

# Serbia and Montenegro

(including the internationally-administered entity of Kosovo<sup>1</sup>)



## 1 Small Arms problem

### Republic of Serbia

Serbia<sup>2</sup> has a high level of SALW ownership for a variety of historical reasons, including the existence of a strong military-industrial infrastructure, a large standing army, a spate of armed conflicts and wars in the 1990s and a subsequent breakdown in law and order.

According to the 2005 SALW Survey of the Republic of Serbia, there are estimated to be approximately 2,898,416 SALW in the republic.<sup>3</sup> This figure includes over one million firearms registered to private citizens, suggesting an estimated 40 percent of households in Serbia have at least one registered firearm. In addition, it is estimated that there are more than 900,000 unlicensed firearms in Serbia held by citizens and a variety of non-state actors.<sup>4</sup> Private security companies, the number of which has increased in recent years<sup>5</sup>, also possess significant numbers of SALW. The near absence of the legislation needed to govern this growing sector poses concerns for the long-term provision of law and order in the republic.

Although the Ministry of Defence has not disclosed figures for its SALW holdings or surplus, these are believed to be significant due to the high level of militarisation in the republic throughout the 1990s. In early 2005 there were an estimated 677,500 SALW

<sup>1</sup> The internationally administered entity of Kosovo is included as part of the Serbia-Montenegro chapter because legally speaking it remains part of that state, while final status talks continue. The republics of Serbia and Montenegro are treated separately within this chapter for the reason that much of the control of SALW is executed at the republic level. There are areas of SALW control executed at the State Union level and, where relevant, these are dealt with jointly.

<sup>2</sup> Throughout the rest of the document 'Serbia' refers to the Republic of Serbia.

<sup>3</sup> *Living with the Legacy – SALW Survey Republic of Serbia*, Saferworld/UNDP, 2005, p 1. The number of Serbia and Montenegro Armed Forces (SMAF) present in the Republic of Montenegro was not known at the time of printing. The above figure consequently represents the overall total of SALW in the possession of the armed forces in Serbia and Montenegro and SALW in non-military possession (including the various police forces) in Serbia.

<sup>4</sup> *Ibid*, p 1.

<sup>5</sup> Belgrade media reports claim that Private Security Companies in Serbia possess over 26,000 firearms. VIP News Service. "Legija's wife sets up security Agency." *Defence & Security*, Issue No130, Belgrade, 26.May 2005, Page 8.

under the control of the Serbia and Montenegro Armed Forces (SMAF), amongst which some 477,514 were estimated to be surplus to operational requirements.<sup>6</sup> If the figure of 40,000 estimated by Small Arms Survey for SMAF holdings in the territory of Montenegro<sup>7</sup> is subtracted from the overall SMAF holdings in the Union, the total estimated number of the SALW held by Serbian security forces can be estimated at around 637,500. It is also estimated that Ministry of Interior (MuP) personnel control over 50,000 formation firearms<sup>8</sup> as well as some 9,000 as yet undestroyed firearms collected during the 2003 weapons amnesty associated with Operation Sabre.<sup>9</sup>

Although the incidence of both armed violence and armed homicide has been falling in Serbia since the mid 1990s,<sup>10</sup> the proportion of armed robberies and homicides in which weapons are used has been on the increase.<sup>11</sup> This means that in 2002 just under half the homicides in Serbia were committed using firearms. The use of SALW by organised criminal networks represents an additional problem in Serbia where their power remains strong. Having developed highly lucrative illegal business interests over the past decade and a half, many criminal groups are prepared to use armed violence to protect their assets, including action against the state (the assassination of Prime Minister Djindjic in 2003 was a dramatic example of this tendency). Assassinations and attempted assassinations of organised crime bosses continued in 2004,<sup>12</sup> although the frequency of such instances slowed significantly as police authority became better entrenched. The scale of organised crime in Serbia and the cost it imposes on social and economic development is hard to measure, but it is by all accounts a serious problem.<sup>13</sup> The widespread availability of SALW has also made acts of politically motivated armed violence and intimidation possible during periods of tension.<sup>14</sup>

Often unseen to the vast majority of the public is the trafficking of, amongst other items, SALW. An insight into the scale of this trade can be gained from figures provided by the Security Intelligence Service (BIA), which showed that in the first four months of 2004 €300,000 worth of 'weapons, army equipment and crude oil derivatives were seized.'<sup>15</sup> While border control has improved greatly over the past year, particularly following the

<sup>6</sup> *Ibid.*

<sup>7</sup> *A House isn't a Home without a Gun - Republic of Montenegro SALW Survey*, SEESAC/ Small Arms Survey, pre-publication draft 12 January 2004 (hereafter '*Montenegro SALW Survey*, SAS, 2004').

<sup>8</sup> *Living with the Legacy*, p 10. 'Formation firearms' refers to the firearms in operational use.

<sup>9</sup> Operation Sabre was the name given to the State of Emergency police measures brought in to combat organised crime following the assassination of Prime Minister Zoran Djindjic; as quoted in *Living with the Legacy*, p 66.

<sup>10</sup> *Living with the Legacy*, p 39.

<sup>11</sup> The proportion of armed robbery versus overall incidents of crime rose from 1.9% in 2001 to 4.2% in 2003. In 2002, Serbia had a rate of 2.44 homicides per 100,000, and a rate of 1.14 homicides committed with firearms per 100,000. Unpublished data, Institute of Public Health, Belgrade. Provided by SMMRI.

<sup>12</sup> As in the attempted assassination of Andrija Draskovic on the Belgrade-Novı Sad highway.

<sup>13</sup> Estimates of the value of the black and grey economy range from 9% of GDP to upwards of 40%. Further, a recent survey by the Serbian Statistical Office has indicated that the grey economy accounts for approximately 9% of GDP, although when illegal activities such as prostitution, drug trafficking and piracy are included, the true figure could be between 20-25%.

<sup>14</sup> One such incident occurred in September 2004; 'In Aftermath of Sandzak Shooting,' Fonet Agency, 16 September 2004. Following the elections, the SDP led coalition, who won the election from the SDA, were prevented from assuming their responsibilities by armed guards that had been posted around the municipal building and the offices of state enterprises. *Serbia's Sandzak: Still Forgotten*, ICG Europe Report No. 162, 08 April 2005, p 21.

<sup>15</sup> Website of the BIA: <[http://www.bia.sr.gov.yu/Eng/frameset\\_e.html](http://www.bia.sr.gov.yu/Eng/frameset_e.html)>, accessed 04 May 2005.

transfer of responsibility from the MoD to the MUP, there remain vulnerabilities related to a lack of resources, difficult terrain to police and ongoing challenges within the border police organisation.

Lastly, SALW issues have traditionally been surrounded by some secrecy in Serbia. This is beginning to change slowly, as with the 2004 development that a Parliamentary oversight committee now oversees the decisions of the licensing authorities. Despite such instances of progress, overall levels of transparency between the government and the public remain low.

## Republic of Montenegro

Montenegro managed to survive the dissolution of Federal Republic of Yugoslavia (FRY) without armed conflict despite its ethnically mixed population. The presence of large amounts of SALW, corruption and organised crime still, however, present significant challenges to public safety. The republic's problems with organised crime and SALW trafficking are difficult to control given its weak and distrusted law enforcement agencies,<sup>16</sup> widespread corruption<sup>17</sup> and the challenges posed by its mountainous terrain.

Research carried out in 2004 suggested that 'the widespread availability and misuse of small arms continues to threaten the safety and stability of Montenegro.'<sup>18</sup> According to this research, the common estimate of one weapon per household is 'a realistic upper threshold' for small arms possession, and Montenegro appears to be 'one of the most heavily armed territories in the region.'<sup>19</sup>

Distinguishing between SALW controlled by the Government and weapons in civilian hands is apparently problematic, primarily because during a period in the 1990s state-controlled firearms were distributed to members of the public. As many as 10–12,000 of these weapons are likely to be connected with the Defence Reserve Force (DRF), whose numbers grew by thousands with recruitment in the late 1990s as a response to growing tensions with the former Yugoslav Army.<sup>20</sup> While some officials claim that former DRF weapons have been surrendered and are now stockpiled and secured by MuP, focus group results suggest that the process was not as systematic as one would hope, which implies that a number of SALW given by the government to civilians have not been recovered.<sup>21</sup>

The 2004 National SALW Survey of Montenegro concluded that the total number of SALW in the republic is between 168,000 and 246,000. This figure comprises Mol holdings of between 15,000 and 17,000 and SMAF holdings on Montenegrin territory of between 27,000 and 54,000.

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<sup>16</sup> *Montenegro SALW Survey*, SAS, p 30.

<sup>17</sup> Serbia and Montenegro is rated at 97 out of 145 in Transparency International's Corruption Perceptions Index for 2004, <[www.transparency.org](http://www.transparency.org)> accessed 10 May 2005.

<sup>18</sup> *Montenegro SALW Survey*, SAS 2004, p 43.

<sup>19</sup> *Ibid*, p 3 and 8.

<sup>20</sup> *Montenegro SALW Survey*, SAS 2004. In response to the threats from the Milosevic regime, the Montenegrin government expanded the republican police force from 10,000 to 25,000 officers, 'creating a heavily armed paramilitary force...[the] source of weapons for this force is unclear as Montenegro was subject to the same arms embargo as Serbia'. *BICC Conversion Survey 2002*, BICC, p 137.

<sup>21</sup> *Ibid*, p 9, 10 and 11 and Executive Summary.

According to data from the Ministry of Interior, the total number of registered weapons in Montenegro is 101,889,<sup>22</sup> of which 86,000 are civilian-held weapons. This figure indicates that Montenegro has one of the highest rates of registered firearms per capita in the region. Although data on illegally held SALW is sparse, it has been estimated that there are between 40,000 and 89,000 unregistered firearms in civilian possession.<sup>23</sup> In addition to the police, military forces and civilians, the rapidly growing private security sector represents an important category of SALW owners operating in the republic.<sup>24</sup>

Armed crime levels are relatively high in Montenegro compared to the rest of the region, particularly in smaller towns where handguns are the most common weapons used in assaults.<sup>25</sup> As in Serbia, incidents of armed violence and armed homicide have decreased since the mid 1990s, though the level of armed homicide in Montenegro remains high by international standards.<sup>26</sup> Montenegro, like Serbia, has seen a fall in politically motivated assassinations perpetrated with firearms in comparison to earlier years although there have been several high-profile cases, such as the May 2004 murder of newspaper editor Dusko Jovanovic in Podgorica. As in the case of Serbia, the level of transparency between the Montenegrin government and the public is unsatisfactory.

## Kosovo

Research conducted by the Small Arms Survey in 2002/2003 calculated that there were between 350,000 and 480,000 small arms in Kosovo, excluding those held by international forces.<sup>27</sup> Although it was estimated that the vast majority of small arms were in civilian possession, at the beginning of 2005 only 28,890 Weapons Registration Cards and 179 Weapons Authorisation Cards had been issued.<sup>28</sup> The most common weapons in circulation are pistols and assault rifles although rifles and shotguns are also present in the entity, as well as 'to a much lesser extent, rocket launchers, sub-machine guns, sniper rifles, and grenades.'<sup>29</sup>

The Small Arms Survey estimates that, in addition to civilian SALW possession, the Kosovo Police Service (KPS) hold 5,200 weapons, the Kosovo Serb militia between 240 and 400

<sup>22</sup> Preamble and explanation of the 'Law on Arms', State Gazette of the Republic of Montenegro 49/04, p 32.

