELTA Club for Practical Shooting, has undertaken awareness raising on SALW risk education, both within clubs and in schools, but this has unfortunately been on a relatively small scale due to lack of funds.

The situation may be improving as civil society networks begin to increase awareness and capacity in the context of implementing the UN PoA,⁵³⁶ and the increased participation of Croatia in international mechanisms such as the PoA offer increased opportunities for civil society and government action on transparency and accountability on SALW issues. In addition, Croatian NGOs have been involved in regional NGO SALW Networks and training events organised by Saferworld.

Cross-border SALW control initiatives

With a long and complex coastline on the Adriatic and a similarly long and potentially problematic land borders, Croatia faces multiple challenges to effective border control. Comprising '150 border crossings with little or no control', the long and porous border with Bosnia and Herzegovina, is 'obviously a huge problem' and said to be the greatest source of smuggled goods.⁵³⁷ The many ports and islands off the Dalmatian coast then provide various opportunities for retransfer of contraband by sea. Other borders, including that with EU accession country Slovenia are also not without problems.⁵³⁸ Improved regional co-operation and border security are policy priorities, however, and co-operation on border control with neighbouring states and internationally is 'stepping up'.⁵³⁹ Visa regimes have been relaxed, while co-ordinated action on cross-border crime such as illegal migration and drug smuggling, as well as arms trafficking is increasing. Croatia's border control system is arguably the strongest in the region, and 'strengthening border security and management is an established priority for the government'; the country committed to the Ohrid Border Security and

535 A promising development is the upcoming Council for the Development of Civil Society, which will serve as an advisory body to the Government and NGO sector. 'Status Report No. 13', OSCE Mission to Croatia, December 2003, pp 3 and 17.

536 The Croatian Government has expressed its support of the role of NGOs in the UN 2001 SALW conference process: 'Croatia views their part in the process as an essential one, and especially so when it comes to the follow up to the Conference. Vigour and enthusiasm expressed in their work so far, will be needed furthermore if we want to accomplish results'. Statement by Jasna Ognjanovac, Charge d'Affaires, Head of Croatian Delegation, The United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, 11 July 2002.

537 'Porous Borders and Corrupt Customs Officials', Ivan Lovrecek, Beta, 31 October 2002, www.beta.co.yu.

538 'Police seized a variety of weapons at border crossings in 2001... The great majority of weapons and ammunition were seized on the border with Croatia.' 'Annual Report on the Work of the Police 2001', Chapter 4 - Border Control and the implementation of Regulations on Foreign Persons', Slovenian Ministry of Interior, www.policija.si/en/statistics/report01/border2001.htm.

539 'The Partnership's Role Addressing the New Security Challenges', Address by HE Zeljka Antunovic, Minister of Defence of the Republic of Croatia, EAPC, Brussels, 13 June 2003, www.nato.int/docu/speech/2003/s030613c.htm.

Management Common Platform in May 2003 and has undertaken various activities within this framework.⁵⁴⁰ These include the implementation of a 'TWINNING' project on integrated border management, whose aim is to approximate national legislation with EU standards, and the development of a National Border Management Information System under the EU CARDS 2002 programme.⁵⁴¹

International organisations and donor states have been active in advising and assisting reform in the area of border control. The OSCE Mission includes support for police reform in general, and has a number of key objectives for police assistance in Croatia, including cross-border policing, for which the Mission proposes 'specific changes to methodology of the Police that will harmonise with border components of Croatia's regional and international neighbours to fight against organised crime and anti-terrorism. Thus, eliminating so called weak links, or safe havens for criminal networks to thrive'.⁵⁴² US assistance programmes are also getting underway to help improve border security and customs. However, it appears that much of this support will be focused on weapons of mass destruction, not SALW, though this will benefit from any tightening of control.⁵⁴³

Such assistance should continue, as it appears that problems of border control are not limited to geography. Corruption is a problem, 'several members of the police force were reportedly arrested for selling Ministry of Interior weapons with false licenses',⁵⁴⁴ and there are reports of other instances of corruption in the customs service.⁵⁴⁵ International Alert notes that, 'the border security and customs authorities in Croatia are in great need of improvement. Officials suggest that they are working on strengthening their border controls and enhancing their ability to engage in verification activities, but presently they are very limited in what they can achieve'.⁵⁴⁶ Checks on complex goods such as weapons shipments are particularly problematic: 'procedures for conducting checks may be there, officials say, but they are unable to implement them. Officials stress they are short on personnel, skills, technology, equipment and money. Ultimately, they say, "Croatia is resource poor"'.⁵⁴⁷

These challenges notwithstanding, the capacity of the Croatian authorities and level of co-operation with neighbouring police forces continue to improve, and there are various examples of successful apprehensions of smugglers. Illegal arms shipments have been seized, such as the consignment destined for Northern Ireland noted above, and criminals duly arrested and prosecuted.⁵⁴⁸

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

541 The EU Community Assistance for Reconstruction, Development and Stabilisation (CARDS) programme. 'Way Forward Document', Ohrid Regional Conference on Border Security and Management, 22 - 23 May 2003.

