

22 June 2007

Screening report

Croatia

Chapter 31 – Foreign, security and defence policy

Date of screening meetings:

Explanatory meeting: 14 September 2006

Bilateral meeting: 2 October 2006

I. CHAPTER CONTENT

The common foreign and security policy (CFSP) and the European security and defence policy (ESDP) are based on legal acts, including legally binding international agreements, and on political documents. The *acquis* consists of political declarations, actions and agreements. Member States must be able to conduct political dialogue in the framework of CFSP, to align with EU statements, to take part in EU actions and to apply agreed restrictive measures. Applicant countries are required to progressively align with EU statements, and to apply restrictive measures when and where required.

II. COUNTRY ALIGNMENT AND IMPLEMENTATION CAPACITY

This part summarises the information provided by Croatia and the discussion at the screening meeting. Croatia indicates that it can accept the *acquis* regarding foreign, security and defence policy. Croatia indicates that it does not expect any difficulties to implement the *acquis* by accession.

The main objectives of Croatian foreign policy are defined as full EU and NATO membership, enhancing relations with neighbouring third countries, developing bilateral and multilateral international cooperation and overall promoting Croatia and its economy. When invited, Croatia aligns with EU declarations, demarches and common positions. From January 2004 to mid September 2006 Croatia aligned with 390 such measures. In order to execute its foreign policy, Croatia has the necessary legal instruments such as a Foreign Service Act, a State Administration System Act, an Act on Conclusion and Implementation of International Treaties. The Croatian Foreign Service consists of almost 1500 employees with 49 Embassies¹, 6 Missions and 23 Consulates General and Consulates.

II.a. CFSP – political dialogue

There has been regular political dialogue between the EU and Croatia since 2001. Since February 2005 this dialogue also takes place in the framework of the Stabilisation and Association Agreement (SAA). Informal consultations and briefings with the EU take place in third countries as well as in international organisations.

With regard to EU policies vis à vis specific areas, such as the European Neighbourhood Policy (ENP), Russia, the Middle East Peace Process, the Gulf Cooperation Council, the Euro-Mediterranean Partnership, the Transatlantic Dialogue, the ACP countries as well as Latin America and Asia, Croatia stated that it foresees no difficulties in implementing CFSP positions.

Croatia sees intensive and well developed relations with the countries of the Western Balkans as one of the priorities of Croatia's foreign policy. Croatia actively contributes to several regional initiatives, such as the South East European Cooperation Process (SEECP), the Stability Pact, the Central European Initiative (CEI), the Adriatic-Ionian Initiative, the Quadrilateral, the Alps-Adriatic Working community etc.

With regard to Bosnia and Herzegovina a Joint Declaration on the development of partnership cooperation in the European context and on the expedient settlement of the remaining open issues was adopted in August 2005 by the Prime Ministers of both countries. Croatia supports solutions for the constitutional framework of Bosnia and Herzegovina which would facilitate the country's EU integration process and would lead to a sustainable

¹ In January 2007 Croatia opened an Embassy in Podgorica, Montenegro, total nr of Embassies = 50.

solution for all three constituent peoples, including the protection of vital interests of Bosnian Croats. Although currently on hold, Croatia expects that the ratification of the "Agreement on the States Border" will be completed shortly and that the negotiations on property relations will be concluded in the near future. Croatia stated that it supports Serbia's objective of EU accession, provided Serbia complies with all the pre-established criteria and fulfils its commitments, including full cooperation with the ICTY (International Criminal Tribunal for the former Yugoslavia). Croatia indicated that a number of open issues between both countries remain to be settled, such as missing persons, return of refugees, open border issues and property relations. Croatia declared that it supports basic principles and guidelines of the EU policy for Kosovo under UN SCR 1244. Croatia stated that its relations with Montenegro were developing well and open border issues were expected to soon be settled. Croatia stated that relations with Albania and with the former Yugoslav Republic of Macedonia are friendly and intensive with no open issues.

