
**Needs Assessment on Small Arms
and Light Weapons
in Bosnia and Herzegovina**



CENTRE FOR SECURITY STUDIES BiH
TEAM FOR PREPARATION OF NEEDS ASSESSMENT ON SMALL ARMS
AND LIGHT WEAPONS IN BOSNIA AND HERZEGOVINA

BOSNIA AND HERZEGOVINA 2003

Supervisor and coordinator:

HADZOVIC, Denis, Centre for Security Studies BiH

Team leader:

KADIC, Amel, Centre for Security Studies BiH

Project officers:

KRZALIC, Armin, Centre for Security Studies BiH

LAZETIC, Dragana, Centre for Security Studies BiH

SAHURIC, Arnel, Centre for Security Studies BiH

Translator:

PULJIC-CADMAN, Sanda

Acknowledgements

The Centre for Security Studies would like to thank to our international consultants for their extensive contributions in sphere of law, economic and security reform. Our thanks also go to all our interview partners for the time they spent answering our questions and providing additional material that was enable us to accomplish this report.

The authors are nonetheless solely responsible for the content of this report, including any remaining errors.

Special acknowledgement to United Nations development Program in Bosnia and Herzegovina for financial support and leadership, in particular Acting Resident Representative Mr. VENANCIO Moises and portfolio Manager Mr. TURKOVIC Seid.

Table of Contents

Table of Contents	
PREFACE	07
1. INTRODUCTION	09
1.1 CURRENT SITUATION IN BOSNIA AND HERZEGOVINA (PROBLEM AND ISSUES)	09
Link between crime and weapons	10
2. BACKGROUND	15
2.1 THE GENERAL FRAMEWORK AGREEMENT FOR PEACE IN BOSNIA AND HERZEGOVINA	15
2.2 GOVERNMENT STRUCTURE IN BIH DEALING WITH SALW	18
2.2.1 State level	18
2.2.2 Entity and Cantonal level	19
2.3 COLLECTION OF SMALL ARMS AND LIGHT WEAPONS IN BOSNIA AND HERZEGOVINA - ACCOMPLISHMENTS AND EFFECTS	19
2.4 REGIONAL OVERVIEW OF SALW ACTIVITIES	22
3. EDUCATION AND AWARENESS CAMPAIGNS	25
3.1 REASONS AND MOTIVES FOR ARMS POSSESSION OF SALW IN POST-CONFLICT AREAS	25
3.2 EDUCATION AND AWARENESS CAMPAIGNS	27
3.2.1 Need for education and awareness campaigns	27
3.2.2 Objectives of campaigns	27
3.2.3 Target groups according to societal grouping	27
3.2.4 Target groups according to geographical location	29
3.2.5 Education Campaigns	29
3.2.6 Awareness Campaign	30
3.2.7 Evaluation of the campaigns	32
4. LEGAL FRAMEWORK	35
4.1 BOSNIA AND HERZEGOVINA	35
4.2 FEDERATION OF BOSNIA AND HERZEGOVINA	37
4.3 REPUBLIKA SRPSKA	39
4.4 BRCKO DISTRICT	40
4.5 NON - HARMONIZED ELEMENTS OF ENTITY LAWS ON ARMS AND AMMUNITION	40
4.6 COMPARISON WITH LAWS IN OTHER COUNTRIES	42
4.7 SMALL ARMS AND LIGHT WEAPONS - ARMED FORCES IN BOSNIA AND HERZEGOVINA	43
4.8 FUTURE LAWS AND LEGAL REGULATIONS WHICH WILL REGULATE SMALL ARMS AND LIGHT WEAPONS	44
4.9 OVERVIEW OF THE CIVILIAN AND SECURITY SECTOR SALW REGULATORY FRAMEWORK IN BIH ACCORDING TO GOVERNMENT LEVEL	47
4.10 OVERVIEW OF DEFENCE SECTOR SALW REGULATORY FRAMEWORK IN BIH ACCORDING TO GOVERNMENT LEVEL: DEFENCE SECTOR (To be effective from Autumn 2003)	48
5. MILITARY INDUSTRY IN BOSNIA AND HERZEGOVINA	51
5.1 MILITARY INDUSTRY IN THE FEDERATION OF BOSNIA AND HERZEGOVINA	51
5.1.1 Role of Military Industry	51
5.1.2 Scope of activities of the Military Industry in the Federation of Bosnia and Herzegovina	52
5.1.3 Capacities for Destruction of arms and ammunition	53
5.1.4 Ownership structure over military industry in the Federation of Bosnia and Herzegovina	54

5.1.5	<i>Problems faced by the military industry</i>	55
5.1.6	<i>Focus for the upcoming period</i>	55
5.2	MILITARY INDUSTRY IN REPUBLIKA SRPSKA	55
5.2.1	<i>Activities of the weapons manufacturing companies in Republika Srpska</i>	55
5.2.2	<i>Ownership structure over military industry in Republika Srpska</i>	56
5.3	CLOSURE OF BIH ARMS INDUSTRY - ECONOMIC IMPACT?	56
5.3.1	<i>Why would it be closed?</i>	56
5.3.2	<i>Demobilisation</i>	57
5.3.3	<i>Failure or closure?</i>	57
5.3.4	<i>Conclusion</i>	58
6.	GOVERNMENT CAPABILITY TO IMPLEMENT AND ADMINISTER LEGAL REGULATION	59
6.1	STATE BORDER SERVICE AND CUSTUM CONTROL	59
6.1.1	<i>State Border Service</i>	59
6.1.2	<i>Customs Services</i>	60
6.2	BiH MINISTRIES	61
6.2.1	<i>BiH SALW Coordination Board</i>	61
6.2.2	<i>Ministry of Security of Bosnia and Herzegovina</i>	61
6.2.3	<i>Ministry of Foreign Trade and Economic Relations of Bosnia and Herzegovina</i>	62
6.2.4	<i>Parliamentary Assembly of Bosnia and Herzegovina</i>	63
6.2.5	<i>Parliamentary of the Federation of Bosnia and Herzegovina</i>	63
6.2.6	<i>National Assembly of the Republika Srpska</i>	63
6.3	POLICE FORCE	64
6.4	CIVIL PROTECTION AUTHORITY	65
7.	THE ROLE OF THE INTERNATIONAL COMMUNITY	71
7.1	SFOR	71
7.1.1	<i>Operation Harvest</i>	71
7.1.2	<i>Reduction of Ammunition Reserves</i>	72
7.1.3	<i>Ammunition Destruction</i>	72
7.1.4	<i>Transfer of ownership for weapons collection: Operation National Harvest</i>	73
7.1.5	<i>Arms and Ammunition Reduction Programmes</i>	75
7.2	OSCE	75
7.2.1	<i>Activities</i>	76
7.2.2	<i>Areas not being addressed</i>	77
7.2.3	<i>Coordination</i>	77
7.3	EUPM	77
7.3.1	<i>Mandate</i>	77
7.3.2	<i>Resources</i>	77
7.3.3	<i>Activities</i>	77
7.4	OHR	78
7.4.1	<i>Mandate</i>	78
7.4.2	<i>Resources</i>	78
7.4.3	<i>Activities</i>	78
7.4.4	<i>Duplication</i>	78
7.4.5	<i>Areas not being addressed</i>	78
7.4.6	<i>Coordination</i>	78
7.5	UNDP	79
7.5.1	<i>Mandate of UNDP BiH</i>	79
7.5.2	<i>Resources</i>	79
7.5.3	<i>Activities</i>	79
8.	CONCLUSIONS	81
	UNDP Global activities	83
	APENDIX 1 - LAWS CONSULTED IN THE PREPARATION OF THIS ANALYSIS ON SALW	84
	LIST OF ABBREVIATIONS	86

PREFACE

The terms of reference cover a wide range of issues. According to the terms of reference the overall goal of the needs assessment is to ensure that UNDP activities in the area of small arms and light weapons (SALW) are best tailored to suit prevailing needs. The needs assessment therefore aims to:

1. Provide a detailed overview of the current state of affairs pertaining to SALW in BiH;
2. Highlight areas where attention/activities are required to address existing needs;
3. Present options for reform by drawing on good international practices.

This assessment first provides an overall picture of state of affairs, as related to SALW as subject topic and then proceeds to give recommendations.

Delimitations

This is a needs assessment that is limited by its time frame (six weeks). Therefore it was not possible to conduct an in-depth analysis on certain topics that would benefit from further research and analysis. For example, due to the time constraint a full scale mapping of target groups for awareness campaigns could not be conducted. We were hence forced to use sampling from and draw inference from awareness campaigns and target groups used by others.

A full scale study of their effectiveness requires more time and detailed data, but the time-frame we were given for producing this analysis was too short to be able to do this. The question of effectiveness of the local (and international) authorities is difficult to answer. To do a full scale study of effectiveness takes both time and detailed data, so as to be able to clearly divide the scope of work of local and international authorities, and provide an estimate number of small arms and light weapons in BiH etc. Again, the given time frame for this analysis was too short to be able to also do this.

Another obstacle faced in the preparation of this analysis is that there are no estimates as to what quantity of small arms and light weapons were in circulation in the country at the end of the war. Without knowing the stock of weapons in circulation, it is impossible to say anything of the degree of success of the current actions and the ones taken before.

Methodology

The sources used in this study have been of two categories. Primary information was obtained by way of interviews. All interviews were conducted during April and May 2003. Those interviewed consisted of relevant experts and representatives of both international organisations, as well as representatives of national institutions and agencies. Secondary information was obtained using relevant literature. Different laws in BiH were also comparatively analysed, the legal analyses also looked at the legal frameworks regulating SALW in Serbia and Montenegro and the Republic of Croatia.

1. INTRODUCTION

1.1 CURRENT SITUATION IN BOSNIA AND HERZEGOVINA (PROBLEM AND ISSUES)

Following the 1992-1995 war in Bosnia and Herzegovina (BiH), the issue of arms control, their export, and import, destruction of the surplus, and transparent control over this process, has become a highly sensitive issue.

The global accumulation of illicit SALW during the past decade has contributed to tremendous human suffering. Without appropriate disarmament-involving the collection of residual small arms and the storage of state-owned weapons in protected areas-programmes for national rehabilitation cannot be sustained. The resulting crime and violence have disastrous effects on the ability of affected countries to implement their national development programmes. Vital infrastructure needed for development projects is damaged by illicit arms-related insecurity, while foreign-funded development projects must be cancelled or postponed to prevent the assets from being diverted toward criminal activities. Countries must also allocate large portions of their already limited resources to security measures, thereby decreasing the funds available for development.

All these consequences present fundamental obstacles to sustainable human development. Experience however has shown that these dynamics of insecurity can be broken through a set of approaches that simultaneously target weapons availability, the general knowledge about the seriousness and dangers of weapons use as well as state capacity to tackle the issue.

Not only that these weapons are obvious threat to individual human lives, but also excessive quantities of weapons in the country do represent a significant source of insecurity. They are not only a direct threat to lives but they are increasingly used in criminal activities and their proliferation is a deterrent to the return of refugees to their homes. Moreover, these arms are a threat to the ongoing peace process.

The problem in Bosnia and Herzegovina (BiH) is hence two sided.

1. BiH is a post-conflict society. Disarmament has to be addressed in the context of peace-building.
2. Weapons collection has to be addressed as a means of preventing and reducing crime.

In this context, Edward Laurance and William Godnick, the US experts on small arms, distinguish between two phases of disarmament.¹ (See Table 1.1)

1. Laurence, Edward and Godnick, William (2001) "Weapons Collection in Central America: El Salvador and Guatemala" in Faltas and Di Chiaro III Managing the Remnants of War: Micro disarmament as an Element of Peace-Building, Baden-Baden: Nomos Verlag

INTRODUCTION

Table 1.1
Practical disarmament in the context of peace-building

	Phase I Disarmament by command	Phase II Voluntary weapons collection
Timing	Soon after a peace settlement	Later
Objective	Establish political stability	Maintain political stability, enhance public safety
Inducements	Command, penalties, rewards	Penalties, rewards
Scale	Collective	Individual
Visibility	Public	Public or private
Policy framework	Demobilization	Demobilization, crime prevention
Responsible actors	Governmental and political organizations	Governmental, political, or private organizations

Laurance and Godnik call the first phase "Disarmament by command". This is an attempt to recover the tools of the war immediately after the end of conflict. It tends to be organized, supervised, public, and collective.

The second phase is what Laurance and Godnik call "Voluntary weapons collection". This phase begins after the peace process has formally wound up. Those possessing weapons will be reluctant to disarm if they are disappointed with the benefits of peace or sceptical as to how long it will last. Disarmament can no longer be affected by "command". Its success depends on a wide variety of factors. The critical variable is probably the extent to which those possessing weapons believe they need to retain them. Until such demand is effectively reduced, voluntary weapons collection will almost certainly fail.

Both phases are ongoing in Bosnia and Herzegovina and there are many different actors, which are included in this process of disarmament as whole.

Link between crime and weapons

As Laurence and Godinick's² model illustrates there is a clear link between arms availability and crime. Circulation of SALW is a safety and a security problem. Without a clear legal framework there can be no effective solution to this problem. Weapons will not however disappear because they are simply made illegal. In order to make arms and weapons reduction process effective we must have a sustained awareness raising campaign backed by an adequate legal framework and institutions capable of implementing legislation.

2. Laurance, Edward and Godnick William (2001), "Weapons Collection in Central America: El Salvador and Guatemala", in Faltas and Di Chiaro, *Managing the Remnants of War: Microdisarmament as an element of Peace-building*, Baden-Baden: Nomos Verlag

In Table 1.2 a simplified overview model of the situation in BiH is given:

Table 1.2
Supply and demand of illegal weapons

	What decides the size?	Policy needed
Supply	Illegal import	Strengthen customs, safer border crossings
	Security at weapon store sites	Decrease number of weapon storage sites
	The risk of detection and punishment	Rule of law, stricter implementation of law
Demand	Threat	Confidence building and increasing of social trust
	Criminal activity	Combat crime
	"Gun culture"	Change of norms, awareness campaigns

The demand-side is given by social norms and subjective experiences. Threat, for example, is a subjective experience. If a person feels threatened, there will be a demand for firearms. The only way to counterbalance this is through confidence building and increasing social trust. "Gun culture" is also a question of social norms. To change social norms takes time. One way of doing this is through raising awareness and information campaigns.

Increasing effectiveness of state security sector will make it more difficult for arms to be obtained. **The supply-side** is determined by the effectiveness of the security sector (police, State Border Service, army). If the security sector becomes more effective, it will become increasingly difficult to obtain arms. The supply curve will shift inwards, the price of illegal weapons will increase and the quantity available on the market will decrease.

Although the connection between gun availability and violence is rather obvious, social and historical factors also play a part in explaining levels of homicide and other violent crime in different countries. Nonetheless, a low rate of homicide (gun-related and other) has been shown to correlate with low rates of gun ownership. It is obvious that with fewer SALW in circulation, and tighter controls over their use, there are lower rates of violent death.³

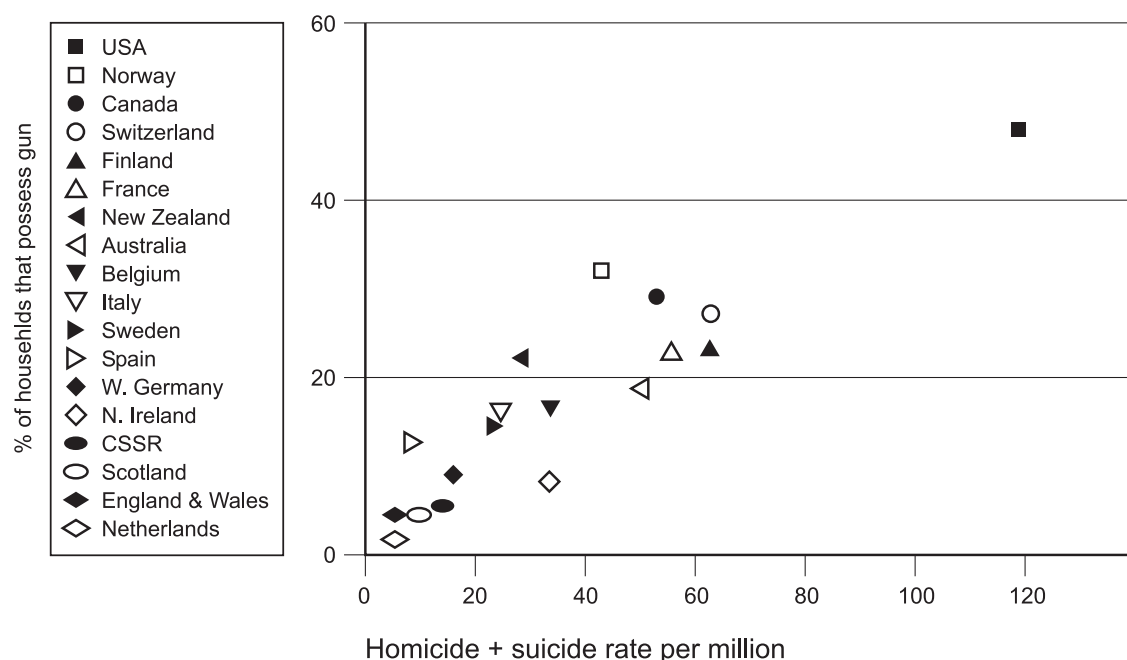
Studies of the robbery as a (crime) phenomenon tend to indicate that many incidents are committed fairly spontaneously, rather than in a premeditated manner. The same is true of many assaults, especially those in domestic settings, or those following bouts of drinking. If in these incidents firearms are involved the outcome is likely to be much more serious. (See Figure 1.1 on next page)

3. Reiss, A. J. and Roth, J. A. (1993), *Violence: Understanding and Preventing*, Washington, DC: National Academy Press

INTRODUCTION

Figure 1.14

Connection between gun availability and violence (homicide and suicide)



Many criminal activities in BiH are indirectly connected to arms that are illegally possessed by perpetrators of such acts. It is sufficient to mention that almost all murders and suicides committed by firearms in Canton Sarajevo are committed with weapons for which the perpetrator or the suicide victim did not have a valid permit.⁵ Also, other criminal offences, such as the conduct serious physical injuries, compulsion, rape, robbery and the unauthorised production and trafficking of narcotics are committed with the direct use of the weapons or threat thereof.⁶

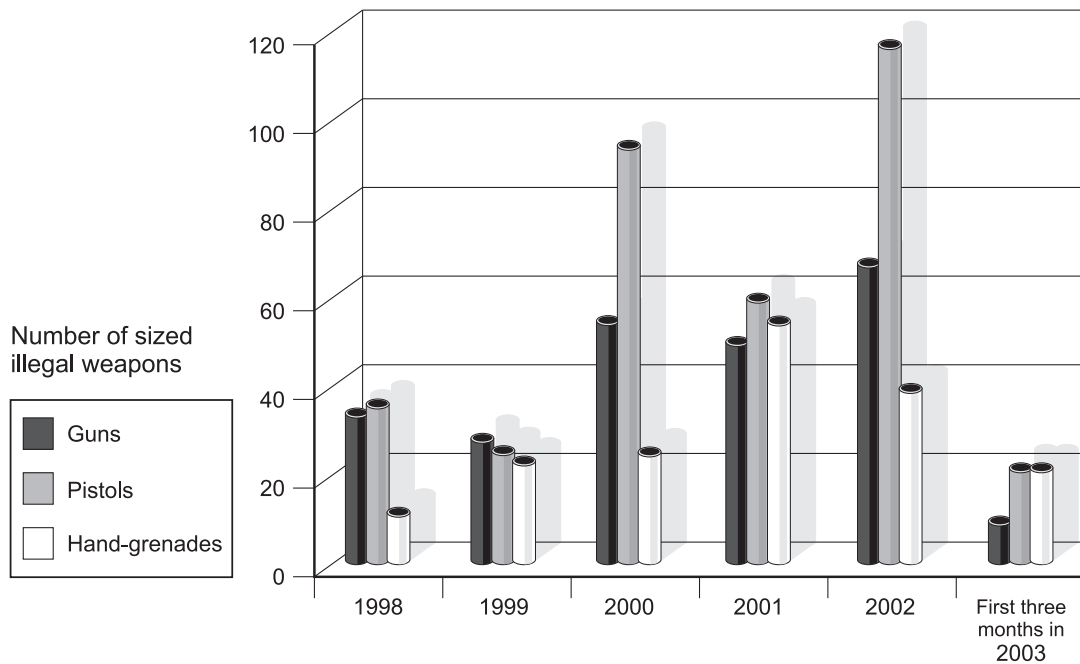
Chart 1.1 gives an example of the number of seized illegal weapons in the Sarajevo Canton, in the period from 1998 to 2003. Most of these weapons were seized by police following the conduct of criminal offences by those possessing them.

4. Killias, M. (1993), "Gun ownership, suicide and homicide: an international perspective" in del Frate, A., Zvekic, U., van Dijk, J.J.M., (eds.), *Understanding Crime and Experiences of Crime and Crime Control*, NC Publication, No. 49, Rome

5. Interview with Enes Cerimagic, Chief of Department for Blood and Sexual Crime, Ministry of interior Affairs of Canton Sarajevo, 12 May 2003

6. Interview with Mesa Kamenica, Inspector, Ministry of Internal Affairs of Canton Sarajevo, 12 May 2003

Chart 1.1 - Seized illegal weapons in Canton Sarajevo for period 1998 - First three months 2003



As illustrated in the above table, there are a growing number of seized illegal weapons; this is a result of increased activities by the police forces. The table also shows that there is a worrying trend of an increased number of illegal weapons in Sarajevo Canton.

2. BACKGROUND

2.1 THE GENERAL FRAMEWORK AGREEMENT FOR PEACE IN BOSNIA AND HERZEGOVINA (GFAP)

The current political system of Bosnia and Herzegovina is the product of a peace agreement negotiated in Dayton, Ohio, in November 1995. The General Framework Agreement for Peace in Bosnia and Herzegovina (commonly referred to as the Dayton Peace Agreement, or Dayton Peace Accord) ended almost four years of war in the country. Today Bosnia and Herzegovina is a de facto protectorate that is characterized by a loose state structure with a weak central government. The country has 14 constitutions and governments with legislative powers. As a result there are different internal regulations on various issues. One of the issues addressed by various levels of internal organization is the issue of weapons possession: who should be allowed to own them, about what kinds of weapons should be available for trade, etc. As will be seen below, currently there is no integrated approach on this issue. The issue is addressed and handled in different manner by the different levels of power in the complex state structure.

The territory of Bosnia and Herzegovina is divided into two entities and one district: the two entities being, the Republic Srpska and Federation of Bosnia and Herzegovina (a loose federation that consists of 10 cantons), and Brcko District (under international administration). The political system of Bosnia is both inherently complex and asymmetrical. Ultimately, this fact has rendered the system unstable and dysfunctional.

