



## Security Council

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### **Security Council Committee established pursuant to resolution 1540 (2004)**

#### **Note verbale dated 19 December 2007 from the Permanent Mission of Croatia to the United Nations addressed to the Chairman of the Committee**

The Permanent Mission of Croatia to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1540 (2004) and, with reference to the latter's letter of 17 October 2007, has the honour to transmit herewith the additional information of the Republic of Croatia on the implementation of resolution 1540 (2004), as well as the updated matrix, to be posted as a close-hold document (see annex).



**Annex to the note verbale dated 19 December 2007 from the Permanent Mission of Croatia to the United Nations addressed to the Chairman of the Committee**

**Response of the Republic of Croatia to the request for additional information issued by the Security Council Committee established pursuant to resolution 1540 (2004)\***

Non-proliferation of weapons of mass destruction, as well as of strategically sensitive and dual-use goods, technology, equipment and their means of delivery, is Croatia's top security policy priority. Croatia considers efforts and activities aimed at preventing the proliferation of weapons of mass destruction (WMD) crucial in the fight against contemporary security threats, and, in particular, the threat of terrorism and the risk of non-State actors, terrorist groups or individuals acquiring weapons of mass destruction.

Croatia's non-proliferation of WMD policy goal is pursued through strengthening national implementation and enforcement of respective policies and obligations, as well as through actively participating in non-proliferation activities at the regional, multilateral and international levels. Special attention is paid to effective implementation of international obligations under the existing international non-proliferation treaties and obligations within the non-proliferation regimes. Croatia attaches particular importance to strengthening intergovernmental cooperation in preventing and eliminating proliferation risks before they fully evolve, and in building national and international capacities for an appropriate response and minimization of possible effects of attacks.

**Universalization**

The Republic of Croatia is a State party to and an active participant in all the major international treaties and conventions relating to arms control, disarmament and non-proliferation of weapons of mass destruction.

These include: the Treaty on the Non-Proliferation of Nuclear Weapons (NPT); the Convention on the Physical Protection of Nuclear Material (CPPNM) and Amendment (2006); the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (BTWC); the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (CWC); the 1925 Geneva Protocol; the Comprehensive Nuclear-Test-Ban Treaty (CTBT); the Hague Code of Conduct against Ballistic Missile Proliferation (HCOC); and the International Convention for the Suppression of Acts of Nuclear Terrorism.

Regarding the implementation of the non-proliferation aspect of the NPT, Croatia's commitment and active role is even more intensified during its 2007-2008 membership in the Board of Governors of the International Atomic Energy Agency (IAEA).

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\* The matrix was transmitted to the Secretariat and may be consulted at the Security Council Subsidiary Organs Branch.

As a State party to the CWC, Croatia is an active member of the Organization for the Prohibition of Chemical Weapons (OPCW).

Since 2005, Croatia has been participating in non-proliferation and arms control regimes, the Wassenaar Arrangement (WA) and the Nuclear Suppliers Group (NSG), the Zangger Committee (ZC) since 2006 and the Australia Group (AG) since 2007. Croatia is also active in the Proliferation Security Initiative, and has expressed its support to the Global Initiative to Combat Nuclear Terrorism. Croatia has put forward its candidature for the participation in the Missile Technology Control Regime (MTCR).

Croatia shares the view that the efforts in preventing WMD proliferation must be global, but activities should also be intensively pursued at the regional, bilateral and national as well as the community levels. Therefore, apart from the aforementioned, Croatia supports the activities by the United Nations, by regional organizations such as the Organization for Security and Cooperation in Europe (OSCE), the North Atlantic Treaty Organization Partnership for Peace (NATO/PfP), the Stability Pact, the South-East European Cooperation Process (SEECP), and the South-Eastern Europe Defence Ministerial process (SEDM). Within the SEDM, Croatia chaired, during the 2005-2006 period, the Working Group for Counter-Terrorism, Border Security and Counter-Proliferation of Weapons of Mass Destruction (CBSC).

Croatia has carried out all obligations relating Security Council resolution 1540 (2004) and submitted three reports.

## **Implementing international instruments**

According to the Constitution of the Republic of Croatia, obligations under the international treaties and conventions take precedence over national legislation in case of ambivalence or conflict.

