

18 April 2011

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**PERMANENT MISSION OF THE REPUBLIC OF CROATIA
TO THE OSCE, UN AND INTERNATIONAL ORGANIZATIONS
VIENNA**

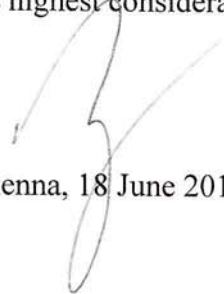
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No:08-4/11-ZK

NOTE VERBALE

The Permanent Mission of the Republic of Croatia to the OSCE presents its compliments to the Permanent Missions and Delegations to the OSCE and Conflict Prevention Centre and, in accordance with Decision FSC.DEC/2/09 of the Forum for Security Cooperation, has the honor to transmit herewith the Croatian response to the Questionnaire on the code of Conduct on Politico-Military Aspects of Security.

The Permanent Mission of the Republic of Croatia to the OSCE avails itself of this opportunity to renew to the Permanent Missions and Delegations to the OSCE and to the Conflict Prevention Center the assurance of its highest consideration.



Vienna, 18 June 2011

**To:
The Permanent Missions and Delegations to the OSCE
The Conflict Prevention Centre
VIENNA**

FSC.EMI/75/11
18 April 2011

THE REPUBLIC OF CROATIA

ENGLISH only

**ANNUAL EXCHANGE OF INFORMATION
ON THE CODE OF CONDUCT ON POLITICO – MILITARY
ASPECTS OF SECURITY**

Zagreb, March 2011.

SECTION I – INTER-STATE ELEMENTS

1.

1.1.

Regarding international agreements and conventions related to the fight against terrorism, it is necessary to emphasize that the Republic of Croatia has ratified fourteen (14) universal legal counterterrorism instruments (UN conventions and protocols) while the remaining two SUA 2005 protocols (related to maritime security) are in the ratification procedure.

Current status of the ratified UN conventions and protocols is available at:

http://www.osce.org/documents/atu/2006/11/17123_en.pdf

The Republic of Croatia is a party to a wide range of international agreements within the Council of Europe framework that in a broader sense relate to terrorism (along with other forms of criminal issues). The Republic of Croatia has ratified Convention of the Council of Europe on the Prevention of Terrorism as well as Convention on Laundering, Search, Seizure and Confiscation on of the Proceeds from Crime and on the Financing of Terrorism.

Current status of the ratified Council of Europe's conventions and protocols is available at:

<http://conventions.coe.int/Treaty/Commun/ChercheMembres.asp?CM=3&CL=ENG>

Enhancing international cooperation within the framework of international institutions and geopolitical alliances, the Republic of Croatia actively participates in the world struggle against terrorism, through active cooperation within regional initiatives (SEDM, Quadrilateral Initiative, SEI, SECI, SEECP) as well as through the implementation of other international conventions and protocols on the prohibition of particular kinds of weapons, of which the Republic of Croatia is also a signatory, including:

1) Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines, and on their Destruction, dated 4th December, 1997 – ratified 24th April, 1998 (Official Gazette No. 7/98 of 15 May 1998);

2) Convention on Prohibitions or Restrictions on the use of Certain Conventional Weapons Which May Be Deemed to be Excessively Injurious or to Have Indiscriminate Effects, Regardless of the Aim from 10th October 1980 that came into force on 2nd December, 1983, and the five Protocols to the Convention – the Protocol on Non-Detectable Fragments (Protocol I) from 1980, the Protocol on Prohibition or Restriction on Use of Landmines, Booby Traps and other Devices (AP II) from 1980, the Protocol on Prohibition or Restriction on Use of Incendiary Weapons (Protocol III) from 1980, Amended Protocol II from 1996 and the Supplementary Protocol IV on Blinding Lasers Weapons from 1995; Amendment to Article 1 of the 2001 Convention and the 2003 Protocol on Explosive Remnants of War (Protocol V), (Official Gazette No. 11/2004), entered into force for Croatia on 12.11.2006 (Official Gazette No. 5/2006);

- 3) Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction from 1993 dated 13 January 1993, ratified 10 March 1995 (Official Gazette No. 4/95 of 13 April 1995);
- 4) Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction dated 10 April 1972 (SL SFRJ MU 43/74, Official Gazette No. 12/93-note of succession);
- 5) Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III)- ratified by Croatian Parliament on 30 March 2007; entered into force for Croatia on 13 December 2007 (Official Gazette No. 7/07 of 20 July 2007);
- 6) 1925 Geneva Protocol (Protocol for the Prohibition of the Use of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare) (Official Gazette No. 7/06 of 21.7.2006), ratified by Croatian Parliament on 30 June, 2006; entered into force for Croatia on 18 December 2006 (Official Gazette No. 1/07 of 12 January, 2007);
- 7) Protocol Against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, Supplementing the United Nations Convention against Transnational Organized Crime, ratified 10 November 2004 (Official Gazette No. 11/2004 of 10 December 2004);
- 8) Treaty on the Non-Proliferation of Nuclear Weapons (NPT) dated 01 July 1968 (SL SFRJ MU 10/1970; Official Gazette No. 12/93-note of succession);
- 9) Convention of the Physical Protection of Nuclear Materials (CPPNM) together with its amendments dated 26 October 1979 (SL SFRJ MU 9/1985; Official Gazette No. 12/93-note of succession);
- 10) Convention for the Suppression of Acts of Nuclear Terrorism, ratified by Croatian Parliament on 30 March 2007; entered into force for Croatia on 07 July 2007 (Official Gazette No. 9/07 of 31 October 2007);
- 11) Convention on cluster munitions in Oslo, 3 December 2008, ratified by the Croatian Parliament on 5 June 2009 (Official Gazette No. 5/2009 of 2 July 2009) and entered into force for the Republic of Croatia on 01 August 2010 (Official Gazette No. 2/2010 of 26 March 2010);
- 12) Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water, Moscow, 5 August 1963 (SL FNRJ MU 11/63; Official Gazette No. 4/94 – note on succession);
- 13) Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil

Thereof, Washington, London, Moscow, 11 February, 1971 (Sl. SFRJ MU 33/73; Official Gazette No. 4/94 – note on succession);

14) Convention on Nuclear Safety, Vienna, 17 June 1994, the Republic of Croatia signed it on 10 April 1995 (Official Gazette No. 13/95);

15) Comprehensive Nuclear Test Ban Treaty, New York 24 September 1996, the Republic of Croatia signed it in September 1996 and is state party as of 2001 (Official Gazette No. 1/01).

The Republic of Croatia is state party to the following export control regimes:

- 1.) The Nuclear Suppliers Group
- 2.) The Zangger Committee
- 3.) The Australia Group
- 4.) The Wassenaar Arrangement

The Republic of Croatia is the Subscribing State to the Hague Code of Conduct Against Ballistic Missiles Proliferation (HCOG).

The Republic of Croatia has applied to the export control regime:

- The Missile Technology Control Regime

Additional efforts:

- Croatia signed a Protocol Additional with the International Atomic Energy Agency for the Application of Safeguards in connection with the Treaty on the Non-Proliferation of Nuclear Weapons.
- The Republic of Croatia signed the Agreement between the Government of the Republic of Croatia and the Government of the United States of America of Cooperation on the prohibition of Weapons of Mass Destruction and promotion of defence and military relations, Zagreb, 04 February 2003., ratified by the Croatian Parliament on 13 June, 2003 (Official Gazette No. 12/03).
- Croatia actively supports the Proliferation Security Initiative. Proliferation Security Initiative Shipboarding Agreement between Croatian Government and US Government, Washington, 1 June 2005, ratified by Croatian Parliament on 2 February 2007 (Official Gazette No. 2/2007 of 28 February, 2007).
- As a supporter of the Proliferation Security Initiative on cooperation in the field of prevention of proliferation of the weapons for mass destruction by sea, to date, the Republic of Croatia has participated in several joint exercises.
- Croatia has given support to the activities of the Global Initiative to Combat Nuclear Terrorism, and it actively participates in its activities.

In addition to previous reports, in order to improve international cooperation in the field of suppression of organised crime, drugs and terrorism, the Government of the Republic of Croatia concluded 33 international bilateral Agreements on Police Cooperation, 14 international acts and 2 multilateral treaties.

The Government of the Republic of Croatia concluded 33 bilateral Agreements on Police Cooperation with the following countries: Albania, Belgium, Bosnia and Herzegovina (two agreements), Bulgaria, Czech Republic, Chile, Egypt, India, Italy, Latvia, Hungary, Republic of Macedonia, Moldova, Romania, the Slovak Republic, Slovenia, Sri Lanka, Sweden, Turkey, Ukraine, the United Kingdom of Great Britain and Northern Ireland, Austria, France, Germany, Hellenic Republic, Serbia, Israel, Kazakhstan, Malta, Poland and USA.