<sup>23</sup> *Ibid*, p 32. The MFA, while accepting this figure as a basis for future SALW activities and co-operation with international organisations, believes the figure to be lower. Interview with Branko Bulatovic, Spokesperson, MUP, Podgorica, 25 January 2005.

<sup>24</sup> *Montenegro SALW Survey*, SAS 2004, p 9.

<sup>25</sup> 'Handguns, and more specifically pistols, appear to be the primary weapon used in assaults. This weapon type was involved in at least 35% of assaults that took place in 2003... Handgun makes that were used repeatedly in assaults during 2003 included Glocks and Zastavas. It is also important to note that although most assaults were carried out using unregistered weapons, in some cases registered handguns were also used. Other small arm types commonly used in assaults included explosives, automatic rifles, hunting rifles and grenades.' *Ibid*, p 18–19. 'An estimated 85 per cent of homicides reported in 2003 were committed with small arms.' *Ibid* p 19. Between January and November 2003, 88 people were injured by SALW, of which 45 were injured and 14 dead. During the same period 15 people were injured and three killed by stray bullets or from mishandling small arms. Small Arms Control in Montenegro, UNDP, Podgorica, <[www.undp.org.yu/montenegro](http://www.undp.org.yu/montenegro)>, accessed 03 May 2005.

<sup>26</sup> *Montenegro SALW Survey*, SAS 2004, p39.

<sup>27</sup> *Kosovo and the Gun – a Baseline Assessment of Small Arms and Light Weapons in Kosovo*, Small Arms Survey/UNDP, 2003.

<sup>28</sup> Interview with Carlos Meireles, Chief of the Weapons Authorisation Section, Pristina, 16 February 2005.

<sup>29</sup> *Kosovo and the Gun: A Baseline Assessment of SALW in Kosovo*, Small Arms Survey, 2003, p viii.

and the Kosovo Albanian militia between 11,800 and 15,800 weapons.<sup>30</sup> The Kosovo Protection Corps (KPC) is an unarmed 'emergency response service' formed following the demilitarisation of the Kosovo Liberation Army (KLA) in 1999 in which thousands of firearms were surrendered to NATO. The KPC does, however, have 2,000 firearms 'held in trust' by KFOR, of which 200 are available for guarding installations and for security when units are deployed.<sup>31</sup>

While many international and domestic actors consider the security situation in Kosovo to have improved substantially in the period following the violent unrest in March 2004,<sup>32</sup> acts of violence are still commonplace. During the first few months of 2005 alone there have been a number of high profile cases, including the attempted assassination of the President, Ibrahim Rugova,<sup>33</sup> the assassination of Enver Haradinaj (brother of the former Prime Minister)<sup>34</sup> and an explosion in the offices of ORA, an opposition political party.<sup>35</sup>

The number of murders in Kosovo as a whole is increasing<sup>36</sup> and according to media reports armed robberies are becoming more widespread although no official statistics are available to substantiate this.<sup>37</sup> Between 2000 and 2003 five KPS officers were killed in the line of duty; during June 2003 and June 2004 a further five KPS officers were killed with illegal firearms.<sup>38</sup> The ongoing violence in Kosovo can be attributed to a number of factors, including political and ethnic rivalries stemming from the conflict in the 1990s, organised crime, and revenge attacks connected with blood feuds. These tendencies occur against a background of a weak economy, political uncertainty regarding Kosovo's final status, a police force that is under-resourced and works alongside an inefficient legal system. The large number of illicit weapons in circulation in Kosovo further exacerbates and perpetuates this situation as civilians keep firearms in order to maintain their own security.<sup>39</sup> As the Small Arms Survey concluded, the widespread availability of guns in the entity 'constitutes a central challenge to the reduction of insecurity and promotion of development', and has a number of consequences for Kosovo society. 'Direct effects include fatal and non-fatal injuries, as well as psychological and physical disabilities due to small arms misuse... The

<sup>30</sup> *Ibid*, P 12-15

<sup>31</sup> The Kosovo Protection Corps Commander Kosovo Force's Statement of Principles. Available at <[http://www.nato.int/kfor/kfor/kpc/stmt\\_principles.htm](http://www.nato.int/kfor/kfor/kpc/stmt_principles.htm)>

<sup>32</sup> *Early Warning Report 8*, UNDP Kosovo, September – December 2004.

<sup>33</sup> 'Kosovo's president survives assassination attempt', *The Guardian*, 15 March 2005.

<sup>34</sup> 'Enver Haradinaj, brother of former PM Haradinaj, assassinated', UNMIK Media Monitoring, 16 April 2005, <<http://www.unmikonline.org/press/2005/mon/apr/lmm160405.pdf>>, accessed 03 May 2005.

<sup>35</sup> 'Kosovo Explosion Injures Three, Damages Party Offices', Radio Free Europe/Radio Liberty, 18 April 2005, <<http://www.rferl.org/featuresarticle/2005/4/B462413F-D051-4E2B-8EB5-0D336CC1B117.html>>, accessed 03 May 2005.

<sup>36</sup> During 2004, 79 cases of murder were registered in the Pristina region. This means that in the Pristina region alone there were 19 more homicides than in the entire territory of Kosovo during 2003. *Early Warning Report No 8*, September – December 2004, UNDP Kosovo.

<sup>37</sup> *Early Warning Report No 8*, UNDP Kosovo, September – December 2004.

<sup>38</sup> *Light Blue – Public perceptions of security and police performance in Kosovo*, UNDP, June 2004.

<sup>39</sup> For example, in May 2005 alone there have been a number of incidents of SALW being used in inter-ethnic violence. These included a bomb being thrown at a train containing 50 Serbian passengers, 'Fifty Serb train passengers escorted to safety after bomb attack in Kosovo,' SRNA, 08 May 2005; a grenade being rigged to the gate of a Serbian house, 'Grenade Placed at Serbian House,' VIP News Service, 09 May 2005; a Serbian house being blown up, 'Blast Rocks Easter Kosovo,' RTS, 11 May 2005; and an explosive device being placed in an Orthodox church, 'Explosive Device in the Vicinity of the Orthodox Church in Kosovska Vitina,' VIP News Service, 12 May 2005..

indirect effects are more numerous – including social, economic, and human development dimensions.’

Although trafficking of SALW does not occur in Kosovo to the extent that it has in the past,<sup>40</sup> there is nevertheless evidence that this phenomenon continues and could even be on the increase again.<sup>41</sup> The administrative border between Serbia and Kosovo has been identified as being particularly porous,<sup>42</sup> and Albania is a source of relatively inexpensive Chinese manufactured assault rifles.<sup>43</sup> The main destinations for weapons from Kosovo are Macedonia and Southern Serbia.

## 2 Small Arms policy and practice

### Serbia and Montenegro

The complex constitutional arrangement between the two republics of Serbia and Montenegro was created from the remnants of the former Federal Republic of Yugoslavia (FRY). The State Union (SCG) is the constitutional body responsible under international law for upholding its commitments. The republics of Serbia and Montenegro are responsible under the terms of the Belgrade Agreement for the implementation of SCG’s international obligations as well as the development and enforcement of legislation within their territory. Under this arrangement, the State Union has responsibility over the following areas for an initial period of three years, after which the agreement will be reviewed:



**UN Memorial Day, Weapons Destruction, Belgrade, 19 August 2004**

- Foreign affairs;
- Defence policy and control over armed forces;
- International economic relations;
- Internal economic relations; and,
- Minority and human rights.

The remaining functions of government are controlled at the republic level.

<sup>40</sup> Cenaj A, ‘There are only 179 authorised weapons in Kosovo,’ *Zeri*, 11 February 2005. (Translated by KFOR Public Information Office).

<sup>41</sup> ‘Investigation: Kosovo’s wild west’, *Balkan Crisis Report No 542*, IWPR, 18/02 February /2005; Mustafa Mm, ‘The Black market offers call kinds of light weapons’, *Koha Ditore*, 06 February 2005 (Translated by the KFOR public information office)

<sup>42</sup> *SEESAC Weekly Media Review*, 13 May 2004, SEESAC.

<sup>43</sup> Mustafa Mm, ‘The Black market offers call kinds of light weapons’, *Koha Ditore*, 6 February 2005 (Translated by the KFOR public information office).

**Table 1: Serbia and Montenegro commitments to arms or SALW control agreements**

ARMS OR SALW CONTROL AGREEMENT	ROMANIA'S COMMITMENTS
<b>Stability Pact Regional Implementation Plan on SALW</b>	November 2001
<b>UN Programme of Action</b>	July 2001
<b>UN Firearms Protocol</b>	-
<b>OSCE Document on Small Arms</b>	November 2000
<b>OSCE Document on Stockpiles of Conventional Ammunition</b>	December 2003
<b>EU Code of Conduct</b>	-
<b>EU Joint Action on SALW</b>	-
<b>Wassenaar Arrangement</b>	-

According to its 2004 Report on the implementation of the UN Programme of Action (UNPoA), SCG 'fully supports the UN PoA to prevent, combat and eradicate the illicit trade in small arms and light weapons.'<sup>44</sup> The State Union has also shown support for the Stability Pact's Regional Implementation Plan on Combating the Proliferation of SALW by hosting the South Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC). SEESAC is a component of the RIP and since its launch in May 2002, it has been central to many of the reforms to policy and practice relating to SALW control across South East Europe. SCG also participates in a second Stability Pact initiative, the Regional Arms Control and Verification Implementation Assistance Centre (RACVIAC). Based near Zagreb, RACVIAC brings together military officials from SEE countries to build capacity and assist compliance of SEE countries with the OSCE Code of Conduct on Politico-Military Aspects of Security and other provisions aimed at fostering transparency and cooperation in the region. Although SCG has yet to establish a National Coordination Agency on SALW due to the, 'complex functioning of government structures,'<sup>45</sup> such an agency would greatly abet SCG in further developing its SALW control mechanisms and policies.


## Republic of Serbia

Serbia has publicly stated its intention to join the European Union (EU) at the earliest possible moment and, toward this end, an Office of EU Integration was established within the Ministry of International Economic Relations (MIER) on 21 June 2003. Accordingly, the Republic has supported a host of reforms that bring its SALW control structures in line with EU standards. The Republic also cooperates well with a number of international organisations including the OSCE, NATO, UNDP, the EU, although some of this assistance is directed through the State Union structure. The UNDP has been working closely with the Ministries of Interior to establish SALW coordinating agencies at both the republic and the State Union level.

Serbia supports cooperation with a number of bilateral donors – such as the UK, the Dutch and the German governments - on issues ranging from community policing to SALW destruction. Major projects include the OSCE supported Multi Ethnic Policing Entity in southern Serbia which has transformed the provision of law and order to citizens living in

<sup>44</sup> Report of SCG on the Implementation of the UN PoA to prevent, combat and eradicate the illicit trade in SALW in all its aspects (2004), p 1.

<sup>45</sup> *Ibid.*



three south Serbian municipalities. The force, which is comprised of a proportional number of Albanians and Serbs, is due to be amalgamated into the mainstream police service shortly. Other reform processes within the police service include technical assistance, material assistance and measures to enhance levels of police professionalism. The customs authority has also undergone far-ranging changes over the last two years including the introduction of a new law to give powers of arrest to officers countrywide.