### **Nuclear domain**

The Republic of Croatia acts consistently in full accordance with its international obligations, by implementing non-proliferation standards, and, in particular, export control of nuclear materials, technology or equipment. By the Act of succession, from 29 June 1992 Croatia became a party to the Treaty on the Non-proliferation of Nuclear Weapons (INFCIRC/140) and the Convention on the Physical Protection of Nuclear Material (CPPNM) (INFCIRC/254) (Official Gazette — International Agreements Nos. 12/93 and 5/01), with their application since 8 October 1991. As a State party to the CPPNM, Croatia takes all necessary measures to effectively protect nuclear materials that are used, stored or transported for peaceful purposes, as envisaged by the IAEA document “The Physical Protection of Nuclear Material and Nuclear Facilities” (INFCIRC/225). Croatia placed the instrument of ratification on the CPPNM Amendment on 12 September 2006 with IAEA. On 9 June 1994, the Republic of Croatia, as a member of IAEA, signed the Agreement for the Application of Safeguards in Connection with the Treaty on the Non-proliferation of Nuclear Weapons with Protocol (INFCIRC/463) (Official Gazette — International Agreements No. 13/94). The Protocol defines the reduced volume of safeguards application in the Republic of Croatia, as the nuclear material in Croatia does not exceed the quantity referred to in article 36 of the Agreement.

The Agreement entered into force on 19 January 1995, and since that time Croatia has established the State system of accounting, control and physical protection of nuclear material. The system is based on the regulation on the zones of material balance, on record-keeping on nuclear materials and on the delivery of data from such records (Official Gazette No. 53/91). Moreover, portable monitors to detect nuclear and other radioactive material were placed at one of the most frequented border crossings — Bregana — in November 2006, thus making it one of the best equipped for detection in this part of Europe.

Croatia accepted the safeguards system of IAEA with the aim of preventing the misuse of the peaceful uses of nuclear energy. Although Croatia does not possess any nuclear facilities, it is important to note that all the necessary safeguard measures are applied in all peaceful activities involving nuclear materials on its territory. Croatia will not approve the import, export or transit (transport) of nuclear materials without guarantees that these materials are protected according to levels specified in annex I to the Treaty. In the event of theft, robbery or any other illegal activity involving nuclear materials or similar threats, Croatia will, in line with its domestic legislation, cooperate and provide assistance in efforts to retrieve and protect these materials. Illicit trafficking in nuclear materials is penalized as a criminal offence according to the Penal Code.

In order to further enhance control of nuclear material and to support the safeguards activities of IAEA, Croatia signed, on 22 September 1998, the Protocol Additional to the Agreement for the Application of Safeguards in Connection with the Treaty on the Non-proliferation of Nuclear Weapons (INFCIRC/463/Add.1) (Official Gazette — International Agreements No. 7/00).

The Additional Protocol entered into force on 6 July 2000, and since that time Croatia has established supervision and control measures over production and import and export of specific equipment and materials specially designed or prepared for producing, processing or using nuclear materials. The scope of the Additional Protocol with regard to supervision and control of production activities is outlined in annex I, and a list of equipment and materials under export or import control is included in annex II to the Additional Protocol.

Pursuant to the Additional Protocol, Croatia has assumed an obligation to notify IAEA on all nuclear activities on its territory. In line with articles 2 and 3 of the Additional Protocol, Croatia regularly reports to IAEA on the present state of affairs in Croatia with regard to the use of nuclear materials, development and research activities, as well as the production, import and export of specific equipment and nuclear materials. Regular inspections are conducted at locations where nuclear materials are used or where specific equipment can be produced. At the State level, all use of nuclear materials is registered in an official register, which is kept at the State Office for Nuclear Safety.

After the entry into force of the Additional Protocol in 2000, the existing decree specifying goods subject to export and import licences has been amended to add tariff items and numbers that comprise equipment and materials from annex II to the Additional Protocol (Official Gazette Nos. 67/03, 83/03, 121/03 and 198/03). Before the issuance of export and import licences for these goods by the Trade Department of the Ministry of the Economy, Labour and Entrepreneurship, which is authorized to issue such licences, the State Office for Nuclear Safety has to give its consent. In September 2006, Croatia informed IAEA of its support for both the Code

of Conduct on the Safety and Security of Radioactive Sources and the supplementary Guidance on the Import and Export of Radioactive Sources.

The Nuclear Safety Act adopted in October 2003 (Official Gazette No. 173/03) identifies safety and protection measures to be applied as regards the use of nuclear materials and specified equipment in performing nuclear activities. It also establishes an independent regulatory body for nuclear safety — the State Office for Nuclear Safety (started work on 1 June 2005). According to the Act, nuclear activities are: production, processing, usage, storage, disposal, transportation, import, export, possessing or other handling of nuclear material and specified equipment. The State Office succeeded the Nuclear Safety Department of the Ministry of Economy, Labour and Entrepreneurship and took over its responsibility for giving consent for nuclear activities.