II.b. CFSP and ESDP – political strategy

Croatia is prepared to accept the legal structure and the organisational arrangements required for full participation in the EU's CFSP. Croatia assured that it will – upon accession – take on the objectives of the EU stated in Title I, Article 2 of the EU Treaty, and in particular the objectives of the CFSP as stipulated in the provisions of Title V of the EU Treaty. Croatia stated that it has all the necessary institutions and mechanisms, and a developed diplomatic network which, with small adjustments, will be ready to constructively participate in the implementation of CFSP/ESDP. Croatia is upgrading its IT infrastructure and increasing the number of professionals dealing with CFSP/ESDP in headquarters as well as in Brussels.

Restrictive measures

The legal basis for the implementation of UN restrictive measures lies in the Constitution (Article 140), and in, *inter alia*, Article 2 of the Act on International Restrictive Measures. Croatia stated that it is committed to effective implementation of restrictive measures in accordance with the *acquis*.

The two main bodies responsible are the "Interagency Working Group for monitoring of the implementation of the Act on International Restrictive Measures" and the "Interagency Working Group for the Suppression of Terrorism". Croatia intends to continue strengthening its national coordination and bodies responsible in the field of restrictive measures and so that it will be ready to ensure full and effective implementation of EU restrictive measures in accordance with applicable Community/Union law and national legislation upon accession to the EU.

(See chapter 24 – justice, freedom and security for crime related fight against terrorism and terrorist financing and confiscation).

Conflict prevention

Croatia is cooperating with the EU within the UN and other international organisations and aligns itself with the various EU statements related to conflict prevention. As a future EU Member State, Croatia will follow the aims, directives and political decisions of the EU in this area, in particular in relation to neighbouring countries and regions.

Non-proliferation and WMD/SALW strategy

With regard to the non-proliferation of *Weapons of Mass Destruction (WMD)*, Croatia's objective is to strengthen the national legislation, administrative and institutional practices, as well as cooperation at the regional, European and global levels in accordance with the EU Strategy objectives. Croatia participates in non-proliferation and arms control regimes, such as the International Atomic Energy Agency, the Organisation for the Prohibition of Chemical Weapons, the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organisation, the Nuclear Suppliers Group, the Zangger Committee, and in the Proliferation Security Initiative. Croatia has applied to participate in the Australia Group² and the Missile Technology Control Regime. The main responsible body is the National Authority for the Non-proliferation of WMD, established in 2005.

With regard to the control of *Small Arms and Light Weapons (SALW)*, Croatia is presently drafting a national strategy and action plan with the aim of establishing a more effective system of SALW and ammunition control in all segments (stockpile management, surplus, possession, awareness-raising, capacity-building, legislative improvement). Croatia has signed a number of agreements in this sector, and has also voted in favour of the "UN Program of Action to Prevent, Combat and Eradicate the Illicit Trade in SALW in All its Aspects", and accepted the principles contained in the EU Code of Conduct on Arms Export. The main bodies responsible in the area of SALW are the following: Ministry of Interior (possession, transit, marking and tracing and awareness-raising), Ministry of Defence (stockpile management and surpluses), Ministry of Economic Affairs, Labour and Entrepreneurship (issuing licenses for export of SALW for commercial purposes). The inter-ministerial Commission for arms and ammunition has the mandate to develop the National strategy and the Action Plan for combating problems related to SALW and its ammunition.

Croatia is a participating State in the Wassenaar Arrangement on export controls for conventional arms and dual-use goods and technologies. *See chapter 30 – external relations for dual-use goods.*

Cooperation with international organisations

Following its ratification, the Rome Statute establishing the *International Criminal Court (ICC)* entered into force in Croatia in July 2002. Croatia shares the objectives of the EU Common Position 2003/444/CFSP on the ICC and has repeatedly resisted pressures from the US to sign an agreement on the exemption of US citizens.

As a member of the *UN*, *OSCE* and the *CoE* (Council of Europe), Croatia is fully involved in the policy making of these bodies. This includes, *inter alia*, participation in peacekeeping missions, training and in exchanging of information.