## Republic of Montenegro

An analysis of small arms policy and practice in Montenegro is problematic due to the ongoing uncertainty surrounding Montenegro's future within the State Union of Serbia and Montenegro. This uncertainty is a source of tension both with Belgrade and the EU, which continues to support the SCG as a loose federation.

The Montenegrin Government does, however, continue to collaborate with a host of international organisations, namely the UNDP, the EU and the OSCE, on issues of weapons control. The EU, USAID/ORT and OSCE are important international actors, particularly with regard to law enforcement support including police reform, border policing and judicial reform to help combat organised crime.<sup>46</sup> The UNDP has been working closely with the Ministry of Interior in Montenegro to establish Republic level and State Union level coordinating agencies on SALW; the preliminary period of this assistance ended in May 2005 and the government are now due to sign an official policy framework to control SALW in Montenegro.<sup>47</sup>

## Kosovo

The entity of Kosovo has been separately administered by the United Nations Mission in Kosovo (UNMIK) under UN Security Council Resolution 1244 since 1999. Although Kosovo is not governed by SCG law, neither can it independently sign up to international treaties or take on international obligations given its undefined status.

Responsibilities are increasingly being transferred to the Provisional Institutions of Self-Government. All issues concerning security remain, however, within the reserved powers of UNMIK. UNMIK Pillar One (Police and Justice) is therefore charged with providing civilian executive oversight and management of over 10,000 security sector personnel (both international as well as Kosovar), most of them armed. In addition to this, UNMIK designs budgets and determines policy for Kosovo's justice and security sector, together with the Department of Justice and UNMIK Police, but without the substantive participation of local political actors. Kosovo's assembly is not permitted any competencies to legislate on security issues, form committees to oversee justice or security providers, call representatives of those providers to appear before it or exert budgetary control over these organizations.

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<sup>46</sup> SEESAC Weekly Media Review, 22 – 29 September 2003, <[www.seesac.org](http://www.seesac.org)>, accessed 03 May 2005.

<sup>47</sup> Interview with UNDP Podgorica, 19 January 2005, and correspondence with Helena Vazquez, UNDP Podgorica, 03 March 2005.

## 2.1 SALW production

### Serbia and Montenegro

While significant quantities of SALW are produced in Serbia, there is no known SALW production in Montenegro or Kosovo.

#### Republic of Serbia

Exact statistics on the size of defence production in Serbia are unavailable. Figures provided by the government categorise production broadly<sup>48</sup>, including weapons under the wider description of 'Metal Production' with no further breakdown available. The defence industry today is greatly reduced compared to the 1980s. There are eleven companies with defence related production, but in only six is this substantial. In total, these companies employ approximately 12,200 people,<sup>49</sup> with a further 20,000 engaged in the broader supply sector, suggesting that the true number of defence dependent jobs is approximately 32,000.<sup>50</sup>

The viability of the defence industry is strongly contested. While economic indicators suggest that its sustainability is questionable, others hail it as 'one of the few productive industries in the country'<sup>51</sup> with a 'valuable capital and intellectual stock.'<sup>52</sup> Niche parts of the industry, such as the production of hunting rifles and updated versions of compact side arms, are thought to be profitable. There may be other potential competitive advantages for SALW producers: for instance, whilst their production facilities are generally oriented towards western specifications, they can also produce weapons and ammunition to Warsaw Pact specifications.<sup>53</sup>

At the 'PARTNER' Belgrade Arms Fair held in January 2004, Serbian companies displayed a large range of goods including artillery weapons, tank components, aircraft and helicopters, missiles, anti-ballistic equipment shells and explosives, communication equipment and firearms. The table below lists the most significant domestic exhibitors at PARTNER 2004.

**Table 2: Principle arms factories in Serbia**

FACTORY	LOCATION	PRODUCTION
<b>Zastava Oruzje</b>	Kragujevac	Pistols, rifles, grenade launchers, ammunition
<b>Prvi Partizan</b>	Uzice	Hunting rifles, ammunition
<b>Prva Iskra</b>	Baric	Explosives, gunpowder
<b>Sloboda</b>	Cacak	Grenade launchers, 30mm grenades
<b>Milan Blagojevic</b>	Lucani	Explosives, 20–40mm ammunition
<b>Krusik</b>	Valjevo	Ammunition

<sup>48</sup> Statistics provided by the Serbia and Montenegro Embassy London, 2005.

<sup>49</sup> Jugoimport SDPR Annual Report 2004.

<sup>50</sup> *Ibid.*

<sup>51</sup> *Living with the Legacy*, p 21.

<sup>52</sup> *Ibid.*

<sup>53</sup> *Op cit* Jugoimport SDPR.

Zastava Oruzje in Kragujevac is the largest defence company in the country with 3,600 employees.<sup>54</sup> It manufactures 22 varieties of handguns and rifles for civilian use<sup>55</sup> and a large variety of military-specification weapons (including automatic grenade launchers).<sup>56</sup> The company is presently producing NATO-grade M-21 rifles for the Serbia-Montenegro army as part of €47 million contract with the MoD.<sup>57</sup> Prvi Partizan in Uzice claims to be the largest ammunition producer in South Eastern Europe.<sup>58</sup> The factory employs 2,400 workers manufacturing a wide range of civilian and military ammunition and hunting rifles. According to its website,<sup>59</sup> the factory manufactures a wide range of civilian and military ammunition.

Amongst the bigger producers there is thought to be a great deal of excess capacity (estimated at between 60–70%).<sup>60</sup> Despite this, past government statements have indicated a commitment to boost production.<sup>61</sup> The future sustainability of Serbia's SALW industry could be underpinned by a recent announcement by the SCG Minister of Defence Prvoslav Davinic that the state will write off the debts of factories in the domestic military industry incurred due to unfulfilled contracts with the SCG Army.<sup>62</sup>

## Kosovo

There is no known SALW production in Kosovo.

# 3 Small Arms progress

## 3.1 Legislative and regulatory framework

### Serbia and Montenegro

In SCG, responsibility for military production, import and export lies with the state union government. Responsibility for civilian possession of arms lies with the respective Ministries of the Interior of the two republics.

Relatively recent cases of arms embargoes being violated by Serbian companies that facilitated arms exports to Liberia and Iraq in 2002 acted as a catalyst for reform, including introduction of new legislation in early 2005.<sup>63</sup> Following a protracted period of review,

<sup>54</sup> *Living with the Legacy*, p 22.

<sup>55</sup> This included the production of 30,000 hunting rifles in 2004. Zastava Oruzje website, <[www.zastava-arms.co.yu/](http://www.zastava-arms.co.yu/)> accessed 30 November 2004.

<sup>56</sup> Zastava Oruzje website, <[www.zastava-arms.co.yu/](http://www.zastava-arms.co.yu/)> accessed 30 November 2004.

<sup>57</sup> 'Zastava Plant to Produce NATO-Grade Weapons for Serbia-Montenegro's Army,' *FoNet*, 02 August 2004.

<sup>58</sup> <<http://www.prvipartizan.com>>, accessed 03 May 2005.

<sup>59</sup> *Ibid.*

<sup>60</sup> *Op cit* Hirst and Mariani.

<sup>61</sup> For example, the May 2004 visit of Prime Minister Kostunica to the Zastava Oruzje factory, during which it was announced that the Serbian Government would 'define measures to help boost production.' 'Problems in Kragujevac arms factory to be tackled', <[www.srbija.sr.gov.yu/vesti/vest.php?id=2181&q](http://www.srbija.sr.gov.yu/vesti/vest.php?id=2181&q)>, accessed June 2004.

<sup>62</sup> 'Serbian Weapons Factory Welcomes Pledges to Write Off Defence Industry Debts,' BBC Monitoring Service, 26 September 2004. The country's largest military factory, Zastava Oruzje owes the state some 1 billion dinars in various types of debt.

<sup>63</sup> BBC International Monitoring Report, 09 May 2003.

the draft law on 'Foreign Trade in Weapons, Military Equipment and Dual-Use Goods' was passed by the State Union Parliament in February 2005 shortly before the parliament was dissolved. This law replaces the 1996 'Law on Production and Circulation of Armaments and Military Hardware.' The new legislation draws on many areas of best practice and is in places harmonised with the provisions of the EU Code of Conduct on Arms Exports. Perhaps the most significant improvement in control measures is the transfer of licensing responsibility from the Ministry of Defence to the Ministry for International Economic Relations, thereby enhancing non-military involvement in the decision making process.<sup>64</sup> The above law also contains much improved provisions on end-user certification and arms brokering, with the aim of reducing the possibility of diversion to unintended end-users.

More effective legislation regulating imports and exports should be a positive development for SCG's defence industry. Enhanced control over transfers, reducing the likelihood that weapons will be diverted to unintended end-users in violation of SCG's international commitments, will help to provide a degree of legitimacy to an industry that has been badly damaged by previous scandals.<sup>65</sup>

No National Coordination Agency for SALW control yet exists, although the SCG National Report states that the 'National Coordination Agency for Serbia and Montenegro has been initiated.... However, it has been delayed due to the adoption of the Constitutional Charter and the establishment of institutions.'<sup>66</sup> The creation of the Agency would mark a breakthrough for inter-governmental coordination, key stakeholder engagement and, ultimately, enhanced control.

## Republic of Serbia

The 1992 'Law on Weapons and Ammunition'<sup>67</sup> regulates civilian possession and is implemented by the MuP through local and regional police stations. It covers a variety of different types of weapons such as those used for personal safety (pistols and revolvers), hunting weapons, sporting weapons, trophy arms, antique weapons and combined arms. The law stipulates that it is forbidden for one to carry or buy weapons without a permit issued by the MuP. It also prohibits the use of weapons in public places or in areas where the safety of others may be endangered. Permits are not issued to minors, persons with a criminal record, those currently under criminal investigation, those guilty of various serious offences, or to those who have not passed the required tests for handling firearms. Permits to possess a firearm cost 1,350 Dinars (€17) and permits to carry a firearm cost 6,750 Dinars (€83). The state raises approximately €9 million annually from licensing.<sup>68</sup> The law stipulates that background checks be conducted for all applications and, in cases where there is a justified suspicion that a person is not mentally capable of handling firearms, applicants must undergo a psycho-medical examination. Unfortunately no independent

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<sup>64</sup> The new procedures for making licensing decisions had, in fact, been followed since 2002 when SCG's export laws were breached in the so-called Orao Affair. The formalisation of these procedures was, however, vital.

<sup>65</sup> The General Manager of Jugoimport SDPR suggested that the new legislation would improve the licensing process, stating that the new procedures would be 'stepped up and simplified [when compared to the previous legislation].'" 'Serbian Director sees domestic military industry emerging from isolation', *Ekspress*, 08 July 2004.

<sup>66</sup> *Recommendations for Enhancing Future Reporting*, UNDP, 2004 (In response to SCG report on UNPoA).

<sup>67</sup> 'Law on Weapons and Ammunition', Official Gazette of the Republic of Serbia, No 9/92, 53/93, 67/93, 48/94, 44/98, 39/2003.

<sup>68</sup> VIP News, 12 January 2005.

information is available to determine how thoroughly these procedures are followed in practice<sup>69, 70</sup>.