In 2006, the State Office for Nuclear Safety adopted a new Ordinance on the Control of Nuclear Material and Special Equipment (Official Gazette No. 74/2006), which regulates the list of nuclear materials and special equipment and the list of other activities related to the production of special equipment and non-nuclear material; the content of the forms for notification of the intention to carry out export/import and transport of nuclear material, the content of the form for notification of the intention to carry out activities for the production of special equipment and non-nuclear material, and the content of the form for reporting on the material balance of the nuclear material in the material balance area; the manner in which nuclear material records are kept, the procedure for notifying the State administration body competent for nuclear safety by the nuclear material user, and the keeping of registers of nuclear material and special equipment by the State administration body competent for nuclear safety; and the form for the official identification and badge of inspector for nuclear safety and the procedure for their issuance and use.

The Act on Liability for Nuclear Damage (Official Gazette No. 143/98), which regulates liability in the usage and management of nuclear materials, is based on provisions of the Vienna Convention on Civil Liability for Nuclear Damage (Official Gazette — International Agreements No. 12/93), to which Croatia is a party pursuant to succession from 29 September 1992, with its application from 8 October 1991.

In 2006, on the basis of article 34 of the Act on Ionizing Radiation Protection and the Safety of Ionizing Radiation Sources (Official Gazette No. 64/06), the import and export of sources of ionizing radiation may be carried out by legal and natural persons by virtue of the permit provided by the State Office for Radiation Protection, and, under article 35, the transport and transit of radioactive sources may be performed by legal and natural persons subject to the approval of the State Office for Radiation Protection, upon fulfilment of the conditions referred to in that Act, the conditions set out in the Act on Transport of Hazardous Substances and the Maritime Code and subordinate legislation enacted on the basis of the Maritime Code or accepted by the Maritime Code.

Pursuant to article 46 of the Act on Ionizing Radiation Protection and the Safety of Ionizing Radiation Sources, inspectional supervision over provisions of that Act and regulations enacted on the basis thereof shall be implemented by sanitary inspectors and border sanitary inspectors from the ministry responsible for health.

On the basis of article 16 of the Ordinance on the Register of Activities, Requirements and the Manner of Issuing and the Validity of Licences for Work with Sources of Ionizing Radiation and the Use of Sources of Ionizing Radiation (Official Gazette No. 125/06), legal and natural persons shall submit a request for a permit for export to the State Institute for Radiation Protection. The request for an export permit shall enclose the following:

1. A certificate of the radioactive source — for a sealed radioactive source.
2. A statement of the end-user on accepting the radioactive source.
3. A copy of a licence issued by a competent body of the country where the radioactive source is exported to, which permits the end-user to carry out certain activities with radioactive source.
4. A copy of a licence issued by the competent body of the country where the radioactive source is exported to, which permits the legal or natural person importing the radioactive source to import the radioactive source.

An importer shall, in written form and within 15 days of the delivery of a radioactive source to an end-user, inform the State Institute of Radiation Protection thereabout and enclose a statement of the end-user on acceptance of the radioactive source, as well as a copy of a single customs declaration.

On the basis of article 17 of the same Ordinance (Ordinance on the Register of Activities, Requirements and the Manner of Issuing and the Validity of Licences for Work with Sources of Ionizing Radiation and the Use of Sources of Ionizing Radiation), importers may receive orders and import radioactive sources only if end-users submit to them a copy of a licence issued by the State Institute of Radiation Protection for carrying out certain activities with radioactive sources and a permit for the procurement of radioactive sources.

On the basis of article 11, paragraph 2, of the Ordinance on the Conditions and the Measures of Protection against Ionizing Radiation for the Practices with Radioactive Sources (Official Gazette Nos. 84/00 and 106/03), before the radioactive substance passes the State border, the importer must forward to the border sanitary inspector the permit for purchasing the radioactive source issued to the end-user by the State Office for Radiation Protection.

Pursuant to article 4 of the Nuclear Safety Act (Official Gazette No. 173/03), the application for issuing authorization for the transport of nuclear material shall be filed with the State administration body responsible for the transport of radioactive material, while the State Office for Nuclear Safety grants approvals in the process of issuing the authorization. The procedure is laid down in the Ordinance on the Control of Nuclear Material and Special Equipment (Official Gazette No. 120/05) in its article 7.