Security measures (classified information)

The legal framework on security procedures for the exchange of classified information is largely in place. An Agreement between Croatia and the EU on security procedures for the exchange of classified information signed in April 2006 has been ratified. The modification of the Data Secrecy Act and the Information Security Act is in progress – the aim being to regulate the field of information security fully in accordance with EU standards. The participation of Croatia in the ACN (Associates Correspondent's Network) facilitates alignment with CFSP acts and communication with the EU in general. Croatia declared its preparedness to be included in the EU-COREU/CORTESY network upon accession. The

² In April 2007, Croatia became the 45th member of the Australia Group.

Office of the National Security Council acts as the National Security Authority (NSA) of Croatia and coordinates all issues relating to the security arrangements.

II.c. ESDP – contributing capacities

Croatia indicated it was ready to actively support the ESDP.

Croatia participates in several regional defence cooperation mechanisms such as the US-Adriatic Charter, CENCOOP (Central European Nations Cooperation in Peace Support), Quadrilateral/Multinational Land Force, Project Adrion and SEDM (South Eastern European Defence Ministerial).

With regard to administrative capacity, the restructuring of the Ministry of Defence and General Staff is in progress in view of the future activities in the ESDP area. Croatia indicated that the ESDP training activities will be followed up in 2007 and the forthcoming years more intensively.

Crisis management (civil and military)

Croatia's armed forces participate in the following UN-led missions: India and Pakistan (UNMOGIP), Western Sahara (MINURSO), Ethiopia and Eritrea (UNMEE), Liberia (UNMIL), Sudan (UNMIS), Ivory Coast (UNOCI), Cyprus (UNFYCIP), Haiti (MINUSTAH) and Georgia (UNOMIG) with 31 personnel on the spot. Furthermore, 149 Croatian armed forces personnel are deployed in Afghanistan (ISAF). 18 police officers are presently in peace keeping missions in East Timor, Cyprus, Kosovo (under UN SCR 1244), Jordan and Afghanistan. Until 2009 Croatia intends to gradually strengthen its capacity for peacekeeping missions with a deployment of 30 police officers.

The participation of Croatian Armed Forces abroad is scheduled to increase from presently 200 members to some 600 in 2010 (up to 150 in UN-led operations and up to 450 in NATO and EU-led operations) and some 700 from 2011 onwards. Croatia is also preparing for participation between 2011 and 2015 in EU Battle Groups. Croatia gives Host Nation Support (HNS) to the military operation in Bosnia and Herzegovina (EUFOR-Althea).

III. ASSESSMENT OF THE DEGREE OF ALIGNMENT AND IMPLEMENTING CAPACITY

In this chapter, Croatia is well prepared for accession. When requested to do so, it aligns itself with EU common positions, declarations, statements and demarches. In order to be fully prepared, Croatia needs to strengthen implementation and enforcement of arms control and to further improve capacity for full implementation of CFSP-ESDP, including with respect to the various treaties and agreements to which Croatia is party. Croatia should also continue actively engaging in regional cooperation and to enhance efforts aimed at resolving outstanding bilateral issues with the Western Balkan neighbouring countries.

Apart from EU and NATO accession, Croatia's main foreign policy objective is the development of relations with neighbouring countries in the Western Balkans. Croatia has consistently aligned with the CFSP positions and supported the ESDP missions in the Western Balkans. Croatia will have a relatively limited contribution to make to EU's ESDP capacities. Overall, the impact of Croatia's accession on the EU's foreign and security policy is expected to remain limited.

III.a. CFSP – political dialogue

Croatia fully shares the EU's objective of promoting sustained peace and stability in the Western Balkans. Croatia has consistently aligned with the CFSP positions on the countries of the region.

Croatia supports the Thessaloniki agenda and the EU ambitions of the Western Balkan countries. Croatia actively engages in regional cooperation initiatives such as the South East European Cooperation Process (SEECP), the Stability Pact, the Central European Initiative (CEI), and the Adriatic-Ionian Initiative. Its Chairmanship of the SEECP is contributing successfully to the process of transferring 'ownership' to the region. Croatia is also working towards further deepening relations with its Western Balkan neighbours. In recent years it has signed and begun implementing an increasing number of bilateral agreements in a range of areas.