## Republic of Montenegro

The 2004 'Law on Arms' governs civilian arms possession in Montenegro and is the successor to the 1979 'Weapons Act' and 1992 'Law on Arms.'<sup>71</sup> Significantly, the law prohibits citizens from carrying any of the approximately 100,000 registered firearms present in Montenegro in public places.<sup>72</sup> The new law, in contrast to previous legislation regulates any type of firearm, its supply, keeping, carrying, production, repair, remaking and transport.<sup>73</sup> While preserving the previous system for obtaining a gun licence and allowing legal entities and government bodies to possess weapons for the purposes of property protection or sport, the new law stipulates that licences for carrying weapons will be only be issued to authorised official holders performing specific security-related jobs or sporting activities.<sup>74</sup> With the adoption of this new legislation in response to international and local pressure, the Government hopes to discourage citizens from carrying weapons in public through harsher and more up-to-date penalty provisions.<sup>75</sup>

## Kosovo

In Kosovo, UNMIK has responsibility for SALW control. There is, however, no legislation in place regarding the importation or exportation of SALW from Kosovo. Kosovo is seen as a demilitarised zone and therefore does not allow for import of weapons for civilian use. The import of weapons for international and local law enforcement authorities are strictly regulated according to specific procedures. For example, special authorisation had to be gained for the import of Glock Service Pistols for the KPS and some short-barrelled automatic weapons for elite police teams.<sup>76 77</sup>

Until early 2001 weapons possession in Kosovo was regulated by Yugoslav legislation, which was outdated and 'offered very limited legal means to combat proliferation.'<sup>78</sup> This legislation has now been replaced by UNMIK Regulation No 2001/7 on 'The Authorisation of Possession of Weapons in Kosovo', which authorises individuals holding a Weapons Authorisation Card (WAC) to possess and carry a firearm (usually sidearm pistols, but also short-barrelled automatic weapons in exceptional circumstances) for self-defence

<sup>69</sup> 'Law on Weapons and Ammunition', Official Gazette of the Republic of Serbia, No 9/92, 53/93, 67/93, 48/94, 44/98, 39/2003.

<sup>70</sup> VIP News, 12 January 2005.

<sup>71</sup> Republic of Montenegro Official Gazette 49/04, <[www.seesac.org/laws/Montenegro%20-%20Law%20on%20Weapons%20Oct%2004.PDF](http://www.seesac.org/laws/Montenegro%20-%20Law%20on%20Weapons%20Oct%2004.PDF)>, accessed 03 May 2005.

<sup>72</sup> Article 11, 'Law on Arms' 2004, State Gazette 49/04.

<sup>73</sup> Article 12, 'Law on Arms' 2004, State Gazette 49/04.

<sup>74</sup> *Montenegro SALW Survey*, SAS 2004, p 36.

<sup>75</sup> Penal provisions within the range from three to ten times the minimal salary in Montenegro for individuals, and ten to two hundred times the minimal salary for commercial societies (Articles 72-74, 'Law on Arms' 2004).

<sup>76</sup> Interview with Piotr Zavgorodni, Senior Legal Officer, Office of the Legal Advisor, UNMIK, Pristina, 16 February 2005.

<sup>77</sup> *Ibid.*

<sup>78</sup> *BICC Conversion Survey 2002*, p 139.

purposes. All applicants go through a stringent process before being issued a WAC. The UNMIK Weapons Authorisation Section (WAS) carries out an initial assessment of the level of threat the applicant faces, the level of protection he/ she requires and his/ her suitability for possession (the possession of a criminal record etc). Once this process has been completed, the Threat Assessment Committee, consisting of three high-ranking UNMIK officials, makes a final decision on approval. WACs are only valid for six months, after which the individual must reapply if still under threat. Currently there are only 179 WAC cards issued in Kosovo, of these 89 are issued to bodyguards rather than the actual individual under threat.<sup>79</sup> Recipients of WACs are typically politicians' bodyguards, judges, businessmen, and witnesses for court cases.<sup>80</sup>

In 2003 legislation was also passed on the regulation of hunting and recreational weapons, which can now be registered to individuals holding a Weapons Registration Card (WRC). These cards are issued for the possession of weapons that include long-barrelled rifles and shotguns - but not automatic rifles - and are valid for a period of two years. In 2004 there were a total of 29,695 applications for a WRC of which 28,890 were approved.<sup>81</sup> The vast majority of the weapons registered are for hunting although a few sporting guns have also been licensed. Those applicants that are denied either a WAC or WRC subsequently have their weapon/s confiscated by UNMIK who then decide what to do with the weapons.

The sanctions for illegal weapons possession are severe, with a maximum of 10 years imprisonment and fines up to €10,000.<sup>82</sup> <sup>83</sup>However, the law regarding hunting weapons is ambiguous. Under paragraph 3.1 of Admin Direction 2003/1, a registered weapon can be used 'only for hunting during a current hunting season announced by the competent governmental authority.' At present, however, there is no legal hunting season. In the absence of such an 'announced' and 'current' hunting season, any use or carrying of registered firearms outside the home, other than for hunting predatory animals that kill livestock, is illegal (except for those with a WAC). Consequently, a WRC effectively only permits possession.<sup>84</sup>

**Table 3: Features of Serbia and Montenegro's Legislative and Regulatory Framework**

FEATURES OF LEGISLATIVE & REGULATORY FRAMEWORK	SERBIA AND MONTENEGRO
National coordinating agency	No
National point of contact	Yes
Laws & Procedures on Production, Export, Import and Transit	
Legislation	Yes
Production	Yes

<sup>79</sup> Interview with Carlos Meireles, Chief of Weapons Authorisation Section, Pristina, 16/02 February /2005.

<sup>80</sup> *Ibid.*

<sup>81</sup> *Ibid.*

<sup>82</sup> 'Provisional Penal Code of Kosovo', Article 328, Paragraphs 1 and 2.

<sup>83</sup> Small Arms Survey notes that 'in practice, however, prosecution for this type of crime has been relatively rare'. *Kosovo and the Gun*, SAS 2003, p 34.

<sup>84</sup> Interview with Piotr Zavgorodni, Senior Legal Officer, Office of the Legal Advisor, UNMIK, Pristina, 16 February 2005.

FEATURES OF LEGISLATIVE & REGULATORY FRAMEWORK		SERBIA AND MONTENEGRO	
Export	Yes		
Import	Yes		
Transit	Yes		
NATIONAL SYSTEM OF EXPORT & IMPORT LICENSING OR AUTHORISATION			
Diversion risk	?		
End-user certificate	Yes		
Re-transfers	No. There are no specific provisions in the 1996 'Law on Production'; it is not clear whether re-transfers are treated as 'imports' and 'exports' or are subject to reduced regulation.		
Verification (pre/post)	?		
Brokering controls	Yes, but not extra-territorial.		
DOMESTIC POSSESSION, STOCKPILING & TRADE			
Manufacture	Montenegro	Yes	
	Serbia		
Marking and tracing	Montenegro	Yes <sup>85</sup>	
	Serbia	Yes <sup>86</sup>	
	Kosovo	Only marked weapons can be licensed for possession.	
Possession	Montenegro	Yes	
	Serbia	Yes	
	Kosovo	Yes	
Stockpiling	Montenegro	Check this No	
	Serbia	No	
	Kosovo	No	
Trade	Serbia	Yes	
	Montenegro	Yes No	

## 3.2 SALW transfers

### Republic of Serbia

Neither the Government of Serbia and Montenegro, nor the Norwegian Institute for Small Arms Transfers (NISAT) distinguishes between imports and exports to/ from Serbia and those to/ from Montenegro. Nor does SCG produce an annual report detailing its arms exports, and both the MOD and Ministry of International and Economic Relations were

<sup>85</sup> The 'Law on Branding Weapons and Ammunition' is now in force in SCG, UN PoA report (2004).

<sup>86</sup> *Ibid.*

unable to discuss details of export licensing decisions, destinations or other export procedures in any detail.<sup>87</sup> It is therefore impossible to give precise figures for the scale of SALW imports or exports into either republic.

That said, there are, however, good indications that Serbia exports significant quantities of SALW around the world. Although the Serbian arms industry has struggled in recent years to maintain competitiveness in international markets, signs of a re-emergence in arms exports include a recent political delegation visit to Libya. In January 2005 politicians and businessmen including the Serbian President Boris Tadic, the Director of Jugoimport SDPR Stevan Nikcevic and the head of the Defence Material Resources Sector General Ivan Djokic travelled to Tripoli in Libya. Although there are no details of the discussions that took place, Stevan Nikcevic reported to the media that talks had been “extremely significant.”<sup>88</sup>

The presence of representatives from Serbian SALW producers at foreign trade fairs provides another source of information that Serbia is seeking alternative export markets. In 2003 Jugoimport SDPR organised a one-day exhibition in western Serbia, which saw foreign guests – including a representative from Rwanda<sup>89</sup> – attend a functional demonstration of various types of SALW and heavy weapons. During 2003 and 2004 Jugoimport SDPR attended many large arms fairs in developing states, including DSA in Kuala Lumpur (2004), SOFEX in Amman (2004), IDEX in Abu Dhabi (2003) and LAD in Rio de Janeiro (2003). Attendance at fairs within the former Yugoslavia such as PARTNER in Belgrade (2004) and DEFENCE in Skopje (2001) demonstrates that the company is also targeting former domestic markets for future export sales. It has also been widely reported that the Macedonian armed forces have finalised a contract for the M21 rifle, a NATO specification assault rifle currently being produced by the Zastava factory. Jugoimport SDPR has also been attempting to build on Serbia’s already established position as a manufacturer and exporter of hunting rifles. The company’s attendance at the Nuremburg Hunting and Sport Shooting fair in 2004 evidences this.

The extent to which SALW are illegally trafficked to and from Serbia is hard to measure. Figures provided to the SALW Republic of Serbia Survey on weapons seizures by the MUP in 2003 failed to distinguish between weapons seized internally and weapons seized at borders. Alternative figures available from the Security Intelligence Service (BIA) showed that, in the first four months of 2004, €300,000 worth of ‘weapons, army equipment and crude oil derivatives were seized.’ Unfortunately, no detailed breakdown was available.<sup>90</sup> Intelligence sources point to the increasing popularity of smaller forms of transportation, such as cars and vans being used by SALW traffickers.<sup>91</sup> Non-cargo crossings are now relatively more vulnerable to trafficking than in previous years.<sup>92</sup> For many years, border authorities searched every vehicle.<sup>93</sup> However, with increased trade to and from the republic,<sup>94</sup> intercepting trafficking activity is increasingly difficult. Nevertheless, a combination of

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<sup>87</sup> Official correspondence from MOD to Republic of Serbia SALW research team, Belgrade, January 2005.

<sup>88</sup> *VIP News*, 03 February 2005, Belgrade, p 5.

<sup>89</sup> *Living with Legacy*, p 24.

<sup>90</sup> <[http://www.bia.sr.gov.yu/Eng/frameset\\_e.html](http://www.bia.sr.gov.yu/Eng/frameset_e.html)>, accessed 03 May 2005. Official website of BIA

<sup>91</sup> *Living with the Legacy*, p 26.

<sup>92</sup> *Ibid.* p 27.

<sup>93</sup> *Ibid.* p 27.

<sup>94</sup> *Ibid.* p 26.

an improvement in the security environment, reduced ethnic conflict, probable market saturation and better law enforcement capacity is thought to have contributed to a decrease in trafficking levels, as witnessed by a decrease in border interceptions.<sup>95</sup>

In a move to align SCG with EU standards on border control, both Serbian and Montenegrin police have recently assumed control of their respective Republic's borders from the SCG army. In Serbia the process began on the Hungary-Serbia border in February. A new computerised system of controlling borders and crossings – Integrated Border Management (IBM) – has also been introduced. One of the challenges facing the newly formed Serbian border police will be overcoming problems with corruption and low skill levels previously displayed by the army units along Serbia's borders.<sup>96</sup>

## Republic of Montenegro

As part of the State Union of Serbia and Montenegro, the Republic of Montenegro is subject to the same import / export restrictions as the Republic of Serbia, as stipulated in the Law on Production and Circulation of Armaments and Military Hardware. Therefore it is impossible to distinguish between imports and exports from / to the Republic of Montenegro and from / to the State Union of Serbia and Montenegro.