On the basis of article 46 of the Act on Ionizing Radiation Protection and the Safety of Ionizing Radiation Sources (Official Gazette No. 64/06), the Ordinance on the Methods and Procedures of Surveillance during the Import and Export of Materials suspected to be contaminated with Radionuclides or to contain Radioactive Sources (Official Gazette No. 114/07) was promulgated recently. Controls on import or export of material with regard to which there is a justified suspicion of contamination by radionuclides or that it might contain radioactive sources shall be exercised by border sanitary inspectors, border police officers and

customs administration officers in cooperation with the State Office for Radiation Protection. This Ordinance constitutes the legal basis and starting point for institutional capacity-building and the concrete involvement of relevant Croatian governmental bodies, in particular the State Office for Radiation Protection, in international efforts in preventing illicit trafficking in nuclear and other radioactive materials.

### **Biological and chemical domain**

Croatia implemented the 1972 Biological Weapons Convention into its national legislation as follows: Constitution of 1990 (in Croatian) — Art. 140; Law on transporting dangerous goods of 1993; Law on State Border Control of 2003; Customs Code of 1999; Act on Export of Dual-use Items, Official Gazette No. 100/04, of 9 July 2004; Decree on the List of Dual-use Items, Official Gazette No. 184/04, of 9 December 2004; Regulation on the Application Form for Issuing Export Licence for Dual-use Items, Official Gazette No. 166/04, of 1 January 2005; Regulation on the Application Form for Issuing Import Licence for Dual-use Items, Official Gazette No. 166/04 of 1 January 2005; Law on Arms of 1992, as amended in 2002. The National Authority for the Chemical Weapons Convention (CWC), established in 1997, and that for the Non-proliferation of WMD, established in 2004, are in charge of strengthening national counter-proliferation capabilities. In addition, Croatia puts a lot of effort into strengthening and enhancing national counter-proliferation capabilities. Civil servants take part in most of the exercises aimed at improving counter-proliferation capabilities and, information flow and internationalizing norms and procedures relating to the non-proliferation of biological weapons.

The Republic of Croatia does not have, nor has it ever in the past developed, biological or chemical weapons offensive programmes. Croatia has, however, biological and chemical defence programmes. These programmes are centred on a three-pronged approach: passive, technical and special measures for defending against possible biological and/or chemical attack. Passive measures include removing (eliminating) or softening the direct impact or after-effects of a biological attack, while technical measures include protecting military personnel from coming into contact with biological/chemical agents, with special emphasis on protection against lung or skin infections. The third approach — special measures — is concentrated on identifying possible users of chemical and biological weapons and taking preventive measures.

Croatia's pharmaceutical and biotechnology industries do not deal with sensitive pathogens, so the risk of an accidental outbreak of disease is minimal. Croatia would like to caution, however, that an attack using biological or chemical weapons could take many different forms; therefore constant vigilance is needed. Croatian representatives in charge of crisis management work continuously to improve their knowledge and keep themselves up to date with news in this field. Croatia takes care with regard to the education of representatives of industry. The Ministry of Economy, Labour and Entrepreneurship of the Republic of Croatia organized several workshops for representatives of industry to prevent illicit use of dangerous chemicals.

The National Authority for the Non-proliferation of WMD and the National Authority for the Implementation of the CWC are mandated to initiate changes in

the national law, to verify the implementation of relevant international law and to organize seminars and exercises to improve national capabilities in case of unusual outbreaks of disease.

The Republic of Croatia acceded to the Chemical Weapons Convention in April 1995. Since Croatia does not possess chemical weapons, its obligations relate to annual declarations on chemical facilities and cooperation with the OPCW, in particular with regard to inspections of such factories. In the case of OPCW inspections, the National Authority for the Implementation of the CWC is obliged to assist the inspection team and prepare the programme for the visit.

The Act on Chemicals (Official Gazette No. 173/03) defines safety and protection measures while using chemical materials and specified equipment. Illicit trafficking in chemical and biological materials is penalized as a criminal offence according to the Penal Code. Notwithstanding the above, it should be noted that article 163 of the Croatian Penal Code defines the illegal sale or possession of both biological or chemical weapons, as well as any other weaponry banned by international treaties or conventions, as a criminal offence punishable by imprisonment. The law states, in its paragraph 1, that “whomsoever constructs or develops, produces, attains, stores, offers for sale or purchase, brokers in the sale or purchase, possesses, transfers or transports chemical or biological weapons, or any other military equipment which is prohibited by international law, will be punished by imprisonment from 3 months to 3 years duration”. Furthermore, paragraph 3 of the same law states: “If the execution of a criminal offence pursuant to paragraph 1 of this Article cases the death of one or more persons, the executor of the criminal offence will be punished by imprisonment of at least 5 years duration or longer term imprisonment”.

