



November 2005

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## **CROATIA**

### **1. Title, rank and position of the Legal Adviser**

The Head of the International Law Department - ILD - gives legal opinions and advises in relation to all acts of the Republic of Croatia in international relations from the point of view of international law. The competences of the ILD are governed by the Regulations on Internal Organisation of the Foreign Service (Official Gazette No. 38/04). The ILD is part of the diplomatic service. Its Head is a high-ranking professional diplomat, a lawyer specialised in international law with diplomatic training.

### **2. What are the principal functions of the OLA?**

The ILD is competent for all affairs in connection with the follow-up, monitoring and analysing general and particular issues of international public and private law. Its functions are to provide legal advice and opinions on all matters arising from international law, especially the law of the sea, the law of international organisations, the status of international organisations and their offices, the law of the European Union, international diplomatic and consular law, international humanitarian law, international environmental law, international commercial law, international transport law, international criminal law. The ILD also deals with issues in relation to the national borders and border regime. It acts in conjunction with the Government and public bodies in respect of all issues within its competence and deals with other tasks as assigned by the minister or the head. The ILD has a very important function in the process of concluding the international treaties on behalf of the Republic of Croatia – by issuing its opinion on a draft treaty from the point of view of international law. A legal adviser from the ILD is a regular member of the Croatian delegation negotiating the treaty. In the process of ratification, the ILD is competent to initiate the procedure before the Government. The Treaty Collection of the Republic of Croatia, covering all treaty actions undertaken by the Republic of Croatia, is kept with the ILD. The ILD is also in charge of printing and other arrangements for treaty signing.

### **3. Please give a brief description of the staff employed by the OLA, including overseas staff.**

The ILD staff comprises 10 lawyers, including the Head. All of them are specialised or specialising in various fields of international law, by attending post-graduate studies and participating in various courses at international institutions dealing with public and private international law. Except for a few junior colleagues most of the staff, including the Head, have been with the Ministry and in the ILD for more than ten years, i.e., from the early days of the constitution of Croatia as an independent State.

A number of ILD staff is posted overseas, in particular with the Permanent Croatian Missions to the UN in New York and Geneva, the Croatian Mission to the EC in Brussels and the Croatian Embassy in the Hague.

Apart from the lawyers, four administrators at the ILD are engaged in making arrangements for the signing of treaties as well as other jobs in connection with the Treaty Collection and the ILD's Reference Library. Four diplomats with diverse professional background work in the ILD section for border issues.

**4. Briefly describe organisation and structure of the OLA.**

The International Law Department is divided into the following Sections:

- Section for General and Particular Questions of International Law
- Treaty Section
- Section for Border Issues.

Each Section has a head, accountable to the ILD head for the organisation of the section and completing all the tasks.

**5. What is the OLA's place within the Ministry of Foreign Affairs?**

The ILD is an independent department within the Ministry of Foreign Affairs, reporting directly to the Minister.

**6. What are the main contacts of the OLA within the Government?**

The ILD head, as well as the ILD as a whole, maintains regular working contacts with high-ranking Government and Parliament officials, as well as with other ministries, agencies and institutions, as required for the completion of the tasks. The ILD Head or other lawyer takes part, alone or in conjunction with high-ranking Ministry officials, in the work of Government bodies and in Parliament sessions when necessary.

**7. Please describe the relation of the OLA with lawyers in private practice, academics and legal institutions.**

The ILD closely co-operates with the academics, especially professors of international law at the Faculty of Law, University of Zagreb. ILD staff are encouraged to participate in various seminars, courses and other gatherings dealing with international law issues, and they get invited to give lectures to undergraduate or graduate students on subjects they are specialised in. The ILD Head regularly lectures on international law issues at the Diplomatic School in the course of training for foreign assignment. Depending on the post the diplomat is preparing for, he/she will often hold consultations within the ILD about some particular international law issues. The ILD also provides assistance to private practice and legal institutions.

**8. Please provide a brief bibliography on the OLA, if available.**

For the time being there is no bibliography which refers in particular to the role of the ILD.