The Dayton Agreement is comprised of 11 Annexes (Annex IV being the Constitution of Bosnia and Herzegovina). The Annexes addressing formation, activities, control and armament of military and security forces in Bosnia and Herzegovina are: Annex I-A, I-B, X and XI. Annex I-A addresses military aspects of the Agreement, while Annex I-B addresses regional stabilization. Annex X regulates civil implementation of the Dayton Peace Agreement, and Annex XI addresses the establishment of international police forces. The Annexes provide different mandate to different organisations in BiH, which has implication on their involvements on SALW issue.

In accordance with Annex I-A, international forces are stationed in Bosnia and Herzegovina for the purpose of assisting in the implementation of territorial and other military aspects of the Agreement. This international force, known as SFOR (earlier IFOR) is comprised of ground, air and maritime units under the command of NATO.

OSCE has the task in BiH to establish an arms control regime, as specified in Annex I-B of the General Framework Agreement for Peace. The aim of this regime is to help establish confidence among the parties, which would lead to establishment of permanent peace. Some of the earliest tasks carried out by the armed forces of Bosnia and Herzegovina in co-operation with IFOR were: Removal, disassembly dismantle or destruction of all mines, unexploded ordnance, explosive devices, demolitions and barbed or razor wire from the Agreed Cease-Fire Zone of Separation and from other areas from which the armed forces had withdrawn; marking of all territory that were known to be mined, and on which were contaminated by unexploded ordnance and explosive devices in Bosnia and Herzegovina; removal, disassembly dismantle or destruction of all mines, unexploded ordnances and explosive devices and demolitions as requested by the IFOR Commander.⁷

7. General Framework for Peace in Bosnia and Herzegovina (DPA), Annex 1A

The Dayton Peace Agreement also provides for the creation of a Joint Military Commission:

Parties shall furnish to the Joint Military Commission information regarding the positions and descriptions of all known unexploded ordnance, explosive devices, demolitions, minefields, booby traps, wire entanglements, and all other physical or military hazards to the safe movement of any personnel within Bosnia and Herzegovina, as well as the location of lanes through the Agreed Cease-Fire Zone of Separation which are free of all such hazards. The Parties shall keep the Joint Military Commission updated on changes in this information.⁸

In the general provisions of Annex 1-B, Agreement on Regional Stabilisation, the parties have agreed to establish progressive measures for regional stability and arms control. This is of crucial significance for the maintenance of stability and peace in the region. The parties agree that it is important to establish new forms of co-operation in the security field, for the purpose of building-up trust and confidence and establishing a balanced and a stable level of defence forces. These forces should be at the lowest possible level, but at the same time should be capable of guaranteeing security to the parties while avoiding an arms race in the region.

Under the auspices of the OSCE, the parties have reached an "Agreement on Sub-Regional Arms Control" signed in Florence on 14 June 1996 (Bosnia and Herzegovina, the Republic of Croatia, the Federal Republic of Yugoslavia, and the two entities of Bosnia and Herzegovina: the Federation of Bosnia and Herzegovina, and Republika Srpska). The Agreement stipulated a reduction of arms above the agreed ceilings. Under the terms of the Agreement nearly 6,600 armament units have been reduced with almost two-thirds of this reduction having taken place within Bosnia and Herzegovina. In total disposed of have been over 700 battle tanks, 80 armoured combat vehicles, nearly 60 combat aircraft and more than 5700 pieces of artillery.⁹ Also, based on Annex 1-B the an Agreement on Confidence and Security-Building Measures in Bosnia and Herzegovina was reached in January 1996.

The Madrid Declaration, adopted by the Peace Implementation Council (PIC) in 1998, also addresses arms control issues.¹⁰ All these documents and agreements have contributed not only to the reduction of military personnel, but also to the reduction of arms.

8. DPA, Annex 1B

9. Donna Phelan, Special Advisor to Personal Representative of the OSCE Chairman-in-Office for Article II And IV, "Reduction Period Ends for Parties to the Agreement on Sub-Regional Arms Control", *OSCE Newsletter*, (1998) Vol. 4, No.10,

10. Decision of the Steering Board of the Peace Implementation Council (PIC). PIC comprises 55 countries and Agencies that sponsor and direct the peace implementation process. There is also a fluctuating number of observers. PIC Members and Participants are: Albania, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, China (resigned in May 2000), Croatia, Czech Republic, Denmark, Egypt, Federal Republic of Yugoslavia, Finland, Former Yugoslav Republic of Macedonia, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Jordan, Luxembourg, Malaysia, Morocco, Netherlands, Norway, Oman, Pakistan, Poland, Portugal, Romania, Russian Federation, Saudi Arabia, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom and United States of America; the High Representative, Brcko Arbitration Panel (dissolved in 1999 after the Final Award was issued), Council of Europe, European Bank for Reconstruction and Development (EBRD), European Commission, International Committee of the Red Cross (ICRC), International Criminal Tribunal for the former Yugoslavia (ICTY), International Monetary Fund (IMF), North Atlantic Treaty Organisation (NATO), Organisation for Security and Co-operation in Europe (OSCE), United Nations (UN), UN High Commissioner for Human Rights (UNHCHR), UN High Commissioner for Refugees (UNHCR), UN Transitional Administration of Eastern Slavonia (UNTAES; disbanded in January 1998) and World Bank. PIC Observers to date: Australia, Central Bank of Bosnia and Herzegovina, European Investment Bank (EIB), Estonia, Holy See, Human Rights Ombudsperson in Bosnia and Herzegovina, Iceland, International Federation of Red Cross and Red Crescent Societies (IFRC), International Mediator for Bosnia and Herzegovina, International Organisation for Migration (IOM), Latvia, Lithuania, New Zealand, Liechtenstein, South Africa and the Special Co-ordinator of the Stability Pact for South Eastern Europe. The London Peace Implementation Conference also established the Steering Board of the PIC to work under the chairmanship of the High Representative as the executive arm of the PIC. The Steering Board members are Canada, France, Germany, Italy, Japan, Russia, United Kingdom, United States, the Presidency of the European Union, the European Commission, and the Organisation of the Islamic Conference (OIC), which is represented by Turkey.

Annex 10 addresses civilian implementation of the Dayton Peace Agreement. It sets out the responsibilities of the High Representative, who in certain segments also has the authority and obligation to co-ordinate military issues. In this respect:

- The High Representative or his designated representative shall remain in close contact with the IFOR Commander or his designated representatives and establish appropriate liaison arrangements with the IFOR Commander to facilitate the discharge of their respective responsibilities.
- The High Representative shall exchange information and maintain liaison on a regular basis with IFOR, as agreed with the IFOR Commander, and through the commissions described in this Article.
- The High Representative shall attend or be represented at meetings of the Joint Military Commission and offer advice particularly on matters of a political-military nature. Representatives of the High Representative will also attend subordinate commissions of the Joint Military Commission as set out in Article VIII of Annex 1A to the General Framework Agreement.¹¹

Annex 11 addresses the tasks of the International Police Task Force (IPTF), which inter alia, is responsible for regulating the establishment of police forces in Bosnia and Herzegovina. IPTF thereby has control over arms in their possession. In 2003, the IPTF mandate has been transferred to the European Union Police Mission (EUPM).

In the Dayton Peace Agreement arms control related tasks have been given to the following international organizations:

- OHR - is responsible for civilian implementation of the Dayton Peace Agreement and through High Representative for overall control of the whole DPA implementation process. OHR is also participating in introducing state level legislation and in harmonization of lower level legislation for weapons control in BiH;
- SFOR - is responsible for measures under Annex 1-A;
- OSCE - is responsible for measures under Annex 1-B and for amalgamation of former OHR Military Cell to OSCE Mission structure, and as such is participating in co-ordination and harmonization measures in the legal framework for weapons control in BiH;
- UN-IPTF (from 2003 EUPM) - is responsible for oversight and control of arms with police and security forces in Bosnia and Herzegovina.

11. DPA, Annex X

2.2 GOVERNMENT STRUCTURE IN BIH DEALING WITH SALW

2.2.1 State level

The power of the central government (i.e. state government) is strictly limited to foreign affairs, trade, monetary policy, and other areas related to the maintenance of the joint state. All other responsibilities, including defence, are vested in the entities. In recent years, however, the international community has sought to shift some of the entity, defence prerogatives to the joint state institution.

Although the Constitution of Bosnia and Herzegovina does not specify that any single institutions is responsible for the control of arms, eight years after the signing of the Dayton Peace Agreement four institutions of Bosnia and Herzegovina at the state level have been tasked with armament issues: the Ministry of Foreign Trade and Economic Relations, the Ministry of Foreign Affairs, the Ministry of Security and the Standing Committee on Military Matters.

The basis for this constellation we find in the Law on the Ministries of the Council of Ministers of Bosnia and Herzegovina, adopted in February 2003, which specifies the responsibilities of the Ministry for Security. The newly formed Ministry for Security is inter alia responsible for preventing and discovering perpetrators of terrorist acts, those involved in drug trade, as well as perpetrators of other criminal acts. The Ministry of Security is also responsible for the collection and use of information that is of significance for the security of Bosnia and Herzegovina.

The Ministry of Foreign Trade and Economic Relations (MFTER) is responsible for drafting Laws on the production, transfer, import and export of arms and military equipment and for the implementation of the same. These responsibilities were given to MFTER following the "Orao"¹² affair. Since then transfer of arms has been regulated at State level.

Provisions related to the carrying, possessing and obtaining of arms and ammunition by citizens do not exist at state level. However, were the newly formed Ministry of Security to prepare a draft law on this topic, this question would be solved at the highest level.

One would expect that in carrying out these activities the Ministry request that a Law on Arms and Ammunition in Bosnia and Herzegovina is adopted. Such a Law would not only regulate acquisition and carrying of arms, but would also be instrumental in the creation of a central registry on arms permits. Clearly, such a move would increase the level of security in Bosnia and Herzegovina. Given that the Ministry of Security has only recently been formed and still is not fully operational this may take some time.

The State Border Service (SBS), which began functioning in June 2000, also has a certain function in respect to arms control. According to the Law on State Border Service, the State Border Service is responsible for control of borders, and the control of all traffic on border crossing as well as in the 10km belt along international borders of Bosnia and Herzegovina. This means that State Border Service checks documents on border crossings, acts to prevent illegal entry into the country and searches for illegal persons in the border belt. As can be seen, the State Border Service has not specifically been tasked with arms control, but in the scope of its regular activities it monitors activities related to import, export and transit of arms and military equipment.

12. "Orao" affair is an illegal export of arms by Republika Srpska, produced by the factory "Orao" from Bijeljina and violation of the UN Embargo on the export of military equipment to Iraq.

2.2.2 Entity and cantonal level

Presently, customs are organised at entities level and they provide import/export supervision and customs taxation of goods including arms and military equipment, which is regulated with the Law on Customs Policy of BiH, Law on Policy of Foreign Trade in BiH, Law on Import and Export of Arms and Military Equipment, and Joint List of Military Equipment that encompasses EU directives on arms export.

Ministries of Internal Affairs (at entity level) propose laws and can make sub-acts on the acquiring, keeping and carrying of arms and ammunition. They are also responsible for the implementation of these laws and regulations. In addition, they maintain an arms register of all arms that are in the possession of citizens and legal entities.

Till January 2003 the Ministries of Defence (at entity level) have been the highest instance responsible for decisions related to the production and traffic of arms and military equipment. However, in January 2003 this responsibility was assumed by the state Ministry of Foreign Trade and Economic Relations. Ministries of Defence will continue to be included in this process, but no longer as institutions that issue permits for the production and transport of arms, rather they will continue to be responsible for arms control in the armed forces, for the condition of arms, their number, size and acquisition.

Civil Protection Authority in BiH is organised at entities level: Civil Protection Authority Directorate of the Federation of Bosnia and Herzegovina, and the Civil Protection Authority Directorate of Republika Srpska. As the legal framework specifies, Civil Protection Authority in both entities may only collect unexploded ordinance, and it does not collect small arms, but in operation "Harvest" it provides/secures the required location used by the police, army or SFOR, for the purpose of small arms collection.

2.3 COLLECTION OF SMALL ARMS AND LIGHT WEAPONS IN BOSNIA AND HERZEGOVINA - ACCOMPLISHMENTS AND EFFECTS

To date SALW collection activities have been undertaken by SFOR, local police, State Border Service, the entity Armed forces and Civil Protection Authorities.

An operation aimed at collecting small arms and light weapons was firstly initiated by SFOR in 1998, under code name "Harvest". The following year (1999) SFOR started including local authorities in the process (police forces, Civil Protection Authorities and the entity armed forces).

A media campaign accompanied operation "Harvest". This public information campaign has for its goal the informing of population about the necessity of voluntary surrender of arms. The campaign emphasized the threat associated with keeping illegal arms, ammunition, mines and explosive ordinance in houses, apartments and similar places. Emphasis was placed on the possibility to voluntarily surrender all types of arms and ammunition without negative legal consequences, as set forth in the Law on Amnesty. In this way it is hoped that the fear of legal sanctions will be overcome, which is an important reason prevented citizens from handing in their arms.

In addition to SFOR the Police, State Border Service, Civil Protection Authority and entity armed forces) are also engaged in the collection of arms. Their function varies depending on the tasks that are set, as well as on the organizational level in various parts of Bosnia and Herzegovina (in certain part of Republika Srpska police is more engaged in collecting the SALW due to not existing nearly military barracks or lack of existing office of the Civil Protection Authority).

In assessing the efficiency of arms and ammunition collection, we are faced with a number of barriers. First, after the war no official estimate was made as to the number of weapons in the country not under the control of the authorities of Bosnia and Herzegovina. No institution, domestic nor international had attempted, at least officially, to make such an analysis. Without such an analysis it is simply impossible to assess the degree of success of the current action directed toward collection of arms, weapons and ammunition from citizens. Nevertheless, institutions engaged in this process point out that every single piece of weaponry and ammunition collected is of significance in increasing safety of citizens.

If we compare the results of similar activities conducted in neighbouring countries of South-East Europe and in other parts of the world - in both regions which were faced with war, and those which were not - we can come to certain indicators. In chapter 7, of the Small Arms Yearbook 2002¹³, titled "Changing Attitudes: Arms Collection and Destruction", shown is a result table of different arms collection programmes in the world (see table below), for the period 1989 till 2001. It is clear from the table that results achieved in Bosnia and Herzegovina, compared with the results from other states in South-East Europe, are rather high. This is due to many factors, such as the time distance between the period of the end of war and the beginning of arms collection. Taking into account the following factors that influence the process of arms collection in the post-war countries, results that have been achieved in Bosnia and Herzegovina are relatively high:

Basic factors:¹⁴

- Demographics
- Current status of human security (physical, food, water, etc.)
- Economic factors (employment, inflation, currency value)
- Community cohesiveness
- Levels of crime and violence
- Gang activity
- Structure and quality of police force
- Quality of judicial system
- Status of border area and ports

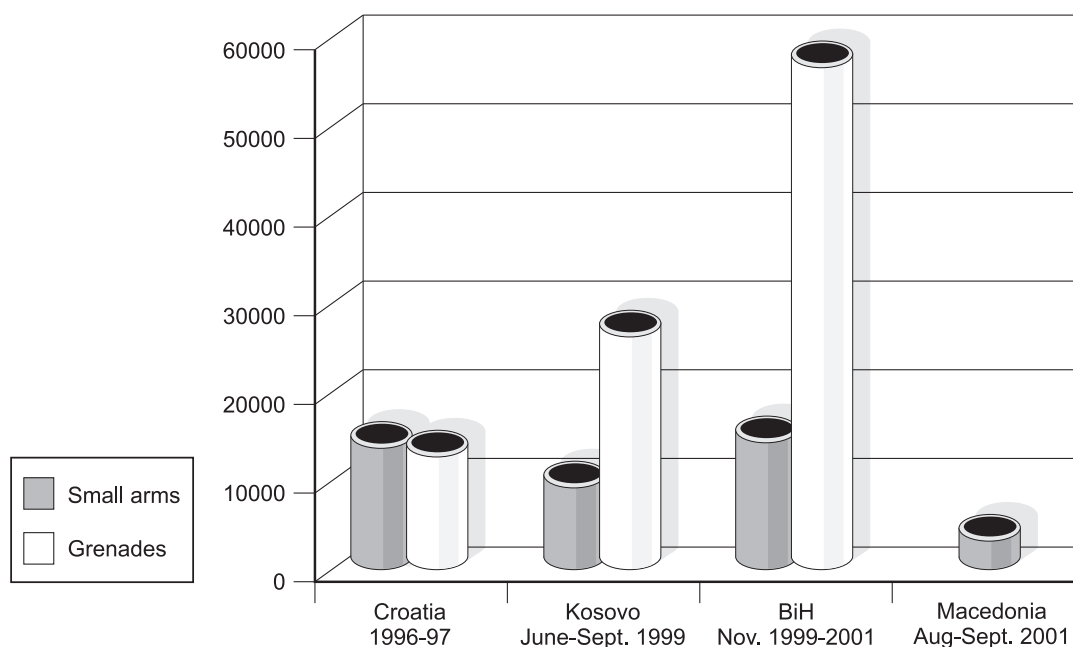
13. *Small Arms Survey Yearbook 2002*, THE SMALL ARMS SURVEY, Geneva, Switzerland

14. Tackling Small Arms and Light Weapons: a Practical Guide for Collection and Destruction, Bon International Centre for Conversion, January 2000

Factors specific to weapons:

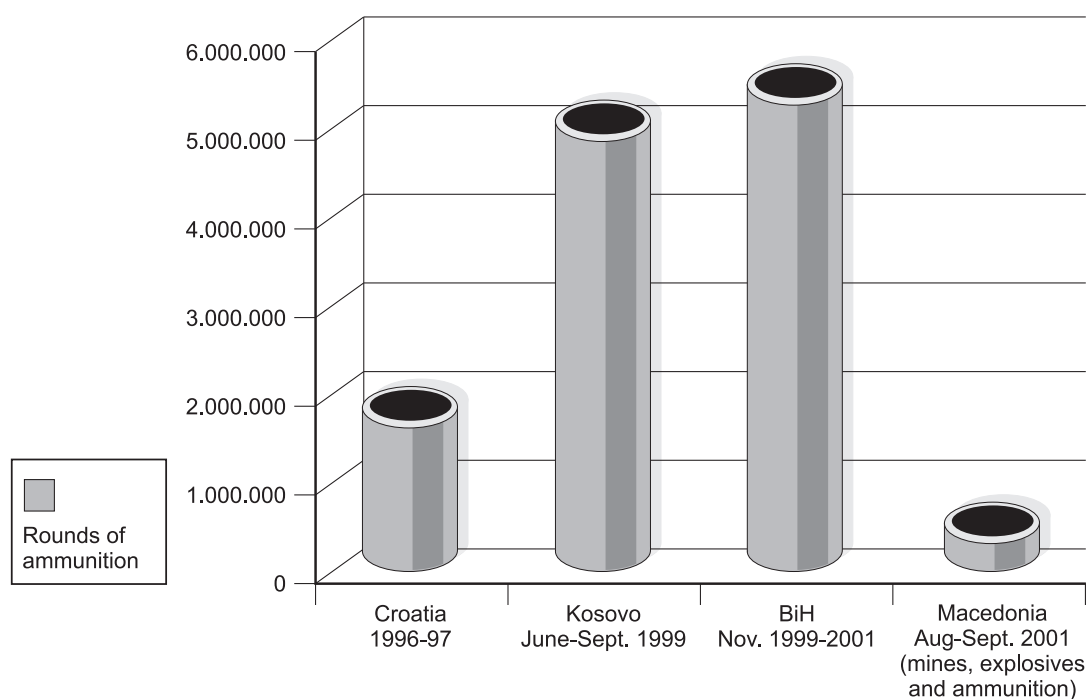
- How is armed violence affecting the community (citizens, businesses, NGOs)?
Who is exercising this violence?
- To what extent is this violence due to the visibility, availability, possession and misuse of weapons?
- What specific types of weapons can be identified as the primary cause of the problem?
- Who is in possession of these weapons?
- Why do these people possess weapons?
- How were the weapons distributed?
- What laws, if any, govern the possession and use of small arms?
- How are these laws being enforced?
- What is the culture of weapons/culture of violence in the area?
- What previous efforts have been implemented to reduce the weapons in circulation?
- What organizations are operating in the area that could assist in reducing or preventing the availability or misuse of these weapons?

Chart 2.1 - Examples of small arms collection programmes in region of West Balkans for period 1996-2001¹⁵



15. *Small Arms Survey Yearbook 2002*, THE SMALL ARMS SURVEY, Geneva, Switzerland

EDUCATION AND AWARENESS CAMPAIGNS



2.4. REGIONAL OVERVIEW OF SALW ACTIVITIES

As a consequence of the recent wars in South-Eastern Europe large quantities of small arms and light weapons are still in the hands of citizens. Therefore, in countries, which were directly effected by the wars, various arms and ammunition collection programmes were undertaken (or are still being undertaken). Below is a short overview of these activities in the Republic of Croatia, Kosovo (Serbia and Montenegro), Former Yugoslav Republic of Macedonia (fYROM), and Albania.

Croatia

In the period from October 1996 to August 1997, UNTAES (United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium) carried out a buy-back arms programme. This programme was conducted as part of UNTAES mandate on disarmament of the region, which was formally under the control of Serb population, and its peaceful reintegration in to the Republic of Croatia. The goal of this programme was arms and ammunition collection. The Croatian Government financed the programme. Citizens at weapons collection sites sold arms to the Government authorities. Although this was a voluntary programme, UNTAES also participated in confiscation of illegal arms and ammunition when discovered.

Results achieved by UNTAES are shown in the table, below. The quantity of returned arms and ammunition was much larger than was anticipated/expected by UNTEAS, but it is thought that substantial quantities have still remained in the possession of citizens. Arms and ammunition that were in a bad condition were destroyed, while the rest were upon the completion of UNTAES mission handed over to the Croatian government.¹⁶

16. Boothby, Derek (2001) "The UNTAES Experience: Weapons Buy-back in Eastern Slavonia, Baranja and Western Sirmium", Croatia

Time period	Rifles	Anti-tank rocket launchers	Grenades	Ammunition
Formal programme 2 October 1996 - 31 August 1997	8,152	742 (reusable 5,330 (non-reusable))	13,335	1,700,000
After programme 1 September - 22 September 1997	204	11 (rockets)	238	55,000
Total	8,356	6,083	13,573	1,755,000

Source: UN, Department of Public Information (1997b)

Albania

Anarchy that engulfed Albania in 1997, as a result of the collapse of political system, led to looting of about 650,000 pieces of small arms and light weapons and over 1,5 billion rounds of ammunition from military warehouses. Subsequently, the Government of Albania and UNDP developed the Gramsh Pilot Program in the Gramish District. This programme had for its goal the return of certain quantities of military equipment. Bearing in mind that direct financial awards to individuals for the return of arms can have unforeseen consequences on the field, the Government and UNDP decided to reward entire communities of financing development and infrastructure programmes in return for the surrender of illegally possessed arms. Infrastructure development programmes were carried out in parallel to arms collection in 1999. This was a completely new approach to dealing with arms collection which had till then not been implemented elsewhere.