### **Regulations on dual-use items related to WMD**

The Act on the Export of Dual-use Items (Official Gazette No. 100/04) entered into force on 6 July 2004 and its application started on 1 January 2005 (owing to the need for the adoption of relevant regulations/lists which enable the implementation of the Act). The Act on the Export of Dual-use Items was prepared pursuant to the directive of the European Council, Regulation (EC) No. 1334/2000 of 22 June 2000, by which an efficient common control system of the export of dual-use items in the European Union (EU) member States was established. By passing this Act, the Republic of Croatia established a system of regulations for export control assurance for dual-use items and technologies. The list of dual-use items — Regulation on the List of Dual-use Items (Official Gazette No. 184/04, available at <http://mingorp.hr>), followed by the Regulation on the Amendment to the Regulation on the List of Dual-use Items, which entered into force in 2007 (Official Gazette No. 62/2007), was adopted by the Government of the Republic of Croatia pursuant to article 3 of the Act on Export of Dual-use Items in December 2004 and has been implemented, together with the Act, since 1 January 2005. The list of items as a part of the regulation is identical to annex I to Regulation (EC) No. 1504/2004 of 19 July 2004 (which is a revision of Regulation (EC) No. 1334/2000) (Official Journal number L 281), available from <http://eur-lex.europa.eu>. The list therefore also includes items from the internationally agreed control lists of dual-use items of the Nuclear Suppliers Group, the Wassenaar Arrangement, the Missile Technology Control Regime, the Australia Group and the Chemical Weapons Convention. The Customs Administration of the Republic of Croatia controls the export of dual-use items and



evaluates compliance with the export licence. Other parts of the State administration within their specific competences control other kinds of export.

The Ministry of Economy, Labour and Entrepreneurship may inspect dual-use items and the pertinent documentation in the exporter's or manufacturer's premises before and after export licence issuance.

Export licences for the export of dual-use items are issued by the Ministry of the Economy, Labour and Entrepreneurship pursuant to a proposal of a Committee comprising representatives of the Ministry of Foreign Affairs and European Integration, the Ministry of the Interior, the Ministry of Defence, the Customs Administration and the Ministry of the Economy, Labour and Entrepreneurship. Since the list of dual-use items refers to goods falling within the competence of other ministries, the Committee comprises representatives of ministries in charge of telecommunications, health, agriculture, et cetera, and, in order to run a check on the end-user, the Intelligence Agency. The representatives of the Croatian Chamber of Commerce are also involved in the Committee's work. The Committee has adopted its rules of procedure.

The Act also prescribes the so-called "Catch-all" control system, which is based not on the national control list but on the end use or the end-user. This means that the export licence will also be necessary for the export of goods not on the list when the Ministry of the Economy, Labour and Entrepreneurship informs the exporter that the goods could be used for the production and proliferation of chemical, biological or nuclear weapons. The export licence will also be necessary in the event that the goods are intended for a prohibited end-user, that is, a country against which Security Council sanctions or an action pursuant to a decision of the Organization for Security and Cooperation in Europe or the European Union are directed. However, if the exporter knows that the goods in export are intended for the said end use or end-user, it must inform the Ministry of the Economy, Labour and Entrepreneurship thereof, in which case the Ministry shall determine whether an export licence is necessary for such export.

An export licence will be issued for every individual export. However, depending on the type of dual-use items in question, the type and duration of the export agreement and the country to which these goods are being exported, the Ministry may issue to the exporter a global licence for the export of goods of the same kind, for one or more countries.

The Ministry will decide on the export licence application within 60 days, or 90 days if additional verifications are necessary (end-user verifications).

In the process of issuing the export licence, the Ministry shall take due care of the foreign policy, security, defence and economic interests of the Republic of Croatia and of the international commitments that it has undertaken. An already issued licence can be revoked if the conditions pursuant to which such a licence was issued no longer exist, or it can be annulled if it has been determined that the licence was issued on the basis of incorrect or incomplete information and the applicant knew, or had to know, that such information was incorrect or incomplete.

The Ministry keeps a record of export licences issued and exports undertaken; it cooperates with international organizations and other countries' competent bodies, in accordance with the obligations assumed by the Republic of Croatia. Since the

beginning of the implementation of the Act, that is, from 1 January 2005, 65 export licences have been issued.

A fine of a maximum of 250 per cent of the export business value is imposed for the export of dual-use items without an export licence, but not less than 50,000 kunas (at present approximately € 6,600) for legal and physical persons/craftsmen.