A number of bilateral issues between Croatia and its Western Balkan neighbours nevertheless burden relations and remain to be fully addressed, such as on borders, refugee return and property rights. Croatia will need to continue its efforts towards good neighbourly relations with those countries. In particular, Croatia should enhance work on finding mutually acceptable definitive solutions to all pending bilateral issues.

With regard to EU policies vis à vis other specific areas, Croatia should also have no difficulties in implementing CFSP positions. The extent of Croatia's relations with third countries beyond its immediate neighbourhood largely reflect the size of the country and its foreign policy orientation. Croatia has expressed interest in sharing its own transitional experiences to South Caucasus as well as to Ukraine and Moldova, in playing a more active role in the political and cultural dialogue between northern and southern Mediterranean and in engaging more actively in the Middle East Peace Process by participating in the peace keeping UNTSO (United Nations Truce Supervision Organisation).

III.b. CFSP and ESDP – political strategy

Croatia has largely supported EU foreign policy for several years. Since the Thessaloniki Summit of 2003, Croatia has more systematically and consistently aligned with EU positions. By accession, Croatia should be able to align with all EU positions and contribute actively to the shape, formulation and execution of CFSP.

Croatia has the necessary institutions and mechanisms, and a developed diplomatic network which, with certain adjustments, should be able to fully participate in the CFSP and ESDP. Croatia needs to continue upgrading its IT infrastructure and increasing the number of professionals dealing with CFSP and ESDP in headquarters as well as in Brussels.

With regard to the restrictive measures Croatia aligns itself with EU common positions when requested. Croatia needs to continue strengthening coordination of agencies involved nationally to ensure full implementation of the acquis. (*See chapter 24 – justice, freedom and security for crime related fight against terrorism and terrorist financing and confiscation*).

With regard to conflict prevention Croatia supports all the measures implemented by the EU. Through its own experiences Croatia is well placed to contribute to the EU external efforts to prevent conflict and build peace through its expertise and knowledge in areas such as land mine clearance, security sector reform, reconciliation and transitional justice.

With regard to Croatia's non-proliferation and WMD/SALW strategy, it has demonstrated its willingness to adopt and implement the *acquis* related to non-proliferation, arms control and export control regimes. Croatia is party to the relevant conventions. The legislative framework for arms control is robust. There remains however a need to further strengthen implementation and enforcement capacity as well as transparency of arms related information.

With regard to the cooperation with international organisations, Croatia continues to support and participate actively in the work of the International Criminal Court (ICC), and is in favour of strengthening the ICC in general. Croatia has not signed a bilateral agreement with the USA concerning the non-surrender of certain persons to the International Criminal Court and continues to support the EU position on this matter. Croatia is aware of the obligations as regards membership in international organisations and initiatives and the necessary human and financial resources are available.

With regard to the security measures for classified information, Croatia has reached a good level of preparation for accession. Croatia is expected to be able to adjust its security procedures and systems for the exchange of classified information according to the requirements of the EU security policy.

III.c. ESDP – contributing capacities

With regard to the military crisis management, Croatia is well prepared for accession. Croatia subscribes to the EU's goal to be active, capable and effective in civilian crisis management. Croatia has indicated its willingness to contribute to the EU's military capacity. Croatia has continued to take part in international peacekeeping efforts and is currently participating in several UN peacekeeping missions including Kosovo (UNMIK) under UN SCR 1244. Croatia has consistently supported the ESDP missions in the Western Balkans. Croatia contributes technical and logistical support to the ESDP mission in Bosnia and Herzegovina (EUFOR-Althea). Croatia's participation and commitments regarding the ESDP initiatives and projects are expected to gradually increase.

Croatia is currently contributing personnel to several UN-led missions. By 2009 Croatia intends to increase the number of police officers for peacekeeping missions and by 2011 the number of military personnel available is planned to increase significantly. Croatia's declared preparedness to participate in EU Battle Groups between 2001 and 2015 is a positive development. Croatia will therefore have a relatively limited but not insignificant contribution to make to EU's ESDP capacities.