As a result 5,981 pieces of small arms and light weapons, and 138 tonnes of ammunition were collected in the Gramish District. A large quantity of these arms were destroyed in the process of destruction of a contingent of 100,000 of small arms and light weapons, on the basis of a decision of the Albanian government in September 2000.¹⁷

Kosovo (Serbia and Montenegro)

In Kosovo, following an end of hostilities in 1999, an agreement was reached between NATO forces (KFOR) and the Kosovo Liberation Army (KLA) on the hand-over of all KLA arms and weapons except for local guns and pistols, in the period of 90 days. By the end of September 999, KFOR had collected over 10,000 pieces of arms, 1,200 mines, 27,000 mortars, 1,000 kg of explosive and over 5 million rounds of ammunition.¹⁸ However, it is believed that much larger quantities of arms and ammunition have been stored across the border in Albania. It is also believed that tens of thousands of arms remained in the hands of KLA fighters.¹⁹

17. Sami Faltas, Glenn McDonald, Camilla Wasznik, (2001), Removing Small Arms from Society: A Review of Weapons Collection and Destruction Programmes, Occasional Paper No.2, Geneva: *Small Arms Survey*

18. Bonn International Centre for Conversion (BICC), 2001, *Conversion Survey*. Baden-Baden: Nomos Verlag

19. *Jane's Intelligence Review*, 2000. "The UCK's Arsenal". 1 November

Large quantities of arms were also transferred from Kosovo to Macedonia, where the Albanian population in the recent conflict used them. Given the continuing instances of provocation of non-Albanian population in Kosovo, KFOR is continuing its arm collection efforts. By August 2001, 5,295 guns, 976 pistols and large quantities of other equipment were destroyed by way of smelting or disassembly.

For the purpose of convincing the local population to hand in their weapons, KFOR arranged for amnesty to be granted to all those persons who were to hand in their arms during May 2001. However, this action did not produce any significant results. Although strong legal sanctions have been announced which were to follow this month of amnesty, only 400 guns, 65 pistols, and a little more than 200 hand shells, and a small number of other weapons were collected. The arms collection process is still an ongoing one in Kosovo.

Former Yugoslav Republic of Macedonia (FYROM)

NATO's operation "Essential Harvest" in FYROM had for its goal the collection and destruction of 3,300 pieces of arms, which the Albanian side had promised to surrender in return for reaching an agreement with the Macedonian government. The arms collection operation lasted 30 days (from 27 August till 26 September 2001). The following quantities of arms were collected: 3,210 guns, 483 machine-guns, 161 anti-armoured pieces and mortars, 397,625 mines, and certain quantities explosives and ammunition. Although the quantity of arms possessed by Albanian National Liberation Army (NLA) was disputed, NATO decided that the figure of 3,300 pieces of arms was the quantity that should be surrendered by NLA. It was determined that this quantity was sufficient in order to show the good intentions of NLA in the peace process in FYROM.²⁰

Weapons surrendered by the National Liberation Army in Operation Essential Harvest

Weapons collected	Assault rifles	Machine guns	Support weapon systems (mortar/anti-tank)	Total weapons	Mines, explosives and ammunition
27 August - 26 September	3,210	483	161	3,875*	397,625 items

* Includes 4 tanks/armoured personnel carriers and 17 airdefence weapon systems

Source: NATO (2001)

3. EDUCATION AND AWARENESS CAMPAIGNS

3.1. REASONS AND MOTIVES FOR ARMS POSSESSION OF SALW IN POST-CONFLICT AREAS

Experience has shown that during an armed conflict weapons are not only distributed to combatants but also to civilians. The restoration of peace and security following the end of conflict as a result does not only depend on the disarmament of combatants and the collection of arms from the military, but it also depends on successful disarmament of civilians. All too often international peace missions do not manage to completely disarm former combatants and civilians in areas where they are mandated to do so. Many post-conflict areas are therefore confronted with high levels of crime in which illegally possessed arms are used. The expansion of criminal activities in post-conflict periods has several causes, such as: the prevalence of a poor socio-economic situation, a sense of neglect by former soldiers, reduced credibility and capacity by state security institutions, tensions among national groups which previously were the sides to the conflict, etc.²¹

The situation is not too different in Bosnia and Herzegovina today. Tension and distrust is still evident among the national groups in Bosnia and Herzegovina. This is not surprising, given the fact that Bosnia and Herzegovina was for nearly four years engulfed in a terrible war. It would be unrealistic to expect that all feelings of fear have been overcome in the seven years since the end of the war. The process of securing the society is a long-term process. One part of this process is arms and ammunition collection in Bosnia and Herzegovina.

Closely connected with this is the question of trust in the security institutions in Bosnia and Herzegovina, at all levels.²² A research undertaken by the Centre for Security Studies in July 2002 of the perception and opinion of citizens of BiH on the issue of trust in the security institutions in BiH (police and army), obtained by qualitative methods of 'focus groups', shows that citizens are not satisfied with the 'quality of security' provided by the authorities. As a result they feel that they need to possess and carry illegal weapons for the purpose of personal protection. However, this is a topic that needs deeper analysis and which could be a subject of future enquiry. Such an enquiry would require the production of a statistically valid survey using household questionnaires and focus/discussion groups based on gender/ethnicity, etc.

We also must not neglect criminal activities associated with the presence of small arms and light weapons in society. Illegal trade and use of arms is closely connected with other illegal activities such as drug trade, human trafficking and terrorism. Regularly, on discovering or preventing such crimes, a certain quantity of weapons that are used (or were planned to be used) for criminal activities are discovered.

On the question why do people possess or wish to possess small arms in BiH, an eminent Bosnian psychology professor offers the following seven explanations:²³

21. *Small Arms Survey Yearbook 2002*, THE SMALL ARMS SURVEY, Geneva, Switzerland

22. *Social Survey on Perceptions and Attitudes of Citizens of Bosnia and Herzegovina Towards Terrorism and the Role of International Security Organisations*, Centre for Security Studies BiH, July 2002

23. Interview with University professor of Psychology, Dr. Ismet Dizdarevic, University of Sarajevo, 30 May, 2003

There are many motives for arms possession. They range from fear of a resumption of hostilities in the country to that of collecting various types of arms. Their availability is not equal, therefore they are arranged regarding to how dominant they are:

- The first motive is related to the still present fear of a resumption of hostilities in the country. This motive leads people to acquire and possess arms that have a more lethal power. The war in Bosnia and Herzegovina has had different effects on different people. Some have been more, and some less affected by it and this creates different predispositions among people.

- The second motive is expressed through ideology, that is, massive activation of militant groups seeking to find a moment in which they would be re-activated as the executors of military ideas. In anticipation of such a moment they seek to possess arms at all times. These groups then justify arm possession in terms of possible conflict (the reasoning being why should we tell others where have we hidden our arms, when we do not trust them and we do not know how much arms they possess). Here it is not an individual who is the carrier of these ideas, but military groups.

- The third motive is related to security; the question of personal safety. This motive is indisputably emphasised from the psychological point of view. Here it is however important to determine whether a reasonable threat exists. In the first case we have people who are on certain positions and who are targets of criminal groups. However, a person may seek to acquire arms even when this threat is not real but is only perceived. A person may think that he is threatened, while the threat may be undefined. In most cases the threat is imaginary.

- The fourth motive can be labelled, as an "induced general insecurity of society". Here there is no individual threat. Rather, there is collective insecurity that may make individuals feel unsafe. Widespread general insecurity can be a cause of individual insecurity.

- The fifth cause is exhibitionary. Here we are primarily referring to those factors that make an individual more important, more respectable and different from others.

- The sixth reason is a trend of imitating countries, in which citizens possess arms irrespective of whether they are threatened or not. That is an effort to keep in vogue.

- The seventh motive is of collectionary type. Some people collect coins, postcards, while others collect arms. This is a passive motivation, a hobby or an obsession. It does not present a threat.

3.2. EDUCATION AND AWARENESS CAMPAIGNS

3.2.1 Need for education and awareness campaigns

It is of great importance that the already commenced activities on the reduction of small arms and light weapons in BiH be continued. In order for this campaign to be successful it must be accompanied with a wide and intensive public campaign. Although, to date, much has been done in the domain of collection and destruction of arms, as can be seen by the results so far, it is believed that a large amount of weapons are still in the possession of citizens of BiH, which presents a specific security threat to BiH. As expressed earlier in the text, the motives for possession and use of SALW differ. Therefore, the present programmes for weapons collection, as well as those that are still in the preparation stage, need a comprehensive publicity support that will have a psychological effect on citizens, with the aim of altering their attitude towards the possession and use of illegal weapons, which should result in the handing in of weapons.

3.2.2 Objectives of campaigns

- Building trust and confidence and reducing fear among the local population
- Emphasising the negative effects and consequences of possessing and using illegal arms
- Informing citizens about the potential dangers of possessing of SALW
- Motivating citizens to hand in illegal weapons through promoting amnesty for all those who undertake it
- Support of arms reduction programmes

People will be more inclined to give up their guns if they believe that:²⁴

- The authorities will protect them;
- The authorities will respect their rights and liberties;
- The authorities will enforce the law;
- They can provide for their needs without resorting to violence;
- They will be treated with dignity and respect;
- They are safe from robbery, attack, and extortion; and
- They can rely on the support of those around them.

Building confidence is a key factor in the pursuit of practical disarmament. Depending on local conditions, it may require major advances in social and economic development, judicial and police reform, good governance and the growth of strong and independent civil organizations.²⁵

3.2.3 Target groups according to societal grouping

For the purpose of conducting an education and awareness raising campaign, the target groups must be identified.

- Interviews conducted, with representatives of relevant institutions working on security issues,²⁶ for the purpose of preparing this report indicate that male population in the country, between the age groups of 20 to 55 years is the group most likely to possess weapons.

24. Faltas, Sami. 2001. *Lessons Learned in Practical Disarmament*. Geneva: Small Arms Survey

25. Ibid

26. Interviewed were officials of entity and cantonal Ministries of Internal Affairs of Bosnia and Herzegovina

This group can further be divided into two sub-groups: first, into a sub-group of 20 to 35 year old males, and second into a sub-group of 35 to 55 year old males. Division of the first group into sub-groups is based on different motives for arms possession:²⁷

- With the older sub-group the main motive for arms possession is the fear of renewed armed hostilities, once when the international community leaves Bosnia and Herzegovina.²⁸
- On the other hand, the younger sub-group views arms possession as a necessary form of self-defence in the face of criminal activities. The younger population is much more concerned with the current situation in relation to the level of crime in the country than about the events of the past.

Therefore, these two target groups, as well as the group identified below are in direct relation with the six motives for arms possession, mentioned by Professor Dizdarevic. This phenomenon is known as 'gun culture'. A certain number of individuals possess weapons because this represents a family or a 'national' tradition, with no consideration of security issues.

In the case of this motive, weapons are passed from one generation to another and are usually well hidden. It is a reasonable assumption that after the past war 'families arsenals were renewed' with new and modern weapons, which were easily available during and after the war.

- Records showed an increasing number of criminal activities carried out by teenagers (14 to 18 year olds) and young adults (18 to 20) in which small arms are used. In light of such trends, the population group should also be a target of an awareness raising campaigns on the effects and consequences of illegal possession of arms. Members of this age group are not only executors of criminal activities, but are also frequent victims of small arms carelessly used by those of the same age group. Special attention should be paid to this age group because of the frequently different way in which this age group understands things, as opposed to the older generation.

- Next target group can be female population, which, in some way, is related to victims of small arms. If we bear in mind that males are the primary victims of small arms, we can identify this group to which awareness rising campaigns should be tailored. Behind every victim there is the pain felt by a mother, partner, sister, daughter or grandmother.²⁹ This group could be a valuable source of activists against illegal possession and use of arms. A campaign directed towards this population would without doubt have good results, as the female population would become more assertive in influencing their close family members in respect to SALW. Local NGO can be particularly valuable in working with this group.

Taking into consideration the results of similar arms collection programmes in other regions, co-operation with NGOs and female organizations is very important. If members of these organizations are adequately trained about the ways and methods of the campaign against illegal possession and use of small arms, they may become valuable in implementing this campaign.

27. SFOR, PSYOPS Harvest Campaign Plan Based on research from Mareco Index Bosnia and media reports, Alex R. Gebhardt, Captain Royal Netherlands Army, SOTAA/TES Psychological Support Branch

28. Ibid

29. *Small Arms Survey Yearbook 2002*, THE SMALL ARMS SURVEY, Geneva, Switzerland

3.2.4 Target Groups according to geographical location

Were we to take geographic position of the population as basis for determination of target groups than we would have yet another division among the before mentioned groups. Small arms and light weapons are more concentrated in those areas of the country that were affected by wartime activities. Such as in areas which were the site of battle lines, or in which ethnic cleansing took place, and in which refugee and displaced persons return programs are being implemented. In these areas there is usually a higher degree of intolerance and distrust among ethnic groups, and sustained campaigns would be of great benefit. Although these areas are also confronted with problems associated with criminal activities, it is assumed that arms are still widely kept by the population in these areas out of fear from members of other ethnic groups. These specific areas have been identified and SFOR is working towards disarming them.

If we bear in mind the primary reason for arms possession in these areas, that is fear and distrust, than it is necessary to pay particular attention to the older male target group. Emphasis in this case should be on building trust and reducing fear among the local population. However, this is not to say that in these areas we should disregard the other target groups.

As part of this public relations campaign propaganda materials in support of arms reduction programmes should be produced. In this context, local radio stations and TV stations should be engaged as well as local newspapers.

3.2.5 Education Campaigns

As some of these activities surpass public campaign activities, it is necessary that we underline and explain the difference between education and public campaign. Various authors writing on this topic regularly differentiate between these two concepts. The education needs to be tailored towards particular groups of individuals. In the process of education there is direct contact between an audience and a lecturer, which accelerates the transfer of knowledge and skills. In the process of education, specific, topical subjects, that at certain time or place are the most interesting for a specific group, can be addressed. An important characteristic of education programmes is that examination of acquired knowledge of a targeted group is possible.

- The female target group offers a good example of how we need to differentiate between education and public campaign. Additional education would widen knowledge and capabilities of NGO s in regards to SALW, so that they would be able to be more effective and to conduct good quality SALW awareness raising campaigns between citizens.

- This mode of logic leads us to identification of yet another target group to be educated. This target group is composed of children in primary and secondary schools (though part of these children fall into the minor/teenager male group).

Children of this age are likely to be, in the process of growing-up, in some way affected by the small arms problem. Taking into consideration the widespread availability of arms, they could easily end up in the hands of children, especially those in high school, which could have tragic consequences. It is therefore necessary to undertake preventive measures, such as creation of negative perception when it comes to possession and use of arms. This may be achieved through school curricula, which could provide for special classes during which children would be familiarized with the dangers of SALW.

These classes should be adjusted for age groups and could be followed up by after school activities. Activities of "Balkan Youth Union" from Belgrade (Serbia and Montenegro) are a good example.³⁰ On 5 April 2003, this association organised a three-hour rally under the banner "Arms Destruction" on one of the main squares in Belgrade. Children of primary school age were offered various gun and pistol toys and were requested to break these "weapons" and throw them into rubbish containers. The younger children who were not capable of doing this simply threw their "weapons" into containers. The whole area where this activity was taking place was covered with posters carrying various slogans against the use of small arms on the streets and in daily life. This activity aimed to create a negative view of arms among children. This "Arms Destruction" aroused widespread interest. This example shows one way in which different organizations could become involved in working with children especially youth organisations.

3.2.6 Awareness Campaign

Practical campaign suggestions

I - Channels which could be utilised to convey messages to citizens:

Printed media:

- Daily newspapers
- Weekly, fortnightly and monthly magazines
- Women's magazines
- Sports magazines
- Children's magazines
- Youth magazines

Radio stations:

- Which broadcast on the whole territory of Bosnia and Herzegovina
- Regional
- Local

TV stations:

- Public RTV service of Bosnia and Herzegovina
- FTV
- RTRS
- Regional TV stations
- Local TV stations

Posters:

- Billboards (jumbo posters)
- Street posters
- Posters for homes, offices

Other printed material:

- Pamphlets, etc.
- Calendars (pocket and wall)
- Postcards
- School material (writing books, pencil cases, etc.)
- T-shirts
- Pencils, pens

30. Balkan Youth Union, Serbia, www.bum.org.yu

Miscellaneous:

- Promotion of sporting events

II - Use of the media

Printed media is useful for the inclusion of posters and newspaper articles of educational nature that convey the dangers of SALW. Messages of general nature about the danger and the collection process of SALW could be published in the daily newspapers because news articles enable the presentation of touching stories and details on the success of weapon collection operations or about the consequences on the use of illegal weapons which all together can positively influence awareness in terms of handing-in weapons. Daily newspapers are especially important for this type of campaign due to its regular printing, which at a certain stage of a campaign can be of particular importance. Weekly and monthly magazines could contain messages (picture and text) aimed for the specific readers of these magazines (political magazines for grown-ups, sports magazines - for male population, women's magazines - for female population, youth magazines - specific messages for this age group, children's magazines - educational messages in the form of cartoons, stories, etc.).

Radio stations could play different messages (depending on the message that needs to be conveyed, target group, etc.). Here of specific significance are radio stations covering territories on which war had a great effect (for example, populated areas along the entity separation line). Local radio stations should be relied upon heavily in the process of confidence building and stimulation of citizens to hand in their weapons because they are very popular in the area that they cover (especially in rural areas of BiH). Journalists on these radio stations are by-and-large locals who often have a certain level of authority and respect amongst citizens. Greatest effect would be achieved if campaign messages were broadcast during prime time. Radio programs on the topic of problems of small arms and light weapons could also be broadcast.

Of all the media, the most effective is **television** because the majority of the population watches it. Particular attention should therefore be paid to the TV campaign. Short TV spots, tailored according to specific target groups, could be broadcast on all TV stations in Bosnia and Herzegovina. Here particular attention should be paid to all languages and alphabets used in Bosnia and Herzegovina, in order to avoid adverse effects.

Spots with general messages on the danger and the need to hand in SALW could be aimed towards all age groups. Such spots could be broadcast at all times.

For the purpose of reaching the older target groups, TV spots would be most effective if they were broadcast prior and following informative programmes. TV spots aimed towards male target groups could be broadcast during sports programmes, while spots for youth could be broadcast during music and entertainment shows. Spots aimed towards the female population could be broadcast during various TV programmes created specifically for female population. Children's programmes could include short cartoons or conversation with children during which emphasised would be dangers of SALW.

Well known persons from the public life of Bosnia and Herzegovina (sports persons, musicians, artists...) could all participate in the filming of TV spots. Their influence on public could be used to convey adequate messages.

Certain TV programmes, especially local ones, could also be sponsored in order to have the message on SALW running for the duration of the programme.

As regards **billboards** (jumbo posters), these could simply be blown-up versions of posters published in magazines and newspapers. These posters may carry images of the most effective TV spots. In this way posters would also act in support of the TV campaign. However, billboards can also be used as a separate segment of the campaign with specific messages addressing particular target groups. As regards to where they should be put up, this depends on their content, but possible locations could be around schools, student centres and other locations where they will be seen by many people.

Small wall posters could carry the same pictures as the billboards, but they should have various messages on the current activities related to SALW (for example, number of SALW collected, places and time where SALW could be handed-in, etc.) because they are useful for printing in smaller numbers with specific information in regards to SALW activities in narrower areas. Also, these posters could include information and messages related to specific activities, such as various competitions for children and youth related to SALW collection operation. If the messages on the posters are aimed towards specific target groups then posters should be adequately positioned. That is, if they are aimed towards the youth they should be put up in schools, sport stadiums, café bars, discos, etc. Other printed material could be distributed during the campaign (in schools, streets, and during sports, educational and cultural manifestation).

3.2.7 Evaluation of the campaigns

In order to assess effectiveness of any campaign it is necessary that evaluation modules are established at the very beginning. Evaluations should employ two methods: quantitative and qualitative. Focus group studies could satisfy qualitative evaluation, while surveys could satisfy quantitative evaluation.

Focus group studies would provide findings on the "internal" workings of the target groups. Due to its specificity, focus group evaluations can only be provided on completion of the campaign. A number of focus groups on different locations should be studied.

Evaluation by way of surveys could be carried out in two ways: by way of telephone survey and by way of direct survey.

The evaluation should indicate how effective the campaign were in increasing awareness about the effects of illegal possession and use of small arms and light weapons. Followed should be the degree of knowledge increase among citizens, on topics promoted by the campaign. The evaluation should also tell us which methods produced best results. Also, the effectiveness of the media campaign should be judged. Such a method of evaluation would indicate already half way into the campaign if any changes should be made to it.

RECOMMENDATIONS

For running education and awareness campaigns the following target groups, already mentioned in the text above, have been identified:

MAIN TARGET GROUPS		
1.	Males	35 - 55 year olds
2.	Males	20 - 35 year olds
3.	Females	18 -
4.	Male Teenagers and Younger Adults	14 - 18, 18 - 20 year olds
5.	School Children	7 - 18 year olds

Main aims of the campaign are specified in point 3.2.2.

- For **target group 1** an awareness campaign needs to focus on following:
 - Building trust and confidence and reducing fear among the local population
 - Motivating of citizens to hand in illegal weapons through promoting amnesty for those who voluntarily hand-in their weapons

Citizens need to be convinced, by way of a public campaign, that there is no need to possess weapons; that the same should be handed in to security officials during arms collection operations. It should be clearly stated and stressed that no sanctions will be taken if weapons are handed in voluntarily. The campaign could be conducted by any of the above-mentioned methods.

- An awareness raising campaign for **target groups 2 and 3** needs to focus on:
 - Emphasising the negative effects and consequences of possessing and using illegal arms,
 - Informing citizens about the potential dangers of possessing of SALW,
 - Motivating citizens to hand in illegal weapons,

Awareness raising campaign should be adopted to needs of every target group. These target groups could be an object of specific education programmes that were mentioned in the text above.

- An awareness raising campaign for **target group 4** should emphasise the negative effects and consequences of illegal possession of arms. Taking into consideration that this target group has a very specific perception of events, the campaign has to be designed and conducted in a way that the youth will understand. One of the possibilities is to conduct the campaign by way of television and radio programmes, during which young musicians, sport persons, models, etc. would talk about the dangers of SALW. Different competitions for young people (art, sport, entertainment, etc.) could be organised in schools and universities with the 'fight arms' motto. Printed materials could be produced in support of these activities. These materials could be distributed in places where young people socialise.

- Education campaign for **target groups 4 and 5**

Educational classes in schools and universities could prove to be an effective means of stopping the "gun culture" phenomena. During these classes military and civil experts could make presentations on the dangers of SALW.

