

QUESTIONNAIRE ON CONVENTIONAL ARMS TRANSFERS

Reporting country: Slovenia

Date of submission: 12. 06. 2017

1. Any export of conventional arms from Republic of Slovenia depends on decision of the governmental authorities.
2. The national legislation governing the export of conventional arms is Law on Defence which regulates exports, imports, transits of the conventional arms and Decree on permits and consents for the trade in and production of military weapons and equipment which determines the types of, conditions and procedures for issuing the permits for trading in military weapons and equipment. This Decree also governs the procedure involved in issuing permits for single deals.
3. The international agreements covering the export of conventional arms are UN embargoes, EC recommendations and embargoes, Wassenaar Arrangement, Convention of land mines, OSCE documents (SALW).
4. The companies that wish to export the conventional arms are bound by the: Law on Defence to obtain trading permits = general approval from the Ministry of Defence (MoD) for the flow of the conventional arms. In addition permits for single deals issued by the MoD are required for a single instance of export, import, transit or brokerage operation. An expert commission adopted by the Government is involved in licence issuing procedure by giving the pre opinion for any single deal case. The expert commission consists of representatives of the Ministry of Defence, Ministry of Foreign Affairs, Ministry of the Interior, Ministry of the Economy, the Customs Administration and the Slovene Intelligence and Security Agency. Administrative court deals with compliance.
5. The list of weaponry under the national export control is determined in the Decree on permits and consents for the trade in and production of military weapons and equipment where the conventional weapons are classified into 22 groups. The Law on Defence provides basis for the control.
6. Concerning the national commitment, there is political decision expressed through government to adhere to International norms, Treaties, Conventions, UN and EU Embargoes. The Law on Restrictive Measures publishes the list of embargoed countries. The Law on defence appoints the destinations of concern through the provisions of the law where specified that licence shall be rejected or revoked in the event that:
 - The fulfilment of international obligations of the Republic of Slovenia are imperilled,
 - The security and defence interests of the Republic of Slovenia are imperilled,
 - Armed conflicts in the state which is the end user of military weapons and equipment are accelerated or allowed for,
 - There is justified suspicion that the military weapons or equipment of the importing state is traded to a third state and in the event that this is in contradiction to the defence and security interest of the state.
7. The requirement for the provision of the end User Certificate (EUC) before the transaction is determined in the Decree on permits and consents for the trade in and production of military weapons and equipment. In many cases there is verifications of the EUC before the delivery are performed through the diplomatic network, post shipment verifications are mostly performed by the information from the exporters.
8. National definition on transit is determined in Customs law. The input information is announcement of the transit or trans-shipment, containing all specific data by requesting nation engaging Slovenian forwarders as applicants.
9. The companies are not obliged to seek official governmental authority to enter into contract negotiations but are advised to seek the opinion on likelihood of approval for a possible transaction before signing contracts with foreign customers.

10. The export licence, once been approved, can be revoked due to the criteria specified in 6., and in cases specified in the Decree on permits and consents for the trade in and production of military weapons and equipment.
11. The exporter failing to comply with national controls takes the business loss and can be state prosecuted.
12. There are no such circumstances.
13. Licences for temporary exports are approved for the time specified in the application form but not more than one year. The specific return certificate signed by the custom authorities makes the return verification.
14. Required documents for any kind of export are:
 - An import permission from the country the goods are imported to when such a permit is required by the country in question,
 - A statement by the final user or a certificate of the final user or some other appropriate document,
 - In the case of brokerage, a proof of being registered to trade in military weapons and equipment,
 - A statement on the intended use of the imported goods,
15. Republic of Slovenia is using individual licences only.
16. In the case of exporter's application, Ministry of Defence issues the document of likelihood of approval for a possible transaction.
17. The average number of export licences issued annually is 25 to 30. Three people are engaged in export licensing procedure.
18. According to the Defence Law, Defence Minister reports to the Government on licences issued at least once a year.
19. All guidelines governing conventional arms transfers are nationally published. Besides that the latest annual report on Slovenian arms exports is published nationally and internationally.