The Ministry of the Interior of the Republic of Croatia contracted 14 bilateral international acts with the Ministries of the Interior of the following countries: the Republic of Poland, Ukraine, Slovak Republic, Austria, Federal State of Bavaria, the Federal State of Baden Württemberg, the Republic of Montenegro, the Republic of Bulgaria, the People's Republic of China, the Russian Federation, Kingdom of Netherlands, USA, Kosovo and INTERPOL.

The Republic of Croatia is a signatory country of two multilateral treaties - EUROPOL and SECI Centre.

1. 2.

Activities undertaken by competent bodies of the Republic of Croatia with the purpose of eliminating the danger of terrorist activities are in line with the political and legal framework of the Republic of Croatia including all legal norms prescribed by international conventions. International treaties pertaining to the suppression of terrorism, to which the Republic of Croatia is a party, form part of the Croatian legal system. Pursuant to article 140 of the Constitution of the Republic of Croatia "International agreements concluded and ratified in accordance with the Constitution and made public, and which are in force, shall be part of the internal legal order of the Republic of Croatia and shall be above law in terms of legal effects."

Croatian Penal Code incriminates numerous criminal acts of international terrorism, including: Terrorism (Art. 169 PC), Public instigation to terrorism (Art. 169a PC), Recruitment and training for terrorism (Art. 169b PC), Endangering the Safety of International Protected Persons (Art. 170 PC), Taking of hostages (Art. 171 PC), Misuse of Nuclear and Radioactive Materials (Art. 172 PC), jeopardising the security of persons under international protection (Art. 170 PC), taking hostages (Art. 171 PC), misuse of nuclear substances (Art. 172 PC), airplane or ship hijacking (Art. 179 PC) and endangering the security of international air traffic and air-flights (Art. 181 PC), associating for the purposes of committing criminal acts against values protected by international law (Art. 187 PC), preparation of criminal acts against values protected by

international law (Art. 187a PC) and subsequent aid to perpetrator of the criminal act against values protected by international law (Art. 187b PC) etc.

For the purpose of combating terrorism the Republic of Croatia applies a broad scope of legislation covering different forms of criminal activities (organised crime, corruption, money laundering, trafficking in narcotics, arms, human beings etc.).

On 1 October 2004; (in accordance with Article 9 of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines, and on their Destruction;) Croatian Parliament passed the Act on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (Official Gazette No. 141/2004 of 13 October 2004).

Government of the Republic of Croatia adopted Action plan on combating money laundering and financing of terrorism which comprises measures to harmonize and improve legal, institutional and implementation framework related for all institutions within the Republic of Croatia which have role in common system of prevention and combating money laundering and financing of terrorism, in order to fulfil necessary international standards and for further improvement of existing system.

The Croatian parliament passed the new Anti Money Laundering and Terrorist Financing Law in order to fully harmonize it with the international standards and commitments (3rd EU Directive on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing, FATF Recommendations, EU Regulation No.1889/2005 on controls of cash entering or leaving the Community, EU Regulation No. 1781/2006 on information on the payer accompanying transfers of funds).

On 27 November 2008, the Government of the Republic of Croatia adopted a National Strategy for the Prevention and Suppression of Terrorism. Its implementation Action Plan is expected to be adopted by the first half of 2011.

A general description of the Croatian legal framework is available at:

[http://www.coe.int/t/e/legal_affairs/legal_co-operation/fight_against_terrorism/4_theme_files/apologie_-_incitement/Codexter%20Profile%20\(2009\)%20Croatia.pdf](http://www.coe.int/t/e/legal_affairs/legal_co-operation/fight_against_terrorism/4_theme_files/apologie_-_incitement/Codexter%20Profile%20(2009)%20Croatia.pdf)

1. 3.

Article 92 paragraphs 1 and 2 of the Defence Law (Official Gazette No. 33/02; No. 58/02; No. 76/07 and No. 153/09) regulate the role of the Armed Forces of the Republic of Croatia as follows:

„The Armed Forces protect the sovereignty and independence of Croatia and defend its territorial integrity.

The Armed Forces can, under the conditions stipulated by the Constitution, international treaties and law, participate in international peacekeeping, humanitarian and other operations, perform certain tasks in a state of immediate threat, and assist institutions of civil authorities and population in case of natural, technical, technological and environmental disasters.“

Concerning international military tasks and missions in the prevention and fight against terrorism, the Republic of Croatia actively participates in ISAF operation in Afghanistan since 2002. In December 2002, Croatian Parliament ratified the decision of the Government on the participation of a Military Police platoon of the Croatian Army in the International Security Assistance Force (ISAF) in Afghanistan. Croatia is a signatory to the Memorandum of Understanding ISAF III. It has been actively involved in the NATO-led ISAF peace support mission with a military contingent since 2003 and with a civilian component since 2005.

During 2010 fourteenth, fifteenth and sixteenth rotation of the military contingent has been deployed in Afghanistan. The Croatian military contingent has assumed a variety of tasks, including training and mentoring the Afghan National Army by the specialized units tailored to the needs of the ISAF mission. Croatia deployed its first OMLT (Operational Mentoring Liaison Team) in 2006 and since has been increasing support in training of ANSF. At the moment, there are 3 OMLTs (INF Kandak OMLT, CS Kandak OMLT, Garrison Level OMLT) operating in the area of RC North and supporting 209th ANA brigade. In addition, two Croatian officers support Corps Level OMLT.

In December 2006, Croatian Parliament ratified the decision on increasing the military contribution to ISAF to the maximum of 200 troops in 2007, and to 300 in 2008. Additionally, Croatian Parliament ratified the decision on the military contribution to ISAF to the maximum of 300 troops in 2009. By the end of 2009, Croatia had 296 soldiers within ISAF operation. In 2010 Croatia directed its efforts to a readjustment of the structure of its forces in Afghanistan.

At the beginning of September 2010, in line with the decision of Croatian Parliament from April 2010, along with its 16th contingent, Croatia increased National Contingent up to 320 troops contributing in ISAF. In support of new tasks and increased engagement, Croatia deployed 2 Police Operational Mentor and Liaison Teams - POMLTs (which include also the engagement of Croatian Ministry of Interior). In September 2010, Croatia also deployed additional contribution to NTM-A through engagement of teams of instructors and mentors for helicopter and logistics training (Mi-17 Air Mentor Team, ANA ENG School; ANA LOG School etc).

In December 2010 Croatian Parliament authorized the increase of Croatian national military contingent from 320 to 350 soldiers. Two thirds of additional forces will be trainers and instructors.

In July 2007, two police advisors from the Croatian civilian team, deployed with the PRT Feyzabad since January 2005, became part of the EU mission EUPOL AFGHANISTAN, whereas a diplomat continued his engagement as deputy head for civilian affairs with the German-led Provincial Reconstruction Team (PRT) Feyzabad.

Croatian contribution to the international efforts in stabilizing the situation in Afghanistan is the most extensive engagement of the Republic of Croatia in an international peace-support operation. It also reflects the determination and the capability of Croatia to contribute to NATO's operations, as well as the long-term commitment of the Republic of Croatia to support international efforts in the stabilization of Afghanistan.

In July 2008, Croatian Parliament ratified the decision on the military contribution to KFOR to the maximum of 20 troops and two helicopters. Croatia is currently participating in KFOR with maximum approved strength. At the moment the sixth rotation of the military contingent is deployed in the eastern part of Kosovo (Camp Bondsteel). In 2010 CAF has begun to conduct pre-deployment course for teams of liaison and monitoring (Liaison Monitoring Team Pre-deployment Course) for all countries participating in KFOR. During 2010, CAF hosted three courses, and in 2011 six courses will be held.

On 20 February 2009 Croatian parliament ratified the decision on the participation of the Republic of Croatia in the UN peace operation in the Republic of Chad and in the Central African Republic (MINURCAT). Upon the completion of the peace operation of the EU (EUFOR) on 15 March 2009, and subsequent procedure, 15 soldiers remained in MINURCAT until rotation in April 2009.

Under the administration of the UN, 2nd MINURCAT HRVCON served their 6 months term mandate until 20 October, 2009. The participation in MINURCAT has continued during 2009 with staff personnel (1 officer and 1 non-commissioned officer), and it has been ended in March 2010. Altogether, 32 Croatian soldiers participated in the two Chad missions.

At the beginning of 2010, the total strength of Croatia's contribution to 8 UN peacekeeping missions consisted of 126 peacekeepers. Gradually, until the end of 2010 Croatia's military personnel completed its contribution in UN peacekeeping missions MINURCAT. In 3 UN peacekeeping missions (UNMIS, UNFICYP, UNMIL) contribution is downsized for 4 position, so by the end of 2010 Croatia has participated in 7 mission with 120 soldiers. The largest Croatia's UN contribution remains in the buffer zone between Israel and Syria on the Golan Heights (UNDOF), where currently a total of 95 Croatian soldiers participate (as part of the Austrian battalion (AUSBATT) and a staff officer in UNDOF HQ). Altogether, 339 Croatian soldiers participated in the UN peacekeeping missions during 2010.