Sports and cultural activities in primary and secondary schools could also be used for getting the message on SALW across. T-shirts or necessary sports equipment with "anti weapon" slogans could be provided to schools as part of the awareness raising campaign. Such activities could also be organised by youth associations.

Another type of possible activity is "weapons for books", that is, primary schools could organise a 'replacement' of toy weapons with books (or something similar). The children would bring their toy weapons, especially those that could pass as real weapons, and exchange the same for books, adequate for their age. This could develop an anti-weapon stand, and it would focus citizen's attention to children's security (the problem with toys is that they look like real weapons and are not adequately marked, see chapter 7.1)

SPECIAL FORMS OF AWARENESS RAISING

- There is a need to raise the profile of the SALW issue in BiH. A cost-effective means of doing so is through the media coverage of weapons destination events. Such events have traditionally the attention of the media, and subsequently the attention of substantial number of individuals. Similar activities have been undertaken in other countries. Specially earmarked collected weapons could be used for this purpose. This would create a realistic picture among the citizens about how and where the weapons end up, and this would provide additional confidence to surrender their SALW.

- A useful channel of communication could also be achieved by way of convincing religious leaders about the dangers of SALW and their subsequent giving of public support to the programmes of weapons collection. Many citizens respect and trust religious leaders and their support of the SALW reduction programmes would have positive results.³¹

- There is also lack of evidence that the simple collection of weapons actually leads automatically to the reduction of the security risks and conflicts if it is not accompanied by sufficient political will and the re-establishment of confidence between the populations. While a programme's stated intent might be to collect SALW, even if it does not collect a large number of weapons, it may nevertheless function to provide hope for long-term peace and to reduce public fears of crime and violence.

- The arms collection programmes and the subsequent campaigns do not always have to have for their aim the collection of as many pieces of weapons as possible, but they should also focus on:

- Promoting tolerance and peaceful solving of conflict situations
- Increasing harmony of community through improving co-operation between different segments of the society, especially between those from different ethnic groups (governmental institutions, media, religious organisations and communities, etc).

31. Interview with Viktor Mikolajec, LTD PL Army, IOB Chief, SFOR, 23 May 2003

4. LEGAL FRAMEWORK

With the dissolution of the Socialist Federal Republic of Yugoslavia, its legal system also dissolved. Republic of Bosnia and Herzegovina inherited the legal system of the former state. Due to the war, which started soon after the independence of BiH, its legal system disintegrated and had split into three parts. The parts of BiH that were controlled by the legal government formed its legal system, Bosnian Serbs created their own laws in a part of BiH which was proclaimed Republika Srpska, while population that was under the Croatian forces followed the norms of the so called 'Herceg-Bosna'. Hence, beginning in 1992 a number of different laws and regulations dealing with SALW were adopted. Often they were not only different, but also contradictory.

After the end of the war, legal norms were created which, considering the complexity of BiH political system, were the most adequate for regulating a number of issues, such as SALW. In the analysis of SALW it will be noticed that these regulations are not sufficient, so today we have the existence of norms that are not co-ordinated and harmonised.

In such a complex state with a multiplicity of overlapping laws addressing and regulating the same issues in different ways, it is difficult to know what the law actually is. The analysis of the laws on small arms confirms this.

There are numerous laws that address the question of small arms and light weapons, and there are many regulations of various institutions that deal with this issue from the cantonal to state levels. Most laws that specifically address the issue of small arms are however entity level laws. Due to this fact there is a long list of laws that has been elaborated for the purpose of this report.

4.1 BOSNIA AND HERZEGOVINA

Main laws and draft laws dealing with arms and ammunition at the state level are:

- The Law on Import and Export of Arms and Military Equipment
- Draft Law on Manufacture of Arms and Military Equipment
- Law on Testing, Stamping and Marking Small Arms and Ammunition

Law on Import and Export of Arms and Military Equipment and Military Equipment

The only time when the Parliament of Bosnia and Herzegovina discussed issues related to weapons was during the adoption of the Law on Import and Export of Arms and Military Equipment and Military Equipment in January 2003. This discussion was however the result of the "Orao" affair and the threat of sanctions. The illegal export of arms from aircraft military company "Orao", Bijeljina, to Iraq has led to reforms in the normative part of the security sector. However, questions related to armament still have not been discussed at the state level, apart from the mentioned Law.

The Law on Import and Export of Arms and Military Equipment and Military Equipment specifies the conditions under which arms can be imported, exported and under which they can be allowed to transit.

It also specifies which institutions are responsible for issuing import, export and transit permits, and it sets out conditions under which the permits can be issued. The Law also regulates the responsibility of the Ministry of Foreign Trade and Economic Relations (MFTER), as well as the responsibility of the customs institutions.

The law also specifies which sanctions may be imposed in the case of non-compliance. According to the Law, all physical and legal bodies involved in import, export and transit of arms and military equipment must be registered with the MFTER, which is responsible for issuing export, import and transit permits.

On the basis of the Law on Import and Export of Arms and Military Equipment adequate Sub-law Acts have also been drafted. These Acts, according to which the control of import and export of arms is to be conducted by customs institutions and MFTER, are in a process of being published. Export/import companies are also obliged to keep all documentation related to the already performed jobs and to present the same, upon the request of the MFTER, for control.

From 1 January till 1 May 2003 the MFTER has issued 47 export permits and 23 import permits for arms. Compared with the information from previous years, we can say that the number of import/export permits has been reduced.³²

Currently ongoing is the work on amendments to the Law on Import and Export of Arms and Military Equipment. This Law was to be implemented by the MFTER, Ministries of Internal Affairs and the Ministry of Civil Affairs and Communications. However, the newly formed Ministry of Security has taken on some tasks that were previously performed by the Ministry of Civil Affairs and Communications. This was accomplished by way of an agreement reached at the Council of Ministers. Such an agreement must however be verified by way of amendments to the Law on Import and Export of Arms and Military Equipment.

Draft Law on Manufacturing of Arms and Military Equipment

The MFTER has also prepared a Draft Law on Manufacture of Arms and Military Equipment, which will be presented to the Council of Minister for adoption. Following consideration by the Council of Minister of BiH, the Law will be send to the Parliament for adoption. This law will regulate, at the state level, manufacturing and internal trade of arms and military equipment. The need for such a law was stressed by representatives of the international community, as well as by military production companies, which view the present entity laws as impeding and complicating the production and trafficking of arms. This draft Law was proposed by MFTER. Once the law is passed, it will regulate all production, traffic, import and export of arms and with The Law on Import and Export of Arms and Military Equipment and Military Equipment it will serve as a cornerstone for the improved work of military industry.

Law on Testing, Stamping and Marking Small Arms and Ammunition

Currently there are no state level regulations on acquiring, keeping and carrying acquiring, keeping and carrying of arms by citizens. Although Bosnia and Herzegovina does not have a Law on Arms and Ammunition, the Parliament did pass a Law on Testing and Marking of Small Arms and Ammunition in May 2003. This Law gives limited control over SALW issues to the state. According to this Law entities may issue permits for the possession of small arms and ammunition that have been marked in accordance with the provisions of this state law.

32. Interview with Ms. Mila Gadzic, Minister of the MFTER BiH, Published in Daily News "Nezavisne Novine", No. 1753, 3 April 2003

With the adopting of the Law on Testing, Stamping and Marking of Small Arms and Ammunition determined shall be which arms and ammunition should be tested, stamped and marked, and established will be the procedure for testing, stamping and marking of arms. MFTER is responsible for the implementation of this Law, hence all testing, stamping and marking of small arms and ammunition is carried out in accordance with the sub-law act of this Ministry which specifies what sort of stamps are to be used. The testing, stamping and marking is carried out by the Institute for Accreditation of BiH, as authorised by the MFTER. This testing, marking and stamping of small arms and ammunition is conducted for the purpose of establishing the quality of these products. The quality of particular arms and ammunition is specified in the International Convention for the Testing of Small Arms and Ammunition, adopted in 1969. Therefore, inbuilt into this Law are the provisions of the mentioned Convention.

ENTITIES OF BOSNIA AND HERZEGOVINA

Most laws governing SALW are at the entity level. Hence a significant section of this research has had to be devoted to the analysis of legal regulations in the entities.

4.2 FEDERATION OF BOSNIA AND HERZEGOVINA

Draft Law on Arms and Ammunition

A draft Law on Arms and Ammunition, prepared by the Ministry of Internal Affairs of the Federation, was in August 2002 sent for consideration to the Parliament of the Federation of Bosnia and Herzegovina. At the time of the publishing of this report, the law is still awaiting adoption. The law is of significance in that, once adopted, it will harmonise requirements across the Federation for the acquiring, keeping and carrying of arms in accordance with the provisions in the Directive of the Council of European Community on the acquisition and possession of arms, issued on 18 June 1991. At present, cantonal laws regulate the acquiring, keeping and carrying of arms and ammunition. These laws have not however been harmonized between the cantons. For example, the Law on the Acquiring, keeping and carrying of Arms and Ammunition of the Sarajevo Canton does not prohibit citizens from possessing any particular type of weapon. Meanwhile, the same law in the Posavina Canton does prohibit the possession some types of weapons. Sanctions for unlawful acts also greatly vary from canton to canton. For example, lending ones' arms to another person in Canton Sarajevo is a criminal act, whereas in West Herzegovina Canton, it is petty crime. This is not only confusing for the citizens, but also for the police.

In order to address this problem, the Ministry of Internal Affairs of the Federation has prepared a draft Law on Arms and Ammunition that is apply across the territory of the Federation of BiH. This Law also enables effective implementation of the Law on the Agencies for the Protection of Persons and Property and the Law on Amnesty for illegal keeping of mines, explosives and weapons in the Federation of Bosnia and Herzegovina.

At present criteria for possession of arms is not harmonised across cantons. The new Law will enable agencies for the protection of persons and to obtain arms according to the same criteria regardless across all cantons. In parallel, the adoption of the Law of Arms and Ammunition at the state level will eliminate inconsistencies between the cantonal Laws on the Acquiring, Keeping and Carrying of Arms and Ammunition and the Federation Law on Amnesty.

Depending on the canton concerned, particular weapons provided for by the Law on Amnesty and permitted for use in some cantons are considered illegal in other cantons due to the non-harmonized nature of the laws.

Law on Manufacture of Arms and Military Equipment

The Federation Law on Manufacture, Transport and servicing currently regulates the production, transport and servicing of SALW in the entity. The law, however, is expected to shortly be replaced by a state-level Law on Manufacture of Arms and Military Equipment. Although with this new Law production and transport will be regulated at state level, the Federation shall still have certain competencies in the field of arms control by way of Federal Law on Defence.

The two afore mentioned laws are the basic laws associated with the production, transport, possession and carrying of arms. In addition to these laws, in the Federation there are also a number of laws that indirectly deal with small arms and light weapons, which are elaborated below.

Law on Agencies for the Protection of Persons and Properties in the Federation of BiH

The Law on the Agencies for the Protection of Persons and Property in the Federation of BiH specifies the way these private security agencies can operate, and when, by whom and where can arms be carried and used. The number of private agencies that are in charge of the security of persons and property in FBiH is on the increase. This law passed parliamentary procedure in October 2002. However, the Law on Arms and Ammunition that regulates how agencies for the protection of persons and property can acquire arms has not been adopted yet. The Law on the Protection of Persons and Property specifies that after obtaining arms permit (in accordance with the Law on Arms and Ammunition); the agency can for the purpose of physically protecting persons possess short-barrelled arms for one fifth of its personnel, at most. In the context of this law, short barrelled arms are those arms whose length of barrel does not exceed 20 cm, and the whole length does not exceed 30 cm, which automatically recharge after every bullet shot and which can fire only one shot with every pulling of the trigger. The calibre cannot be greater than 9 mm and it must not have silencer.

Article 348 of the Criminal Code of FBiH and the Law on Amnesty

According to the Criminal Code of the Federation of Bosnia and Herzegovina (article 348) the citizen is to be held criminally responsible for illegal possession of arms. However according to the Law on Amnesty which deals with the illegal possession of mines, explosive ordinance and arms, adopted in October 2002, the citizen is automatically granted amnesty should he or she voluntarily surrender arms. Prior to the adoption of this Law the Parliament of the Federation passed a number of other laws on amnesty with limited time duration.

The new Amnesty Law adopted in October 2002 does not provide a duration by which arms must be surrendered. The Law defines mine-explosive equipment and arms. In principle all arms may be surrendered, ranging from anti-aircraft weapons to ammunition, without any negative consequences for the surrendering party.

In addition to the possibility of surrendering such arms, the Law also provides for notification about such weapons should the citizen not be able to safely bring such weapon to the closest police station. This Law also stops criminal procedures against persons who illegally kept mine-explosive equipment and arms, and also frees such persons from serving their prison sentences had they received this sentence prior to the adoption of the Law. The Ministry of Defence and the Ministry of Internal Affairs are responsible for the implementation of the Amnesty Law, with the assistance of SFOR.

4.3 REPUBLIKA SRPSKA

Law on Arms and Ammunition

The acquiring, keeping and carrying of arms and ammunition in Republika Srpska are regulated by the Law on Arms and Ammunition from 1993. The Law has been amended several times. However, all the amendments to date have centred on the extension of the amnesty period - which have taken place roughly every six months. At present, the law provides an amnesty to citizens from criminal responsibility for illegally keeping explosive ordinance, equipment and arms if they report it in the period of 6 months from the time of the law coming into effect. Due to the many amendments and the obsolete nature of particular articles of the current Law, Republika Srpska submitted to OHR, in April 2003, a draft Law on Arms and Ammunition. The Ministry of Internal Affairs of Republika Srpska has prepared the draft law. The draft law is an improvement on the previous law in that it specifies arms which are illegal to transport, acquire, possess, carry and service. The current law provides for financial sanctions, to be paid in former currency 'dinars'. In the proposed draft Law the sanctions are in the Bosnian national currency; the Bosnian convertible mark.

Criminal Code of Republika Srpska

The provisions in the Criminal Code of RS pertaining to the possession of SALW are similar to those contained in the Criminal Code of the FBiH. However, where Criminal Code of FBiH provides for one incrimination for the illegal possession of arms Criminal Code of RS provides two, incrimination for the "illegal production and transport of weapons and explosives" and for the "production and acquisition of arms and equipment intended for carrying out of criminal acts".

Law on Defence of Republika Srpska

According to the Law on Defence of Republika Srpska, the President of Republika Srpska is responsible for determining the basic needs for the arms and equipment for the Army of Republika Srpska, and for the defence of Republika Srpska. This Law also regulates all other production activities of the military industry, such as the manufacturing of arms for export purposes and equipping of institutions that are not part of the Army of Republika Srpska. The Government of Republika Srpska is responsible for the development of military production capacities, while the Ministry of Defence organizes and prepares capacities for the production and general servicing of military equipment. The planning, financing (for scientific purposes), development, manufacturing, general servicing and transport of arms and military equipment is carried out by the Directorate for Manufacturing and Transport of Arms and Military Equipment, which is a part of the Ministry of Defence of Republika Srpska.

Draft Law on Manufacture and Transport of Arms and Military Equipment in Republika Srpska

The Draft Law on Manufacture and Transport of Arms and Military Equipment in Republika Srpska regulates the production and transport of arms and military equipment in the entity. However, following the “Orao” affair and attempts to deal with this issue at the state level, it has been decided that Law on Manufacture of Arms and Military Equipment BiH will derogate this Draft Law.

4.4 BRCKO DISTRICT

Law on Arms and Ammunition

The Law on Arms and Ammunition of Brcko District came into effect on 6 December 2002. The Law is based on the Law on Arms and Ammunition of the Socialist Republic of Bosnia and Herzegovina from 1990, and has been amended with certain provisions that have been taken from entity laws. At a closer analysis, the law is almost identical to the Draft Law on Arms and Ammunition of the Federation of Bosnia and Herzegovina. It specifies which arms cannot be in the possession of citizens; it provides for the establishment of a safe place for the safe keeping of arms and for the keeping of a central registry. It is thus explicitly stated that arms are to be kept in a metal container or a metal wardrobe, and that outside of shooting polygons and hunting ground arms must be kept and carried in a case and they must not be charged. Issued permits for the possession and carrying of arms are registered in the district police headquarters. The law also provides for amnesty to all those who surrender their weapons by 6 June 2003. Following this, the head of the Brcko District police force has the right to issue written orders calling citizens to hand over illegal arms in return for which they will not be sanctioned.

4.5 NON - HARMONIZED ELEMENTS OF ENTITY LAWS ON ARMS AND AMMUNITION

Draft Law on arms and ammunition of the Federation of Bosnia and Herzegovina

- The Law refers to the Directive of the Council of Europe Community on Arms and Ammunition on the control, acquisition and possession of arms, issued in 1991;
- It specifies exactly what can and what cannot be in the possession of citizens;
- Arms shall not be issued to a person who in the period of past five years has been sanctioned due to the disturbance of public peace and order;

Draft Law on arms and ammunition of Republika Srpska

- The Law is not in accordance with international norms;
- Military equipment is not defined; weapons that can be in the possession of citizens are not specified;
- Arms shall not be issued to a person who in the period of past three years has been punished for disturbing public peace and order;

- | | |
|---|---|
| <ul style="list-style-type: none"> - There are no provisions which stipulate that a person must undergo training for the use of arms, prior to being issued with a permit to possess arms; - An applicant must undergo a medical examination as a part of the procedure for obtaining an arms permit; - An arms permit is issued for a period of five years with the possibility of extension, if requested by the holder; - Arms and ammunition are to be kept in a locked metal box or a metal closet; - Agencies for the protection of persons and property can for the purpose of physical protection possess fire arms with short barrel for at maximum, one fifth of its staff; - Except for such a time as to when there are reasons as to why a person is not issued with a permit for possession of arms, firearms may be confiscated when the reasons cited in the permit application of such arms cease to exist or in the interest of public peace and order, that is security - The Minister of Internal Affairs can upon his/her discretion issue a written order directing citizens who possess arms without a permit to hand them in to the closest police station, while providing a guarantee that no legal proceedings will be initiated against them; - The Draft Law envisages the establishment of a central registry in the Federal Ministry of Internal Affairs, which is to contain all details about holders of permits and about persons possessing arms on the whole of the territory of the Federation; - Financial sanctions for petty crime by legal entities may be between 2,000 to 20,000 KM; - Financial sanctions for petty crime by physical entities may be between 1,000 to 10,000 KM. Physical entities may not be punished by incarceration; | <ul style="list-style-type: none"> - Arms shall not be issued to a persons who have not undergone training for the use of fire arms; - If there is justifiable doubt that an applicant is not mentally or physically fit to handle fire arms, the responsible authority can request that the person undergo medical examination; - An arms permit is issued for the possession and carrying of arms an unlimited period, except in this case the permit is valid for three years and can be extended; - Arms and ammunition are to be kept locked or in another way kept secure so as that they are out of reach from unauthorized persons; - Legal bodies carrying out tasks related to the protection of persons and property can obtain a permit for the acquisition and possession of automatic and semi-automatic fire arms, except for automatic pistols; - Fire arms shall be confiscated only if any of the reasons due to which a permit cannot be issued should emerge; - There are no such provisions in the Draft Law on Arms and Ammunition in Republika Srpska; - Records about submitted requests and issued arms permits, as well as records about confiscated, found and surrendered arms are to be maintained by the organizational unit of the Ministry of Internal Affairs of Republika Srpska, on whose territory the person in question resides; - Financial sanction for petty crime by legal entities may be between 4,000 to 12,000 KM; - Financial sanctions for petty crime by physical entities may be to the amount of 1,200 KM. They may also be punished by incarceration of no more than 60 days; |
|---|---|

LEGAL FRAMEWORK

- | | |
|--|---|
| <ul style="list-style-type: none"> - Holders of an arms permit which has been issued five years ago or before, are obliged to undergo a medical examination for the purpose of determining their capability to possess arms; - Persons possessing illegal arms, for which a permit is required, are obliged to surrender their weapons within 6 months from the date of the law coming into effect. No legal procedure shall be initiated against such persons in such an instance; - For the duration of SFOR Mission in Bosnia and Herzegovina, the possession and carrying of arms in the zone specified in article IV paragraph (2) Annex I-A, Article IV, is prohibited. | <ul style="list-style-type: none"> - There are no provisions which regulate the review of medical certificates that are older than five years; - Persons who possess arms for which a permit is required are obliged to surrender their arms to a police station, within 90 days of effectiveness of this Law; those persons who possess arms, the acquisition and possession of which is illegal, are obliged to hand it in within 30 days from the effectiveness of this Law. No legal procedure shall be initiated against such persons in such instances; - The Draft Law on Arms and Ammunition does not make such a provision. |
|--|---|

4.6 COMPARISON WITH LAWS IN OTHER COUNTRIES

In comparison with the Bosnian laws on Arms and Ammunition, the Croatian and Serbian laws are much more detailed. The most developed law is that of Croatia.

Croatia: Law on Arms

The Croatian Law on Arms was passed in September 1992, and was last amended in February 2001.³³ According to this Law a citizen of Croatia may not possess, carry, manufacture or service any type of automatic, semi-automatic and re-load long fire guns with rifled barrels. The law also lists arms that may not be possessed by citizens - this list of arms corresponds to arms listed in the Draft Law on Arms of the Federation of Bosnia and Herzegovina. Also, in Croatia a citizen who is 21 years of age can acquire arms, whereas in Bosnia and Herzegovina this right is given to citizens who are 18 years of age. At the time of submitting a permit request, the citizen in Croatia must demonstrate that he/she has adequate knowledge about handling weapons and that he/she is familiar with regulations relating to the possession and carrying of weapons. Proof that one has such knowledge is provided by way of obtaining a certificate on the capability to possess, carry and safely handle weapons, issued by the Ministry of Internal Affairs. Furthermore, the law specifies that for the purpose of protecting property in populated areas, legal entities may only keep short fire guns and hunting guns with non-rifled barrels. Financial sanctions for the breach of law are also significantly higher than in Bosnia and Herzegovina (maximal fine for illegal possession and carrying of arms is 150,000 Kuna³⁴ or roughly 40,000 KM). Provision is also made for incarceration of belligerents for a maximum of 60 days. There is also a protective measure provided for the confiscating arms, ammunition and equipment.

33. www.sindikatspolicije.hr

34. Kuna - Croatian currency

The Law on Arms of Croatia also provides for amnesty to persons who in the provided period (one year from the time the law came into effect) hand in weapons they illegally possessed.

Law on Arms and Ammunition

The Law on Arms and Ammunition of the Republic of Serbia came into effect on 1 January 1999 and is similar to the Croatian Law.³⁵ It specifies which arms may not be in the possession of citizens (the list of arms is identical to the one in the Croatian Law). Upon submission of a request for obtaining a permit to acquire arms, the citizen of Serbia must show a certificate from an authorized institution that he/she has been trained to handle firearms. An authorised institution for the conduct of training in the use of arms may be a shooting or any other organization, which has an adequate space, has arms experts and has the permit of the responsible authorities. The training is composed of a theoretical and a practical segment. Should a person want to carry arms, for personal protection, he/she must submit a written request with the police department.

