

CONTROL OF ARMS, MILITARY EQUIPMENT AND DUAL USE GOODS EXPORT AND IMPORT

EXPORT/IMPORT SYSTEM OF THE REPUBLIC OF CROATIA

- the Law on Production, Repair and Traffic of Arms and Military Equipment (NN 33/02 and 173/03)
the Ordinance on Determining Goods Exported/Imported on the Basis of Licences, NN 67/03, 83/03, 121/03, 198/03
- the Law on Export Control of Dual Use Goods (NN 100/04, in force since 1st January 2005)
- the Trade Law, 2003
the Rule Book on Application Forms for Export of Dual Use Goods Licenses (NN 166/04)
- the Ordinance on the List of Dual Use Goods, NN 184/04; by this ordinance the EU Council Ordinance No. 1504/2004 from 19th July 2004 is accepted, which modifies and supplements the EU Council ordinance No. 1334/2000 regulating the regime of the Union with regards to export control of dual use goods and technologies

COMMETTEES

- the **Committee for Export and Import of Conventional Arms Licencing**, consists of the Ministry of the Economy, Labour and Entrepreneurship, the Ministry of Foreign Affairs, the Ministry of Defence and the Ministry of the Interior representatives
- the Rules of procedure on the work of the Commission from 20th October 2003
the **National Committee for the implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction**, consists of the Ministry of Foreign Affairs, the Ministry of the Economy, Labour and Entrepreneurship, the Ministry of Defence, the Ministry of the Interior and the Institute Ruder Boskovic representatives
- the Rules of procedure of this Committee is being made at the moment and will be delivered by the Ministry of the Economy, Labour and Entrepreneurship
- the **Committee for the Export of Dual Use Goods Licence Issuing**, consists of the Ministry of the Economy, Labour and Entrepreneurship, the Ministry of Foreign Affairs, the Ministry of Defence, the Ministry of the Interior, the Ministry of Finance (Customs Office) representatives and, depending on the class of goods, the representatives of other public administration bodies: the Ministry of Health and Social Welfare, the Ministry of the Sea, Tourism, Transport and Development, the Croatian Chamber of Economy
- the **Committee for SALW**, planned to be formed in 2004, will be formed in 2005
the **National Agency for Nuclear Security**, active since 1st January 2005

OTHER LAWS, ORDINANCES, REGULATIONS AND FORMS

- the Law on Nuclear Security, NN 173/03
the Law on Chemicals, NN 173/03 (passed in 2003, the implementation starts from 1st July 2005)
- the Law on Narcotics

the form for the import (conditionally export too, because Croatia doesn't have that kind of export) of chemicals and precursors from the lists 1, 2 and 3 of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction

INTERNATIONAL STANDARDS

- the EU Code of Conduct on Arms Exports, 8th June 1998
- the Decree of the Government of the Republic of Croatia about the adoption of the principles of the EU Code of Conduct on Arms Exports from 9th May 2002
- the UN Registry on the Export/Import of Conventional Arms
- bilateral cooperation and export embargoes (EU, USA)

ARMS CONTROL

Contained in the Work Plan for 2005 of the Department for Co-operation with International Institutions (and of the Section for Co-operative Security and Disarmament) and in the Report of the Republic of Croatia in accordance with the Resolution 1540 of the EU Security Council.

INTERNATIONAL VERIFICATION REGIME FOR ARMS CONTROL

Missile Technology Control Regime, MTCR /Ballistic Missiles Registry/; (the Republic of Croatia applied for membership in 2003; all required criteria and conditions are fulfilled,

- Zangger Committee (RoC applied on 2005)
 - Nuclear Suppliers Group - RoC is member from 26. Jun 2005. (the application was transmitted to the Chair Country (Sweden), the director of IAEA and to the Japanese Mission in Vienna)
 - Wassenaar Arrangement on Export Controls for Conventional Arms /Wassenaar Registry/; RoC is member since 29.06.05
 - Australian Group - (the Republic of Croatia applied for membership on 2005. All related criteria are completed
- International Code of Conduct Against Missile Proliferation

A summary on verification regimes is contained in the Work Plan for 2005 of the Directorate for Co-operation with International Institutions (and of the Section for Co-operative Security and Disarmament) and in the Report of the Republic of Croatia in accordance with the Resolution 1540 of the EU Security Council.

Croatian Export Control System

the **Law on Production, Repair and Traffic of Arms and Military Equipment** (NN 33/02 and 173/03)

the **Trade Act**

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COMMITTEES

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the **National Committee for the implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction**

the Rules of procedure of this Committee

the **National Commission for Arms and Ammunition (SALW)**, is active since March 2005

the **National Agency for Nuclear Security**, is active since 1st January 2005

OTHER LAWS, ORDINANCES, REGULATIONS

AND FORMS

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- **Wassenaar Arrangement on Export Controls for Conventional Arms** /Wassenaar Registry/; RoC become 29.06.05
- Australian Group - (the RoC applied for membership on 2005, and has EU support to join the Group)

EU Code of Conduct on Arms

Export Control

gives a detailed definition of the common criteria applicable to national arms export policies, on the

basis of the eight Common Criteria agreed at the Luxembourg and Lisbon European Councils in June 1991

and in June 1992

The decision making process regarding *final destination* and *and user*:

The decision making process regarding *final destination* and *and user*:

- Check UN resolutions list on Arms Embargos
- Check EU restriction measures list
- Take care about non proliferation and other international obligations
- Check the 8 Common Criteria of EU CoC
- Check bilateral obligations
- Check bilateral information
- Take care about national interest
- If the situation is not so clear about end user and country of final destination, will be necessary to:
 - ask for possibility of political obstacle or security reasons, through

bilateral channels

- **check competency of the end user signature**

INTERNATIONAL INSTRUMENTS

Croatia is a contracting party and an active party to most important international treaties and conventions, and a signatory to the documents on non-proliferation of weapons for mass destruction and conventional weapons, export and import control, arms control and anti-mine action: Nuclear Non-Proliferation Treaty (NPT); Convention on Physical Protection of Nuclear Material (CPPNM); Comprehensive Nuclear Test-Ban Treaty (CTBT); Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (CWC); Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction (BTWC); Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on their Destruction ; Hague Code of Conduct against Ballistic Missile Proliferation (HCOB); Vienna Document 99 (VD 99); Agreement on Subregional Arms Control (ASAC). Croatia has accepted the principles contained in the EU Code of Conduct for Arms Exports.

Related Border Security Assistance (Custom and Border Police assistance):

- **Custom has settled custom procedures related with dual use and identification of goods. There were more seminars and workshops for dual use and Export Control, together with Bulgarian - Hungarian Joint Program and also smuggling of weapons, through assistance of USA Government and Embassy in Croatia.**
- **Stockholm International Peace Research Institute**
- **Swedes National Inspectorate for Strategic Product**
- **RACVIAC (AC and AEC, MPIDP and DC)**

- **The National Custom Division and MOI are members of Export control national Committee and Dual Use Control Committee.**
- **The national Custom Division has obligation and procedure to check if some good falls on Dual Use list or not. Good will not release through border till that kind of identification.**
- **There also Custom procedure for maritime trade control**

What customs have done:

- **gave support in creation new legislative**
- **delegate customs officer in Committee for issuing licences for export of dual - use items**
- **delegate customs officer in Committee for SALW**
- **enforce dual-use export control on BCP, working the implementation on "TARIC"**

What customs need...

- **support the implementation of the adopted dual - use export control legislation**
- **support in education,**
- **support in equipment,**
- **support in Hi-technology for better connection with the relevant Ministries and State Offices**
- **work closely with countries in neighborhood**