According to the decision of the Croatian parliament dated 3 April 2009, the Republic of Croatia participates in the European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the

Somali coast (Operation Atalanta). Agreement between the Republic of Croatia and the European Union on the participation of the Republic of Croatia in the European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast (Operation Atalanta), was signed in Bruxelles on 27 July 2009. It was ratified by Croatian parliament on 29 January 2010 and published on 17 February 2010 (Official Gazette No. 1/2010). In 2009, Croatian Navy officers were embarked on French and Belgium ship participating in operation Atalanta. In 2010, one Navy officer was embarked on a Holland ship and one an Italian ship. In December 2010, one Navy officer has been embarked to a Spanish ship (till June 2011), and one staff officer (fourth rotation) is currently deployed in the Atalanta HQ Operation Center in Northwood (UK).

In addition to its participation in the operations, Croatia puts a special emphasis on the active contribution to the development of the EU battle groups. Technical Agreement about participation in Nordic Battle Group with the Kingdom of Sweden has been signed in December 2010. During 2010 national preparation and training phase for EU BG has been conducted and Croatia will participate in the Nordic Battle Group which enters a stand-by period at the beginning of 2011 and will have that status until 30 June 2011. Croatia will contribute to the Nordic Battle Group through the engagement of two helicopters equipped with the corresponding MEDEVAC teams (medical evacuation teams). This is Croatian first participation in and supports of the EU BGs.

Croatia supports EULEX mission since November 2009 by lease of two APCs.

Finally, we would like to emphasize the fact that Croatia is employing significant efforts to educate and train its Armed Forces in counter-terrorism.

1. 4.

The Interagency Working Group for Suppression of Terrorism is the Government's main body responsible for coordinating national mechanisms for the implementation of UN Security Council resolutions 1373 and 1566 and other important documents in the domain of the UN, the EU, NATO, the OSCE, and the Council of Europe.

In addition, a new International Restrictive Measures Act was adopted on 21 November, 2008. This Act enables a more comprehensive and efficient implementation of the sanctions regimes (including the sanctions regime against Al' Qaida and Taliban, UNSC Resolution 1267), counting as well existing counterterrorism sanctions, that are adopted within the framework of the UN and the European Union (and other international organizations), including also those restrictive measures that the Republic of Croatia introduces in accordance with other obligations that are in conformity with international law.

In the Law on Coast Guard, passed by Croatian Parliament at the session on 03 October 2007 (Official Gazette No. 109/07 24 October 2007), in Chapter IV, the Republic of Croatia regulates the scope of work and assignments of the Coast Guard in the

“Suppression and Prohibition of Terrorism, International Organized Crime and Proliferation of the Weapons for Mass Destruction”, and in Chapter V “Suppression of Piracy and Other Forms of Open Seas Usage for Non-peaceful Purposes”.

The Government of the Republic of Croatia adopted in year 2009 National Small Arms and Light Weapons Control Strategy and Action Plan. In the same period the Government of the Republic of Croatia established interministerial National Authority with a responsibility for ensuring effective implementation of above mentioned documents.

The close link between terrorism and other forms of criminal activities has always been in the focus of all counter-terrorism strategies and effective measures. Since the main prerequisite for the preparation of terrorist actions is the accumulation of financial means, it is obvious why it must be dealt with the utmost vigorousness and resolve. To this end, a careful consideration must also be given to the full protection of human rights, especially to the right of personal privacy. For this reason, the Republic of Croatia attaches great importance to the legal basis for the prevention of financing terrorism, which, in addition to being contained in several international agreements, is also contained in the Penal Code, the Anti Money Laundering and Terrorist Financing Law, the Banking Act, the National Payment System Act, the Foreign Exchange Act, and the Law on Seizure.

The supervision over transactions pursuant to the Foreign Exchange Act is exercised by the Croatian National Bank and the Ministry of Finance – Financial Inspectorate and Customs Administration. The Croatian National Bank supervises banks and the Financial Inspectorate supervises exchange offices. Supervisory bodies exchange information needed in the process of supervision and inform each other of any irregularities found in the course of supervision, provided such findings are relevant to the work of the other supervisory body.

In December 1997, the Anti Money Laundering Office (AMLO) was established within Ministry of Finance, as an independent administrative and analytical body authorised for receiving information on financial transaction from obligated entities, relevant state authorities - supervisory authorities within the Ministry of Finance (Financial Police, Customs, Tax Department, Supervision of Foreign Transactions Department), the Ministry of Interior, and appropriate authorities and organisations, as well as to international organisations responsible for preventing money laundering.

The Croatian Parliament has passed Anti Money Laundering and Terrorist Financing Law at its session held 15 July 2008. The Law entered into force on 1 January 2009. The Law prescribes measures and actions in banking and non-banking financial operations, money-related and other operations taken for the purpose of the prevention and detection of money laundering and terrorist financing, reporting entities subject to the Law obliged to implement the measures and actions, supervision over reporting entities in their implementation of measures and actions in banking and non-banking financial operations, cash and other operations, which measures and actions shall be taken for the

purpose of money laundering and terrorist financing prevention and detection, tasks and jurisdictions of the Anti-Money Laundering Office as a Financial Intelligence Unit international co-operation of the Office, jurisdictions and actions of other state bodies and legal persons with public authorities in the detection of money laundering and terrorist financing, and other issues of significance for the development of the preventive system within the scope of money laundering and terrorist financing prevention. The provisions contained in the above mentioned Law concerning money laundering prevention equally apply to the countering of terrorist financing for the purpose of preventing and detecting activities of individuals, legal persons, groups and organisations in relation with terrorist financing.

The Anti-Money Laundering Office is an administrative organisation within the structure of the Ministry of Finance, performing tasks aimed at money laundering and terrorist financing prevention, as well as other tasks as provided for in the Law. As a Financial Intelligence Unit, the Office collects, stores, analyses and submits data, information and documentation on suspicious transactions to competent government bodies for further proceeding for the purpose of money laundering and terrorist financing prevention and detection in keeping with the provisions contained in the Law. In the money laundering and terrorist financing prevention and detection, the Office cooperates with the State Attorney's Office of the Republic of Croatia, the Ministry of the Interior – the General Police Directorate, the supervisory services of the Ministry of Finance (the Financial Inspectorate, the Customs Administration, the Tax Administration and the Financial Police), the Croatian Financial Services Supervision Agency, the Croatian National Bank, the Security-Intelligence Agency, the Ministry of Foreign Affairs and European Integration, the Ministry of Justice and with other state bodies. For the purpose of achieving the strategic and operational objectives, the above-mentioned bodies (including the Office) signed a protocol on cooperation and on the establishment of an inter-institutional money laundering and terrorist financing working group. Furthermore, the Office has a timely access, direct or indirect, to financial, administrative and security data, information and documentation relative to the implementation of the Law and regulations passed on the basis of the Law for the purpose of the Office's tasks performance, including the suspicious transactions analyses.

Within the framework of international cooperation in the field of global prevention of money laundering and terrorist financing, the Anti Money Laundering Office as a Croatian Financial Intelligence Unit has actively participated in the work of the Egmont Group of Financial Intelligence Units (FIUs) since June of 1998.

International standards pertaining to the prevention, uncovering and punishing money laundering are incorporated in the Croatian law (UN Convention against Illicit Trafficking in Narcotic Drugs and Psychotropic Substances; Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime; Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism; the 40 + 9 Recommendations by FATF (Financial Action Task Force); Council of Europe Directive on Prevention of the use of the Financial System for the Purpose of Money Laundering etc.).

International police co-operation is defined in the Police Act, Criminal Proceedings Act, Criminal Code, Act on International Legal Assistance in Criminal Matters, as well as in bilateral agreements and international acts mentioned under 1. (b).

The Republic of Croatia also entered into agreements with the SECI Centre and the European Police Office (EUROPOL).

The Agreement on Security between the EU and the Republic of Croatia was signed on 10th May 2006 and ratified on 1st November 2006.

EXISTING AGREEMENTS ON POLICE COOPERATION

Bilateral agreements which have been in force, signed, ratified and entered in legal force:

- Agreement on co-operation between the Government of the Republic of Croatia and the Government of the Republic of Bulgaria in combating organised crime, illicit trafficking in narcotic drugs and psychotropic substances, and terrorism, signed at Sofia on 26 November 1996. Ratified and published in the OG/ IT 10/03, entered into force on 1 August 1996 (OG/ IT 15/03).
- Agreement between the Government of the Republic of Croatia and the Government of the Czech Republic on co-operation in combating organised crime, illicit trafficking in narcotic drugs and psychotropic substances, terrorism as well as other kinds of dangerous criminal activities, signed at Prague on 30 November 1999. Ratified and published in the OG/ IT 8/01, entered into force on 1 September 2002 (OG/ IT 11/02).
- Agreement between the Government of the Republic of Croatia and the Government of the Arab Republic of Egypt on co-operation in combating organised crime, signed at Cairo on 22 November 2004. Ratified and published in the OG/ IT 5/05, entered into force on 30 July 2005 (OG/ IT 9/05).
- Agreement on co-operation between the Government of the Republic of Croatia and the Government of the Republic of India in combating illicit trafficking in narcotic drugs and psychotropic substances, international terrorism and organised crime, signed at New Delhi on 4 May 2001. Ratified and published in the OG/ IT 2/02, entered into force on 21 February 2002 (OG/ IT 5/02).
- Agreement between the Government of the Republic of Croatia and the Government of the Italian Republic on co-operation in combating illicit trafficking in narcotic drugs and psychotropic substances, and organised crime, signed at Rome on 28 May 1993. Ratified and published in the OG/ IT 13/93, entered into force on 4 May 1994.