542 'Police Affairs - Overview of Police Objectives', www.osce.org/croatia/police.

543 Op cit, Grillot, p 13.

544 Ibid

545 Op cit, Lovrecek.

546 Op cit, Grillot, p 13.

547 Ibid

548 'Individual arms smugglers have also been arrested, prosecuted, and sentenced for engaging in illegal arms deals. Arms shipments going to the Provisional IRA in Northern Ireland were halted by Croatian authorities, and five people accused of smuggling arms to the Ushtria Cilirintare E Kosove (Kosovo Liberation Army, KLA/UCK) in Kosovo, Yugoslavia, were charged and sentenced.' Ibid.

SALW management information and exchange systems and protocols

In terms of information exchange on SALW, the Croatian MoI does not have a specific department dealing with weaponry, but is active in regional initiatives, such as the SECI Regional Center in Bucharest, to which it seconds one law enforcement officer. In addition, the development of new methodologies on weapons handling and databases is apparently underway, and will be presented to SECI for support and participation.⁵⁴⁹ There are, however, no SALW specific cross-border or regional mechanisms in operation between the Croatian customs service and any other, nor does Croatia have any bilateral agreements on cross-border SALW control, which is regulated by non-specific treaties on customs assistance.⁵⁵⁰

Co-operation with international police mechanisms is also ongoing. The MoI has a section dealing exclusively with Interpol, 'responsible for acting on and implementing INTERPOL warrants and requests, and for communicating with other governments and non-government bodies and institutions in Croatia as well as abroad on INTERPOL issues',⁵⁵¹ and with negotiations on a co-operation agreement with Europol ongoing,⁵⁵² Croatia has also submitted a request for entry into the institution.⁵⁵³

Government statements note that Croatia also submits regular reports to the UN register on conventional weapons,⁵⁵⁴ and to the OSCE as required by its commitment to the OSCE Document on SALW, 'including information on the import and export of small arms and light weapons, as well as the exchange of information on national procedures for the control of the manufacture of SALW, national legislation on SALW and stockpile management and destruction procedures'.⁵⁵⁵ However, in terms of public information access, transparency remains a problem. Little official information has been published on SALW in Croatia, and researchers have reported difficulties obtaining copies of legislation and regulations pertaining to arms control.⁵⁵⁶ There also appear to be no reporting requirements for parliamentary transparency on arms export or general arms control policies.

549 Croatia UN PoA report, p 10.

550 Ibid

551 Ibid, p 13.

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

553 Croatia UN PoA report, p 13.

554 Statement by Vice Skracic, Head of Section for Arms Control and Disarmament, First Committee, General Assembly fifty-seventh Session, 03 October 2002, www.un.int/croatia/statement57/ga/firstc/021003.htm.

555 Croatia UN PoA report, p 9.

556 'Although there appears to be a legal basis for the control of weapons in Croatia, no official was able or willing to produce the legislation - and no database currently includes the laws for public use.' Op cit, Grillot, p 12.

Table 23 – Information and exchange progress

INFORMATION AND EXCHANGE SYSTEMS AND PROTOCOLS	CROATIA
International	
Reporting to the UN DDA on the Programme of Action	Yes ⁵⁵⁷
Reporting to the UN Register of Conventional Arms	To a certain extent. ⁵⁵⁸
Reporting to other international regimes, if appropriate (eg Wassenaar Arrangement)	Yes, according to PoA report.
Interpol/Europol	Yes/application for membership. ⁵⁵⁹
Regional	
Information exchange with OSCE	Yes
Annual reporting to EU (if relevant)	No, but should be forthcoming if Croatia applies the EU Code fully.
SECI Regional Centre intelligence exchange	Yes
National	
Transparency – on SALW imports, exports and decision-making	No
Publication of national reports on arms /SALW transfers	No
Publication of SALW national strategy	No

557 Croatia UN PoA report.

558 See SALW transfers above.

559 As noted above, in addition to its membership application, Croatia is currently negotiating a co-operation agreement with Europol.