The Ordinance on the Application Form for the Issuance of the Export Licence for Dual-use Items (Official Gazette No. 166/04) sets out the form and the contents of the application form and the list of documents to be attached thereto. The application form has been aligned with the form contained in annex III a to Council Regulation (EC) No. 1504/2004. The application for the issuance of the export licence shall be submitted to the Ministry of the Economy, Labour and Entrepreneurship. The whole application must be correctly and legibly filled in. The applicant is responsible for the accuracy and truthfulness of the data supplied in the application. The application form has been published on the Ministry's website ([www.mingorpc.hr](http://www.mingorpc.hr)) in order to facilitate the filing of applications by the exporters. It is still not possible to deliver the application in electronic form.

The Ordinance on the Application Form for the Issuance of the Import Certificate for Dual-use Items (Official Gazette No. 166/04) has been adopted by the Ministry of the Economy, Labour and Entrepreneurship pursuant to article 11 of the Act. The Ordinance sets out the form and the contents of the application form for the issuance of the import certificate for dual-use items and the evidence to be attached thereto. The import certificate is a document that will be issued by the Ministry of the Economy, Labour and Entrepreneurship if the country exporting dual-use items requires an import certificate for the export of such goods. The certificate will be issued in the Croatian and English languages. It contains data on the importer into the Republic of Croatia (and possible end-user, if different from the importer), the type, quantity and value of goods and an indication that the goods will not be re-exported from the Republic of Croatia without special approval from the Ministry.

#### **Verification of the implementation of international and national legislation related to WMD**

**The National Authority for the Non-proliferation of WMD** was established in November 2004 pursuant to the Security Council resolution 1540 (2004) as an inter-agency body, related in particular to cooperation within the Proliferation Security Initiative (PSI). The National Authority consists of the representatives of the Ministry of Foreign Affairs and European Integration, the Ministry of Defence, the Ministry of Economy, Labour and Entrepreneurship, the Ministry of Interior, the Ministry of the Sea, Tourism, Transport and Development, the State Office for Nuclear Safety, the State Office for Radiation Protection, the National Protection and Rescue Directorate, and the Customs and Intelligence services.

**The National Authority for the Implementation of the CWC** was established in June 1997, pursuant to article 7 of the CWC, as an inter-agency body and a link to the OPCW and other States parties to the CWC. The National Authority consists of the representatives of the Ministry of Foreign Affairs and European Integration, the Ministry of Defence, the Ministry of Economy, Labour and Entrepreneurship, the Ministry of Interior, the Ministry of Health and Social

Welfare, the Ministry of Science and the Ministry of Environmental Protection and Physical Planning.

**The National Authority for the Implementation of the CTBT** was established in 2002, pursuant to article 4 of the CTBT, as an inter-agency body, and consists of the representatives of the State Office for Nuclear Safety, the Ministry of Foreign Affairs and European Integration, the Ministry of Defence, the State Office for Radiation Protection, the Medical Institute and the Rudjer Boskovic Institute.

### **Implementation of international restrictive measures**

Pursuant to Security Council Resolution 1540 (2004), at the national level the main instrument for the non-proliferation of WMD remains full export control of dual-use goods through the constant strengthening of enforcement agencies, as well as adherence to Security Council resolutions which are intended to stop proliferation. The Croatian Government adopted decisions on the implementation of measures established by Security Council resolution 1718 (2006) regarding sanctions against the Democratic People's Republic of Korea and resolutions 1737 (2006) and 1747 (2007) regarding sanctions against the Islamic Republic of Iran. Immediately following their adoption, those decisions were fully implemented into the Croatian legal system. In order to enhance administrative capacity and fully enable the effective implementation of United Nations resolutions and EU sanctions and restrictive measures, Croatia has decided to amend the existing Law on International Restrictive Measures. For this purpose, a working group was established in order to propose a draft of the new Law on International Restrictive Measures.

### **Supporting the work of international organizations in order to reinforce multilateral instruments**

#### **Nuclear domain**

In June/July 2006, Croatia hosted a directed exercise (DE06), followed by the seventh Experimental Advanced Course (EAC7), organized by the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO). The purpose of DE06 was to further evaluate, under realistic conditions, the operational aspects related to the setting up of a base of operation as well as other operational activities, such as additional overflights, environmental sampling and analysis, and to test the related standard operational procedures. Such activity has contributed to the drafting of the OSI Operational Manual and advanced the Commission's awareness in launching and conducting a real on-site inspection. As a state party to the Comprehensive Nuclear-Test-Ban Treaty, Croatia has completed all requested national procedures in order to establish a national data centre which would utilize the data of the CTBTO International Data System.