Such a request may be authorised only if it is determined that a basis exists for such a request. A legal entity in the Republic of Serbia may obtain a permit to carry automatic and semi-automatic weapons if it is an entity providing physical protection or is protecting property.

The criminal act of "illegal acquisition, possession, carrying, manufacturing, exchange and sale of arms, ammunition and explosives"³⁶ of all forms of weapons is punishable with up to three years of imprisonment. Five years imprisonment can be served for acts involving greater quantities of weapons.

4.7 SMALL ARMS AND LIGHT WEAPONS - ARMED FORCES IN BOSNIA AND HERZEGOVINA

Whereas the quantities of heavy weapons that may be possessed by the armed forces are regulated by the Agreement on sub-regional Arms Control, signed in Florence in June 1996, the quantity of small and light arms are not addressed by any agreement. According to SFOR's estimates the following quantities of small and light arms exist in the hands of the two armies of Bosnia and Herzegovina:

35. Official gazette of the Republic of Serbia, No. 9/92-341 and article 2. 48/94-97, 44/98 from 08.12.1998.

36. Official gazette of the Republic of Serbia, No. 9/92-341 and article 2. 48/94-97, 44/98 from 08.12.1998

LEGAL FRAMEWORK

SALW - Current situation	Army of Federation of BiH	Army of Republika Srpska	TOTAL
Automatic rifle 5,56 mm (NATO standard)	44,534	43	44,577
Automatic rifle 7,62 mm	3,032	3,121	6,153
Other types of rifle	71,599	190,341	261,940
Machine gun 7,62 mm (NATO standard)	619	6,544	7,163
Machinegun 12,7mm	425	1,470	1,895
Other types of machineguns	16,120	53,470	69,590

Source: SFOR - CHOD Meeting, 22 April 2003, Proposal for all Regular Force, Notes on Weapon Systems

Reform of the armed forces is underway. Among acts being undertaken is a reduction of military personnel and a reduction of small arms and light weapons. SFOR has suggested that the future army of Bosnia and Herzegovina should have no more than 12,000 soldiers. Accordingly, estimates as to the quantity of small arms and light weapons that should be possessed by the military have been prepared:

SALW for 12,000 soldiers	Army of Federation of BiH	Army of Republika Srpska	TOTAL
Automatic rifle 5,56 mm (NATO standard)	8,000	4,000	12,000
Machine gun 7,62 mm (NATO standard)	1,600	800	240
Machinegun 12,7mm	TBC	TBC	TBC

Source: SFOR - CHOD Meeting, 22 April 2003, Proposal for all Regular Force, Notes on Weapon Systems

4.8 FUTURE LAWS AND LEGAL REGULATIONS WHICH WILL REGULATE SMALL ARMS AND LIGHT WEAPONS

Law on Import and Export of Arms and Military Equipment

Laws on small arms and light weapons are in the process of reform. It is expected that this process shall conclude in the fall of this year. To conduct an analysis of current regulations, and not to take into consideration reforms which will be implemented would render this analysis incomplete. Therefore, we shall try to provide here an outline of the ongoing reforms.

Laws that regulate the manufacture, transport and service of arms and military equipment must be harmonized with the Law on Import and Export of Arms and Military Equipment. However, before this can be done the very Law on Import and Export of Arms and Military Equipment must be amended. First of all, this is due to institutional reforms at the state level.

The Law on Import and Export of Arms and Military Equipment tasks the Ministry of Civil Affairs and Communication of BiH with the issuing of approvals for the granting of permits for the import, export or transit of arms. However, given that Ministry of Civil Affairs and Communication of BiH has ceased to exist, an internal agreement was reached at the Council of Ministers according to which the Ministry of Security has assumed this responsibility. A potential importer or exporter of arms must also obtain a prior agreement from the Ministry of Foreign Affairs of Bosnia and Herzegovina. That is, the Ministry of Foreign Affairs is responsible for issuing such an agreement if the country which is importing or into which arms are being exported is not under UN Security Council sanctions. In the issuing of such an agreement the Ministry of Foreign Affairs must look after the interests of Bosnia and Herzegovina and must also take into consideration the EU code of conduct on export of arms.

The Standing Military Committee of Bosnia and Herzegovina is also responsible for issuing opinions on the issuance of permits to companies that are in the arms transport and sales business. As we can see in order to obtain a permit for import and export of arms and military equipment the institutions of Bosnia and Herzegovina must issue two agreements and one opinion. Such a high degree of precaution is understandable given that BiH could have been subjected to international sanctions following the Orao affair (see section 4.1). However, no consideration was given to the needs of the manufacturers of military industry, who object to the lengthy and complicated administrative procedure associated with obtaining a permit.³⁷ We are of the opinion that the Law on Import and Export of Arms and Military Equipment should be brought into conformity with the internal agreement of the Council of Ministers, that is, that the Law should specify the role of the Ministry of Security of BiH, and that it should also reflect the requests of the manufacturers of military equipment.

OHR Legal Experts have already prepared a Draft Law on Changes and Amendments to the Law on Import and Export of Arms and Military Equipment, which reflects the role assumed by the Ministry of Security of BiH. This Draft Law gives both the Ministry of Foreign Affairs of BiH and the Ministry of Security of BiH a veto power as regards import or export of arms. The Ministry of Foreign Affairs shall be responsible for the export of arms, while the Ministry of Security is to be responsible for the import of arms and military equipment. In the future it shall also be necessary to obtain an opinion of the SCMM BiH.

Law on Manufacture of Arms and Military Equipment

Upon the adoption of Draft Law on Changes and Amendments to the Law on Import and Export of Arms and Military Equipment, preparation for adoption of the Law on Manufacturing of Arms and Military Equipment will begin. A draft of this Law has already been prepared and it would regulate the production and transport of arms on the whole of the territory of Bosnia and Herzegovina. The adoption of this Law is one of the conditions that the international community has put before Bosnia and Herzegovina, on the disclosure of the 'Orao' affair.

37. Conclusions of the Seminar organized by the Sector of Military Manufacture of the Chamber of Commerce of the BiH, held on 23 June 2003, *Dnevni Avaz*, No. 2759, 24 June, p. 15.

With the adoption of this Law the entity laws that regulate manufacturing of arms and military equipment would cease to be effective, and manufacturing would be conducted at state level. However, the representatives of the military industry have complained that this Law has been over-simplified.³⁸

The Law on Manufacture of Arms and and Military Equipment shall also regulate the internal arms movements. Given that movement of arms is also addressed by entity laws on arms and ammunition, the adoption of the Law on Manufacturing of Arms and and Military Equipment paves way for the sending of entity Laws on Arms and Ammunition in a parliamentary procedure.

Acquiring, keeping and carrying of Arms and Ammunition

BiH does not have a state level Law on Arms and Ammunition, as no constitutional basis exists for one. Due to this factor neither the OHR nor the entity ministries of interior affairs have requested that the same be adopted.

The entity legal framework that regulates the acquiring, keeping and carrying of arms and ammunition, together with the draft Law on Arms and Ammunition, shall come into effect after the adoption of the State Law on the Manufacturing of Arms and Military Equipment, as earlier specified OHR has requested that the issue of internal arms trafficking be regulated in a wider context than has been the case with the draft Law on Arms and Ammunition of Republika Srpska. It is therefore necessary to wait for the adoption of the Law on Manufacture of Arms and Military equipment in Bosnia and Herzegovina that will define the internal trafficking of arms and ammunition.

The second condition which entity Laws on Arms and Ammunition must fulfil, prior to being published in the government gazettes, is harmonization among them. The Draft Law on Arms and Ammunition in the Federation of Bosnia and Herzegovina has been reviewed and approved by both OHR and SFOR. However, the Draft Law on Arms and Ammunition of RS has only recently been received by OHR, and is still being reviewed. The Criminal Codes at the entity level have been adopted. They define what constitutes criminal acts and determine sanctions for such acts. They regulate criminal liability for those persons who illegally possess and carry arms. This means that all sanctions envisioned by the Law on Arms and Ammunition which entail criminal liability are excluded, therefore it regulates only petty crime. The reform of the laws provides an opportunity for the harmonisation of the state and entity laws of Bosnia and Herzegovina that deal with small arms and light weapons with European norms and international standards. Currently, only the Law on Import and Export of Arms and Military Equipment of Bosnia and Herzegovina and the Law on Testing, Stamping and Marking of Small Arms and Ammunition is harmonized with international conventions.

Laws which do not exist but for which there is a need

Having analysed legal regulations about arms, and having looked at their implementation on the field, we can conclude that basic laws on SALW do exist or shall in the near future come to exist. With the assistance of international community they will also soon be implemented. However, the law-makers in BiH and the international SALW experts have not addressed by way of legal regulations methods for the destruction of arms and explosive materials. Also environmental concerns have not been taken into account. Therefore we suggest that discussed should be the adoption of following laws:

38. Ibid

- law on explosions which would regulate the method of ammunition destruction;
- law on environmental protection which would regulate security standards during arms destruction.

4. 9. OVERVIEW OF THE CIVILIAN AND SECURITY SECTOR SALW REGULATORY FRAMEWORK IN BIH ACCORDING TO GOVERNMENT LEVEL

Bosnia and Herzegovina

- **Law on Import and Export of Arms and Military Equipment and Military Equipment** (it needs to be adjusted to take into account new function of the Ministry of Security and the Standing Committee on Military Matters (SCMM))
- **Law on Testing, Stamping and Marking Small Arms and Ammunition** (although this Law has passed the parliamentary procedure, it is not effective as at the time of the writing of this report as it has not been published in the Government Gazette of Bosnia and Herzegovina)
- **Draft Law on Manufacture of Arms and Military Equipment** (yet to be discussed by the Council of Ministers as at the time of the writing of this report)

Federation of Bosnia and Herzegovina

- **Draft Law on Arms and Ammunition** (it shall become effective following the adoption of the Law on Manufacture and Transport of Arms and Military Equipment of Bosnia and Herzegovina)
- **Law on Defence of the Federation of Bosnia and Herzegovina** (it regulates the responsibility of various institutions in the control, and production of arms)
- **Law on Manufacture, Transport and Servicing of Arms and Military Equipment** adopted in 1996, as well as the new Draft of this Law prepared in 2000 (shall cease to be effective following the adoption of the Law on Manufacturing of Arms and Military Equipment at the level of Bosnia and Herzegovina)
- **Law on Amnesty for Illegal Possession of Mines, Explosive Devices and Arms** (regulates Amnesty)

Republika Srpska

- **Law on Arms and Ammunition** (it has become obsolete)
- **Draft Law on Arms and Ammunition** (shall come into effect following the adoption of the Law on Manufacture and transport of Arms and Military Equipment of Bosnia and Herzegovina, and following harmonization with the Federation Law)
- **Law on the Defence of Republika Srpska** (it regulates the responsibility of various institutions in the control, as well as in the production of arms)
- **Draft Law on Manufacture, Transport and Servicing of Arms and Military Equipment** (shall not enter into force as it is derogated by Law on Manufacture of Arms and Military Equipment of BiH)
- **Law on Amendments and Changes of the Law on Arms and Ammunitions** (regulates Amnesty)

LEGAL FRAMEWORK

- **Law on the Agencies for Protection of Persons and Property** (it specifies the conditions for the establishment of Agencies for the Protection of Persons and Property, their activities, organization and record keeping)

- **Law on the Agencies for Protection of Persons and Property in Private Detective Activities** (it specifies the conditions for the establishment of Agencies for the Protection of Persons and Property, their activities, organization and record keeping)

Cantons in the Federation of BiH

- **Laws on Acquisition, Keeping and Carrying of Arms and Ammunition** (the laws are not harmonized between the cantons, but they will cease to be effective with the adoption of the Federal Law on Arms and Ammunition)

Brcko District

- **Law on Arms and Ammunition** (it is harmonized with international norms; it also provides for amnesty) It regulates the rules and conditions of acquisition, carrying and keeping of arms and ammunition by citizens and legal persons.

4. 10 OVERVIEW OF DEFENCE SECTOR SALW REGULATORY FRAMEWORK IN BIH ACCORDING TO GOVERNMENT LEVEL: DEFENCE SECTOR (To be effective from Autumn 2003)

Bosnia and Herzegovina

- **Law on Import and Export of Arms and Military Equipment and Military Equipment**
- **Law on Manufacture of Arms and Military Equipment**
- **Law on Testing, Stamping and Marking Small Arms and Ammunition**

Federation of Bosnia and Herzegovina

- **Draft Law on Arms and Ammunition** (It regulates the rules and conditions of acquisition, carrying and keeping of arms and ammunition by citizens and legal persons)
- **Law on Amnesty for Illegal Possession of Explosive Ordinances and Arms** (it will be in existence for the duration of Operation Harvest)
- **Law on Defence of the Federation of Bosnia and Herzegovina** (it regulates the responsibility of various governmental institutions in the control, and production of arms)
- **Law on Agencies for Protection of Persons and Property** (it specifies the conditions for the establishment of Agencies for the Protection of Persons and Property, their activities, organization and record keeping)

Republika Srpska

- **Law on Arms and Ammunition** (It regulates the rules and conditions of acquisition, carrying and keeping of arms and ammunition by citizens and legal persons)
- **Law on Amnesty for Illegal possession of Explosive Ordinances and Arms** (it will be in existence for the duration of Operation Harvest)
- **Law on Defence of Republika Srpska** (it regulates the responsibility of various institutions in the control, and production of arms)
- **Law on the Agencies for Protection of Persons and Property in Private Detective Activities** (it specifies the conditions for the establishment of Agencies for the Protection of Persons and Property, their activities, organization and record keeping)

Cantons in the Federation of BiH	Brcko District
<ul style="list-style-type: none"> - Laws on Acquisition, Keeping and Carrying of Arms and Ammunition (the laws are not harmonized between the cantons, but they will cease to be effective with the adoption of the Federal Law on Arms and Ammunition) 	<ul style="list-style-type: none"> - Law on Arms and Ammunition (It regulates the rules and conditions of acquisition, carrying and keeping of arms and ammunition by citizens and legal persons)

As can be seen, following the reform of the defence sector, the number of laws that deal with small arms and light weapons shall drastically decrease. Responsibility of state level authorities of Bosnia and Herzegovina shall increase. All laws shall be harmonized with international norms and standards. Following this reform, Bosnia and Herzegovina shall have modern and harmonized laws on small arms and light weapons. Work will however, need to be undertaken on developing laws that are currently outstanding. Especially the Law on Explosions and the Law on Environmental Protection, which would regulate security standards during arms destruction.

RECOMMENDATIONS

On the basis of the review of the existing legislation and the overall analysis of issues related to small arms and light weapons (over 30 laws that deal with this issue, at all levels of government in BiH), much still remains to be done in this field, which is of utmost importance for the security of a society

1. The Law on Import and Export of Arms and Military Equipment in BiH needs to be amended in order to reflect the new structure of the Council of Ministers of BiH. Without an adequate normative-legal basis, BiH will not be able to successfully carry and obtain adequate results in the field of SALW. The inadequately defined legal basis is not only problematic for the functioning of the government but is also problematic for the citizens.

2. Work should be undertaken on developing a State Law on Arms and Ammunition. At present, it is not envisaged that the State will deal with the acquisition, keeping and carrying of arms given that the entities have already prepared draft laws in that regard. However, given the high degree of correlation that will be necessary between the soon to be adopted State Law on Manufacturing of Arms and Military Equipment, State Law on Testing, Stamping and Marking of Small Arms and Ammunition and the Law on Arms and Ammunition, it is natural that a single law on arms and ammunition exist at the State level rather than two laws at the Entity level.

5. MILITARY INDUSTRY IN BOSNIA AND HERZEGOVINA

The military industry in the former Yugoslavia produced a sufficient level of arms to equip the Yugoslav National Army, which was the fourth largest army in Europe. The capacities of the industry were so large that 30 per cent of its production could also be exported. With the dissolution of Yugoslavia, its military industry also dissolved. On the territory of Bosnia and Herzegovina, however, a large number of production systems and capacities from the former Yugoslav military industry have remained.

Republika Srpska has on its territory very significant capacities. The Army of Republika Srpska is a small consumer of that potential. Due to the absence of market demand and limited export opportunities, much of the capacities in the RS remain idle.

The situation in the Federation of Bosnia and Herzegovina is similar. The entity has relatively large military production capacities on its territory and its armed force is a small consumer of its products. Exports to foreign markets are low and insignificant. The present dilemma in the Federation is - to buy ready-made equipment or produce it itself? The practice to date has been that the armed force has procured ready-made products, which were conditioned by the Train and Equip Programme. The train and equip programme has further complicated the position of military production in Bosnia and Herzegovina, due to different standards of arms which were imported under this programme.³⁹

5.1 MILITARY INDUSTRY IN THE FEDERATION OF BOSNIA AND HERZEGOVINA

The military industry in the Federation falls under the overall oversight of the Federal Ministry of Defence. The industry is perceived as an important factor in the defence system of the country. It is treated as a sector of the Ministry of Defence and is tasked with scientific research and the development of arms and military equipment for the Army of the Federation of Bosnia and Herzegovina. It also organizes and coordinates production, quality control, establishes military standards and legal requirements. According to the Assistant Minister of MoD of FBiH for Military Industry "that is the legal basis, however the real law according to which the military industry is placed in the framework of the defence system is the Law on Manufacture, Servicing and Transport of Arms and Military Equipment."⁴⁰

5.1.1 Role of Military Industry

The primary role of the military industry is the production of arms and military equipment, the service of equipment, its standardization in accordance with NATO requirements, quality control, etc.⁴¹

39. The MPRI programme is an international project that was started in January 1996. The project's aim is to arm, equip and train the FBiH Armed Forces. The project is led by the United States. The programme seeks to unit two militaries (the ARBiH and HVO) into one with a civilian command - that is, the creation of a modern and professional FBiH Armed Forces.

40. Interview with Mr. Munib Tahirovic, Assistant Minister for Military Industry, MoD of FBiH, 25 April 2003

41. Tahirovic Munib, ŠModernisation and Conversion of a part of the military industry to civilian programmesĆ, *Prva Linija*, no. 97, Federation Ministry of Defence of the Federation of Bosnia and Herzegovina, Sarajevo, 2002, pg.21

5.1.2 Scope of activities of the Military Industry in the Federation of Bosnia and Herzegovina

In the Federation of Bosnia and Herzegovina there are nine factories that are part of the military industry.⁴² These are:

UNIS GINEX - Gorazde, former "Pobjeda"; It produces rifle ammunition initial primers, initial primers, initial boosters, duplex and detonating primers, delay elements, electrical primers intended for fuse assembly, electrical squibs, igniters and pyropatrones and lead free primers.

BINAS - Bugojno; Produces all types of fuses of calibre range 60 to 280mm, all types of gun primers, fuses for anti-aircraft ammunition, fuses with clock mechanism for mortar shells, HE/HV and practice 40 mm cartridges.

Machine and hydraulic plant BNT (TmiH), Novi Travnik; Produces mortars, hand launcher, guns and howitzers.

TRZ - Hadzici; Produces equipment for personal protection, vehicle protection, building protection, maintenance and overhaul of infantry armaments, artillery armaments combat armour vehicles and the other military equipment and spare parts.

IGMAN - Konjic; Produces small arms ammunition, ammunition ca.12,7 mm, hunting carbine ammunition, pistol ammunition, metal links for ammunition and metal containers.

ZRAK - SARAJEVO; Produces vision devices for infantry personnel, day and night vision equipment, artillery focusing devices, anti-aircraft guns, rocket systems, vision and observation devices for tanks and armoured vehicles, fire control systems for tanks and anti-aircraft guns, aircraft optical devices (optical lock of gyro stabiliser helicopter's sight and optical block of head up display and photo camera of armament FKN 22).

UNIS-PRETIS, Vogosca; Produces all calibres of mortar shells, all calibres of artillery ammunition and rockets (90,122,128 and 262 mm).

VITEZIT - Vitez; Produces explosives.

Current capacities of these factories enable the production of the following arms and equipment:⁴³

- Small arms ammunition (5.56 mm, 7,62 mm, 12,7 mm and anti-aircraft ammunition of 20 mm calibre);
- Mortars shells (60 mm, 81 (82) mm and 120 mm);
- Artillery Ammunition (76 mm to 120 mm);
- Anti-armour ammunition for hand launchers and recoilless guns;
- Fuses for mortars, artillery shells and rockets, hand grenades and anti-tank shells;
- Mortars;

42. Ministry of Defence of the Federation of Bosnia and Herzegovina, in a letter with reference No. 11-03-37-1160103

43. Ibid

- Artillery;
- Rocket launchers;
- Anti-armour weaponry;
- Gun powder and explosives;
- Service equipment for the military industry;

The nine arms and ammunition factories in the Federation currently operate with the minimum levels of technology and manpower necessary for the production of the above-mentioned products. The reason for the poor performance is the absence of possibilities to access foreign markets. The situation is further compounded by, as Milan Baroš, the Chairman of the Military Industry Group within the BiH Chamber of Foreign Trade points out, the time it takes for export permits to be issued and the undefined strategy for the arms industry in BiH.⁴⁴

The arms industry in the Federation currently focuses on servicing the needs of the Federation Armed Forces. Surpluses are exported. The primary markets for the Federation's exports are Croatia, Slovenia, Austria, Switzerland, Germany, USA, Canada, Singapore, New Zealand and Thailand. During the first half of 2001, the Federation's nine armament factories had a profit of BAM12 million. In the first half of 2003 they made a profit of BAM 23 million.⁴⁵

Approximately 7,000 persons are employed in the military industry of which approximately 4500 are on 'waiting lists' as redundant labour. The average monthly salary in the Federation's arms industry is BAM 316.

The military industry is currently in the process of being geared for civilian programmes. That would see the industry convert to the production of goods for commercial use such as explosives for mines. Once complete, the process should see the transformation of about 70 per cent of the industry's current programmes for civilian purposes. Some 30 per cent of the capacities are to continue with the production of arms and military equipment, in order to satisfy the needs of the Armed Forces of the Federation of Bosnia and Herzegovina. Added attention will be provided to research, the service of arms and military equipment, as well as to export of products and the joint development and manufacturing of arms and military equipment with friendly countries.

