

## **Milosevic Trial: Yugoslav Army Role Examined**

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Prosecution witness provides assessment of JNA and VJ record in Balkan conflict.

As it gears up to conclude its case against Slobodan Milosevic, the prosecution this week called on a Belgian military analyst that it commissioned to write a report on the role of the Yugoslav army, JNA, and its successor the VJ, in the Croatian and Bosnian conflicts.

Reynaud Theunens studied the Balkans in the Belgian defence ministry from 1992 -1999, and served as a member of UNPROFOR in Croatia. He was subsequently assigned to Belgian military intelligence until 2001 when he came to work for the tribunal's Office of the Prosecutor as a military analyst.

His report focused specifically on issues of military command and control, as well as the Yugoslav army's relations with the various armed groups that operated in Bosnia and Croatia.

It concluded that not only did the Serbian authorities provide material and financial support to Serb forces in Croatia and Bosnia, it helped create their armies, supplied them with officers, coordinated actions with them and, indeed, participated in combat operations with them.

Essentially, the report alleges that the JNA, the Bosnian Serb army and the Croatian Serb army were one force.

Theunens said that the JNA's purported goals - to maintain territorial integrity and sovereignty of Yugoslavia - changed over time and that by late summer 1991, as the JNA developed into a mainly Serb force, its aim was to consolidate Serbian control of areas under Serb leadership.

As Croatia moved toward secession, Theunens said local police and territorial defence organisations split along Croat and Serb ethnic lines.

Theunens confirmed what had been widely reported during that war, that the newly transformed JNA, and later the newly established VJ, trained and supplied Serb forces in Croatia and Bosnia. But he added that the documents he studied showed that the JNA also assumed command of them in particular operations.

"Documentary evidence indicates that Serb territorial defence, TO, units and staffs operated under single, unified command and control with the JNA," he said.

He added that the assistance provided to Serb forces in Croatia was "authorised and endorsed" by the federal presidency and the supreme command, both of which prior evidence has indicated Milosevic controlled.

Theunens said that there were examples of Milosevic "being involved in the decision-making process to provide assistance to the local Serb forces in Croatia".

He also said that confidential JNA reports showed that it had command and control over the Serb forces,

including paramilitaries, in Vukovar during the siege and subsequent massacre that took place there.

Orders concerning the subordination of all units to JNA command were sent, on a need to know basis, to the Vukovar TO commander and that of Seselj's volunteers, he said.

Theunens said he had also seen video footage showing that Arkan's Tigers participated in the Vukovar operation, and that they were armed and controlled by the JNA. The video reportedly shows JNA general Andrija Biorcevic giving a speech in which he praises Arkan's role in the campaign.

"That was the greatest contribution of Arkan's volunteers. Some people say that I conspire with paramilitary formations. These are not paramilitary formations; they are people who came voluntarily to fight for the Serbian people . . . We surround a village, they enter it, kill those who refuse to surrender and we go on," the general reportedly said.

Theunens said documents also showed that JNA captain Miroslav Radic and Major Veselin Slijivancanin, both of whom have been indicted and are in tribunal custody, armed and commanded paramilitary, volunteer, reservist and other non-JNA forces.

He said they also showed that the Serbian interior ministry forces, MUP, engaged paramilitaries to train "Martic's Police", a feared local Croatian Serb formation recruited by Milan Martic, a leader of the so-called Serbian Republic of Krajina, RSK, who was considered Milosevic's man.

From at least 1993 to 1995, Theunens said, Milosevic and his army chief Momcilo Perisic received all daily combat reports of RSK activity, and that these included information on the involvement of the VJ and what material support had or had not been provided by it to the RSK.

Milosevic denied receiving such reports, maintaining that he didn't have a single employee in his office who worked on military issues.

Corroborating previous testimony, Theunens said the documents also showed that retired and active duty JNA officers served in the RSK territorial defence while continuing to receive pay, benefits and credit for time served from the JNA.

Turning to Bosnia, Theunens said that the documents showed that following the Vance Plan, JNA troops were pulled out of Croatia and moved to Bosnia.

Milosevic claimed that the JNA merely withdrew to another, nearby part of its own territory, but Theunens said the documents told another story - that the JNA began assisting Bosnian Serb forces in their war preparations.