- Agreement between the Republic of Croatia and the Republic of Latvia on co-operation in combating terrorism, illicit trafficking in narcotic drugs, and organised crime, signed at Zagreb on 23 February 2001. Ratified and published in the OG/ IT 11/03, entered into force 15 August 2003 (OG/ IT 17/03).
- Agreement on co-operation between the Government of the Republic of Croatia and the Government of the Republic of Macedonia in combating illicit international trafficking in narcotic drugs and psychotropic substances, international terrorism and organised crime, signed at Zagreb on 12 April 1996. Ratified and published in the OG/ IT 3/97, entered into force on 15 May 1997 (OG/ IT 8/97).
- Agreement between the Government of the Republic of Croatia and the Government of Romania on co-operation in combating terrorism, organised crime, illicit trafficking in narcotic drugs and psychotropic substances, as well as other kinds of illegal activities, signed at Zagreb on 30 September 2000. Ratified and published in the OG/ IT 6/02, entered into force on 21 May 2002 (OG/ IT 7/02).
- Agreement between the Government of the Republic of Croatia and the Government of the Slovak Republic on co-operation in combating organised crime, signed at Bratislava on 30 November 2000. Ratified and published in the OG/ IT 5/01, Entered into force on 30 November 2011.
- Agreement on co-operation between the Government of the Republic of Croatia and the Government of the Republic of Slovenia in combating terrorism, illicit trafficking in narcotic drugs and drug abuse, as well as organised crime, signed at Zagreb on 4 June 1993. Ratified and published in the OG/ IT 13/93, entered into force on 29 May 1994 (OG/ IT 1/97).
- Agreement between the Government of the Republic of Croatia and the Government of the Kingdom of Sweden on co-operation in combating crime, signed at Zagreb on 3 October 2005. Ratified and published in the OG/ IT 9/06, entered into force on 30 November 2006 (OG/ IT 1/07).
- Memorandum of Understanding on co-operation in combating serious crime, organised crime, trafficking in narcotic drugs, trafficking in persons, trade in human beings, international terrorism and related issues of mutual concern – concluded between the Croatian Ministry of the Interior, Ministry of Finance and Public Attorney's Office on one side, and the representatives of the Police Administration of Great Britain and Northern Ireland on the other, signed at Zagreb on 1 March 2002. Ratified and published in the OG/ IT 11/02, entered into force on 1 March 2002.
- Agreement between the Government of the Republic of Croatia and the Council of Ministers of Bosnia and Herzegovina on co-operation in border control, signed

at Sarajevo on 29 March 2007. Ratified and published in OG/IT 10/07, entered into force on 16 December 2007 (OG/ IT 1/08).

- Agreement between the Republic of Croatia and the Republic of Austria on Police Cooperation, signed at Vienna on 14 November 2007. Ratified and published in OG/IT 3/08, entered into force on 1 October 2008 (OG/ IT 7/08).
- Agreement between Government of the Republic of Croatia and Government of the Republic of Hungary on cooperation in combating cross border crime, signed at Heviz, on 4 October 2008. Ratified and published in the OG/IT 4/09, entered into force on 7 August 2009 (OG/ IT 8/2009).
- Agreement between the Government of the Republic of Croatia and the Government of the French Republic on Police Cooperation, signed at Paris on 10 October 2007. Ratified and published in OG/IT 7/08, entered into force on 1 September 2009 (OG/ IT 7/09).
- Agreement between the Government of the Republic of Croatia and the Government of the Hellenic Republic on co-operation in combating illicit international trafficking in narcotic drugs and psychotropic substances, international terrorism and organised crime, signed at Athens on 23 November 1998. Ratified and published in OG/IT 11/09, entered into force on 3 January 2010 (OG/ IT 13/09).
- Agreement between the Government of the Republic of Croatia and the Government of the State of Israel on co-operation in combating organised crime, signed at Jerusalem, on 16 September 2009. Ratified and published in the OG/ IT 1/10, entered into force on 1 April 2010 (OG/ IT 3/2010).
- Agreement between the Government of the Republic of Croatia and the Government of the Republic of Serbia on police co-operation, signed at Rijeka, on 25 September 2009. Ratified and published in the OG/ IT 1/10, entered into force on 7 May 2010 (OG/ IT 3/10).
- Agreement between the Government of the Republic of Croatia and the Government of the Republic of Moldova on co-operation in combating organised crime, illicit trafficking in narcotic drugs and psychotropic substances, terrorism as well as other kinds of serious crime, signed at Chisinau on 16 February 2006. Ratified and published in the OG/ IT 1/10, entered into force on 28 March 2010 (OG/ IT 4/10).
- Agreement between the Government of the Republic of Croatia and the Government of Malta on the Fight against Illicit Trafficking in Narcotic Drugs and Psychotropic Substances, Organised Crime and International Terrorism, signed at Zagreb on 7 April 2010. Ratified and published in the OG/ IT 9/10, entered into force on 5 January 2011.

List of bilateral agreements on interim bases:

- Agreement on cooperation between Government of the Republic of Croatia and the Government of Albania in the fight against terrorism, illegal trafficking and abuse in drugs and organised crime, signed at Zagreb on 14 December 1993. Ratified and published in the OG/ IT 6/94, entered into force on an interim bases on 14 December 1993.
- Agreement between the Government of the Republic of Croatia and the Council of Ministers of Bosnia and Herzegovina on co-operation in combating border crime, signed at Sarajevo on 17 September 2010.
- Agreement on police cooperation between Ministry of Interior Republic of Croatia and Ministry of Interior Slovak Republic, signed 17 November 2010.
- Agreement between Government of the Republic of Croatia and the Government of United States of America on the promotion of cooperation in preventing and combating serious crime, signed at Washington D.C. on 18 February 2011. Partially in force.

The following bilateral agreements not entered into force (only signed or ratified):

- Agreement between the Government of the Republic of Croatia and the Government of the Republic of Kazakhstan on the cooperation in suppressing organized crime, illicit trafficking in narcotic drugs and psychotropic substances, terrorism and other dangerous criminal activities, signed at Astana on 5 July 2007. Not entered into force.
- Agreement on co-operation between the Government of the Republic of Croatia and the Government of the Republic of Chile in the prevention and control of abuse and illicit trafficking in narcotic drugs and psychotropic substances, signed at Santiago on 15 June 2001. Ratified and published in the OG/ IT 11/04, not entered into force.
- Agreement on co-operation between the Government of the Republic of Croatia and the Government of Ukraine in combating terrorism, trafficking in narcotic drugs and drug abuse, as well as organised crime, signed at Kiev on 26 October 1993. Ratified and published in the OG/ IT 3/94, not entered into force.
- Agreement between the Government of the Republic of Croatia and the Government of the Republic of Turkey on co-operation in combating international trafficking in narcotic drugs and psychotropic substances, international terrorism and organised crime, signed at Ankara on 7 November 1995. Ratified and published in the OG/ IT 7/96, not entered into force.

- Agreement between the Government of the Republic of Croatia and the Government of the Democratic Socialist Republic of Sri Lanka on co-operation in combating illicit international trafficking in narcotic drugs and psychotropic substances, international terrorism and organised crime, signed at Colombo on 7 May 2001. Ratified and published in the OG/ IT 4/02, not entered into force.
- Agreement between the Government of the Republic of Croatia and the Government of the Kingdom of Belgium on Co-operation in Police Matters, signed at Zagreb on 19 October 2004. Ratified and published in the OG/ IT 5/05, not entered into force.
- Agreement between the Government of the Republic of Croatia and the Government of the Federal Republic of Germany on co-operation in combating organised and serious crime, signed at Berlin, on 10 March 2009. Ratified and published in the OG/IT 7/09, not entered into force.
- Agreement between the Government of the Republic of Croatia and the Government of the Republic of Poland on cooperation in the fight against crime, signed at Dubrovnik on 9 July 2010. Not entered into force.