5.1.3 Capacities for destruction of arms and ammunition

Bosnia and Herzegovina has limited capacities for the destruction of mines, ammunition and arms. At the same, the needs for such destruction are large due to:

- I. The unstable nature of some of the ammunition currently in possession of the armed forces;
- II. The need for military ordnance to be replaced with new ordnance that meets NATO standards;
- III. Ongoing activities for the downsizing of Bosnia's two armed forces

44. Dnevni Avaz, 'Issuing Permits for Export Last Impermissibly Long', 24 June 2003, no. 2759, pg.15

45. Tahirovic Munib, ŠModernisation and Conversion of a part of the military industry to civilian programmesĆ, *Prva Linija*, no. 97, Federation Ministry of Defence of the Federation of Bosnia and Herzegovina, Sarajevo, 2002, pg.21

Destruction capacities are located in the internal polygons of military factories. The military industry has limited internal capacities for the destruction of mines, ammunition and arms at its factories. This particularly relates to Unis Pretis from Vogosca, Vitezit from Vitez, Unis Binas from Bugojno, and Unis Gineks from Gorazde. At present however, the capacities that exist are insufficient to address prevailing ammunition destruction needs. Potentials and a will to expand destruction capacities do exist however. According to Mr. Mensur Secerovic, Director for Development of Unis Pretis from Vogosca, the present capacities for destruction in this factory are 200-300 pieces per day, depending on the calibre of ammunition. Additional investments for one short period of time could extend their capacity for the destruction of hand grenades and ammunition. Those capacities already exist in Unis Binas from Bugojno and Unis Gineks from Gorazde. Mr. Secerovic also emphasised that Unis Pretis from Vogosca possesses a site for the destruction of unexploded lethal devices that satisfies all safety regulations. Vitezit from Vitez is ready to, with additional investment, extend its scope of action regarding the destruction of all kind of arms and ammunition.

The current practice of ammunition destruction has, to date, been greatly problematic. Local populations residing in close proximity to destruction sites often complain and protest about destruction activities. Local residents cite two problems: first, the loud noise and earth tremors that occur when destruction activities take place, and second, the increasing concentration of heavy metals that are accumulating close to areas where destruction takes place, which pose hazard to both human and animal health. Flying debris from ammunition destruction activities is also a concern.

Citizens' protest has been increasingly vocal. In Mostar, citizens recently cut off access with truckloads of sand to an area surrounding a destruction polygon in protest of destruction activities, which left houses in the vicinity of the polygon damaged. In late April 2003 citizens protested against the process of ammunition destruction in the area, which is in close proximity to houses. They asserted that ammunition destruction has had a negative effect on the environment and the health of the population living nearby.

The best-proven method of ammunition destruction in Bosnia has been by disassembly. The Federation Armed Forces have already been directing limited stocks of ammunition for disassembly to the Vitezit ordnance factory in Vitez. Experience there has shown that the destruction of ammunition and artillery in such a manner can take place in an environmentally sound and relatively safe manner. Capacities in Bosnia and Herzegovina for ammunition destruction in such a manner are limited. Republika Srpska for example has an ammunition disassembly capacity of only 6,000 pieces of ammunition of larger calibre. The situation in the Federation is somewhat better but is still inadequate to meet the large ammunition destruction needs of the entity's armed forces.

5.1.4 Ownership structure over military industry in the Federation of Bosnia and Herzegovina

State and Private Investment Funds (PIFs) own the military industry in the Federation. State ownership of the factories is 51%, whereas PIFs and private shareholders own 49%. The majority shareholder in all cases is the Federation of Bosnia and Herzegovina.

5.1.5 Problems faced by the military industry

Problems related to military industry are multi-faceted. There is no organized marketing for the industry, nor are there secure markets for the export of its products. Limits to competitiveness due to old technology are evident. Moreover, the industry also faces internal problems such as the price of electricity, inadequate investment capital and accumulated wartime debts.

5.1.6 Focus for the upcoming period

In the upcoming period the focus of the military industry of the Federation of Bosnia and Herzegovina is to strengthen exports, proceed with its transformation to civil programmes and continue its work on developing new products. It is likely that the industry shall request the government to provide certain guarantees in order for it to receive loans from international banks.

5.2 MILITARY INDUSTRY IN REPUBLIKA SRPSKA

The military industry of Republika Srpska can be divided into two categories: manufacturing (the Famos, Pretis, Cajevac and Zrak factories) and servicing (the Orao, Kosmos and TRZ in Bratunac factories).

Most of the military industry is technologically old. The entity Directorate for Manufacturing and Transport of Arms and Military Equipment is responsible for co-ordination with all military factories, as well as for co-ordinating export related activities. In particular, the Directorate is trying to secure contracts with those countries possessing Soviet type equipment.

5.2.1 Activities of the main weapons manufacturing companies in Republika Srpska⁴⁶

FAMOS can now successfully manufacture motors for tanks of 1000 HP as well as modernize motors for T-55 tanks, by strengthening their power to 750 HP.

Cajevac possesses the technology and personnel capable of producing and modernizing the firing capability of tanks, and producing communications equipment.

TRZ- Bratunac, conducts maintenance and the overhaul of tanks, transporters, artillery armaments, combat armour vehicles and other military equipment.

Pretis, overhauls infantry armaments.

Orao repairs motors for jets and Russian supersonic fighters (MIG 21).

Kosmos services and overhauls rocket heads, rocket systems and airport equipment.

46. Interview with Mr. Vladislav Jokic, Director, Republic Direction for Production and Transport of Weapons and Military Equipment of Republika Srpska, 9 June, 2003

The military industry in Republika Srpska is composed of 17 companies. The remaining 11 companies produced the following arms and military equipment:

- Armoured vehicles and tanks (T-55, T-M84, BVP);
- Components for the air craft industry (G-4, ORAO);
- Engineering equipment;
- Equipment for electrical distribution;
- Production of the rocket chambers - 128 mm "Plamen-A".

It also has the following programmes:

- Program of automatisisation and management in electro energetic;
- Program of vehicle electrics;
- Program of elements of process industry;
- Program for charger of NiCd batteries;
- Program of optic telecommunication;
- Program of seismology and telemetry;
- Systems and equipments for military production (PVO system, POB system, automatic management for rocket systems, explosive devices and specially tested equipment);
- Development and production of detection equipment for ionised radiation;
- Chemical agents;
- Detection of the explosive devices;
- Ecology (protection of environment);
- Clinical engineering etc.

5.2.2 Ownership structure of the military industry in Republika Srpska

As is the case in the Federation, the entity government is the majority stakeholder of military factories in Republika Srpska.

The future of the military industry in Bosnia and Herzegovina is uncertain. Given the competitiveness of the world market it is unlikely that there will be a drastic increase in exports. Parallel, internal needs are not very great.

5.3. CLOSURE OF BIH ARMS INDUSTRY- ECONOMIC IMPACT?

What would happen if arms production facilities were to close down in BiH? Very often, not only in BiH, regiments and arms industry is located in clusters. This means that a whole community might be dependent on defence related businesses. The closure of the local arms industry would cause huge problems in terms of unemployment. In this chapter we will briefly examine what research says on this matter.

5.3.1 Why would it be closed?

An arms plant may be closed due to many different reasons. Whether a plant should continue operating or be closed depends in which kind of market the industry operates.

Markets

The logical question then is for which markets does the industry produce arms? If it is mainly for the internal market; the industry will be sensitive to domestic political defence decisions. If the industry produces for the export market the industry is less dependent on the decisions concerning national defence.⁴⁷

However, industry that works in the international market is much more exposed to competition. This forces the industry to cut costs, have a slim organisation and constantly focus on productivity. The industry will also depend on the international business cycle and will be affected by external fluctuations like exchange rates. Industries producing mainly for the export market are consequently more vulnerable than industry producing mainly for the internal market.

5.3.2 Demobilisation

Let us suppose that the military industry in BiH mainly produces for the internal market, i.e. the national armed forces. In that case there are at least two reasons why these companies face a shrinking market.

- 1) The total economy is far below what it was 1990-1991. This means that the public sector as a whole doesn't have any money. The defence budget is limited.
- 2) The armed forces are overcrowded. Looking at cost, around 97-98 % of the defence budget is allocated for the cost of personnel.⁴⁸

The only way to increase demand for arms is to decrease personnel numbers. This might look like a paradox,⁴⁹ but at this moment the two armies have very limited resources to buy new weapons. To use economist terminology we may say that the customer has budget restrictions, and due to "over consumption" in one good, there can only be a very small consumption in the other good.

5.3.3 Failure or closure?

What will happen if demand stays unchanged or decreases? Here two scenarios are possible.

- 1) Arms production industries diversify their production.
This would mean a shift from arms production to civilian production.
- 2) No diversification. This might mean closure.

The best option for the arms production industry is to diversify. According to Feldman, to move from arms production to civilian production there are several gains:

47. However, the internal market cannot be neglected even for an export-orientated company. Many export orientated arms production companies work in close relation together with the national defence, for example Bofors and the Swedish defence.
 48. Mrs. Lena Andersson, OSCE, at CSS Seminar on Parliament Control of Armed Forces held in Sarajevo, 12 April 2003. According to Mrs. Andersson this rate covers total personnel costs like pensions, contribution and other personnel costs.
 49. The logic in Feldman (2002) *The Socio-economic impact of disarmament*, paper presented at the seminar *The Socio-economic impact of disarmament*, Paris Franc March 25-26, 2002

An additional benefit comes when a military firm converts its resources to civilian production (...). Thus, a military firm that no longer absorbs civilian government revenues and organizes new economic activity can move from being an absorber of tax revenues to being a supplier of tax revenues.⁵⁰

This means that low demand triggers civilian innovation and investment.

What will happen if the arms production industry closes down? The answer is complex and depends on a number of variables. If an arms production firm has dominated the local community, then it has a "crowded out" resource. Civilian firms and resources can be at a disadvantage in competition with military serving procurement agencies.⁵¹ So, this might mean that a closure of a dominating arms industry might actually free resources for other industries.

A precondition here is an existence of an environment that can take care of these "released resources". Here we must think of the already existing industries. Do they have market opportunities, current market shares, suitable production conditions and good solvency? If there are no companies that fit this description then we have an environment to start new firms. This environment has to include legislation, market and entrepreneurs.

To be more specific about possible effects of military production capacities a separate market analysis of each and every region in the country must be conducted. This kind of analysis is beyond CSS assignment in this assessment study.

5.3.4 Conclusion

BiH has had an exceptionally big arms production industry. Due to lack of demand, this industry is now threatened. To subsidize the industry would not be very wise, due to at least three reasons:

1. Some economic literature argues that an economy might benefit from the closure of military industry. This is true if the arms production industry has crowded-out private small-scale firms. However, whether the region will really benefit from the closure depends on whether there is an environment for entrepreneurship and if the market allows expansion.

2. Europe has a lot of experience when it comes to subsidizing huge industries with fading demand. A lesson that can be drawn is that it is expensive and it slows down structural transformation, making it more painful.

RECOMMENDATIONS

Extended should be capacities in Government Ordinance Factory to provide for ammunition destruction and disassembly functions. In addition to the improvement of facilities, the responsible staff should undergo additional specialised training.

50. Feldman (2002) *The Socio-economic impact of disarmament*, paper presented at the seminar *The Socio-economic impact of disarmament*, Paris Franc March 25-26, 2002

51. Dumas (1983) *The Overburdened Economy*. Berkeley: University of California Press.

6. GOVERNMENT CAPABILITY TO IMPLEMENT AND ADMINISTER LEGAL REGULATION

6.1 STATE BORDER SERVICE AND CUSTOM SERVICES

6.1.1 State Border Service

The State Border Service routinely checks persons and goods crossing borders.⁵² Since the beginning of this year the State Border Service has controlled the whole border-line and the 10 km border belt (except for the border belt in Brcko District, where it is somewhat smaller). One of the problems currently faced by the State Border Service is that not all positions have been filled.

The State Border Service has two roles when it comes to activities related to SALW. First, the State Border Service controls the import and export of arms at state border crossings. In the period prior to the adoption of the Law on the Import and Export of Arms and Military Equipment in Bosnia and Herzegovina, in February 2003, the State Border Service only controlled documents accompanying weapons and military equipment which were issued by entity authorities and certain state authorities (for example, certification of documents by the Ministry of Foreign Trade and Economic Relations of Bosnia and Herzegovina). The situation changed with the adoption of the new Law on Arms Export and Import, and the State Border Service now also checks the validity of documentation.

Second, State Border Service inspects persons crossing borders and confiscates illegal arms. Such activities are also carried out in the border belt. No significant amount of arms has been confiscated by way of checking persons crossing the border during the past year. The results for the first four months of 2003 are impressive. State Border Service officials cite the heightened quantities of arms disposed by individuals within the border belt as a reason for the increased level of arms collected. There were also instances of citizens seeking to hand in their arms to the State Border Service.

Arms collected by the State Border Service are handed over to the local police, except for those weapons that are considered as evidence in criminal proceedings against persons with whom the weapons were found. In such instances, the weapons are kept in accordance with court recommendations.

The new Law on Import and Export of Arms in Bosnia and Herzegovina defines institutions authorized to issue permits for import and export of arms. To an extent this has eased the task of controlling import and export of arms by the State Border Service. However, in absence of adequate legal acts and sub-acts related to this Law, the officials of the State Border Service are frequently confronted with rather practical problems. That is, they are expected to be familiar with entity laws on transport of dangerous materials, storage of arms and military equipment, as well as with other laws that deal with SALW.

52. Interview with: Mr. Jozo Corluka and Mr. Josip Sako, Senior Officers, State Border Service of BiH, 7 May, 2003

Given that in Bosnia and Herzegovina there is a multiplicity of laws that address this matter, it is difficult to be familiar with all of them. This is particularly the case since State Border Service officers are moved around to different localities every few months where different laws often apply.

The State Border Service has therefore on a number of occasions requested that the responsible state authorities provide additional training for the purpose of familiarizing State Border Service personnel about regulations on SALW. A possible way of addressing this need for additional training is to include into the already existing training programmes for State Border Service officials an additional section devoted to regulations on SALW. It would be particularly useful if officials of similar institutions from other countries were to share their practical experience related to SALW during the training.

The State Border Service also lacks equipment and material for its effective operations concerning SALW. At some border crossings there is a clear lack of adequate storage space for arms (this is especially evident at the border crossing located at Sarajevo airport). In particular, State Border Service lacks large metal detectors (x-rays) at border crossings earmarked for the transit of good, which would detect arms and equipment that may be hidden in other kind of goods.⁵³

6.1.2 Custom Services

Customs are organized at entity level: Customs Administration in Republika Srpska and Customs Administration in the Federation of Bosnia and Herzegovina.

Import/export customs supervision and customs taxation of goods including arms and military equipment is regulated with the Law on Customs Policy in BiH, Law on Policy of Foreign Trade in BiH, Law on Import and Export of Arms and Military equipment, and a Joint List of Military Equipment that encompasses EU directives on arms export. There are no objections from the customs officers on the present legal regulations. Above mentioned laws are harmonized with the laws and standards of the EU.

Co-ordination in-between Customs and the State Border Service are satisfactory and it is based on an Agreement on Co-operation. From time to time, there are some duplications of activity, for example, in the case of discovering criminal acts and petty crime. Both Custom Administrations were confronted with cases of arms and military equipment smuggling on BiH border crossings. Customs officers participated in international operations aimed at prevention of arms and military equipment smuggling.

Customs officers believe that control of arms and military equipment could be improved through better co-ordination and information exchange in between all relevant bodies and strict following of regulations.

The recent decision of the Committee for Indirect Taxation, on the basis of which prepared has been the Transitional Law on the Establishment of the Directorate for Indirect Taxation at the level of BiH, is seen as support for better co-ordination between customs directorates, for the purpose of crime prevention. Since this Directorate presents a nucleus of future single customs at state level, it is to be expected that illicit trade of arms will decrease given that envisaged is the creation of a database and subordination at the state level.⁵⁴

53. Interview with Mr. Jozo Corluka, Senior Officer, State Border Service of BiH, 7 May, 2003

54. Interview with: Mr. Zelimir Rebac, Director, Custom Administration of the Federation of BiH
Mr. Duro Buric, Director, Custom Administration of the Republika Srpska, 2 June 2003

6.2 BiH MINISTRIES

6.2.1 BiH SALW Coordination Board

In order to improve activities that are related to SALW the Council of Ministers of BiH established the Coordination Board which is composed of representatives from the Ministry of Foreign Affairs of BiH, Ministry of Foreign Trade and Economic Relations of BiH, Ministry of Security BiH, Standing Committee on Military Matters and entity Ministry of Internal Affairs.

The BiH Coordination Board for SALW should be incumbent of all activities that are in sphere of responsibility of the governmental structures as well as to be the body charged by contacts with international organisations, and by setting priorities for international support.

So far there is no developed strategy at the state level as to how to deal with the SALW problem. The BiH SALW Coordination Board needs to focus on improving capacities of local authorities that deals with the SALW issue. A clear strategy needs to be prepared in order for the domestic structures to be able to successfully take over the tasks and responsibilities from SFOR (for collection and dismantling of SALW), at an appropriate time.

BiH SALW Coordination Board should also establish links and should co-operate with NGOs in order to obtain grass root support for their activities. Taking into consideration the results of similar activities in other regions, co-operation with NGOs is very important. If members of these organizations are adequately trained about the ways and methods of the campaign against illegal possession and use of small arms, they may become valuable in implementing programs.

6.2.2 Ministry of Security of Bosnia and Herzegovina

The Ministry of Security is a newly formed Ministry within the Council of Ministers. One of the current tasks of the Ministry is to issue approvals for arms import/export permits. Since the Ministry has not been in existence at the time of the adoption of the Law on Import and Export of Arms and Military Equipment of BiH, the Law has not envisaged any role for the Ministry. Under the existing Law evident is a conflict between the present situation and legal provisions. Nowhere in the Law on Import and Export of Arms and Military Equipment of BiH is the Ministry of Security mentioned, although it is a key player in the process of issuing permits. The Law on Import and Export of Arms and Military Equipment of BiH is under revision at the time of writing this report.

The Ministry of Security is a newly formed Ministry within the Council of Ministers. The legal provisions of the Law on the Ministries of Bosnia and Herzegovina, which cover the work of this Ministry, do not encompass all the tasks this Ministry is carrying out. Under existing the Law on Evident is a conflict between the role of the Ministry in respect to the process of issuing arms import/export permits and the Law on Import and Export of Arms and Military Equipment of BiH. Nowhere in this Law is the Ministry of Security mentioned, although it is a key player in the issue of permits. Revisions to the Law on Arms Exports and Imports that are being drafted as at the time of this report's writing will see the Ministry formally assume responsibility for approving arms imports.

The adopted Rules and Regulations on the work of the Ministry, state that one of the priorities of this Ministry is the preparation of the Draft Law on Changes and Amendments to the Law of the Council of Ministries of BiH, preparation of the Draft Law on State Border Service, preparation of Draft Law for the Civil Protection Authority of Bosnia and Herzegovina, etc. By adoption of these amendments to the legal framework, responsibilities for SALW will be more precisely defined, with clearly identified division of task and authorities.

The Ministry is still in the process of formation, with most posts waiting to be filled. Ministry officials have expressed an interest to receive training to familiarise themselves with SALW regulations and best practices.⁵⁵

6.2.3 Ministry of Foreign Trade and Economic Relations of Bosnia and Herzegovina

In accordance with the provisions of the Law of the Council of Ministries of BiH, the Ministry of Foreign Trade and Economic Relations of Bosnia and Herzegovina is tasked with the control of transport of goods and services in accordance with the special regime on export and import.

This Ministry is currently engaged in the preparation of a draft Law on the Manufacturing of Arms and Military Equipment. The draft is to be completed in the near future, and will be presented for parliamentary procedure.

This Ministry is also preparing certain changes and amendments to the Law on the Import and Export of Arms and Military Equipment. With these changes, the position of the Ministry of Security will be defined in the issuance of import and export permits. This Ministry for Foreign Trade and Economic Relations has recently completed the process of drafting by-laws that would accompany the Law on the Import and Export of Arms and Military Equipment.

The Ministry lacks personnel that would enable it to effectively carry out tasks related to SALW. Not all post in the Ministry have been filled and the current employees are under constant pressure and are over-burdened with various requests from citizens and other institutions in Bosnia and Herzegovina.

The Ministry is also not adequately equipped in terms of computer hardware and office equipment. In addition to the gradual increase in the number of personnel, the Ministry should be provided with more effective means for task execution. The introduction of modern processing systems will also provide for increased efficiency in the use of existing human resources.

Although officials presently working on SALW in the Ministry are generally informed of the legal frameworks that address this issue, new officials would benefit from training on SALW.⁵⁶

55. Interview with Ms. Renata Popovic, Chief of Cabinet of Minister, Ministry for Security of BiH, 5 May, 2003

56. Interview with Mr. Dragisa Mekic, Assistant Minister, Ministry for Foreign Trade and Economic Relations of BiH, 22 June 2003

6.2.4 Parliamentary Assembly of Bosnia and Herzegovina

To date the House of Peoples has passed two laws, which deal with SALW: the Law on Import and Export of Arms and Military Equipment and the Law on Testing, Stamping and Marking of Military Equipment. Given that the Committee on Security matters still has not been established and no other Committee is tasked with the mentioned issues, activities of this House are limited to discussion and adoption. However, there is an initial agreement on the establishment of Security Committees in both Chambers.

Parliamentarians' currently have very limited experience on SALW issues. It would be useful to organize training and seminars for members of the Parliament in order to acquaint them with the topics about which they will have to make decisions. In this respect it would be most appropriate to organize short seminars, with expert presentations on specific topics.⁵⁷

All problems identified in the House of Peoples also exist in the House of Representatives.

6.2.5 Parliament of the Federation of Bosnia and Herzegovina

Since the constitution of the Parliamentary Assembly of the Federal Parliament in February, following general election in October 2002, this Assembly, like the House of Peoples, has not discussed any legal acts related to SALW.⁵⁸

Therefore, the Secretariat cannot determine how acquainted the Representatives are with this problematic. Nevertheless, it would be useful to organize some form of education for the Representatives on the topic of SALW given that in the future a number of Laws may be presented for consideration before this House.

Similar training of representatives on other topics has previously been conducted. Given that 60% of the Representatives have professional status, their participation at such events is high.

6.2.6 National Assembly of the Republika Srpska

The RS National Assembly (RSNA), like the Federation Parliament, has not reviewed any legislation pertaining to SALW in its current mandate.

In light of the educational background of the majority of RSNA MPs, training seminars on the issue of SALW should be organised to provide the MPs with the tools and knowledge to consider SALW legislation and reforms in a more informed and consistent manner. The training should, in particular, be provided to members of the Committee for Defense and Internal Affairs.⁵⁹

57. Interview with Mr. Jadranko Tomic, Secretary of the House of People, Parliamentary Assembly of BiH, 16 May 2003

58. Interview with Mr. Anto Baotic, Secretary of the House of the Representatives, Parliamentary Assembly of Federation of Bosnia and Herzegovina, 19 May 2003

59. Interview with Mr. Boro Blagojevic, Secretary of the National Assembly of the Republika Srpska, 5 June 2003

6.3 POLICE FORCE

The police forces of the two entities started taking an active role on SALW in 1998 through an involvement in SFOR's Operation Harvest. Their primary role to date has been the confiscation and safekeeping of arms until their point of destruction, as provided by law.