Montenegro has, on numerous occasions, been revealed to be a transit point for illegal SALW. The Small Arms Survey notes Montenegro as a transshipment point for 'weapons smuggled from Serbia to the Middle East, from Russia to Libya, from the Balkans to Western Europe, and also as a regional transit point between Bosnia and Kosovo'.<sup>97</sup> At present, however, it appears that 'small arms trafficking across borders is becoming negligible in Montenegro' although trafficking in other contraband is increasing. A handful of small-scale seizures at the border were reported in 2003 and there is a 'strong consensus that the market is saturated with weapons'.<sup>98</sup> Notably, in the first part of 2004, Montenegrin border guards recorded 43 confiscations of rifles and handguns as compared with 66.5 kg of marijuana, 215 motor vehicles, 36 vessels (mostly smugglers' boats), nearly 300,000 packs of cigarettes, 63.6 tons of coffee and almost €1 million in cash.<sup>99</sup> In December 2004, individuals were arrested near Tirana, Albania with MANPADs that were apparently destined for Macedonia. According to numerous sources, the missiles had been brought across the border from Montenegro into Albania.<sup>100</sup> Since trafficking in items other than weapons, particularly in cigarettes, continues to be a significant problem in Montenegro, there exists a real danger that those illicit trafficking networks could easily be utilised for the purpose of renewed SALW trafficking if the demand should once again increase.

As of 31 December 2004 the responsibility for control of Montenegro's 840-kilometre land border passed from the SCG army to a state border department within the Montenegro

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<sup>95</sup> *Living with the Legacy*, p 12.

<sup>96</sup> Sunter D, 'Police Take Over Serbia's Frontiers,' Balkan Crisis Report, IWPP, 25 February 2005. <[http://www.iwpr.net/index.pl?archive/bcr3/bcr3\\_200502\\_543\\_2\\_eng.txt](http://www.iwpr.net/index.pl?archive/bcr3/bcr3_200502_543_2_eng.txt)>, accessed 19 May 2005.

<sup>97</sup> *Montenegro SALW Survey*, SAS 2004; and Interview with Neil Barnett, Independent Journalist, 11 October 2004.

<sup>98</sup> *Montenegro SALW Survey*, SAS 2004, p 3,13 and 14.

<sup>99</sup> 'Montenegrin Police Assume Control of State Border,' Beta News Agency, 03 March 2005.

<sup>100</sup> Barnett, Neil. "Missiles seized in Albania." Institute for War and Peace Reporting (IWPR), BCR No 533, Tirana, 16.Dec.2004.

police.<sup>101</sup> This department has 1,450 employees - of which 600 are border policemen - and has been furnished with a range of equipment including radar and computers, thermovision cameras and detection equipment.<sup>102</sup>

## Kosovo

Since imports of SALW are not permitted, the only authorised source of weapons is the transfer of ownership of a weapon registered on a WRC or WAC. In many circumstances weapons that are being registered originate from outside Kosovo. Kosovo authorities take the view that it is better that civilians are encouraged to legally register their weapons than to continue illegal possession. Therefore, the WAC or WRC do not inquire about the origin of the weapon during the registration process.<sup>103</sup>

According to KFOR on the basis of evidence gained from joint KFOR and Border Police operations, 'it can be concluded that weapons smuggling is not a large scale activity; at least it is not the major illegal activity in Kosovo.'<sup>104</sup> Small Arms Survey research suggests that this is primarily because guns are less profitable than other types of contraband.<sup>105</sup> There is nonetheless some evidence that the black market in SALW is flourishing in certain parts of Kosovo, such as Peja, which borders Montenegro and Albania, and Mitrovica, which borders Serbia. According to a report published by IWPR, Italian KFOR troops have discovered more illegal weapons in the Peja region during the first two months of 2005 than in the whole of 2004.<sup>106</sup> A second article that appeared in the Kosovo daily *Koha Ditore* describes the thriving market in Mitrovica, where a wide variety of weapons can be bought or specially ordered.<sup>107</sup>

Small arms entering Kosovo tend to come primarily from: Serbia, a source of higher-quality Yugoslav-manufactured pistols; Albania, from where relatively low-cost Chinese-manufactured assault rifles are available; and Turkey, a source of counterfeited Yugoslav and Russian firearms as well as hunting rifles.<sup>108</sup> The main destinations for weapons are Macedonia and Southern Serbia. The 2005 Republic of Serbia SALW Survey identified the administrative border between Serbia and Kosovo as particularly porous and one where a relatively high level of illicit SALW activity takes place. This would appear to be confirmed by frequent, though decreasing, seizures of illicit SALW by MUP authorities in Serbia.<sup>109</sup>

<sup>101</sup> The 137 kilometre long marine border is still under the supervision of 14 Serbia-Montenegro naval officers and non-commissioned officers. 'Montegrin Police Assume Control of State Border,' *Beta News Agency*, 3 March 2005. *Ibid.*

<sup>102</sup> Most of the Euro 10m start-up costs for the new department was obtained from foreign donations. The US Government provided EURO 4.5 million while the European Agency for Reconstruction (EAD) has provided EURO 450,000. A further EURO 18.5 million will be invested in modern border surveillance equipment, technical modernisation and equipping and developing vessels. *Ibid.*

<sup>103</sup> Interview with Piotr Zavgorodni, Senior Legal Officer, Office of the Legal Advisor, UNMIK, Pristina, 16 February 2005.

<sup>104</sup> Cenaj A, 'There are only 179 authorised weapons in Kosovo,' *Zeri*, Pristina, 11 February 2005. (Translated by KFOR Public Information Office).

<sup>105</sup> *Kosovo and the Gun*, SAS p 27.

<sup>106</sup> 'Investigation: Kosovo's wild west', *Balkan Crisis Report No 542*, IWPR, 18/02 February /2005.

<sup>107</sup> Mustafa Mm, 'The Black market offers call kinds of light weapons', *Koha Ditore*, 06 February 2005 (Translated by the KFOR public information office).

<sup>108</sup> *Ibid.*

<sup>109</sup> *SEESAC Weekly Media Review*, 13 May 2004, SEESAC.

KFOR forces and the personnel of the Serbia and Montenegro border police service jointly guard the administrative line between Kosovo and Serbia and Kosovo and Montenegro. While this trend of increasing cooperation between the Republic of Serbia, the Republic of Montenegro and UNMIK / KFOR in Kosovo is encouraging, there remain problems in the overall provision of border control.<sup>110</sup>

Since 2002 responsibility for border control has been gradually transferred from KFOR to the UNMIK Border and Boundary Police. Currently, UNMIK controls all border/boundary checkpoints and KFOR secures the stretches in between official crossing points; however it is planned that the Border Police will ultimately take full responsibility for securing Kosovo's borders. While a timeframe for this to occur has not been laid out, joint border patrols with KFOR have already begun and within the UNMIK Border and Boundary Police itself, numbers of Kosovo Police Service (KPS) have increased from 350 in the middle of 2003 to over 700 in October 2004<sup>111</sup> to the point where according to UNMIK, 70 per cent of border units are now manned by local staff rather than internationals.<sup>112</sup> There have already been examples of KPS successes in intercepting illicit SALW transfers. In August 2004, a KPS patrol discovered three pistols and thirty five rounds of ammunition in a car in the Peja region.<sup>113</sup>

### 3.3 SALW collection programmes and capacities

#### Republic of Serbia

Serbia has had three weapons amnesties and collections since 1999 (2001, 2002 and 2003). The first two of these were traditional amnesties that together collected 10,000–15,000 firearms (no exact figures are available).<sup>114</sup> The third amnesty coincided with the state of emergency following Prime Minister Djindjic's assassination and included forced confiscations and security service raids conducted during a period of social unrest and increased political instability. According to MUP records, during this period, 2,046 weapons, 33,478 rounds of ammunition and 198.5 kg of explosives were confiscated by law enforcement officers and security services.<sup>115</sup> Between 24 March and 20 April 2003 resulted in 47,853 weapons and 2,226,765 pieces of ammunition were seized or surrendered to MUP authorities for



RSG Meeting, October 2004, Budva

<sup>110</sup> The Kosovo border was also a concern highlighted in the FRY statement at the UN 2001 SALW conference. *SCG UN PoA report*, 2003; and, Statement by Mr Stevan Nikojevic, Assistant Federal Minister for Internal Affairs of the Federal Republic of Yugoslavia and Head of the Yugoslav Delegation, UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, New York, 12 July 2001.

<sup>111</sup> Focus Kosovo, October 2004, <<http://www.unmikonline.org/pub/focuskos/oct04/focusklaw3.htm>>, accessed 02 February 2005.

<sup>112</sup> 'UNMIK Official Says 70% of Border Units Manned by Local Staff,' KosovoLive, 24 June 2004.

<sup>113</sup> 'Kosovo Police Arrest Suspects Over Illegal Border Crossing, Firearms Possession,' *Balkan News*, week ending 13 August 2004.

<sup>114</sup> *Living with the Legacy*, p 65.

<sup>115</sup> MUP Official Statistics, 2004.

collection and legalisation.<sup>116</sup> There have been no amnesties or official collections in the Republic of Serbia since the end of Operation Sabre in March 2003. State authorities continue to make SALW seizures in line with the course of their regular work; however, exact figures for seizures are not available.

## Republic of Montenegro

The Montenegrin authorities organised a two-month 'Farewell to Arms' initiative in early 2003, which included an amnesty and collection organised by the Ministry of Interior. The initiative resulted in the collection of 1,600 guns and 3,000 hand grenades, mines and other explosive devices, all of which were subsequently destroyed with support from SEESAC, which also provided technical advice on SALW awareness and legislative. Since this time there has been no further state organised collections, although there is an ongoing amnesty for the voluntary surrender of SALW.<sup>117</sup> State authorities continue to make SALW seizures in line with the course of their work. However, exact figures for seizures are not available.

## Kosovo

Collection activities of various types have been ongoing since 1999. With a mandate to provide a safe and secure environment in Kosovo, KFOR has been the main actor in terms of collection. As part of this mandate, KFOR troops have conducted regular searches of civilian homes as well as open areas and abandoned houses. While the amount of SALW and ammunition discovered in the course of these searches has declined, at one point small amounts of SALW were confiscated from most houses that were searched.<sup>118</sup> Hidden caches of weapons also continue to be found, although again less frequently than previously. In 2004 KFOR seized 2,071 weapons and 85,000 items of ammunition in 450 successful operations.<sup>119</sup>

Although the UNMIK police are now responsible for the confiscation of weapons once they have been discovered by KFOR, in general they only search for guns in the course of law enforcement operations, such as house searches conducted as part of criminal investigations.<sup>120</sup> No figures on weapons seizures during 2004 were available from the police.