List of bilateral international agreements

- Joint Declaration on co-operation between the Ministry of Internal Affairs of the Republic of Croatia and the Ministry of Internal Affairs of Baden-Württemberg on cooperation and improvement of standards of police performance, signed on 18 November 1998.
- Joint Declaration on co-operation between the Ministry of Internal Affairs of the Republic of Croatia and the Bavarian Ministry of Internal Affairs on fight against international organized crime, illicit trafficking of drugs and terrorism, signed in Münchenu on 28 November 1994, and new Declaration signed at Zagreb on 24 May 2000.
- Agreement between the Ministry of the Interior of the Republic of Croatia and the Ministry of the Interior of the Republic of Bulgaria on co-operation in police matters, signed in 2005.
- Agreement between the Ministry of the Interior of the Republic of Croatia and the Ministry of the Interior of the Republic of Montenegro on co-operation in police matters, signed at Zagreb, 22 November 2005.
- Agreement on co-operation between the Ministry of the Interior of the Republic of Croatia and the Ministry of Public Security of the People's Republic of China, signed in Beijing on 26 February 1997.

- Agreement on the prevention and detection of criminal activities, concluded between the Ministry of the Interior of the Republic of Croatia and the Ministry of Internal Affairs of Poland, signed in Warsaw on 8 November 1994.
- Agreement between the Ministry of the Interior of the Republic of Croatia and the Federal Service of the Russian Federation for Narcotics Traffic Control on cooperation in combating illicit traffic of narcotic drugs, psychotropic substances and their precursors, signed at Zagreb, 7 July 2007.
- Declaration on co-operation Ministry of the Interior of the Republic of Croatia and the Ministry of Internal Affairs of the Republic of Slovakia, signed on 28 October 1993.
- Declaration on cooperation between the Ministry of the Interior of the Republic of Croatia and the Ministry of the Interior of the Republic of Ukraine, signed at Zagreb on 24 May 1993.
- Memorandum of Understanding between the Ministry of the Interior of the Republic of Croatia and the National Protection and Rescue Directorate of the Republic of Croatia and the Ministry of the Interior and Kingdom Relations of the Kingdom of the Netherlands in the field of internal affairs, signed at Cannes, France, on 7 July 2008.
- Memorandum between the Republic of Croatia and the United States of America on combating crime, signed in Zagreb on 16 July 2009.
- Memorandum of Understanding on cooperation between the Ministry of the Interior of the Republic of Croatia and the Ministry of the Interior of the Republic of Kosovo, signed at Pristine on 5 October 2009.
- Memorandum of Understanding on the cooperation between Ministry of the Interior of the Republic of Croatia, General Police Directorate and the International Criminal police Organization, INTERPOL, signed in Zagreb on 18 June 2009.

The Republic of Croatia signed 2 multilateral agreements:

- Agreement on Operational and Strategic Co-operation between the Republic of Croatia and the European Police Office (EUROPOL), signed at Vienne on 13 January 2006, and ratified on 5 July 2006 (OG/ IT 7/06).
- The Agreement on Cooperation in Preventing and Fighting Cross-Border Crime and the Chapter on Organisation and power of the Southeast Cooperation Initiative (SECI) Regional Centre for Fighting Cross-Border Crime, signed in Bucharest on 16 November 1999 and ratified on 27 September 2000 (Official Gazette 104/00).

2.

2.1.

The Republic of Croatia concluded the Agreement between the signatories to the North Atlantic Treaty and other countries of the Partnership for Peace on the legal position of their forces with the Additional Protocol – SOFA. The Agreement entered into force on February 10, 2002 (“Official Gazette–International Agreements”, no 14/2001).

After becoming a NATO member, the Republic of Croatia concluded the Agreement between the Parties to the North Atlantic Treaty regarding the status of their forces (NATO SOFA). It was ratified by Croatian parliament on 10 July 2009 (Official Gazette No. 7/09). In respect of the Republic of Croatia, the Agreement came into force on 22 October 2009 (Official Gazette No. 11/09).

The Republic of Croatia signed the Protocol on the Status of International military headquarters set up pursuant to the North Atlantic Treaty. It was ratified by Croatian Parliament on 10 July 2009 (Official Gazette No. 7/09), and it entered into force for the Republic of Croatia on 22 October 2009 (Official Gazette No. 11/09).

The Republic of Croatia concluded the Agreement on the Status of Missions and Representatives of Third States to the North Atlantic Treaty Organisation. The Agreement was ratified in Croatian parliament on 11 December 2009, published in Official Gazette (Official Gazette No. 13/2009 of 28 December 2009) and entered into force for the Republic of Croatia on 28 January 2010 (Official Gazette No. 2/2010 of 26 March 2010) .

Croatian Parliament, at session of 16 June 2010 (Official Gazette No. 76/2010), passed the Changes of the Constitution of the Republic of Croatia. The amendments of the Article 7 are related to the provisions regulating the powers of state authorities to make decisions concerning deployment and operations of the Armed Forces of the Republic of Croatia outside the territory of the Republic of Croatia.

The Amended Article 7 of the Constitution of the Republic of Croatia (Official Gazette No. 85/2010 of 6 July 2010-revised text) states:

“The Armed Forces of the Republic of Croatia are to safeguard its sovereignty and independence and to defend its territorial integrity.

Assistance in safeguarding the sovereignty and independence and in defending the territorial integrity may be provided to the Republic of Croatia by the allied countries, in accordance with concluded international agreements.

The Armed Forces of the allied countries may cross the border and enter on the territory of the Republic of Croatia or operate within its borders, in accordance with concluded international agreements, on the basis of the Decision of the Croatian Parliament,

proposed by the Government of the Republic of Croatia with the prior approval of the President of the Republic of Croatia.

Republic of Croatia may provide assistance to the allied countries in the event of armed attack against one or more of them, in accordance with concluded international agreements, on the basis of the Decision of the Croatian Parliament, proposed by the Government of the Republic of Croatia with the prior approval of the President of the Republic of Croatia.

The Armed Forces of the Republic of Croatia may cross its borders and operate outside the borders of the Republic of Croatia on the basis of the Decision of the Croatian Parliament, proposed by the Government of the Republic of Croatia with the prior approval of the President of the Republic of Croatia.

The decisions referred to in paragraphs 3, 4 and 5 of this Article, are made by a majority vote of all members of the Croatian Parliament.

If the President of the Republic withholds his approval referred to in paragraphs 3, 4 and 5 of this Article, the Croatian Parliament makes a decision by two thirds majority vote of all members of the Croatian Parliament.

The Armed Forces of the Republic of Croatia may cross the borders of the Republic of Croatia in order to exercise and train, in the framework of international agreements to which Republic of Croatia acceded to or is in the process of accession on the basis of international agreements, and in order to provide humanitarian assistance on the basis of the Decision of the Government of the Republic of Croatia with the prior approval of the President of the Republic of Croatia.

The Armed Forces of the allied countries may cross the borders of the Republic of Croatia in order to exercise and train, in the framework of international agreements to which Republic of Croatia acceded to or is in the process of accession on the basis of international agreements, and in order to provide humanitarian assistance on the basis of the Decision of the Government of the Republic of Croatia with the prior approval of the President of the Republic of Croatia.

In cases set forth in Articles 17 and 101 of the Constitution the Armed Forces may be used, if so required by the nature of the threat, as an aid to police and other state authorities.

The Armed Forces of the Republic of Croatia may be used as an aid in fire protection, rescue and surveillance and protection of coastal rights of the Republic of Croatia.

The defence organization, command, management and democratic control over the Armed Forces of the Republic of Croatia are regulated by the Constitution and the law.”

In order to harmonise the Act with the Changes in the Constitution, Croatian Parliament, at session of 9 July 2010, passed the Act on Amendments to the Act on the Participation of Members of the Armed Forces, Police, Civil Protection and Civil Servants in Peacekeeping Operations and other Activities Abroad (Official Gazette No. 92/2010 of 24 July 2010).

The Act on Amendments to the Act on Participation of Members of the Armed Forces of the Republic of Croatia, Police, Civil Defence and Civil Servants in Peace Operations and other Activities Abroad amended Article 4 as follows:

„The decision on the participation of members of the Armed Forces of the Republic of Croatia in peacekeeping operations and other activities abroad, crossing the state border and their operations abroad is passed by the Croatian Parliament on the basis of the proposal of the Croatian Government with the prior approval of the President of the Republic of Croatia (hereinafter: President of the Republic).

Members of the Armed Forces of the Republic of Croatia are sent in peacekeeping operations and other activities abroad by the President of the Republic, as commander in chief, on the basis of the Decision of the Croatian Parliament .

Notwithstanding the provisions of paragraph 1 of this Article, the Croatian Parliament may decide on the participation of members of the Armed Forces of the Republic of Croatia in peacekeeping operations and other activities abroad, crossing the state border and their operations abroad without prior approval of the President of the Republic under the conditions set forth by the Constitution of the Republic of Croatia. "

The Act on Amendments the Act on Participation of Members of the Armed Forces of the Republic of Croatia, Police, Civil Defence and Civil Servants in Peace Operations and other Activities Abroad also added new article 4a, as follows:

„The decision on the participation of members of the Armed Forces of the Republic of Croatia in exercises and training abroad in the framework of international defence organizations to which Republic of Croatia acceded to or is in the process of accession on the bases of international agreements and in order to provide humanitarian assistance is passed by the Government of the Republic of Croatia with the prior approval of the President of the Republic”.