Croatia was part of the group of 25 countries which initiated the convening of the diplomatic conference to adopt the additional amendment to the Convention on the Physical Protection of Nuclear Material (CPPNM) in September 2005 in Vienna and actively participated in negotiations that ended in the adoption of the amendment to the CPPNM. Croatia believes that extending the scope of the CPPNM to cover the physical protection of nuclear facilities and the domestic transport, storage and use of nuclear material will contribute to the strengthening of the global nuclear security regime. Croatia also believes that the amended CPPNM will make

it easier for countries to meet their obligations under the Security Council resolution 1540 (2004), which calls for appropriate physical protection measures for nuclear materials.

### **Biological and chemical domain**

Croatia supported the work of the OPCW by hosting a symposium entitled “CBMTS Industry I — Chemical and Biological War without Chemical and Biological Weapons”, held in Zagreb in October 1998, during which a military exercise and demonstration was conducted and by hosting “CBMTS Industry II — World Congress on Chemical and Biological Terrorism”, in Dubrovnik in April 2001, “CMBTS Industry III — Second World Congress on Chemical and Biological Terrorism”, in Dubrovnik in September 2003, “CMBTS Industry IV — Third World Congress on Chemical and Biological Terrorism”, in Dubrovnik in September 2005, and “CMBTS Industry V — Fourth World Congress on Chemical and Biological Terrorism”, in Cavtat in April 2007. An OPCW workshop for customs authorities in South-eastern Europe on technical aspects of the transfers regime took place in the margins of the last Congress.

Since 2005, Croatia has hosted a C-5 Chemical Weapons Convention seminar once a year at the Regional Arms Control Verification and Implementation Assistance Centre (RACVIAC). The seminars are organized in cooperation with the OPCW. The purpose of the seminars is to focus on specific CWC topics and to provide a platform where the participating countries can present their experiences and exchange information on CWC-related issues. Personnel of ministries of defence, foreign affairs and the interior, non-governmental organizations, and Civil Protection demonstrated a great interest in the CWC topics. The cooperation with the OPCW ensured the presence of high-level lecturers, who were able to share their knowledge and experience with the participants.

According to the Agreement with the OPCW on providing a radiological, biological and chemical decontamination unit (RBC unit), Croatia established a unit, which is at the disposal of the OPCW, in line with article X of the CWC (international assistance and protection against chemical weapons).

The Republic of Croatia has been continuously engaged in working towards the effective and timely implementation of all its international obligations. Croatia regularly reports to the OPCW under article VI of the CWC, and presented the Final Declaration (on confidence-building measures) to the Third Review Conference of States Parties to the BTWC.

In 2006, Croatia placed instruments of ratification of the 1925 Geneva Protocol with the Ministry for Foreign Affairs of the Republic of France.

Croatian representatives participate in various courses, seminars and exercises in accordance with the provisions of the CWC. The Republic of Croatia hosted the international exercise “ASSISTEX 1” in Zadar in September 2002, co-organized by the National Authority, the Croatian Verification Centre team members and the OPCW. This exercise was the first OPCW exercise where the chemical contamination of the State party territory was demonstrated, and where, since Croatia lacks decontamination devices, the OPCW provided international assistance by engaging special nuclear, biological and chemical units from several States.

Croatia was actively involved in the negotiations of the Ad Hoc Group of States Parties to the BTWC on an implementing Protocol for the BTWC. At the Fifth Review Conference of the BTWC in 2001, Croatia supported the continuation of the work of the Ad Hoc Group, on the basis of the Ad Hoc Group Chairman's composite text on the future Protocol. Croatia believed that the Chairman's text offered a holistic approach, attempting to bring together different positions expressed in the debates of the Ad Hoc Group.

Croatia worked with other States parties to the BTWC towards the successful conclusion of the reconvened Fifth Review Conference in November 2002, including the adoption of a strong Final Declaration. Also, Croatia indicated that it would unilaterally support the United States proposals on national implementation measures and legislation for BTWC implementation, although it shared the view of some other European delegations that those presented political and not legal obligations.

With regard to the future international treaty negotiations, Croatia shares the opinion of its European partners on the need to convene as soon as possible negotiations on a fissile material cut-off treaty in the Conference on Disarmament in Geneva.

### **Additional efforts**

In its support for the efforts to prevent the proliferation of WMD, the Republic of Croatia has welcomed the activities of the Proliferation Security Initiative (PSI). In June 2005, Croatia signed the Ship Boarding Agreement with the United States on cooperation to suppress the proliferation of weapons of mass destruction by sea.

Within its support for the PSI, in April 2006 Croatia hosted ARIEX (Adriatic Regional Integrated Exercise), with the participation of the United States-Adriatic Charter members, Croatia, Albania and Macedonia, as well as the United States and Poland.