Since 1999 there have also been three separate weapons amnesties. The first two amnesties, organised by KFOR and UNMIK, both lasted a month and were held in 2001 and 2002. During the first amnesty a total of 777 pieces of SALW were collected. 1391 were collected during the second. The third amnesty occurred in September 2003 and netted a total of 155 weapons, despite an incentive of US\$225,000 for each of the three municipalities that surrendered the most weapons (a minimum benchmark of 300 weapons was specified).<sup>121</sup>

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<sup>116</sup> *Ibid.*

<sup>117</sup> It is thought that the amnesty will end soon, due to the low level of weapons handed in compared to normal police seizures. Interview with Tony Monaghan, UNDP SACISCG Programme Manager, 10 May 2005.

<sup>118</sup> Risser H, 'Disarmament in Kosovo stymied by future security', *Jane's Intelligence Review*, 01 December 2004, Vol 16, No 12, P. 41.

<sup>119</sup> Interview with Colonel Yves Kermorvant (FR ARMY), Chief of Public Information Office, KFOR HQ, Pristina, 17 February 2005.

<sup>120</sup> *Ibid.*

<sup>121</sup> Risser H, 'Disarmament in Kosovo stymied by future security', *Jane's Intelligence Review*, 01 December 2004. Vol. 16, No. 12.

### 3.4 SALW destruction programmes and capacities

#### Serbia and Montenegro

The State Union is the body responsible for the Serbian and Montenegro Armed Forces (SMAF) and, as such, destruction of MOD SALW property is coordinated at this level. However, as amnesties and collections are coordinated independently by the Serbian and Montenegrin republics, destruction programmes can be analysed at this level.

#### Republic of Serbia

The large amount of SALW previously destroyed in Serbia demonstrates the state's well-developed capacity for arms destruction. According to MoD statistics, since 1991 more than 100,000 weapons, over two million rounds of ammunition and around 1,200 Man Portable Air Defence systems (MANPADs) have been destroyed at state-controlled facilities in Cacak, Uzice and Smederevo.<sup>122</sup> Since 2001 international donors such as the NATO Maintenance and Supply Agency (NAMSA), SEESAC and the Dutch and US Embassies have financed the following destructions:

**Table 4: Controlled destruction of SALW and ammunition between 2001–2004<sup>123</sup>**

IMPLEMENTER	DESCRIPTION	QUANTITY	DATE	LOCATION	SPONSOR
<b>SCG MoD</b>	Firearms	52,000	2001	Cacak	US Dept. of State
<b>SCG MoD</b>	Firearms	27,723	2003	Cacak	NAMSA
<b>Serbia MUP</b>	SALW Ammunition	0.8t	2003	Uzice	SEESAC
<b>Serbia MUP</b>	Amnesty collected firearms	7,335	2003	Smederevo	SEESAC
<b>Serbia MOI</b>	Confiscated firearms	3,859	2003	Smederevo	SEESAC
<b>Serbia MOI</b>	Amnesty collected firearms	10,000	2004	Smederevo	US Dept. of State

Despite impressive SALW destruction figures, the pace of destruction slowed in 2004 and 2005 (as Table 4 demonstrates). According to the MUP there remain 20,000 firearms and explosives (principally grenades and landmines) awaiting destruction as a result of a shortfall in resources.<sup>124</sup>

<sup>122</sup> Official MoD Statistics, 2004.

<sup>123</sup> SEESAC Database, <[www.seesac.org](http://www.seesac.org)>. In addition, on 19 August 2004 a symbolic destruction of 22 SALW took place to commemorate all the victims of conflict and SALW proliferation. 'Symbolic Destruction of Small Arms and Light Weapons,' SEEurope.net, 18 August 2004.

<sup>124</sup> Official Correspondence: Comments of the Ministry of Interior in response to the Draft of the SALW Survey in Serbia, February 2005.

## Republic of Montenegro

The first small arms destruction in Montenegro was carried out on 27 May 2003 and included weapons collected through the aforementioned 'Farewell to Arms' initiative.<sup>125</sup> The weapons were destroyed in the Zeljezara-Niksic smelter, producing approximately 16 tonnes of molten steel. SEESAC databases contain listings for a total of 5,028 weapons destroyed on 27 May 2003 including 89 revolvers, 872 pistols, 147 shotguns, 1,704 rifles, 1,021 assault rifles, 90 sub-machine guns, 397 light machine guns, 450 medium machine guns, 257 heavy machine guns and one anti-aircraft gun.<sup>126</sup> The 1,600 weapons collected during 'Farewell to Arms' were only part of the weaponry destroyed, 'the other 3,400 presumably coming from state owned surplus stockpiles or weapons seized by the police from criminals.'<sup>127</sup> It is estimated that there are 5,000 SALW in MOI stocks from both police seizures and surrenders that need to be destroyed.<sup>128</sup>

An assortment of over 3,000 hand grenades, mines, approximately 63,777 rounds of small arms ammunition and over two tonnes of assorted ammunition collected either prior to or during the amnesty were also destroyed on 27 May 2003 by either firing or detonation at the Niksic military polygon. SEESAC technical staff also monitored the destruction operation.<sup>129</sup>

The MOI, SEESAC and the UNDP Liaison Office in Podgorica have expressed their support for further arms destruction, particularly as regards the provision of both equipment and training. No destruction has been planned for 2005 but the downsizing of Montenegrin MOI forces by as much as fifty per cent will result in a larger number of surplus SALW, the figures for which will probably be known by the end of 2005.<sup>130</sup> While destruction costs are now likely to be lower than US\$5 per weapon, destruction capacity for ammunition is limited.<sup>131</sup> A capacity-building equip and train activity, sponsored by SEESAC and conducted by the International School of Search and Explosive Engineering (ISSEE), took place from 19 – 30 April 2004.

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<sup>125</sup> The 'seed funds' allocated by SEESAC for destruction were used to develop the capacity of the MOI's destruction agencies and to provide the MOI with the computer equipment 'necessary to enhance efficiency and operational capacity in their small arms control initiatives'. The cost per weapon destroyed, including transport and security costs, was US\$5. See also *Support to the Republic of Montenegro Weapons Destruction*, SEESAC Activity Report AR/006, 30 May 2003, <www.seesac.org>, accessed 03 May 2005.

<sup>126</sup> SEESAC SALW Databases, <www.seesac.org>, accessed 01 May 2005.

<sup>127</sup> *Montenegro SALW Survey*, SAS 2004, p 41.

<sup>128</sup> Interview with Tony Monaghan, UNDP SACISCG Programme Manager, 10 May 2005.

<sup>129</sup> *Support to the Republic of Montenegro Weapons Destruction*, SEESAC Activity Report AR/006, 30 May 2003, <www.seesac.org>, accessed 01 May 2005.

<sup>130</sup> Interview with Branko Bulatovic, Spokesperson of the Ministry of Interior, 25 January 2005.

<sup>131</sup> SAS notes that 'future destruction costs are predicted to be lower now that the capacity development for weapons destruction has already taken place and economies of scale begin to apply'. *Montenegro SALW Survey*, SAS 2004, p 41.

**Table 5: Summary of SALW destruction in Montenegro 2003<sup>132</sup>**

DESTRUCTION ACTIVITY	SALW	AMMUNITION (TONNES)	REMARKS
Montenegrin MoI-implemented, 27 May 2003	5,028	2.0 + <sup>133</sup>	Financial assistance and verification functions provided by SEESAC.
SEENCA network-implemented, 12-19 November 2004	500		Confiscated weapons supplied by the MoI
<b>Total</b>	<b>5,528</b>	<b>2</b>	

## Kosovo

KFOR conducted its last destruction operation in November 2004. The weapons were disassembled, cut and then the parts were melted down. A total of 772 weapons were destroyed during the last operation. The Metal Holding Company was hired for the destruction at a cost of €1,000 for each ton of weapons. The maximum capacity of the company was three tons per day. The November destruction cost a total of €1,873, all of which was paid for by KFOR<sup>134</sup>. UNMIK police are in the process of requesting permission from the UNMIK Commission to destroy some 300 weapons from police storage. KPS is likewise applying for permission for the destruction of 104 weapons. The destruction is needed to clear the Police Armouries of confiscated illegal weapons that have been accumulated over the past few years.<sup>135</sup>

## 3.5 SALW stockpile management programmes and capacities

### Serbia and Montenegro

As an independent verification of MoD storage facilities has not taken place, it is necessary to look at reports on implementation of the UN Programme of Action (PoA) in order to analyse SCG's stockpile management programmes and capacities. According to the MoD, all weapons and ammunition possessed by the SMAF are kept in standard stores and facilities that are used exclusively for this purpose. Quantities of weapons and ammunition possessed are accounted for by the unit charged with their storage and three copies of these written records are stored in three separate locations. The same report described storage facilities as generally very good with every facility having a sentry, being sealed and specially secured with padlocks, locks, electric light, and wire.<sup>136</sup> Further security measures include fire and lightning protection and anti-explosion systems. Safety procedures include facility risk levels being periodically reviewed and a plan of emergency measures and procedures in place at every facility.<sup>137</sup> There is no information in the public domain to suggest that there are thefts from SMAF barracks.

<sup>132</sup> SEESAC SALW Databases, <[www.seesac.org](http://www.seesac.org)>, accessed 01 May 2005.

<sup>133</sup> No statistics on the total amount of ammunition destroyed by tonnes was available, however, approximately 63,777 rounds of small arms ammunition and over two tonnes of assorted ammunition natures collected either prior to or during the amnesty were also destroyed on 27 May 2003. *Support to the Republic of Montenegro Weapons Destruction*, SEESAC Activity Report AR/006, 30 May 2003, <[www.seesac.org](http://www.seesac.org)>, accessed 04 May 2005.

<sup>134</sup> Interview with Colonel Yves Kermorvant, Chief of Public Information Office, KFOR HQ, Pristina, 17 February 2005;

<sup>135</sup> Interview with Carlos Meireles, Chief of Weapons Authorisation Section, UNMIK, Pristina, 16 February 2005.

<sup>136</sup> UN Programme of Action Report, Submitted 11 August, 2004

<sup>137</sup> *Ibid.*

## Republic of Serbia

MUP stockpiles are classified according to different categories in order to distinguish between SALW confiscated at borders, seizures from criminal groups and individuals and un-destroyed stocks remaining from the weapons amnesty in 2003.<sup>138</sup> The police keep the weapons that have been confiscated or surrendered in police stations or more secure MUP facilities after checking the weapons' markings.<sup>139</sup> According to the 2003 report on implementation of the UNPoA, these sites are 'customised facilities' where the standards and responsibilities for safe storage are 'very high'. The MUP has strict rules for servicing, storage and use of its own firearms but is limited by resource scarcity.<sup>140</sup> Surpluses of SALW are expected to increase with the adoption of a Defence Strategy in November 2004, which as well as 'enhancing democratic control of the army, in line with NATO standards,'<sup>141</sup> would lead to a significant reduction in the number of professional soldiers in SCG.<sup>142</sup>

## Republic of Montenegro

The ongoing restructuring of both the Montenegrin MoI and SMAF means the size of SALW stockpiles in Montenegro is difficult to assess. However, the 2004 National SALW Survey of Montenegro concluded that there were '42,000 to 72,000 small arms in the hands of the MUP and SMAF in Montenegro.'<sup>143</sup> Other than the general note on high standards provided in the UN 2003 report detailed above, no information is currently available on MoI stockpile management practices.