The Act on Amendments to the Defence Act is in the process of coordination. The proposed amendments are related to the provisions regulating the powers of state authorities to make decisions concerning deployment and operations of the Armed Forces of the Republic of Croatia outside the territory of the Republic of Croatia in accordance with the Changes in the Constitution.

At this moment, the issue of positioning the Armed Forces of the Republic of Croatia is regulated in Article 6 as amended by the Act on Amendments to the Defence Act

(Official Gazette No. 76/2007 of 23 July 2007). Paragraph 2 subparagraph 6 of the Article 6 was amended and new subparagraphs 7 and 8 were added as follows:

”Croatian Parliament:

- decides on Armed Forces deployment or operations outside the borders of the Republic of Croatia, except deployment or operations within the exercises in the framework of international defence organizations to which Republic of Croatia acceded to or is in the process of accession on the bases of international agreements and in order to provide humanitarian assistance,

- decides on the conduct of international military exercises in the Republic of Croatia with the participation of the Armed Forces of the countries outside the framework of international defence organizations to which Republic of Croatia acceded to or is in the process of accession on the bases of international agreements and on their entry into the Republic of Croatia,

- decides on the participation of the Armed Forces in international military exercises outside the Republic of Croatia with the participation of the Armed Forces of the countries outside the framework of international defence organizations to which Republic of Croatia acceded to or is in the process of accession on the bases of international agreements.”

Therefore in compliance with Article 7 of the Constitution of the Republic of Croatia, as amended on 16 June 2010, the responsibility concerning the decisions on deployment and operations abroad is distributed between the Croatian Parliament, the Government of the Republic of Croatia and the President of the Republic of Croatia.

SECTION II - INTRA – STATE ELEMENTS

1.

1.1.

In accordance with provisions of the Defence Law (Official Gazette No. 33/2002) and amendments and supplements to the Defence Law (Official Gazette No. 33/02, 58/02, 76/07 and 153/09) the responsibilities for decision making in defence sector are distributed among Croatian Parliament, the President of the Republic, the Government of the Republic of Croatia, and the Ministry of Defence. The Defence Law also defines planning with regard to the organization of the Armed Forces (Section II of the Defence Law).

Article 6 of the Defence Law defines the responsibilities of the Croatian Parliament, which includes:

- 1) Pass the Defence Strategy
- 2) Decide on budget portion for defence
- 3) Adopt the Long-term Plan of Development of the Armed Forces
- 5) Discuss and adopt the Annual Report of the Croatian Government (henceforth: Government) on the state of readiness of the Defence sector, personnel policy implementation and the general condition of the Armed Forces.

Through its respective bodies the Parliament surveys the implementation of the Defence Plan of the Republic of Croatia, as well as the conduct of Defence preparations.

Article 7 of the Defence Law defines the responsibilities of the President of the Republic (as the Supreme Commander of the Armed Forces), which includes:

- 2) Approving the proposed Defence Strategy of the Republic of Croatia
- 3) Provides previous opinion regarding the proposed Strategic Defence Review
- 4) Passing the Military Strategy
- 3) Approving the proposed Defence Plan of the Republic of Croatia
- 6) Passing the Decision on the Size, Structure and Mobilization Development of the Armed Forces
- 7) Passing the Decision on the Military Territorial Division of the Republic of Croatia
- 8) Approving the structure of commands, units and institutions of the Armed Forces
- 12) Passing the Plan of Deployment of the Armed Forces, the basis of command and control of the Armed Forces
- 13) Passing the binding guidelines for building Defence readiness of the Armed Forces, proposed by the Minister of Defence, and in compliance with the Defence Strategy of the Republic of Croatia
- 25) Provides previous opinion regarding the proposed legislation in Defence sector passed by the Government and Parliament.

Article 8 of the Defence Act regulates the responsibility of the Government of the Republic of Croatia, which includes:

- 1) Proposing the Defence Strategy to Croatian Parliament
- 2) Proposing the Defence budget to Croatian Parliament
- 3) Adopts the Strategic Defence Review
- 4) Proposing the Long-term Development Plan to Croatian Parliament
- 5) Delivering the Annual Report on the State of Readiness of the Defence System, Forces, Personnel Policy Implementation and the Overall State of the Armed Forces
- 6) Passing the Defence Plan of the Republic of Croatia.

Article 10 of the Defence Act defines tasks for the Ministry of Defence. These include:

- 1) Developing the proposed Defence strategy of the Republic of Croatia
- 2) Approving the proposed Military strategy of the Republic of Croatia
- 3) Drafts the Strategic Defence Review
- 4) Proposing the Defence Plan
- 5) Developing the Annual Report on the state of readiness of the Defence system, personnel policy implementation and the overall state of the Armed Forces

- 7) Establishing the structure of commands, units and institutions of the Armed Forces
- 8) Coordination of Defence plans developed by Defence subjects with the Defence Plan of the Republic of Croatia
- 9) Developing the Long-term Plan of Development of the Armed Forces
- 10) Defining, coordinating, developing and implementing the Defence policy
- 11) Developing the Defence system and implementing the of Defence planning function.

The Ministry of Defence is in charge of Defence matters for the Supreme Commander related to his Defence responsibilities.

Article 11 of the Defence Act regulates the tasks of the General Staff of the Armed Forces within the Ministry. These are, among others:

- 1) Cooperation on developing Defence Strategy of the Republic of Croatia
- 2) Developing the proposal of Military Strategy of the Republic of Croatia
- 3) Developing the proposed Plan of Armed Forces deployment
- 4) Developing the proposed Decision on the size, structure and mobilization development of the Armed Forces
- 5) Proposing Decision on military territorial division of the Republic of Croatia
- 9) Proposing and implementation of the structure of commands, units and institutions of the Armed Forces
- 13) Proposing the development, equipping and modernization of the Armed Forces.

Minister of Defence approves the proposed Plan for the Use of the Armed Forces prepared by the General Staff and forwards it to the President for adoption.

The above stated plainly shows that no government administration body has the exclusive responsibility for developing Defence regulations, documents and plans. The responsibility on all issues, including determining/approving military posture rests with several bodies, which roles may include proposing, approving, discussing, providing judgment, and passing a particular document, and making decision on a particular issue.

The comprehensive defence planning system, as a key component of the overall defence management is focused on the development of strategic and conceptual documents, as well as on the documents of operational and implementation planning. It consists of strategic, development, operational and implementation planning.

The national planning and decision-making process in determining/approving defence expenditures is part of the state budget developing process. It is a result of interaction among the President of the Republic of Croatia, Croatian Parliament, Croatian Government, the Ministry of Finance, the Ministry of Defence, and other ministries. The state budget for one year (and MOD budget, accordingly) is approved by Parliament.

The process is regulated by:

- The Budget Law "Official Gazette" No. 96/2003",
- The Law on State Budget Execution for current year,
- The Defence Act "Official Gazette" No. 33/2002, 58/2002, 76/07 and No. 153/09,

-The regulation on the Method of Planning, Programming, Development and Implementation of the MOD Budget “Official Gazette” No. 38/2003 and No. 168/2003.”

According to Article 18 of the Budget Law, the process of preparation of the state budget for the following year begins with a draft of the Ministry of Finance guidelines concerning the economic and fiscal policies for a three-year period. The guidelines shall contain prerequisites for the social and economic development for the three-year period, basic macroeconomic indicators, an estimate of revenues and expenses and receipts and expenditures of all levels of the budget of the Republic of Croatia, a broad proposal of the financial plan scope by budget users, projected changes in the state assets and assets of local and regional self-government units and the debt and a global overview of the assumed state budget obligations that shall be settled in the following years. The Ministry of Finance proposes the guidelines to the Government.

Article 20 of the Budget Law defines the obligation of the Ministry of Finance to deliver the instructions for the development of the state budget proposal to budget users and extra budgetary users (on the basis of the Government’s guidelines).

At the Ministry of Defence the process of developing defence budget proposal starts with the document of the Minister of Defence which contains basic guidance on defence planning priorities („Annual Defence Planning Guidance’s’’).

According to the regulation on the Method of Planning, Programming, Development and Implementation of the MOD Budget, the MOD Budget is made in the terms of programs and activities/projects to improve effectiveness of defence spending.

1. 2.

Drawing and adoption of policy and planning documents that define military capabilities of the Croatian Armed Forces, is being conducted in a transparent and open manner and all adopted documents are available to domestic and international public. In that way, all interested states have insight in the current situation and reasons for development of military capabilities. Also, through intensive bilateral and multilateral defence cooperation with all democratic states, especially with those from the region and close neighbourhood, security and defence talks are being held, through which all security questions, concepts and solutions are being discussed among participants.