He said that in April 1992, JNA units actively assisted local Serb forces in military actions against non-Serb villages. Both the JNA and the Serbian MUP helped organise local Serb TO forces in majority Serb areas. When the JNA withdrew from Bosnia, Theunens said, it left considerable equipment, weapons and personnel behind for local Serbs.

Even after the JNA withdrew from Bosnia, Tehunens said the documents show that not only did it continue to support and assist Bosnian Serb forces, some of its units still participated in combat operations.

One such operation, he said, was in the Drina river valley in early March 1993 in which

VJ troops helped Bosnian Serb forces push Bosnian troops out of the area around Srebrenica that bordered Serbia.

He said the documents also showed that VJ elements aided Bosnian Serb operations against Bosnian forces around Sarajevo from October 1993 to September 1994 in an operation called "Pancir".

Similarly, he said, in the Bihac pocket, a special unit called "Pauk" (spider) was formed by former JNA officer Mile Novakovic to fight the Bosnian Army 5th Corps.

As in Croatia, officers and non-commissioned officers serving in the Bosnian Serb army received pay, benefits and promotions from the VJ, Theunens said.

On cross examination, Milosevic criticised Theunens for not reporting the JNA's role to protect people and separate warring sides.

Theunens responded that after 1991, the JNA did not do so. "At the end of summer 1991, the mission of interposition developed into a mission to provide support to local Serb forces, operating under a single command," he said.

Milosevic also tried to distinguish between volunteers and paramilitaries, saying the latter were outside the chain of command and illegal. Theunens responded by repeating that "apparent volunteer groups operated under the single command and control of the JNA in operational or tactical groups".

Milosevic then insisted that uncontrolled paramilitary groups were responsible for looting

and theft. Theunens replied by saying that even if this were true, the army was obliged to restore discipline through its military police and justice system.

Milosevic then referred to a October 23, 1991 order from the JNA's first army commander, setting forth the need to disarm and arrest paramilitary groups.

Theunens countered with a letter of the same date that had been exhibited previously in the trial. It came from Lieutenant Colonel Milan Eremija, morale officer of the guards division, citing abuses and atrocities committed by paramilitary groups, including events at Lovas where prisoners were forced to walk through a minefield.

In the letter, Eremija recommended disarming all paramilitary formations, specifically mentioning Dusan Silni, the Chetniks and Arkan's soldiers.

"Authorities of the republic of Serbia must participate in the campaign," Eremija wrote, implying that unless Serbian authorities took part in the disarmament, it would not be done.

Milosevic then claimed that it was opposition political parties – not his party – that established the paramilitary groups. In response, Theunens pointed out that Arkan and Captain Dragan, who commanded paramilitary units, were affiliated with the Serbian MUP and defence ministry. He further suggested that paramilitary groups set up by opposition parties would likely have been subjected to even greater control by the authorities.

Milosevic went on to say that just because JNA officers continued to receive pay after they were attached to the Croatian Serb and Bosnian Serb forces, does not mean that the JNA exercised any effective military control over them.

Theunens countered that such personnel linkages could not stand alone; they had to be considered with other evidence such as coordination meetings and the exchange of daily combat reports.

The witness also cited examples in which Milosevic was able to order military officers to take action.

On December 7, 1994, he said, Milosevic ordered Milan Martić and General Milan Celeketić, head of the RSK army's main staff, to allow an UNPROFOR humanitarian aid convoy into Bihać. The order was obeyed.

Milosevic argued that this was not an order, but an "instruction", and that the words had been incorrectly translated from Serbian to English. But Theunens told the court that according to JNA regulations, an "instruction" was a form of an "order".

Toward the end of his cross examination, Milosevic challenged information in Theunen's report showing he had been put on notice of war crimes, yet failed to take any action to punish those responsible.

After receiving a January 21, 1992 letter from the US Helsinki Watch Committee advising that it had confirmed reports of serious human rights abuses by the Serbian government and the Yugoslav army in the Croatian war, Milosevic said his chef de cabinet Goran Milinović responded, pointing out that the crimes were not committed in the territory of Serbia, therefore it could not be responsible, and that Milosevic would request an investigation into the matter and ensure that any citizens of Serbia who might have participated in such crimes would be punished.

In response, Theunens told the court that according to a 1995 Human Rights Watch report, there was only one reference to Yugoslavia acting to hold an individual accountable for war crimes, and that those proceedings had been postponed, twice.

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