The role of police forces in Operation Harvest is regulated by way of entity laws on arms and ammunition and by way of laws on amnesty. In the Federation, there are currently 10 cantonal laws on the acquisition, possession and carrying of arms and ammunition. In Republika Srpska, the Law on Arms and Ammunition from 1993 is still in effect as at the time of the writing of this report. There are also two draft entity laws on arms and ammunition, which were prepared by the entity Ministries of Internal Affairs. These two new entity laws will be harmonized, thus bridging the differences that exist in the cantonal laws. The cantonal laws shall be abolished during this year. The Law on Amnesty frees all persons from criminal liability when they voluntarily hand in their arms and ammunition. The new entity laws also have a clause on amnesty for all persons voluntarily surrendering their arms and ammunition.

In the Federation, the Federal Ministry of Internal Affairs and the Cantonal Ministries of Internal Affairs participate in Operation Harvest. The Federal Ministry of Internal Affairs maintains a register of collected arms. Cantonal ministries are primarily involved in planning activities related to the time and place of weapons collection, collect arms and weapons, keep a register of arms and inform citizens about the importance of Operation Harvest by way of local media.

The role of the Ministry of Internal Affairs of Republika Srpska is the same as the role of the cantonal ministries in the Federation.

The police force together with Civil Protection Authority, Army of the Federation of Bosnia and Herzegovina, Army of Republika Srpska and SFOR participates in the implementation of this project. Although co-operation between these various institutions is by and large good, there have been a number of complaints by some police stations as regards to co-operation with SFOR. For example, the police station Cajnice,⁶⁰ in Republika Srpska, has complained that SFOR does not visit their territory frequently (3-4 times per year) for the purpose of collecting the gathered arms and ammunition. They are not able to provide adequate storage place for the period of waiting for SFOR collection. Moreover, there is no agreed upon procedure about the form of a written record on the hand-over of weapons (SFOR members do not wish to sign documents certifying the amount of weapons and ammunition they take over from local police). The same complains have been expressed in few others police departments.⁶¹

In the cases of citizens handing in their arms to police stations when Operation Harvest is not actively pursued in an area, the police receives the arms and ammunition and does not hold citizens criminally liable for having possessed those weapons. The citizens are issued a confirmation slip, without their personal details on it, as to what quantity and type of weapons they have surrendered, in accordance with the regulations of Operation Harvest. Should the police, however, discover arms and ammunition with any person, a criminal charge is laid against that person.

60. Interview with Mr. Vukasin Perendija, Chief of Police Department Cajnice, 30 April, 2003

61. The logic in Feldman (2002) *The Socio-economic impact of disarmament*, paper presented at the seminar *The Socio-economic impact of disarmament*, Paris Franc March 25-26, 2002

To date, nearly all police stations have laid charges against persons who illegally possessed arms and ammunition. However there are some police stations that have never reported such cases, for example police station Cajnice or Sanski Most.⁶² This either means that they have never discovered any illegal arms and ammunition or they have disobeyed the law. In the cases where the police discover unexploded bombs it seals off the given location and informs the Civil Protection Authority. The Civil Protection Authority removal teams for unexploded ordinance (UXO team) then come to the location and remove the bombs. Most police stations are however dissatisfied with the speed by which Civil Protection Authority teams react to such situations.

Arms and weapons collected as part of Operation Harvest by the police forces are handed over to the Army of the Federation, to the Army of Republika Srpska, or are placed in a police depository. A register of all collected weapons is maintained.⁶³

Compared to 2000 and 2001, there has been a significant increase in the number of voluntarily surrendered arms in 2002. This however is a small quantity compared to the presumed quantity that is still kept by the population.

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

Another problem confronting the police is that many of its officers are not adequately trained. This is especially true of police stations in smaller municipalities (e.g. municipality Cajnice).⁶⁴ Frequently, citizens surrender old weapons, such as rusted bombs, explosives, etc., which need to be handled with extra precaution, for which the police officers are not trained. It is therefore necessary to properly train officers conducting this type of work.

A lack of adequate transport vehicles for arms, ammunition and explosives is an additional problem.⁶⁵ This not only jeopardizes lives of police officers but also those of citizens. During summer this problem is even more acute due to hot weather. Equipping of police stations with vehicles suitable for transport of light arms, ammunition, mines and explosives should therefore be carried out as soon as possible.

6.4 CIVIL PROTECTION AUTHORITY

Civil Protection Authority is primarily responsible for protecting persons and goods. Bosnia and Herzegovina's internal organisation however has also effected the organization of the Civil Protection Authority. Today we have the Civil Protection Authority Directorate of the Federation of Bosnia and Herzegovina, and the Civil Protection Authority Directorate of Republika Srpska.

62. Interview with Mr. Vukasin Perendija, Chief of Police Department Cajnice, 30 April, 2003

Interview with Mr. Ferid Pjanic, Inspector, Police Department Sanski Most, 7 May, 2003

63. Interview with Mr. Milan Debelnagic, Inspector, Police Department Srpsko Sarajevo, 8 May, 2003

64. Interview with Mr. Vukasin Perendija, Chief of Police Department Cajnice, 30 April, 2003

Interview with Mr. Sinisa Kosoric, Deputy Chief, Police Department Visegrad, 14 May, 2003

65. Interview with Mr. Milan Debelnagic, Inspector, Police Department Srpsko Sarajevo, 8 May, 2003

In the Federation, Civil Protection Authority branches out at the level of cantons and municipalities.⁶⁶ The Directorate at the Federal level has a co-ordinating role. In Republika Srpska the organization of Civil Protection Authority is similar. The Directorate of Civil Protection Authority of Republika Srpska⁶⁷ coordinates the work of regional offices. There are five regional offices in the entity which co-ordinate the work of the municipal Civil Protection Authorities. In Republika Srpska, as in the Federation, there is good co-ordination between the various levels of the Civil Protection Authority. The two Directorates co-operate with one another, and are supported in their work by the resources of the armed forces for natural or other catastrophes. In addition, the Directorates of Civil Protection Authority actively participate in gathering and destroying unexploded ordnance (UXO). The entity Directorates also actively participate in arms collection operations.

As the legal framework specifies that Civil Protection Authority may only collect unexploded ordnance, it does not collect small arms, but in Operation "Harvest" it provides/secures the required location used by the police, army or SFOR, for the purpose of small arms collection. That is, the Civil Protection Authority does not itself collect small arms, but it works in co-operation with SFOR, police forces and the army.

In order to further understand the functioning of the Civil Protection Authority and its capacities for UXO collection, we need to look at how exactly it operates in the field. In the ten cantonal offices of the Federation and the five regional offices in Republika Srpska there are two teams, team A and B, operating. These teams have special tasks. Team A is tasked with gathering UXOs. The citizens may voluntarily bring and surrender these devices or they may notify the Civil Protection Authority of its whereabouts, in which case team A will go to the field. The personnel of team A are also responsible for the destruction of the devices. Destruction is carried out in inadequate polygons, one to two times a week. The current results of these teams are shown beneath.

The Federal teams have in the period 01.11.1998 - 31.10.2002 gathered and destroyed the following devices:⁶⁸

- Unexploded ordinances	154,153
- PP mines/AP mines	13,022
- PT mines/AT mines	1,469

In Republika Srpska the following quantities, in the same time period, have been gathered and destroyed:⁶⁹

- Unexploded ordinances	65,281
- Various mines	4,039

Although these results are impressive, they are far from satisfactory if we bear in mind the number of unexploded ordinances that were in the possession of citizens at the end of the war in Bosnia and Herzegovina.

66. Interview with Mr. Alija Tihic, Director of the Civil Protection Authority of FBiH, 30 April, 2003

67. Interview with Mr. Milomir Doder, Head of Department, Civil Protection Authority of RS, 09th of May, 2003

68. Data Source - Civil Protection Authority of the FBiH

69. Data Source - Civil Protection Authority of the RS

Team B is responsible for clearing land and houses for the purpose of enabling the safe return of refugees and displaced persons to their homes.

Civil Protection Authority Teams have undergone training for the type of work they undertake, however methods employed by them are Soviet type, are not in compliance with European safety requirements and are rather obsolete. This however is not the only problem.⁷⁰ One of the key problems is a lack of adequate containers for the storage of gathered UXOs. This not only threatens the lives of Civil Protection Authority officials, but also the lives of other citizens. UXOs are stored in Civil Protection Authority offices or in other similar places, all of which are located in populated areas. Another problem is related to the transport of UXOs from the storage place to the destruction site. At present UXOs are transported from and to sites in vehicles, placing both the driver of the vehicle and people in its immediate surrounding in danger. Destruction sites are also inadequate. One of the greatest problems pertaining to the capacity of the Civil Protection Authority is the absence of containers for the safe storage of UXOs by the Civil Protection Authorities. At present, UXOs are stored in carton boxes. Safety at storage depots and destruction facilities is also below modern norms. At present, neither depots nor destruction sites for example have safety fencing to prevent access to the sites or flying debris in case of explosion. This is particularly concerning given the proximity of the sites to settlements.

RECOMMENDATIONS

1. The Ministry of Security should be provided with a function of maintaining a central registry for arms permits issued on the whole territory of BiH in order to improve state capabilities to combat organised crime and illegal trafficking and increase confidence and security between people.

2. A State Law on Arms and Ammunition should be introduced. The Law would bring uniformity on the issue across BiH and facilitate the work of the State Border Service in trying to prevent weapons smuggling. Officials from both entities' Ministries of Interior interviewed for the purpose of this report supported such an idea.

3. Members of Parliament across all government levels should be provided with training on SALW-related issues. Parliamentary representatives are not well informed about SALW at present. This has slowed the pace of adoption of required laws.

4. Short seminars should be organised for members of parliament and members of the executive, which would familiarize them with issues at hand, which in turn would speed up the SALW reform process and facilitate increased ownership on the issue.

5. State officials should also be acquainted with the planned changes to laws, which will have an effect on their work. Officials of the State Border Service should receive training in addition to their existing training, for the purpose of familiarizing them with European standards and methods in areas such as monitoring and control to improve the effectiveness of their efforts at the prevention of criminal activities related to small arms and light weapons. In addition to professional empowerment, the State Border Service should also be provided with additional technical support.

70. Interview with Mr. Ivica Novak, Leader of the A team for collection and destruction of UXO, Cantonal Civil Protection Authority Mostar, 6 May, 2003

6. Members of the militaries of BiH, officials of the Ministries of Interior Affairs, and Members of Civil Protection Authorities need to undergo additional education for handling and storing SALW in accordance with European standards. This will be of particular importance following the completion of SFOR's mission in the country.

Support should in particular be provided to the Civil Protection in the form of transport equipment and storage space for secure transport and storage of SALWs.

7. The Standing Committee on Military Matters together with the entity Ministries of Defence should develop a strategy of future activities for collecting and dismantling SALWs which would be implemented beyond SFOR's departure.

8. Awareness raising must be actively pursued. Much needs to be done to adequately inform the population that for all weapons collected during operation Harvest they shall receive amnesty, whereas for any illegal weapons found following the conclusion of this operation they will be criminally charged. This will, beyond helping facilitate the surrender of arms and ammunition, also assist in preventing the illegal dumping of SALW in undesirable places.

9. Training should be provided to police officers in handling surrendered explosives, particularly unstable explosives. At present, police officers do not have the knowledge to handle such items in a safe manner and thereby expose themselves and those in their surroundings to needless danger.

10. Civil Protection Authority personnel should be trained in explosion management according to current European standards.

11. The Civil Protection Authority must be equipped with proper storage containers for unexploded ordinance. Civil Protection Authority cantonal offices in the Federation and regional offices in Republika Srpska should also be equipped with blast containers for the transport of unexploded ordinance. These containers would not only provide security for people transporting unexploded ordinance, but would also protect other cars on the road should the ordinance being transported explode in the process of being transported.

12. There is a need to upgrade UXO destruction facilities with modern safety standards and increased destruction capacities. Current capacities are insufficient to meet the destruction needs stemming from UXO collections.

13. In order to be able to fulfill expected duties and responsibilities the Coordination Board needs to be strengthened by technical capacities as well as by human resources. In particular, it should be strengthened with personnel and experts that will enable it to work in a more meaningful manner on the reduction of laws and the establishment of a modern and a harmonized legislative framework on small arms and light weapons in BiH. It should include also representatives from civil society, non-governmental organisations and media in its work.

RECOMMENDATIONS FOR TRAINING:

- NGOs should be trained in the conduct of public awareness campaigns on SALW, for the purpose of building confidence as a key factor in the pursuit of practical disarmament;
- Training of officials of the Ministry of Security, State Information and Protection Agency, State Border Service and entity Ministries of Interior Affairs, in establishing and maintaining a registry of small arms and light weapons;
- Familiarising government officers working on SALW issues at all government levels of the problems related to SALW; the need for reform; the avenues possible for reform, and; the international standards that can be applied on SALW issues in the reform process. The need for such training is essential if government authorities in BiH are to be able to fully take ownership for resolving problems pertaining to SALW in the country.

7. THE ROLE OF THE INTERNATIONAL COMMUNITY

7.1 SFOR

7.1.1 Operation Harvest

SFOR initiated its Operation Harvest, aimed at collecting SALW from citizens, in mid-1998. The operation is still ongoing as the time of the writing of this report, with all three multinational SFOR brigades participating therein.

Operation Harvest has three goals:

- To collect illegal weapons to make BiH a safer place to live in.
- To convince the local population that time has come to get rid of illegal arms, and ammunition.
- To slowly, but surely, hand over the responsibilities of Operation Harvest to local authorities in order to make people aware that problems in this country are not SFOR's problems.⁷¹

Although activities in the framework of this operation are carried out throughout the year, they are most intensive in spring and fall. In this way, the 'over-saturation' of citizens with constant arms reduction activities and media campaign is avoided. SFOR has supported operation "Harvest" since 1998. In the early years SFOR was solely responsible for the operation, but since 2000 it has transferred a part of the responsibility to local armed forces in Bosnia and Herzegovina.⁷²

Local police forces, the Civil Protection Authorities and in some cases, the armed forces have had varying degrees of involvement in Operation Harvest. Police activities are mainly centred on provision of security for locations at which SALW are collected. The police forces have better communication channels with the population than SFOR, and they are also used by SFOR for this purpose. Moreover police presence during weapons collection assists in maintenance of peace during such operations.

During the collection period, arms and ammunition are temporarily stored in storage sites of police forces, civil protection authorities and in some cases in military storage sites. Upon completion of the collection they are directly taken for destruction to designated areas by civil protection authorities, or are handed over to SFOR, which then assumes responsibility for their destruction.

The storage process varies from one area to another, depending on the level of organization of Civil Protection Authority. For example, in Sanski Most⁷³ the whole process of collection and temporary storage of SALW is conducted by the police until the hand-over to SFOR. A similar situation exists in Cajnice,⁷⁴ where due to a lack of resources, the Civil Protection Authority does not operate.

71. SFOR Informer, 3 April 2003.

72. Stated by Alexandros Letsas, 1st Lt., Joint Operations Planning plans officer, SFOR INFORMER Online, No. 116, 27 June, 2001

73. Interview with Mr. Ferid Pjanic, Inspector, Police Department Sanski Most, 7 May, 2003

74. Interview with Mr. Vukasin Perendija, Chief of Police Department Cajnice, 30 April, 2003

On the other hand, on the territory of Canton Sarajevo, the police force is responsible for the temporary storage of arms until its hand-over to SFOR or destruction,⁷⁵ which is conducted by the Civil Protection Authority. The Civil Protection Authority is obliged to announce to SFOR the destruction of UXO. The process is monitored by SFOR. Written records are maintained of the whole procedure of safe keeping and storing of SALW, as well as the transfer of SALW from one storage site to another.

SFOR currently destroys arms surrendered through Operation Harvest and that obtained as a result of its military arms reductions programme at the BH Steel mill in Zenica through a process of smelting.⁷⁶ This form of destruction is safe and has the least negative effect on the environment. SFOR has also given permission to local authorities to sell one part of the gathered arms, with a certain quantity of those arms having already been earmarked for sale to United States and Canada. These countries shall use these weapons as samples in various places, including museums as well as for the film industry.⁷⁷

7.1.2 Reduction of Ammunition Reserves

Closely connected with arms reduction is reduction of ammunition reserves. With the end of the war, SFOR started gathering arms and ammunition. The collected weapons from militaries were stored in storage sites. At the beginning of the process some 500 storage sites were used, but today only 169 are in use.⁷⁸ The military storage sites are overloaded with ammunition and are not fully maintained according to international standards.⁷⁹ Security is a big problem - the storage sites are located in close proximity to populated areas. In terms of human security, another great concern is also the lack of detailed knowledge of the stockpiles in terms of stability. SFOR is currently working with the military forces in Bosnia and Herzegovina in the hope of finding adequate storage sites that would meet NATO and EU standards.

7.1.3 Ammunition Destruction

A great proportion of ammunition in military storage in Bosnia is no longer safe and requires destruction. Destruction by SFOR is carried out in two ways: destruction by way of blowing up ammunition and by way of disassembly. Disassembly enables certain parts of ammunition to be recycled for use in other products, but this is a rather expensive and slow process and cannot be used with all ammunition. Were this the only method employed with existing capacities, the destruction of collected arms and ammunition would drag on for tens of years.⁸⁰ The more frequent method used in destroying arms and ammunition is explosion. There are a number of locations in Bosnia and Herzegovina where SFOR and the Civil Protection Authority are doing this. However the local population, which resides in close proximity to these sites often complains about these actions.

SFOR officials claim that ammunition destruction sites are the responsibility of entity armed forces and that they are not responsible for the safety of these facilities for ammunition destruction.

75. Interview with Mr. Enes Cerimagic, Chief of Department, Ministry of Interior, Canton Sarajevo
Mr. Mesa Kamenica, Inspector, Ministry of Interior, Canton Sarajevo, 12 May, 2003

76. By 2003, the number of SALW possessed by the armed forces in Bosnia and Herzegovina has been reduced by more than 110,000 pieces.

77. SFOR, Jose Loureiro, LTC PO Army - Chief Control, UNDP Meeting, 28 May, 2003

78. SFOR, Jose Loureiro, LTC PO Army - Chief Control, UNDP Meeting, 28 May, 2003

79. Interview with Jose Loureiro, LTC PO Army - Chief Control, SFOR - Camp Butmir, 30 April 2003

80. Ibid

Moreover they assert that inadequately stored ammunition poses a greater threat to a society than the negative consequences of ammunition destruction. Negative ecological consequences can be addressed by counter measures, scattered ammunition parts can be collected, whereas an explosion caused by inadequate storage could claim many lives. Nevertheless, SFOR is trying to find more suitable locations for ammunition destruction.

7.1.4 Transfer of ownership for weapons collection: Operation National Harvest

SFOR is still actively engaged in the organization and conduct of Operation "Harvest". The full transfer of responsibility to domestic institutions for this operation is foreseen to take place in early 2004. Domestic institutions are to undertake their first independent arms collection operation during the first half of 2003. This idea originated last year with the Croat component of the Army of the Federation of Bosnia and Herzegovina. In mid-2002 they suggested that they should organise arms collection from their demobilized, as well as active, soldiers.⁸¹

Following support expressed by SFOR, the Bosniac component of the Army of the Federation also expressed its willingness to participate in such an activity. Soon thereafter, the Army of Republika Srpska also expressed its readiness to support and participate in such an operation. Based on the expressed will of the military components in Bosnia and Herzegovina, SFOR decided to organize operation "Nacionalna Zetva" (National Harvest).

"National Harvest", as called by SFOR, will be carried out in both entities with the participation of military and police institutions. SFOR shall have a co-ordinating role. This operation will test domestic capacities and will prepare the local authorities for assuming full responsibility for arms collection.

It is significant to note the confidence that SFOR has expressed in relation to domestic military potentials. According to SFOR, its active participation in arms and weapons collection is likely to end late this year, due to budgetary and personnel reductions. This reinforces the need for local military and security institutions to take on the responsibility for arms reduction in Bosnia and Herzegovina. Small arms and light weapons will continue being a problem in Bosnia and Herzegovina in the coming years. It is therefore necessary that domestic institutions, which will be addressing this problem, be clearly identified and their role clearly defined. The current results of operation "Harvest", illustrate just how important this operation is.

(See below, table on quantities of collected arms and ammunition)

SMALL ARMS, AMMUNITION AND ORDNANCE COLLECTED TOTAL
From 1st JANUARY to 31st DECEMBER 2000

	Small Arms (1)	Ammo	Hand Grenades	Mines	Explosives (KGs)	Other Items (2)
TOTAL	5,081	2,809,432	22,799	2642	4,633.9	18,498

Source: Operation "Harvest" for 2000, "SFOR INFORMER Online" Project Harvest 2000 results

(1) Rifles, pistol, etc., (2) Mortars, mortars rounds, rifle grenades, handmade ordnance, etc.

81. Stated by Viktor Mikolajec, LTD PL Army, IOB Chief, 23 May, 2003

THE ROLE OF THE INTERNATIONAL COMMUNITY

SMALL ARMS, AMMU NITION AND ORDNANCE COLLECTED TOTAL
From 1st JANUARY to 31st DECEMBER 2001

	Small Arms (1)	Ammo <20 mm	Ammo 20-76 mm	Ammo >76 mm	Hand Granades	Mines	Explosives (KGs)	Other Items (2)
MND(N)	1138	220907	4626	117	3236	347	2889,1	2705
MND(SE)	774	205184	651	36	5409	769	43,89	6642
MND(SW)	1947	601213	1752	376	6513	2849	721,6	4079
TOTAL	3859	1027304	7025	529	15158	3965	3654,59	13426

SMALL ARMS, AMMU NITION AND ORDNANCE COLLECTED TOTAL
From 1st JANUARY to 31st DECEMBER 2002

	Small Arms (1)	Ammo <20 mm	Ammo 20-76 mm	Ammo >76 mm	Hand Granades	Mines	Explosives (KGs)	Other Items (2)
MND(N)	3,188	947,005	3,391	658	16,080	1,459	1,846,67	11,564
MND(SE)	1,033	506,021	10,523	269	7,608	880	5,491,60	24,771
MND(SW)	4,173	845,941	5,521	1,559	14,511	1,817	825	11,755
TOTAL	8,394	2,298,967	19,435	2,486	38,199	4,156	8,163,27	48,090

SMALL ARMS, AMMU NITION AND ORDNANCE COLLECTED TOTAL
From 1st to 31st MARCH 2003

	Small Arms (1)	Ammo <20 mm	Ammo 20-76 mm	Ammo >76 mm	Hand Granades	Mines	Explosives (KGs)	Other Items (2)
MND(N)	476	47,534	215	6	2,091	144	60,5	1,797
MND(SE)	4	1,300	2	0	2,338	9	33	65
MND(SW)	116	46,056	82	15	975	55	24	563
TOTAL	596	94,899	299	21	5,404	208	117,5	2,425

SMALL ARMS, AMMU NITION AND ORDNANCE COLLECTED TOTAL
From 1st JANUARY to 31st MARCH 2003

	Small Arms (1)	Ammo <20 mm	Ammo 20-76 mm	Ammo >76 mm	Hand Granades	Mines	Explosives (KGs)	Other Items (2)
MND(N)	1,022	163,518	534	118	4,903	506	81,3	4,386
MND(SE)	21	91,525	9	439	2,844	25	37	7,653
MND(SW)	374	81,988	1,458	21	1,167	195	81	1,079
TOTAL	1,417	337,031	2,001	578	8,914	726	199,3	13,118

(1) Rifles, pistol, and revolvers, etc., (2) Mortars, mortars rounds, rifle grenades, handmade ordnance, atk rocket, etc.
Source: Jose Loureiro, LTC PO Army - Chief Control, SFOR - Camp Butmir, 30 April 2003

The results clearly show that in the first three months of this year over 2,000 pieces of small arms have been collected. This is almost 3/4 of the total amount of collected arms in 2001. The citizens are increasingly aware of the dangers posed by small arms in their houses. The citizens are more willing today to hand in their arms than previously - this is perhaps a result of increasing feeling of security among the population, as well as of activities conducted by SFOR, local authorities and military forces in Bosnia and Herzegovina. There are no reliable estimates on the quantity of arms still in the possession of citizens of Bosnia and Herzegovina. All domestic and international institutions involved in collection of SALW agree that that number is probably very high. It is therefore necessary to continue this operation.