Croatian foreign and security policy identifies contribution to international security, and sustainment of favourable regional and wider international environment, as one of the missions of Croatian Armed Forces.

The Republic of Croatia develops civilian and military capabilities focused on training, education and mentoring of the national forces in conflict-affected countries. Those capabilities, properly suited to concrete missions, contribute to security and stability, especially by providing assistance in the process of establishing self sustainable national forces and authorities.

As regards of police, it should be indicated that their task, in the course of regular police activities, namely: protection of life, rights, security and integrity of a person, protection of property, prevention and detection of crimes, misdemeanours and offences, searching for perpetrators of crimes, misdemeanours and offences and their bringing before competent authorities, control and supervision of road traffic, aliens-related tasks based on law, surveillance and protection of state border, and other tasks prescribed by law, is to protect the Constitutional values, also in relation to terrorist threats.

It should also be pointed out that the main operating authority of the MoI is the General Police Directorate, in the framework of which, within the Criminal Police Directorate, there is a specialised Anti-terrorism Department. Their task is prevention and suppression of terrorism. Within the General Police Directorate there are Special Police Headquarters responsible for counter-terrorist fight. Important segments are also Border Police Directorate and Counter-Explosive Department.

Furthermore, it should be said that specialised Sections for the Suppression of Terrorism have been set up within the regional police administrations of the first, second and third category and there are police officers in the fourth category police administrations who tackle the issues of terrorism.

2.

2.1.

The Constitution of the Republic of Croatia (Article 7 paragraph 12) states: “The defence organization, command, management and democratic control over the Armed Forces of the Republic of Croatia are regulated by the Constitution and the law.”

The Defence responsibilities of the Parliament as defined the Constitution of the Republic of Croatia (Article 81 paragraph 6 and 7) include:

- Adopting the National Security Strategy and the Defence Strategy and,
- Exercising civilian control of the Armed Forces and security services of the Republic of Croatia.

2.2.

Procedure of democratic political control of the Armed Forces is regulated in details by Article 6 of Defence Law. The competences of the Croatian Parliament are:

- 1) Passing strategic and planning documents in defence area
- 2) Adoption of defence budget
- 4) Discussion and adoption of Annual Report on the Readiness of the Defence System, the Conduct of Personnel Policy and the Overall State of the Armed Forces
- 6) Decision on deployment and activities of Armed Forces beyond the borders of the Republic of Croatia

- 9) Discussing, taking positions and formulating proposals of draft laws and other regulations in defence area
- 10) Considering realization of Croatian Defence Plan and implementation of defence preparations
- 12) Giving opinion on proposals to nominate and dismiss Chief of General Staff of the Armed Forces.

Rules of Procedure of the Croatian Parliament (Official Gazette no 6/02 and no 39/08), Article 64a, define competences of Defence Committee, as parliamentary working body that determines and monitors policy implementation and, in the procedure of passing laws and other regulations, has rights and responsibilities of main working body in areas concerning:

- 1) Organization and competences of state administration in defence area
- 2) Defense and protection
- 3) Cooperation with bodies in Croatia operating in defence and protection area
- 4) Other questions concerning defence and protection.

As a working body of Croatian Parliament, Defence Committee has responsibilities prescribed by Article 53 of the Rules of Procedure of the Croatian Parliament:

- 1) Monitors, in its area of responsibility, work of the Croatian Government and other bodies whose work is controlled by Parliament according to the Constitution and law,
- 2) Discusses about reports submitted by the bodies and institutions to the Parliament,
- 3) After debate, takes a position, formulates proposals of acts and reports them to the Parliament,
- 4) Initiates consideration of the issues related to the area of its responsibility, and is mandatory to examine every question from its area of responsibility that is being referred to them or that is being asking for by President or Presidency of Parliament,
- 5) At the parliamentary working body session, when proposals or opinions by the Government are being examined, a member of Government; state secretary; deputy state secretary in central state administrative office or Assistant Minister; and head of state administration body that is responsible for the question being examined, should be present.

According to Article 115 of the Rules of Procedure of the Croatian Parliament, the Parliament, or its working bodies, can ask for reports and information from ministers and officials that are managing the work of other state administration bodies, and they have the responsibility to:

- 1) Report on questions and emersions in their area of responsibility, that is, in ministry or in other state administration body,
- 2) Submit reports on implementation and enforcement of laws, and other acts, or tasks they are responsible for,
- 3) Submit information that is at their disposal, or which they are, in their area of responsibility, obliged to gather and register, and the files and other documents necessary for the work of the Parliament or working body,
- 4) Answer the questions referred to them.

2. 3.

Article 7 paragraphs 1 and 10 of the Constitution of the Republic of Croatia state that: "The Armed Forces of the Republic of Croatia are to safeguard her sovereignty and independence and to defend her territorial integrity... In cases set forth in Articles 17 and 101 of the Constitution the Armed Forces may be used, if so required by the nature of the threat, as an aid to police and other state authorities."

Croatian Armed Forces can provide assistance in fire fighting protection, perform rescue tasks and control and protection of the rights of the Republic of Croatia at the sea.

The Article 92 (of the Defence Act) states the matter as follows:

„The Armed Forces are assigned with safeguarding the sovereignty and the independence of the Republic of Croatia.”

The Armed Forces may, under the conditions defined by the Constitution, international agreements and the law, take part in international peace, humanitarian and other operations, perform different tasks in the event of imminent threat and provide assistance to the civilian government institutions and the population in the event of natural, man-made and environmental disasters.

3.

3. 1.

Recruitment procedure in the Republic of Croatia is prescribed by the provisions of the Defence Act.

Military service comprises recruitment, compulsory military service, civilian serving and serving in the reserve.

Women are not subject to recruitment and compulsory military service, but are subject to serving in the reserve (under the terms set forth in this Law).

Recruitment commences in the calendar year of the recruits' reaching 18, and lasts until commencing the military service or civilian serving, or transfer to reserve component or termination of military service in compliance with the provisions of the Act.

During the service the recruits are subject to:

- 1) registration with conscript register
- 2) medical and other examinations and psychological testing
- 3) recruitment
- 4) commencing the compulsory military or civilian serving
- 5) responding to the general or individual summons and other duties set forth in this Act

Recruiting is conducted by recruiting boards, set up by a decree of the Defence Minister.

The Defence Minister, with the approval of the minister of health, prescribes the measures and procedures for assessing psychological and health aptitude of conscripts for military service.

Recruiting is generally conducted in the year of conscripts' reaching 18.

Recruiting boards assess the aptitude of recruits for military service based on the findings and results of prior medical and psychological examinations, and if necessary, additional medical examinations.

The assessment categories are as follows:

- 1) capable of military service
- 2) temporarily incapable of military service
- 3) incapable of military service

Recruits evidently incapable of military service due to physical defect or severe illness are not referred to medical and other examinations.

Ineptitude for military service is declared on the basis of medical record enclosed and not older than 6 months, or the initial medical documents issued at the time of the onset of the physical defect or severe illness.

Recruits assessed temporarily incapable of military service will be invited for another procedure at the expiration of the period for which the ineptitude has been established.

Recruits found temporarily incapable of military service for the time exceeding the year in which they reach the age of 27 will be delegated to the reserve component following the expiration of the year in which they reach the age of 27.

If recruits are found temporarily incapable of military service twice on the same grounds, at the third examination the recruitment board is to make the final decision on his aptitude for military service.

3. 2.

In the Republic of Croatia, along with the exemption from military service on medical grounds and change of citizenship, conscientious objection is allowed. (Article 38 of the Defence Law):

“Conscientious objection is allowed to those who for religious or moral reasons refuse to take military duties in the Armed Forces” (hereinafter: civilian service subjects).

Requests for civilian service are to be submitted by recruits or reserve component members upon their registration with conscript register.

Civilian service is to be regulated by a separate law.

Through the Law Amending the Defence Act, Articles 39a and 39b are added after Article 39, reading:

»Article 39a

Croatian Parliament may pass the decision not to call up conscripts.

The Government may, with the prior approval of the Supreme Commander, propose to Croatian Parliament to pass the decision on not calling up conscripts.

The proposal referred to in paragraph 2 of this Article shall be drawn up by the Ministry of Defence, with the involvement of the General Staff, on the basis of defence requirements and interests of the Republic of Croatia.

Following the passage of the decision not to call up conscripts, the conscripts who desire so may by the end of the calendar year in which they turn 30 enlist for voluntary service in accordance with the regulation concerning the voluntary military service.

Women may also enlist for voluntary military service and are then subject to conscription.

The regulation concerning the voluntary military service shall be issued by the Minister of Defence.

Article 39b

In case of imminent threat or the state of war the decision not to call up conscripts shall not be applicable.