## Kosovo

The NATO KFOR troops and international police officers in Kosovo are armed, although no information was available at the time of writing as to the size of these holdings. KFOR-held SALW and the 1,800 KPC weapons 'held in trust' are stored in the Force's facilities, which presumably correspond to NATO standards. As noted above, the KPC has 200 SALW for the purposes of guarding its facilities. No information was available on storage or security measures for these weapons.

In terms of illegally held SALW possessed by civilians, Small Arms Survey research finds that 'small arms tend to be stored indoors in purpose-built caches or buried outdoors relatively close to households.'<sup>144</sup> The increasing sophistication of purpose-built concealment in homes is said to be 'a direct response to KFOR search operations' and 'more and more weapons are stored outside homes, buried in gardens, or cached further a field. Consequently, there are fewer weapons in apartment blocks in the cities than in individual

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<sup>138</sup> *Living with the Legacy*, p 58.

<sup>139</sup> Op cit Hirst and Mariaini.

<sup>140</sup> *Living with the Legacy*, p 58.

<sup>141</sup> 'Serbia-Montenegro's draft Defence Strategy Finalised, Tanjug, 13 May 2004.

<sup>142</sup> The SCG Defence Minister Pvoslav Davinic stated that although the exact size of the future Serbian component of the SCG army was still undecided, the Supreme Defence Council had decided that the number of professional soldiers in Montenegro would be around 3,400. 'SCG Defence Minister Calls Decisions on Army Reform "Historic"', *Ekpres Beograd*, 09 November 2004.

<sup>143</sup> *Montenegro SALW Survey*, SAS, 2004, p 9–10.

<sup>144</sup> *Kosovo and the Gun*, SAS, 2003, p viii.

homes in the countryside.<sup>145</sup> Caches of weapons belonging to armed groups in Kosovo, estimated by Small Arms Survey to be between 12,000 and 16,000 SALW, are likely to be buried or stored in unused buildings and are sometimes mined.<sup>146</sup>

### 3.6 SALW awareness activities

#### Serbia and Montenegro

NGOs in Serbia and Montenegro tend to restrict their activities to one of the two republics, and, as such, State Union awareness raising activities do not generally take place. That said, a number of international organisations such as the UNDP support complimentary awareness raising work across both republics.

#### Republic of Serbia

Several NGOs are involved in awareness raising work related to small arms control in Serbia. In 2004 in Zrenjanin, the European Movement in Serbia completed an awareness raising campaign that culminated in widespread leaflet distribution and television and radio clips. In Belgrade the Balkan Youth Union, as part of the Global Control Arms Campaign, organised an event in which posters were printed and petitions signed. The event – ‘Small arms are weapons of mass destruction’ – collected faces for the global Million Faces petition and received national media coverage. The same NGO organised an awareness raising campaign – ‘Celebrate without weapons’ – for Orthodox New Year. This high profile campaign saw billboards around the capital branded with the campaign message. 500,000 leaflets with a similar branding were distributed around Serbia.

The media plays an important but complex role in reporting SALW crime and control initiatives. Much of the present reporting, particularly in tabloids, continues to be sensationalist and sometimes inaccurate. This means that in Serbia there remains reluctance amongst the government to engage with the media on SALW issues. The number of journalists able and willing to report SALW issues in a sophisticated and balanced manner is, however, increasing. Further, media trainings of the sort supported by SEESAC in 2004 would provide the media with additional resources and know-how to contribute to more representative journalism.<sup>147</sup>

#### Republic of Montenegro

Most of the awareness raising work conducted by Montenegrin NGOs has taken place in conjunction with SALW interventions and in association with the Montenegrin government and UNDP. Examples of this include the work of the NGO network ‘Akacija’ in which an awareness-raising initiative followed on the ‘Farewell to Arms’ campaign in 2003. In November 2004 the MUP donated 500 confiscated weapons for the construction of a ‘Bird of Peace’ as part of the Arms into Art Week in Montenegro. Artists and NGOs from Serbia, Montenegro, Macedonia, Bosnia & Herzegovina, Croatia and Kosovo took part in the

<sup>145</sup> *Kosovo and the Gun*, SAS, 2003, p 20.

<sup>146</sup> As noted above, SAS estimate that Kosovo Serb militia hold between 240 and 400 SALW, and Kosovo Albanian militia, including the NLA, between 11,800 and 15,800 weapons. *Kosovo and the Gun*, SAS, 2003, p 11.

<sup>147</sup> ‘Regional Media Training in SALW Reporting’, SEESAC Activity Report 33, 04 June 2004, <<http://www.seesac.org/reports/actreports.htm>>, accessed 11 May 2005.

event, designed as an attempt to raise awareness of sustainable disarmament efforts and strengthen the regional SEENCA network.<sup>148</sup> A month-long awareness-raising campaign took place between December 2004 and January 2005. The campaign - 'Respect the Law - Don't Carry Arms' - coincided with the Christmas and New Year holiday period and was directed at raising awareness of the provision within the new Law on Arms which forbids the carrying of weapons in public. The campaign coincided with the confiscation of 803 firearms by state authorities.

## Kosovo

NGO activities on SALW in Kosovo were originally linked to youth work funded by the UNDP through the 'Support to Human Security in Kosovo' programme, which commenced in 2001. A grant was awarded to awareness raising projects developed by member organisations of the Kosovo Youth Network, which had initially identified SALW, and insecurity in general, as a major concern of Kosovar youth. Also receiving a grant, the US Balkan Sunflowers NGO, produced a video documentary on SALW filmed and produced by local youth. The video, 'In the Hands of Youth', highlighted the serious proliferation of SALW among young people in Kosovo, and the 'taboo' on discussing the issue of weapons.<sup>149</sup>

Apart from the small-scale awareness raising activity conducted by local NGOs, the campaign supporting the September 2003 amnesty and collection represents the main awareness raising activity on SALW undertaken in Kosovo. The campaign was conducted by the UNDP's ISAC project but involved other actors from both the international and Kosovar communities. Campaign materials, funded at a cost of US\$ 75,000 by UNDP ISAC, included posters, billboards, leaflets and a set of eight fact-sheets on the different aspects of SALW problems and regulations. KFOR was particularly active in putting up posters, while local NGOs distributed leaflets and the 200,000 fact sheets. Over 30 different TV and radio public announcements were broadcast during the initiative, as well as press conferences and debates involving key public figures. The print media in Kosovo carried over 130 feature articles on SALW and the amnesty initiative between mid-August and 30 September 2003.<sup>150</sup> Other activities included roundtables and discussions at the municipal level, sporting and recreational events in rural areas and a concert in support of the initiative held on the first day of the amnesty.<sup>151</sup> In addition to personal visits and discussions with municipal leaders, UNDP letters about the competition 'rules' in appropriate languages were sent to every municipal president and UN representative on 1 September 2003.<sup>152</sup> Since the end of the ISAC project in 2003, no further funding has been available for SALW awareness projects and therefore during 2004 no new activities occurred within Kosovo. In September 2004, however, four Kosovar NGOs attended a training session in Tirana on awareness raising, organised by SEESAC.<sup>153</sup>

<sup>148</sup> 'Arms into Art Week in the Republic of Montenegro', 17 January 2005, IANSA, <[www.iansa.org/regions/europe/arms\\_art.htm](http://www.iansa.org/regions/europe/arms_art.htm)>, accessed 18 April 2005.

<sup>149</sup> Information provided by Charlotte Phillips, then Programme Manager for the Youth Post-Conflict Participation Programme at the International Rescue Committee, Kosovo.

<sup>150</sup> Correspondence with UNDP ISAC staff, 16 February 2004.

<sup>151</sup> *Ibid.*

<sup>152</sup> Telephone conversation with Mike Dixon, ISAC Programme Co-ordinator, 12 February 2004.

<sup>153</sup> 'SALW Awareness Support Pack Outreach Workshops Skopje, Tirana & Chisinau', *SEESAC Activity Report 44*, 08 November 2004, <<http://www.seesac.org/reports/actreports.htm>>, accessed 11 May 2005.

## 3.7 SALW survey activities

### Republic of Serbia

Three SALW and security surveys have recently been conducted in the Republic of Serbia. The first two focused on specific areas – youth in Belgrade; and public perceptions of small arms and security in southern Serbia<sup>154</sup>. The third, a comprehensive survey of the entire republic, was researched in late 2004 and published in April 2005 in Belgrade. The SALW Survey of the Republic of Serbia was researched by the UK-based NGO Saferworld in partnership with Belgrade-based marketing firm SMMRI and was published by the UNDP's Small Arms Control in Serbia and Montenegro (SACISCG) programme.<sup>155</sup>

### Republic of Montenegro

The Small Arms Survey conducted a SALW survey in Montenegro in late 2003.<sup>156</sup> Published in 2004 by SEESAC, was the first survey undertaken in the region in accordance with the UNDP-SEESAC SALW Survey Protocols and 'Regional Micro-Disarmament Standards.'

### Kosovo

The main piece of research into SALW in Kosovo is the survey conducted by the Small Arms Survey in 2003.<sup>157</sup> 'Kosovo and the Gun: a Baseline Assessment of Small Arms and Light Weapons in Kosovo' was undertaken to more clearly identify SALW-related problems in the entity and to gain more information on possible methods of collecting SALW for the UNDP office in Pristina. Incorporating the results of a small arms baseline assessment household survey and based on desk and field research, the survey includes information on: perceptions of security and security providers, the number of weapons in the entity, weapons trafficking across Kosovo's borders, gun culture and weapons regulations and the direct and indirect effects of guns in Kosovo.

## 3.8 Civil Society involvement in SALW interventions

### Serbia and Montenegro

Civil society interventions in cooperation with the State Union have not taken place owing to the devolved competencies of the republics within the State Union. That said, the 2004 UN PoA report stipulates, "Growing awareness of SALW should be closely coordinated in cooperation with the governmental and non-governmental sectors". During the course of 2004 there were encouraging signs that governmental officials were increasingly willing to cooperate with international organisations and domestic NGOs and, as the 2004 UNPoA report stipulates: 'common actions [between government and non-government actors] to improve awareness...should be realised.'<sup>158</sup> While NGOs continue to focus their attentions

<sup>154</sup> Available on the SEESAC website <[www.seesac.org](http://www.seesac.org)>

<sup>155</sup> The survey was researched in accordance with the SALW Survey Protocols and SEESAC Regional Micro-Disarmament Standard (RMDS) 05.80 and is available at <[www.seesac.org](http://www.seesac.org)>, accessed 03 May 2005.

<sup>156</sup> *Montenegro SALW Survey*, SAS 2004. The survey is available at <[www.seesac.org](http://www.seesac.org)>, accessed 03 May 2005.

<sup>157</sup> *Kosovo and the Gun*, SAS 2003.

<sup>158</sup> *Report of SCG on the Implementation of the UN PoA to prevent, combat and eradicate the illicit trade in SALW in all its aspects* (2004), p 9.

at the local or national level there are increasing instances of NGOs acting at the region-wide level.<sup>159</sup>

## Republic of Serbia

While there are no plans for another firearms amnesty anytime soon, BYU and the Red Cross of Serbia and Montenegro were both involved in awareness raising activity in conjunction with the 2003 Amnesty. During 2004 civil society groups in Serbia enhanced their capacity to provide the government with a future partner for possible forthcoming interventions. Such steps demonstrate an increased awareness of the seriousness of the problem. There remain significant ways that more systematic civil society engagement could be achieved, e.g. through participation in a national SALW commission which would provide a critical partnership with government stakeholders. In October 2004 the 'Peace Policy Network' of Serbia was established. This NGO forum brings together fifteen organisations working on human security issues to coordinate campaigns, pool resources, advocate for enhanced SALW control and lobby for more transparency in regards SALW and security issues.<sup>160</sup> Network members plan, through a single point of contact, to engage with the government through the National SALW Commission process.