Croatia strongly supports regional cooperation, being an active participant in the Stability Pact, SEDM, SECP and RACVIAC and their programmes for fighting international terrorism.

Croatia has intensified its participation within the South-Eastern Europe Defence Ministerial (SEDM) process, particularly during the chairmanship of the Working Group for Counter-Terrorism, Border Security and Counter-Proliferation of Weapons of Mass Destruction. Following the work done under the SEDM "Lake Bled Process" Croatia, together with the United States, organized an executive seminar for SEDM parliamentarians on the legislative aspects of the CBSC, in Dubrovnik in August 2005.

At first, the goal of the initiative was to update parliamentarians on WMD issues, to call their attention to the problem of inconsistent laws and regulations among the SEDM nations and to emphasize the urgent need to harmonize respective legislation. In the end, however, the executive seminar has grown into a new parliamentary initiative within the CBSC context, the so-called Dubrovnik Dialogue. This will be a forum for discussions between the SEDM members' legislators.

## Future priorities

With its commitment to the Proliferation Security Initiative, Croatia is ready to more actively contribute to its activities, within the bounds of its institutional possibilities and of its national legislation.

In May 2008, commemorating the fifth anniversary of the successful work of the PSI, Croatia, together with the United States and Poland, will co-organize PSI exercise Adriatic Shield 08 in the port of Rijeka. Countries that are located on the Adriatic coast will be invited to give their contribution to the Adriatic Shield 08 aspiration. Testing the international flow of intelligence is envisaged as one of the main aims of this exercise. Special attention should be given to testing national procedures, not only for the timely detection of the illegal transport of dual-use and NSG trigger list items, but also for the prosecution of detected illegal acts.

An international workshop on the implementation of Security Council resolution 1540 (2004) will be organized by Croatia in cooperation with the Euro-Atlantic Partnership Council (EAPC). The workshop will take place in June 2008 at the RACVIAC Centre for Security Cooperation. It is expected that participants will be experts and Government officials from the countries of South-eastern Europe. The proposed topics for discussion are ways of further strengthening national capacities, laws and regulations; methods of implementation of international restrictive measures; and forms of outreach activities with a view to raising awareness of both civil servants and the private sector concerning the WMD threat.

At the beginning of 2008, as part of the enforcement activities regarding the implementation of the provisions concerning dual-use items, the Ministry of Foreign Affairs and European Integration, together with Croatian Chamber of Commerce, will organize a workshop bringing together members of academia and the public and private sector. This project will be held under the auspices of the United States Government and the European Commission.

Croatia has expressed interest in hosting the ninth International Export Control Conference.

Two projects financed through the PHARE programme have been accepted: the PHARE 2005 project, "Border control of nuclear and other radioactive materials with mobile portal monitor", and the PHARE 2006 project "Border control of nuclear and other radioactive materials with stationary portal monitors". In the context of the 2005 project, two mobile portal monitor unit teams are expected to be formed and, using suitable vehicles, move from one border crossing to another in order to detect and handle nuclear and radioactive materials. In the context of the 2006 project, stationary portal monitors should be installed on 14 border crossings (3 harbours, 4 rail border crossings, 1 airport and 6 road border crossings) on the borders with Serbia, Montenegro and Bosnia and Herzegovina. The projects should result in increased capacity for efficient Croatian border control of the trafficking in nuclear and other radioactive materials and the integration of the Croatian national system into the European Union network of controlling and combating trafficking in illicit nuclear and other radioactive materials.

## **Technical assistance to other States**

The Republic of Croatia has a special interest in contributing to the stabilization and democratization of South-eastern Europe. Owing to its geographic position — along the so-called Balkan route — Croatia is particularly aware of the dangers of weapons of mass destruction proliferation. Additional engagement in this field is necessary and important in order not only to maximize the national performance, by improving domestic efficacy in preventing and suppressing, in particular, illicit trafficking and smuggling of these weapons and related equipment, but also to assist neighbouring countries in their efforts and in upgrade the level of regional cooperation in this particular field.

Regional cooperation on monitoring and response procedures for radioactive scrap metal has been established. At the meeting in March 2007, representatives of the countries of the region agreed on future cooperation, particularly in the field of information exchange in the case of radioactive scrap metal consignments, the training of border officials and equipment installation. The second meeting was held in November 2007 in Belgrade. All participating countries expressed their satisfaction with up-to-date activities and concluded to proceed with them.

Croatia has expressed interest in organizing, together with OPCW, a workshop on the implementation of the CWC and the BWC for academia and industry in the countries of the region, open to the African countries as well. The workshop is planned for the second part of 2008.

Zagreb, December 2007

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