If the authorities are prevented from regularly discharging their legally prescribed duties while the decision not to call up conscripts is in effect, the Supreme Commander may at the proposal of the Prime Minister and with his co-signature pass the decision to call up conscripts.

The Supreme Commander shall submit the decision referred to in paragraph 2 above to Croatian Parliament for approval as soon as it is able to convene.«

39a, 39b

Amendments to the Defence Act enabled Parliament to put conscription into abeyance; this decision had been taken by Parliament on 5 October 2007 and took effect as of 1 January 2008. No conscripts have been called up since summer 2007. Amendments to the Defence Act also introduced the possibility of voluntary conscript military service, including voluntary conscript military service for women. All volunteers that still wish to serve can do so by the end of the year in which they attain the age of 30.

First generation of voluntary conscripts began to serve the voluntary military service in November 2008. Voluntary service lasts 8 weeks. Upon successful completion of training, in accordance with the results achieved in the training, conscripts will be offered the possibility of admission to active military service. During 2010 two generations of voluntary serviceman finished military training. In the year 2011 it is planned to organize the service of voluntary military service for two more generations.

3. 3.

Article 129 of the Defence Act states:

“To the Ministry of Defence will be Assigned senior and junior civil servants and active duty personnel, to organizational posts as defined by the Regulations on internal order in the Ministry of Defence. To the Armed Forces will be assigned active duty personnel and senior and junior civil servants, to organizational posts as defined in organization documents of the Armed Forces commands, units and institutions. The rights, duties and responsibilities of the personnel assigned to duty in the Armed Forces are regulated by a separate law.” (That is, the Law on Service in the Armed Forces, "Official Gazette" no 33/2002, March 29, 2002.)

According to Article 12 of the Law on Service in the Armed Forces, “the documents regulating admission into service, assignment, salaries, rights, duties and responsibilities as well as termination of the service are administrative documents”, meaning that they submit to the Law on general administrative procedure and the Law on administrative dispute (with the provisions on appeals procedure and initiating the administrative dispute before the Administrative Court of the Republic of Croatia by an injured party).

Article 14 of the Law states:

"All issues not envisaged in this Law or regulations based on it shall be regulated by the regulations concerning senior and junior civil servants, by the general labour regulations as well as the Collective Agreements concluded in compliance with those."

In June 2008 Regulations of voluntary military service were adopted, which in detail regulate issues relating to voluntary military service.

4.

4.1.

As regards to the International Humanitarian Law and Law of War (Law of Armed Conflict) they are made widely available as, according to Article 140 of the Constitution of the Republic of Croatia (Official Gazette No. 41/01 and No. 55/01) all international agreements that are concluded and ratified are published, in English and Croatian language, in Official Gazette, in order to form a part of internal legal order and have precedence over the national laws in the hierarchy of legal acts of the Republic of Croatia. Accordingly this procedure also applies to international conventions in the field of Humanitarian Law and Law of War that are published in Official Gazette and so made available in printed version and on web site.

Every member of the Armed Forces, in addition to familiarization with national laws and regulations, acquires a basic grounding in International Humanitarian Law and Law of War (Law of Armed Conflict) during regular training activities provided at the various stages of Croatian military service. Training levels are: soldiers; NCOs; officers; participants in international activities (NATO/PfP, UN, EU) and legal advisers. Methods of education are: education in military educational institutions; seminars; practical training – exercises and written documentation (manuals, handouts etc.).

The education curricula of the officers of the Armed Forces of the Republic of Croatia include topics relating to the treatment of civilians in armed conflicts. Within this education the following issues are dealt with:

- General principles and starting points of the Geneva and the Hague Conventions;
- Basic prohibitions concerning the objective, weapons and tactics of the Armed Forces;
- Proper treatment of prisoners of war and other prisoners and members of protected categories.

The Croatian peacekeeping forces are given special training that reflects Croatian desire to dispatch qualified personnel on peace missions. The civil rights and special needs of persons as individuals or representatives of groups in armed conflicts are an integral part of the training program which is conducted in the International Military Operations Centre of the Croatian Armed Forces (IMOC). Its task is:

- Training of participants in international activities;
- Preparation, training, sending, replacement, observation of participants in international activities;
- Peace keeping/peace support operations, joint exercises in NATO/PfP, humanitarian aid operations, natural disasters etc. and
- Cooperation with similar centres in other countries

The Croatian Ministries, Offices of the Government and State Administrative Offices as well as professional groups working with and for the peace keeping/peace support operations, joint exercises in NATO/PfP and humanitarian aid operations including NGOs, pass specific training according to their role in the national implementation of the international humanitarian law.

4. 2.

Article 92 paragraph 3 of the Defence Law (Official Gazette No. 33/02; No. 58/02; No. 76/07 and No. 153/09) regulates the issue as follows:

„Members of the Armed Forces shall in all situations while deployed in combat or non-combat operations abide by the principles of International Humanitarian Law on human treating the enemy soldiers and other inherent regulations in compliance with the Constitution, international agreements and the law.“

4. 3.

Article 92 paragraph 4 of the Defence Law regulates the issue as follows:

“Members of the Armed Forces are allowed to refuse orders compelling them to act contrary to the provisions of the Constitution and international law.”

4. 4.

Article 80 of the Constitution of the Republic of Croatia (Official Gazette No. 41/01 and No. 55/01) provides that the Croatian Parliament shall: "... - realize civil control over the Armed Forces and the security services of the Republic of Croatia..."

Article 92 paragraph 4 of the Constitution of the Republic of Croatia regulates the issue of protection of civil rights of the individual service members as follows:

"Within the office of the People's Ombudsman, protection of the constitutional and legal rights of citizens in the proceedings before the Ministry of Defence, the Armed Forces and security services, protection of the rights of citizens before the bodies of the local and regional self-government and protection of the right to the local and regional self-government before the governmental bodies, shall be provided."

Article 1 of the Law on Service in the Armed Forces of the Republic of Croatia (Official Gazette No. 33/02; No. 58/02; No. 175/03; No. 136/04; No. 76/07; No. 88/09 and No. 124/09) provides that:

"The provisions of this Law regulate service in the Armed Forces of the Republic of Croatia (hereinafter referred to as: Armed Forces), ranks and the assigning of ranks, promotions and other status-related matters, and the rights and obligations of the members of the Armed Forces."

According to the Article 11 paragraph 2 of the Law on Service in the Armed Forces of the Republic of Croatia: "The rights guaranteed by this Law are exercised by all members of the Armed Forces under equal terms."

Furthermore Article 14 of the Law on Service in the Armed Forces of the Republic of Croatia regulates this issue as follows:

"To all matters not regulated by this Law or by the rules and regulations adopted on the basis of this Law, the regulations for civil servants and employees, other general work-related regulations, and collective agreements concluded in accordance with them shall apply."

Article 11 of the Law on Service in the Armed Forces of the Republic of Croatia in its paragraphs 2, 3 and 4 regulates the matter of political neutrality of the Armed Forces:

"Members of the Armed Forces serving in military establishments and units are forbidden to engage in political activity: they shall not establish parties, or hold political gatherings and demonstrations.

Members of the Armed Forces are forbidden to participate in political gatherings and demonstrations, and to make public statements on the situation in the Armed Forces,

or on internal relations therein, without the authorisation of the Minister of Defence or a person authorised by him/her.

Active servicemen are not permitted to hold membership of political parties. Active servicemen, civil servants and employees are not permitted to run for representational civilian bodies, representational bodies of local and county (regional) self-government, or for the Croatian Parliament.”

4. 5.

All Croatian legislation, including defence policy and doctrine documents, are consistent with international law as a result of their regular and thorough review with regard to domestic constitutional and legal arrangements as well as their compliance with international legal obligations of the Republic of Croatia.

As a liable member of the international community, the Republic of Croatia highly appreciates the role that international legal norms have in regulating relations among states and other subjects of the international law. This is regulated by the Article 140. of the Constitution of the Republic of Croatia in which it is stated how international agreements which are concluded and ratified in accordance with the Constitution and made public are a part of the internal legal order of the Republic of Croatia and shall be above law in terms of legal effects.

During the drawing and adoption of defense policy documents (and all other policy and legal documents), transparent and multi-step procedures of adoption and discussions are applied, through which harmonization with the Constitution of the Republic of Croatia is assured, as well as harmonization with domestic legal framework and provisions of the international law. The key role in this is given to the Legislation Office of the Government of the Republic of Croatia, a national expert body which gives opinion on the harmonization of the proposed laws and other acts made by the Government with the Constitution of the Republic of Croatia and legal order of the Republic of Croatia. They also prepare and draw drafts of the documents that are brought by the Government of the Republic of Croatia and Croatian Parliament.

SECTION III - PUBLIC ACCESS AND CONTACT INFORMATION

1. 3.

All Croatian legislation, including defence policy and doctrine documents, are consistent with international law as a result of their regular and thorough review with regard to domestic constitutional and legal arrangements as well as their compliance with international legal obligations of the Republic of Croatia.