Although SFOR forces in Bosnia and Herzegovina are in the process of reduction, they maintain that their mandate in Bosnia and Herzegovina is maintenance of peace and security, and that accordingly they will continue conducting and supporting activities related to the collection of arms and ammunition. Emphasis is currently placed on increasing the capacities of domestic institutions so as that they could assume responsibility for this. National "Harvest" is than a national programme. Arms shall be collected on a voluntary basis. This is the method that has been most frequently employed by SFOR. In addition, SFOR has also conducted unannounced operations of arms confiscation when it has had intelligence on the possession of arms by certain persons.

7.1.5 Arms and Ammunition Reduction Programmes

In May 2003, SFOR Multi-national Brigade North, initiated an arms and ammunition reduction programme in the Tuzla region. The programme operated on a lottery basis and was carried out in co-operation with local TV and radio stations. For every piece of arms and for certain quantities of ammunition, citizens received lottery tickets that put them in the draw to win various types of house appliances (all of which were provided by local companies). The first prize was a car, also provided by a local company. The winning tickets were pulled out in front of the local media, which helped further promote the campaign. The campaign in Tuzla placed particular attention on the surrender of hand grenades. By the campaign's completion, close to 5,000 hand grenades were surrendered.⁸² This method of arms collection has not previously been used in Bosnia and Herzegovina. SFOR has made an effort to stress that the campaign is not a buy back programme. Buy back programmes were organised in the framework of some national arms collection programmes (e.g. in Croatia), and have been subject of some debate. Whether local forces will be able to employ the same means in arms collection in the future is questionable.

7.2 OSCE⁸³

The OSCE Mission in BiH derives its authority from the Dayton Peace Accord. In fulfilment of its mandate, in addition to all the other tasks, it is also responsible for implementation of Annex1-B, Article II and Article IV of the Dayton Peace Accord. This task is implemented through activities of the Department for Security Co-operation.

82. SFOR HQ, Stated by LTC Holis, US forces, 23 May, 2003

83. Interview with Mr. Tauno Aaltonen, Chief of Compliance Assistance Section, Department of Security Co-operation and Mr. Robert Strazisar, Staff Officer, OSCE Mission to BiH, 22 April 2003

BiH as an OSCE participating state is bound by OSCE agreements. One of them deals with small arms and light weapons: OSCE Document on Small Arms and Light Weapons.⁸⁴

Specific OSCE documents related to military issues are: Vienna Document 1999, OSCE Code of Conduct on Politico-Military Aspects of Security (the Code is a catalogue of 43 standards and rules, implementation obligations, and recommendations concerning the political-military aspect of security and serves as a basis for developing an early warning and conflict prevention system in Bosnia); the OSCE Document on Small Arms and Light Weapons (provides regulations for combating illicit trafficking in all its aspects: manufacturing, marking and record-keeping, management of stockpiles, reduction of surpluses and destruction). All these documents are politically binding for BiH.

The Bucharest Ministerial Council Decision tasks the Forum for Security and Cooperation (FCS) with providing advice to the Permanent Council (PC) on the implementation of the OSCE Document on Small Arms and Light Weapons. It specifies the procedure for the provision of assistance, on request, for small arms measures as part of early warning, conflict prevention, crisis management and post-conflict rehabilitation. Consequently, a Workshop on the Implementation of the OSCE Document on Small Arms and Light Weapons (SALW) took place. The workshop asked the Conflict Prevention Centre to provide a set of templates and model answers to guide participating states in the preparation of their information exchange submissions on SALW. On the basis of these exchanges developed is a Best Practice Guides on Small Arms and Light Weapons.⁸⁵

7.2.1 Activities

There are a number of different areas in which the OSCE Mission to Bosnia and Herzegovina is involved. The task for the OSCE Mission to Bosnia and Herzegovina, inter alia, is to assist BiH authorities in the implementation of OSCE documents including the OSCE Document on Small Arms and Light Weapons. The key institutions and cooperating partners of the OSCE Mission in the field of SALW is the Ministry of Foreign Affairs of BiH (The Ministry of Foreign Affairs chairs the Coordination Commission, and the OSCE Mission to Bosnia is monitoring the Coordination Commission), Ministry of Foreign Trade and Economic Relations and Standing Committee on Military Matters.

The OSCE has also participated in the drafting process of weapons legislation. On this issue it has closely co-operated with local authorities and the OHR.

The OSCE Mission to Bosnia and Herzegovina also performs an advisory role to SFOR on issues related to arms control, as well as on issues related to the export and import of arms.

The OSCE is also active on the issue of weapons storage sites. According to Mr. Aaltonen more there were more than 1,000 weapons/ammunition storage sites in use, and still today there are more than 100 sites left. According to OSCE weapon store analysis there are two major areas of concern. The first relates to the safety of storage sites. Storage sites at present are not well guarded (lack of manpower) and not located in safe areas. The second concern relates to the number of storage sites and the sheer manpower required providing adequate levels of safety. To guard the now existing storage sites, according to normal military standard, a force of some 4000 persons would be needed.

84. OSCE (2000) *OSCE Document on Small Arms and Light Weapons*, Vienna, 24 November 2000

85. Statement by Ambassador Zef Mazi, Chairman of the Forum for Security Co-operation, February 2003

7.2.2 Areas not being addressed

Both OSCE and SFOR work with the military in BiH. When it comes to the civilian side there is a lot more that could be done. Legislation is decided on regional levels (entity and cantonal levels) and there is a need for harmonisation.

7.2.3 Coordination

The UNDP took on the coordinating role in February 2003.

7.3. THE EUROPEAN UNION POLICE MISSION (EUPM) IN BiH⁸⁶

7.3.1 Mandate

The EUPM mandate is based on an Agreement between the EU and BiH.⁸⁷ The EUPM, within the context of its mandate, will be responsible for assisting the development of BiH police capacities in all aspects of law enforcement. The EUPM will monitor, mentor and inspect BiH police capacities in all aspects of law enforcement. The EUPM will monitor, mentor and inspect BiH police efforts to ensure that BiH be capable of investigating and countering the full range of criminal activities, including organised crime and terrorism with a State level capability forming an effective part of the administration of justice.⁸⁸

7.3.2 Resources

EUPM has one Programme Development Officer in its main office in Sarajevo and approximately 100 staff on the field monitoring and mentoring local police. However, these do not only work on SALW issues.

7.3.3 Activities

The EUPM succeeded IPTF in January 2003. Since its establishment in BiH, it has not been actively engaged on SALW issues. However, on 24 April 2003, it presented a policy document concerning EUPM Weapons Policy. This document specifies how local police should be engaged in SALW issues. EUPM will monitor and mentor the local police authorities. This policy document will become effective at the very latest by the end of June 2003.⁸⁹

86. Interview with Mr. Volodymyr Zhminko, Mr. Ralph Jonas and Mr. Francisco Sánchez, EUPM HQ, 21 May 2003.

87. The Council of the European Union (2002), *Legislative Acts and Other Instruments*, 11988/02, Brussels, 17 September 2002

88. <http://www.eupm.org/overview.htm>

89. EUPM (2003) *Planning Development Guidance No. 11*, Sarajevo, 24 April 2003.

7.4 OHR⁹⁰

7.4.1 Mandate

The Dayton Peace Agreement tasks the OHR with the civilian implementation of the Agreement.⁹¹ Subsequently, the powers of OHR have been interpreted to include the power to impose legislation and remove popularly elected representatives.⁹²

7.4.2 Resources

The OHR does not have a budget for project support. Their main resources are in the personnel working on various issues.

7.4.3 Activities

OHR is extensively involved in the drafting of legislation. The OHR recently drafted the Law on Export of Arms and the Law on Production of Arms and Military Equipment in Bosnia and Herzegovina.

7.4.4 Duplication

According to OHR there is no duplication in respect to activities of international organizations on SALW issues.

7.4.5 Areas not being addressed

According to OHR a number of areas still need to be addressed:

- Storage and safety issues at storage sites;
- Education of civil servants and decision makers;
- Who should cover the civilian side
(acquiring, keeping and carrying of weapons and ammunition from citizen)

7.4.6 Coordination

OHR fully supports the co-ordinating role assumed by UNDP. In order to effectively address the SALW problem, the international community must work in concert. UNDP is well poised for assuming the leading role in respect to the co-ordination of efforts on SALW.

90. Interview with Mr. David Citron, Political Advisor, Political Department and Mr. Mudzahid Hasanbegovic, Legal Officer, OHR, 16 May 2003.

91. Dayton Peace Agreement (1995)

92. Peace Implementation Council, Bonn, 10 December 1997

7.5. UNDP

7.5.1 Mandate of UNDP BiH⁹³

UNDP has two goals when it comes to Small Arms and Light Weapons. The first one is risk reduction and the second one is to build state level capacity on SALW.

7.5.2 Resources

The start up budget is US \$ 636,000 over 18 months.

7.5.3 Activities

The UNDP project seeks to attain the following:

1. Assess the current situation in BiH pertaining to SALW
2. Develop capacities of the Bosnian government to deal with SALW issues through:
 - a. The establishment and strengthening of State level Coordination Board for SALW
 - b. The provision of specialised capacity building assistance to government officers and parliamentarians on SALW issues
3. Reduce uncontrolled presence of small arms and light weapons in BiH, through:
 - a. Awareness raising campaigns
 - b. Reduction in the existing levels of stockpiled ammunition in BiH

93. Interview with Mr. Seid Turkovic, UNDP, 15 May 2003

8. CONCLUSIONS

Bosnia and Herzegovina as one of the successor states of former SFRY, inherited the legislation on the import and export of arms. Till recently, the military-economic sector in Bosnia and Herzegovina was de facto controlled by the Ministries of Defence of the two entities, with limited role of civil authorities, in the new post-war setting.

Following the 1992-1995 war in Bosnia and Herzegovina the issue of arms control, their export/import, surplus destruction, and transparent control over this process has become one of the most sensitive ones. The possibility of arms being used for criminal purposes, the proven cases of illegal arms storage and illicit arms trade require a quick and a co-ordinated response by relevant institutions in Bosnia and Herzegovina.

Bosnia and Herzegovina, as a UN member, and subject to international law, has to implement the decisions of the UN Security Council and has to implement international conventions and other international obligations. Bearing in mind this fact, the Council of Ministers of Bosnia and Herzegovina proposed, and then Parliamentary Assembly of BiH adopted a Law on Import and Export of Arms and Military equipment.

The Ministry of Foreign Trade and Economic Relations is vested with powers related to the implementation of this Law.

The Law prescribes the method and conditions under which import/export or transit of arms or military equipment may be conducted. In addition, the Law specifies which body is competent to issue import/export and transit permits, and agency permits for arms and military equipment trade. It also determines the terms and conditions under which the permits may be issued, the content of the permit, bodies competent to grant preliminary consent, as well as bodies competent to issue opinions, responsibilities of the competent bodies, co-operation with international organizations, possibilities of negotiating co-operation on research, training and technical exchange pertaining to arms and military equipment; powers of the Ministry of Foreign Trade and Economic Relations, as well as the customs authority in the implementation of the above mentioned Law. This law also defines sanctions in the case of its violation.

According to the new legislation the Ministry of Foreign Trade and Economic Relations shall form and maintain a data base about all issued permits for import and export of arms, and shall submit this information to the Parliamentary Assembly of BiH, to the Presidency of BiH, and to relevant international institutions, upon request.

The Ministry of Foreign Affairs of BiH shall upon a request of the Ministry of Foreign Trade issue a certificate of approval for each individual arms import or export transaction. A certificate of approval by the Ministry of Foreign Affairs is obligatory for each import or export permit. In the process of issuing a certificate of approval the Ministry of Foreign Affairs shall act in accordance with international rules. Specifically, it shall abide by UN resolutions on prohibitions and sanctions, EU resolutions on sanctions, EU regulations on the arms export procedure, OSCE regulations and will respect all other international conventions on the non-proliferation of prohibited arms.

CONCLUSIONS

During the procedure of issuing permits for export/import of arms the Ministry of Foreign Trade shall request approval of Ministry of Security and shall request an opinion from the Standing Committee on Military Matters.

The Ministry of Foreign Trade shall maintain record of import and export of arms and military equipment. It shall monitor all phases of export and import of arms in an efficient manner. It shall co-operate with other international institutions concerning security, control of arms and anti-terrorist activities.

However legal frameworks do not address the demand for small arms and light weapons. As Dominick Donald⁹⁴ pointed out the demand of weapons is often a surrogate for the demand for social justice and the firearm is the capital good intended to bring about that objective. Once state's citizens feel they have a share in a responsive political process, and that the security apparatus is likely to stick to what it is supposed to, genuine security - and thus limited demand - is likely to follow.

When small arms and light weapons (SALW) spread in the population one of the practical measures that governments first contemplate is voluntary weapons collection, with the promise of amnesty and anonymity for a certain period.

Weapons collection programmes need to be highly visible because they require information and awareness campaigns, which are public by the definition. There are few actions that symbolise disarmament more powerfully than the public destruction of arms. There are other benefits beside low risk and high visibility in the collection programmes. Weapons collection and destruction programmes are often designed to promote new development projects.⁹⁵ One can argue that no amount of information and awareness campaign is going to change the minds of people bent on engaging in armed violence for political or criminal reasons. But campaign can influence the general public. They can make society as a whole more sensitive to the dangers of SALW, and convince people that these dangers need to be contained and reduced. The information and awareness campaign will make people more aware of the dangers of firearms, which will discourage people from keeping, carrying and using them. Public campaign can convince people that there are feasible ways in which the international community, government and civil society can work together (National Harvest). Developing greater public confidence in the will and ability of the government to fight crime, protect the population and uphold the rule of law. It can also have influence on effective enforcement of strict SALW laws. It can stimulate change in popular culture that makes young men decide that small arms will not make them more appealing and influential. Any progress towards these goals will really make a difference.

However, once SALW have been collected, this is not the end of the problem. The absence of appropriate infrastructure for arms destruction, although potential capacities exist, continues to be a problem.

The emphasis should be on moving forward with tangible projects, which will result in a lasting reduction of small arms and light weapons in Bosnia and Herzegovina.

94. Donald Dominick, paper presented during International Workshop on Reduction of Small Arms, Toronto, March 2001

95. Faltas Sami, speaking notes from a Seminar of the Bonn International Centre for Conversion, March 2003

UNITED NATIONS DEVELOPMENT PROGRAM (UNDP)



UNDP global activities

The widespread availability of illicit small arms and light weapons in crisis situations, disenfranchised ex-combatants, and incidence of armed violence, threaten the very foundations of sustainable human development. The development and security threats posed by these issues demand concerted international assistance to prevent armed violence and to support countries struggling to recover from conflict. UNDP plays a leading role in assisting such countries in curtailing illicit weapons; address the needs of ex-combatants and other armed groups through alternative livelihood and development prospects, while building capacities at all levels to promote human security.

UNDP's mission is to promote development. Where small arms related violence prevents development, UNDP's key concern is to provide programmes that reduce the demand for guns and the opportunities for their use, and offer other avenues for security, sustainable livelihoods, and development opportunities. Particularly in the aftermath of violent conflict, UNDP provides immediate means for the disarmament and demobilization and generates sustainable solutions for the peaceful re-integration of former-combatants.

Specifically, the current objectives of the UNDP small arms and demobilization activities are to:

- Promote co-ordinated, development-focused approaches to control and reduce armed violence;
- Increase capacity around the globe for small arms;
- Reduction and demobilization, disarmament and reintegration of ex-combatants, in order to help reduce armed violence;
- Decrease the availability of illicit small arms and provide alternatives to armed violence;
- Raise international awareness of the development costs of small arms proliferation and the militarization of society.

UNDP directly supports a number of country/region specific projects through its Small Arms Trust Fund, which has proven to be an effective way of creating well-designed and concrete measures to reduce small arms proliferation, and rapidly disbursing funds for small arms activities.

UNDP projects on small arms are currently conducted in the following countries and regions:

Countries

Albania, El Salvador, Haiti, Kosovo, Macedonia, Niger, Republic of Congo, Somalia, Sierra Leone, Solomon Islands

Regions

- Central America, Great Lakes Region of Africa, South East Europe

APENDIX 1

LAWS CONSULTED IN THE PREPARATION OF THIS ANALYSIS ON SALW

BOSNIA AND HERZEGOVINA:

- Constitution of Bosnia and Herzegovina, General Framework Agreement for Peace in Bosnia and Herzegovina, December 1995;
- Defence Policy of Bosnia and Herzegovina, July 2000;
- Law on the Ministries of the Council of Ministers, January 2003;
- Law on Import and Export of Arms and Military Equipment, February 2003;
- Law on Testing, Stamping and Marking of Firearms and Ammunition, May 2003.

FEDERATION OF BOSNIA AND HEZEGOVINA:

- Constitution of the Federation of Bosnia and Herzegovina, March 1994 (latest version with changes and amendments);
- Law on the Defence of the Federation of Bosnia and Herzegovina, 1996;
- Draft Law on Protection of Persons and Material Goods from Accidents Caused by Nature and Other Accidents, May 2002;
- Criminal Law of the Federation of Bosnia and Herzegovina, November 1998;
- Law on the Manufacture, Transport and Servicing of Arms and Military Equipment, 1996;
- Draft Law on the Manufacture, Transport and Servicing of Arms and Military Equipment, June 2000;
- Law on Agencies for Protection of Persons and Property, October 2002;
- Law on Amnesty for Illegal Possession of explosive ordinances and Arms, October 2002;
- Draft Law on Arms and Ammunition, August 2002;
- Law on Acquiring, keeping and carrying of Arms and Ammunition of Canton Sarajevo, November 2001;
- Law on Acquiring, keeping and carrying of Arms and Ammunition of Posavina Canton, July 2000;
- Law on Amendments and Changes to the Law on Acquiring, keeping and carrying of Arms and Ammunition of Canton Sarajevo, June 2002;
- Law on Arms of Western Herzegovina Canton, March 2001.

REPUBLIKA SRPSKA:

- Constitution of Republika Srpska, 1992 (latest version with changes and amendments);
- Law on the Defence of Republika Srpska, September 1996, with changes and amendments from September 2001
- Law on Civil Protection Authority of Republika Srpska, May 2002;
- Criminal Law of Republika Srpska, July 2000;
- Draft Law on Manufacture and Transport of Arms and Military Equipment, September 2002;

- Law on Agencies for Protection of Persons and Property in private Detective Activities, (2002)
- Law on Amendments and Changes of Law on Arms and Weapons, 2002;
- Law on Arms and Ammunition, July 1993;
- Draft Law on Arms and Ammunition, April 2003.

BRCKO DISTRICT:

- Law on Arms and Ammunition, November 2002.

REGION:

- Law on Arms of Republic of Croatia, October 1992, with changes and amendments from March 1999 and February 2001;
- Law on Arms and Ammunition of Republic of Serbia, January 1999.

INTERNATIONAL STANDARDS:

- Common List of Military Equipment in accordance with rules and regulation of the European Union used in the export of weapons.
- Convention on Testing of Arms and Ammunition, January 1969
- Directive of the Council of European Community on the Control of Acquisition and Possession of Arms, June 1991.

AGREEMENTS ON ARMAMENT:

- Agreement on Confidence and Security Building Measures in Bosnia and Herzegovina, January 1996;
- Agreement on Sub-regional Arms Control, June 1996.

LIST OF ABBREVIATIONS

1. AFBiH - Army of the Federation of Bosnia and Herzegovina
2. AP/PP mines - Anti-personnel mines
3. AT/PT mines - Anti-tank mines
4. BiH - Bosnia and Herzegovina
5. CCT - Centre for Combat training
6. DDR - disarmament, demobilization and reintegration
7. EU - European Union
8. EUPM - European Union Police Mission
9. FBiH - Federation of the Bosnia and Herzegovina
10. FCS - Forum for Security and Cooperation
11. FKN 22 - photo camera of armament (type)
12. IDA - Institute for Defence Analysis
13. IFOR - Implementation Forces
14. IMET - International Military Educational Training program
15. IPTF - International Police Task Forces
16. JC of FBiH - Joint Command of the Federation of Bosnia and Herzegovina
17. KFOR - Kosovo Forces
18. KLA - Kosovo Liberation Army
19. MFTER - Ministry of Foreign Trade and Economic Relations BiH
20. MoD of FBiH - Ministry of Defence of the Federation of BiH
21. MPRI - Military Professionals Resources Incorporated
22. NATO - North Atlantic Treaty Organisation
23. NGO - Non Government Organisation
24. NICd - Chemical elements Nickel-Cadmium
25. NLA - Albanian National Liberation Army
26. OHR - Office of the High Representative
27. OSCE - Organisation for Security and Co-operation in Europe
28. PIF - Private Investment Funds
29. PMS - Program of Military Stabilization
30. POB - Anti-Armoured fight (AAF)
31. PC - Permanent Council
32. PVO - Anti-aircraft defence (AAD)
33. RS - Republika Srpska
34. RSNA - Republika Srpska National assembly
35. SALW - Small Arms and Light Weapons
36. SBS - State Border Service
37. SCMM - Standing Committee for Military Matters
38. SEESAC - Stability Pact and South Eastern Europe Small Arms Clearinghouse
39. SFOR - Stabilisation forces
40. TRZ - Technical service facility
41. UNDP - United Nations Development Program
42. UNTAES - United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium
43. UXO - Unexploded ordnance

