Information

on legislation, regulations and procedures on the transfer of arms, military equipment and dual-use goods in the Republic of Slovenia

1. Slovenian national legislation

Dual-use goods

Act regulating the control of exports of dual use goods was adopted on March 26, 2004 and entered into force on May 1, 2004. It regulates the control measures for export of dual use goods in the part not governed by the European Union regulations in this filed, or where these regulations authorize member states to further regulate the filed in their national regulations.

On the basis of the Act government decree was adopted. The Decree on implementation of the control of exports of dual use goods was adopted on April 29, 2004, it entered into force on May 1, 2004. It defines contents of the application for issuing individual license for export of dual use goods or transmission of dual use goods within the European Community, composition and tasks of the Commission for the control of exports of dual use goods and list of dual use goods.


In accordance with the above Decision, the Interdepartmental Working Group for the Monitoring and Coordination of Control of the Export of Dual-Use Goods is headed by the Director of the Slovene Intelligence and Security Agency. It has the following responsibilities: monitoring the implementation of the Export of Dual-Use Goods Act; analysing the present system of control over export of the above goods; drafting proposals for potential changes of the present system or the improvement of efficiency in the operation of ministries and services in this field; assisting and, if necessary, coordinating competent authorities in charge of the implementation of the Act.

Conventional armament

The Slovenian legislation distinguishes the following two categories of weapons and competences over them: military weapons and equipment, and weapons for civilian use (hunting and sport weapons, small arms and explosives).
The control over transfers of military weapons and equipment (A) is exercised by the Ministry of Defence; the control over weapons for civilian use (B) is exercised by the Ministry of the Interior.

A.
The control over transfers of military equipment and armament is regulated by the Defence Act (1994), which designated the Ministry of Defence as the responsible department for issuing licences. The Act amending the Law on Defence adopted in May 2002 stipulates stricter standards and principles for the export of weapons. These principles are in accordance with the adopted international norms as well as security and political interests of the state. The area of control over weapons includes various elements, thus requiring close interdepartmental cooperation. Particularly successful cooperation has been in recent years established between the Ministry of Defence and the Ministry of Foreign Affairs.


The Decree of the Government of the Republic of Slovenia on Licences and Authorisations for Traffic in and Manufacture of Military Weapons and Equipment stipulates types, conditions and procedures for issuing licences for traffic in military weapons and equipment, and authorisations for the production of military weapons and equipment to companies, institutes and other organisations. The Decree also regulates the procedure for the issuing of licences for individual businesses. The licence is issued by the Ministry of Defence on the basis of the opinion given by the expert commission composed of representatives from relevant ministries and services.

Within the international framework, Slovenia joined the politically binding EU Code of Conduct on Arms Transfers (1998) determining for EU Member States basic common standards and rules relating to export of arms and military equipment to third countries.

Slovenia has submitted regular reports on its exports/imports of conventional arms to the UN Register of Conventional Arms/Military Expenditures. In the field of transparency and control over weapons, Slovenia fulfils regularly its obligations towards the OSCE, whose most important document is certainly the OSCE Document on Small Arms and Light Weapons.

B.
Transfers (exports, imports, transit) of weapons for civilian use are regulated by the National Border Control Act (1991), which designates the Ministry of the Interior as the responsible body for issuing licences, and also determines the obligatory acquisition of opinions by the Ministry of Defence and the Ministry of Foreign Affairs in the process of decision-making (on a case-by-case basis).

2. Slovenia within the international scope

The Republic of Slovenia is in favour of the policy of armament control and its transparency, and the policy of non-proliferation of weapons of mass destruction. It is
also party to numerous international disarmament agreements and regimes. Slovenia uses relevant legislation measures to implement, in practice, the policy of non-proliferation of weapons of mass destruction and policy of control over transfer of conventional arms.

**International agreements of global character**

The most important agreements of global character to which Slovenia is party: the Comprehensive Nuclear-Test-Ban Treaty, the Nuclear Non-proliferation Treaty, the Chemical Weapons Convention, and the Biological and Toxin Weapons Convention.

Slovenia is a member of several control regimes for the prevention of proliferation of weapons of mass destruction, the Zangger Committee and the Nuclear Suppliers Group in the field of radioactive and nuclear materials, and it subscribed to the Hague Code of Conduct Against Ballistic Missile Proliferation.

With EU membership (1 May 2004), the Republic of Slovenia has begun to participate in the EU Code of Conduct on Arms Export (EU export regime for conventional arms).

It applied for membership of the Australia Group (2002 – export control over chemical equipment and biological agents), Missile Technology Control Regime (September 2003) and the Wassenaar Arrangement (October 2003 – export of conventional arms, dual-use goods and technologies).