

SERBIA AND MONTENEGRO

Statement

by

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At

The Second Biennial Meeting of States

On

**Implementing of the UN Programme of Action to
Preventing, Combatin and Eradicating the Illicit
Trade in Small Arms and Light Weapons in All Its Aspects**

New York, 11 July 2005

Mr Chairman,

Allow me on behalf of the Delegation of the Serbia and Montenegro to congratulate you upon the election to the post of the Chairman. I am confident that under your leadership the work of the meeting will be active and successful.

Mr Chairman,

Serbia and Montenegro attaches great importance to the practical implementation of the UN Programme of Action on SALW and submits to the UN Secretariat national information on the implementation of the Programme of Action on an annual basis.

On national level preparations are under way to establish a coordinating body that would include all relevant Ministries of Serbia and Montenegro and representatives of the Governments of the Republic of Serbia and the Republic of Montenegro. The preparations are carried out in cooperation with the UNDP Office in Belgrade, tasked with facilitating the implementation of the project of assistance to Serbia and Montenegro in strengthening the control of small arms and light weapons.

The state union Law on Foreign Sales of Arms, Military Equipment and Dual-Purpose Goods was adopted in February 2005. It was published in *Official Gazette of Serbia and Montenegro* No. 7 of 18 February 2005 and entered into force on 31 March 2005.

The Law specifies all the activities included in the sale of arms, military equipment and dual-purpose goods, while the Ministry for International Economic Relations is the central authority responsible for the implementation of the Law at the state union level. Furthermore, the Law contains clearly defined provisions according to which the Ministry of Defence and the Ministry of Foreign Affairs actively participate in the process of issuing licences and have the right of veto in certain situations. All in all, the provisions of the Law are closely knit and balance relevant pieces of domestic legislation, regulations and administrative procedures to ensure a truly effective export control.

The Law provides for the consideration of political and security aspects of exports and the establishment of the existence of arms embargos, as well as the assessment of economic aspects of export arrangements prior to the issuance of an export licence. A licence for a specific country and a specific quantity will be issued only after it has been established that the requisite conditions have been fulfilled, that the export is not banned by an arms embargo and that it is economical. With respect to specific exports, special attention is paid to the authenticity of the end-user certificate. Issuance of transit permits is determined by a similar procedure.

The state union Law on Hand-Held Firearms, Device and Ammunition Testing was adopted in July 2004. It was published in *Official Gazette of Serbia and Montenegro* No. 31 of 2 July 2004.

In force in Serbia and Montenegro is the Law on Hand-Held Firearms, Devices and Ammunition Testing. It targets manufacturers of arms and military equipment, small arms and light weapons specifically. The Law provides for the procedure and methodology of marking each piece of small arms and light weapons that the records are kept by the manufacturer. Each manufactured piece of arms and a round of ammunition, contain lasting and visible marks indicating the manufacturer, serial number, type of arms and the imprint of homological testing. The manufacturer marks the ammunition, too, by imprinting a lasting mark indicating the manufacturer's name or trademark or commercial name. The records are kept for ten years.

The Law on Arms and Military Equipment Production is in preparation and its draft is expected to be submitted for adoption to Parliament by the end of 2005.

Union member states adopt their own laws on arms and ammunition.

No small arms and light weapons were destroyed either by the military or police in 2004 as no donor showed interest. However, Serbia and Montenegro was the most successful among the countries of the region between 2001 and 2004 as it destroyed more than 100 000 pieces of arms and more than two million rounds of ammunition. Better potential donor arrangement possibilities will be explored in 2005. All procedures applied in Serbia and Montenegro in the destruction of small arms and light weapons, ammunition and missile systems are in full compliance with international standards. All arrangements were fully transparent and carried by the media.

Disarmament is a process that each state regulates by its own laws in accordance with its defence interests. Reduction of personnel, arms and military equipment is contingent upon decisions of competent organs and institutions, particularly upon doctrinary documents, such as national security strategies, defence strategies, military doctrines etc.

The process of transformation and reorganisation of the Army of Serbia and Montenegro is under way. The General Staff of the Army of Serbia and Montenegro has been subordinated to the Ministry of Defence. The *Defence Strategy* and the *Defence White Book*, the major documents related to the assessment of unit number requirements and the existing stocks of arms and military equipment, have been published.

Upon being declared surpluses, small arms and light weapons and ammunition will be treated as commercial goods or, depending on their condition, singled out for destruction.

Regional cooperation on all aspects of small arms and light weapons has been improved, while Serbia and Montenegro has actively contributed to the prevention of illicit trafficking and the fight against separatism and terrorism and the suppression of organised crime.

Special attention has been given to public awareness and information exchange with countries in the region in the light of a great interest in developing cooperation in this field. In the immediate future, we look forward to the implementation of the project for the destruction of certain quantities of small arms and light weapons, in cooperation with donor and other countries, as well as with NATO and its NAMSA agency.

Mr Chairman,

After this meeting, it will be time for us to turn our attention to the 2006 review conference. It is Serbia and Montenegro's view that progress to date is a good basis for developing a stronger, more comprehensive program of action. The success of the conference in many respects will depend on close interaction of the UN with regional organizations working in the sphere of international security and arms control.

Taking into account the importance of the efforts on preventing of especially dangerous SALW, first of all man-portable air defence systems, from getting into the hands of terrorists, Serbia and Montenegro destroyed 1200 MPADS "Strela-2M" in February 2004, as a good-will step. Serbia and Montenegro also looks forward to working constructively with others on negotiations for international instruments on the marking and tracing of small arms and light weapons.

Thank you.