## Republic of Montenegro

The new Law on Arms has provided Montenegrin NGOs with a good opportunity for more sustained awareness raising work linked directly to an enhancement of legislation. The Law on Arms, as well as the campaign that accompanied it, was designed with two objectives in mind: firstly, to highlight the fact that it is now a criminal offence to carry firearms in public places; and secondly to enable illegally possessed weapons to be registered and for all prohibited weapons to be turned in.<sup>161</sup> As with an earlier 2003 campaign, perceptions of the campaign's success were mixed. Incidences of celebratory shooting during the Christmas and New Year period fell significantly, most likely as a result of the campaign and of police warnings that violations would be punished severely. An opinion poll conducted in January 2005 found that fifty per cent of respondents believed the campaign model had been 'very effective.'<sup>162</sup> However, NGOs involved with the campaign expressed their disappointment at the small numbers of weapons withdrawn from circulation.<sup>163</sup>

## Kosovo

The UNDP ISAC project and September 2003 amnesty in Kosovo provided an opportunity for increased civil society action on SALW. The NGOs War Child and Lipjan Youth Centre organised a parade and poetry and drawing competition for children. Sporting events were organised by the Kosovo Centre for International Co-operation and the Pristina Youth Centre, which also organised film nights, produced a TV documentary on SALW, disseminated information at market days to youth and organised a concert to launch the amnesty. The Kosovo Action for Civic Initiatives (KACI) organised public discussions in town halls and four

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<sup>159</sup> For example, the SEENCA network, a collection of NGOs working on small arms control issues.

<sup>160</sup> Vladmir Djumic of Balkan Youth Union is the chair of this Network; <[www.vladimir.bum.org.yu](http://www.vladimir.bum.org.yu)>, accessed 11 May 2005.

<sup>161</sup> Interview with Ministry of Interior, Podgorica, 25 January 2005.

<sup>162</sup> Interview with USAID/ORT, Podgorica, 24 January 2005.

<sup>163</sup> Interview with Human Rights Centre, Podgorica, 20 January 2005.

TV debates on SALW. The Gender Research and Training Centre organised roundtables in rural areas, while the magazine *Srpsko Slovo* undertook small-scale research and carried feature articles on SALW.<sup>164</sup>

### 3.9 Cross-border SALW control initiatives

#### Serbia and Montenegro

There is increasing involvement by SCG state agencies in cross border SALW control initiatives, particularly in regards frontier control and anti-trafficking activities. In line with European norms, Ministry of Interior personnel from the Republics of both Serbia and Montenegro now execute border control in SCG, whereas before 2005 the Army was responsible. SCG has worked with the OSCE and the international community in creating the new police border services and ensuring that they follow European and International norms for border management.<sup>165</sup>

Opportunities for coordinating border control at the regional level exist through membership in a number of fora and agreements. SCG is a member of Interpol and through this membership engages in 'appropriate cooperation and information exchange with a view to suppressing illicit trafficking in SALW.'<sup>166</sup> At the time of writing, SCG was in negotiations for a cooperation agreement with EUROPOL.

SCG's UN PoA report for 2003 cited "intense SCG cooperation...with border services in neighbouring and other countries... cooperation with foreign liaison officers is especially significant for exchange of information". The report also stated that the Border Police were taking various actions on trafficking, including forming a special police team, participating in training courses and appointing a national anti-trafficking coordinator.<sup>167</sup> A new department within the Mol has been established in Montenegro, and a border security project for the republic has been developed.<sup>168</sup> International cooperation is also increasing, with links to the law enforcement agencies of countries such as the US and Australia deepening in the last year.<sup>169</sup>

SCG is a member of the Council of Europe Convention on the Fight Against Organised Crime, which lays out joint common commitments to tackle organised crime and trafficking. At the operational level, the South-eastern Europe Cooperative Initiative (SECI) Regional Centre for Combating Transborder Crime in Bucharest provides member states with an intelligence sharing facility. This centre has a dedicated SALW Task Force designed to interrupt the supply of SALW across southeastern Europe. Each member state seconds a law enforcement officer to SECI's headquarters in Bucharest where they exchange information with other regional law enforcement officers. While this forum suffers logistical

<sup>164</sup> Correspondence with UNDP ISAC staff, 16 February 2004.

<sup>165</sup> Sunter D, 'Police Take Over Serbia's Frontiers,' *Balkan Crisis Report*, IWPP, 25 February 2005. <[http://www.iwpr.net/index.pl?archive/bcr3/bcr3\\_200502\\_543\\_2\\_eng.txt](http://www.iwpr.net/index.pl?archive/bcr3/bcr3_200502_543_2_eng.txt)>, accessed 19 May 2005.

<sup>166</sup> SCG UN PoA report, 2003.

<sup>167</sup> 'Way Forward Document', Ohrid Regional Conference on Border Security and Management, 22 – 23 May 2003.

<sup>168</sup> *Ibid.*

<sup>169</sup> For example, in October 2003, the Australian Federal Police Bureau opened a regional headquarters in Belgrade, with the aim of increasing co-operation in the fight against organised crime. *SEESAC Weekly Media Review*, 06 – 13 October 2003, <[www.seesac.org](http://www.seesac.org)>, accessed 03 May 2005.

problems, there have been modest successes involving interceptions of SALW traffic.<sup>170</sup> SECI's operational capacity has been improved due to a number of operations designed to enhance information exchange, the most recent of which is 'Operation Safe Place'. This operation has benefited from wide ranging support from a variety of actors including SEESAC, EUROPOL, the FBI and the UK's National Criminal Intelligence Service (NCIS).

Other fora exist to facilitate cross border control such as the Southeast Europe Police Chiefs Association and an OSCE sponsored initiative that brings together law enforcement officers from various southeast European states to build trust and develop points of contact for future cooperation. Finally, there are bilateral agreements between SCG and neighbouring states to combat organised crime, such as the September 2003 agreement between the Republic of Serbia and Bulgaria.<sup>171</sup>

## Republic of Montenegro

International assistance to the Montenegrin government has focused on combating trafficking, although this assistance has mainly focused on human trafficking. The US has provided equipment for border control including a customs boat for Skadar lake on the Montenegro / Albania border and jeeps for border police.<sup>172</sup> The European Union, through the European Agency for Reconstruction has provided training for border officials at the Police School in Danilovgrad. Training workshops also took place in Herceg Novi for Montenegrin Border Police personnel. EU funds have also been used for the purchase of a Police Information System to link Montenegro's border crossings and nationwide police stations through a single database system.<sup>173</sup>

## Kosovo

In order to support border management, a PISCES computerised database system was installed in Pristina airport in 2003 and this has enhanced the capacity to regulate movements and combat organised crime. This system was further expanded to Vrbnica and General Jankovic border crossing points during the summer of 2004 and it is planned that it will eventually be installed at all crossing points.<sup>174</sup> In 2004 the European Agency for Reconstruction (EAR) launched a programme that will bring Kosovo's border management strategy in line with the objectives developed during the 'Ohrid Regional Conference on Border Security and Management' in May 2003. This will include providing equipment for border police stations, constructing or renovating stations, logistical and infrastructure support and the training of staff.<sup>175</sup>

<sup>176, 177</sup> Cross border cooperation with Kosovo's neighbours on border control issues is frequent. UNMIK has negotiated Police Cooperation Agreements with all its neighbours. These agreements ensure liaison on border control and security issues through subcommittees

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<sup>170</sup> As in the February 2003 case of the arrested Croatian national trafficking between Serbia and Hungary.

<sup>171</sup> SEESAC Weekly Media Review, 22 – 29 September 2003, <[www.seesac.org](http://www.seesac.org)>, accessed 03 May 2005.

<sup>172</sup> Interview with Alan Carlson, Political and Economic Officer, US Consulate, Podgorica, 26 January 2005.

<sup>173</sup> News Bulletin, EAR, April 2004, <[www.ear.eu.int/publications/main/news-a1b2za3zq4.htm](http://www.ear.eu.int/publications/main/news-a1b2za3zq4.htm)>, accessed 03 May 2005.

<sup>174</sup> Focus Kosovo, October 2004, <<http://www.unmikonline.org/pub/focuskos/oct04/focusklaw3.htm>>, accessed 03 May 2005.

<sup>175</sup> *Ibid.*

<sup>176</sup> *Ibid.*

<sup>177</sup> *Ibid.*

that meet on a regular basis. The Border Police Command Centre, established in Pristina in May 2003, is able to provide and receive information on border/boundary issues 24 hours a day and also increases the capacity for cooperation. In addition to the Police Cooperation Agreements, Kosovo has observer status at the Ohrid Conference and it participates in various Stability Pact initiatives and the European Commission CARDS Project.<sup>178</sup>

### 3.10 SALW management information and exchange systems and protocols

#### Serbia and Montenegro

Given the State Union's competencies, it is at this level that key diplomatic functions such as reporting to the UN and OSCE takes place. SCG has apparently complied with OSCE obligations and submitted reports to the secretariat in Vienna on its implementation of the OSCE Document on SALW and has also provided reports to the UNDDA on the implementation of the United Nations Programme of Action (UNPoA) in 2003 and 2004.<sup>179</sup>

International commitments aside, little public transparency exists on SALW issues in SCG. Researchers working in Montenegro note that, although officials at the Ministry of Internal Affairs are very forthcoming on the details of the recent amnesty, 'they are, for the most part, reluctant to discuss other subjects that pertain to the illegal possession of weapons within Montenegro, and the lack of transparency is an issue that hinders progress on the issue.'<sup>180</sup> A similar situation exists in Serbia, although there has been a positive level of transparency and discussion on destruction events and the 2003 amnesty. On a positive note, it seems that transparency on SALW may improve, as the SCG Government has stated that in the future, 'particular attention will be paid to informing the public and to information exchange with countries in the region. Interest in such cooperation is huge.'<sup>181</sup> In a further boost to transparency, at the end of 2004 the Serbian Parliament passed a law on access to information which obliges the relevant authorities to respond within 15 days to a request for information that is in 'the public interest,' or within 48 hours if the information is relevant to the 'vital interests' of an individual or the population.<sup>182</sup> It remains to be seen how effectively the new law can be implemented.

#### Kosovo

Transparency regarding SALW issues in Kosovo is extremely limited. As discussed previously, the fact that UNMIK retains sole responsibility for the security sector means that there is no accountable civilian oversight. The present security architecture in Kosovo is marked by the near or total absence of the features that would enable effective oversight. These include an established practice of governmental reporting to parliament; freedom of information regarding policy-making, planning and budgeting; the existence of a settled public security policy/strategy, against which actual practice can be assessed; sufficient skills and capacities among those civilians who should provide oversight (e.g.

<sup>178</sup> *Ibid.*

<sup>179</sup> The 2003 report also stated that, in addition to OSCE submissions, SCG also exchanges information on SALW 'with the countries of the region and beyond'. *SCG UN PoA report, 2003.*

<sup>180</sup> Research undertaken by Thomas Jackson (Saferworld UK), Podgorica, 2005.

<sup>181</sup> *SCG UN PoA report, 2003.*

<sup>182</sup> 'Serbian Parliament Passes Law on Access to Information in Public Interest,' *VIP News Service*, 03 November 2004.