

Exhibit # P328, Tab 18

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FEDERAL SECRETARIAT FOR PEOPLE'S DEFENCE
OFFICE OF THE FEDERAL SECRETARY

No. 4-33 _____

11 September 1991

BELGRADE

PRESIDENCY OF THE SFRY /Socialist Federative Republic of Yugoslavia/

On 11 September 1991, the cabinet chief of the president of the Presidency gave Federal Secretariat for National Defence in the Presidency of the SFRY an unclassified order, from the heading of which it is evident that it was written in Zagreb and sent to Belgrade from the office of the president of the Republic of Croatia.

With respect to the introductory part of the "order", the Federal Secretariat for People's Defence draws attention to the following:

1. Point one line seven of the Cease-fire Agreement states that: "The reserve unit of the Croatian National Guard will be demobilised, and the JNA /Yugoslav People's Army/ will return to barracks so that neither the one nor the other will prejudice the performance of monitoring activities under paragraph two." * The provision being formulated in this way, it clearly follows that the demobilisation of the reserve unit of the Croatian National Guard, in conjunction with the realisation of other provisions from this point of the agreement, must precede the JNA's withdrawal to barracks or, at the very least, that it take place at the same time as that withdrawal. With this in mind, the question arises why the president of the Presidency of the SFRY is given a one-sided interpretation to the Agreement and the obligations of the JNA which proceed from it. /handwritten note: / illegible for the JNA.

We point out that not only has the reserve unit of the Croatian National Guard not been sent home, but it is continuing to mobilise day by day, concentrating at critical positions and, alongside the active Guard unit and members of the MUP /Ministry of the Interior/, it is also uninterruptedly engaging in combat actions against the JNA. The fact that armed formations of the Croatian Republic have, from the moment of signing the Agreement up until 2000 hours on 11 September, made 115 attacks on JNA members, units and installations in which five officers and six soldiers were killed and 40 members of the army wounded, bears witness to the extent of these actions.

We would like to draw special attention to the fact that the greatest part of these attacks were on JNA units in stationary installations and that almost all barracks in Croatia are completely blockaded. Therefore, the stubborn insistence by the president of the Presidency of the SFRY that the relatively few JNA forces which are

* Paragraph two reads: "To ensure a comprehensive and effective control of the cease-fire, the signatories agreed that monitoring activities be performed by the JNA, the Croatian authorities and representatives of the Serbian inhabitants of Croatia involved in the hostilities."

currently engaged in keeping the warring sides apart withdraw to barracks, without the previous or at least simultaneous demobilisation of the Croatian National Guard and implementation of other provisions of the cease-fire agreement, can be interpreted as an attempt to imprison this small remaining contingent of the armed forces in the barracks, blockade them and expose them to constant attacks from armed Croatian formations.

2. The accusation that the JNA "is waging an undeclared war against the Republic of Croatia" is insulting. The JNA is acting strictly in accordance with the decrees of the SFRY Presidency and its own constitutional authority. This has been confirmed several times by the Presidency's own evaluations.

3. The JNA does not bear the responsibility for the human victims and the destruction of individual commercial, cultural, historic, and religious buildings. Members of JNA units have opened fire only for their own protection and in extreme necessity, and actions against civilian buildings have been undertaken only when they have been abused and used for military purposes – for direct fire on JNA units.

4. Not only does the army bear no responsibility for the truly enormous number of displaced persons, but it is, all people of good intentions are convinced, responsible for the fact that that number is not far greater. /handwritten note: see /?across/ Baranja/. In this connection we stress that up until now more than 500 families of active military officers, with 2,000 members, have fled due to ill-treatment, continual threats and pressure by Croatian state organs.

It is also certain that without the involvement of the JNA the number of killed and wounded would be incomparably greater than it is now.

5. We leave it to the Presidency to evaluate the allegations of the president of the Presidency that the army is acting unconstitutionally and that it is in effect carrying out a military coup. At the same time we draw to your attention the fact that Mr Stjepan MESIĆ has already usurped the rights of the Presidency several times and given quite unauthorised and arbitrary orders to the army, in opposition to the Presidency's decisions.

6. There is not a single proof of the claim by the president of the Presidency that "many army commanders are not under the control of higher commands", and that "with their units they are undertaking joint actions with Chetnik terrorist groups, against the legal organs of the government of the Republic of Croatia". The army respects the paramount principle of military subordination.

7. The JNA has not, as the president of the Presidency says, armed a single outlaw band, nor has it offered any kind of protection to such bands. What is more, it is in conflict with them, because it is continually exposed to their terrorist and other assaults. /handwritten note: illegible/

8. The SFRY Presidency is aware that mobilisation is in progress throughout the wider territory of the SFRY, and the JNA is calling up the reserves exclusively for its needs. Not one single unit of the TO /territorial defence/ is acting under the command and within the framework of the JNA. /handwritten note: / and they are /illegible/

9. Units under the command of Lieutenant-General Nikola UZELAC of the 1st Military District and other JNA units have never opened fire first, but only defended themselves and their own integrity.

It is indicative that the president of the Presidency knows what General UZELAC has stated to the president of the government of the Republic of Bosnia-Herzegovina. General UZELAC categorically denies saying what is ascribed to him.

10. The insinuation that the JNA has captured Baranja, handed it over to extremist units and is supporting all manner of crimes by anyone and everyone is insulting. /handwritten note: / See /illegible/ government of Baranja.

Borivoje DOBROKES is not an active major in the JNA, and such a claim by Mr MESIĆ illustrates the sort of thing he is prepared to use.

11. It is not correct that, after the disagreeable events in Bosanska Krupa, a JNA general conveyed Milan MARTIĆ to Knin by helicopter. MARTIĆ was transferred by means of an army helicopter which happened to be in that area, since neither the Federal Secretariat of the Interior nor the Ministry of the Interior of the Republic of Bosnia-Herzegovina considered him a person who was liable to criminal prosecution. / handwritten note: / illegible/helicopter.

12. The Federal Secretariat for National Defence agrees with the evaluation that General Milan AKSENTIJEVIĆ gave to HTV /Croatian Television/. Until the previous decisions of the Presidency of the SFRY are changed, the demand by the president of the Presidency for JNA units to withdraw can be only his personal position.

13. The JNA has not seized anyone's television transmitters.

14. The General Staff of the SFRY OS /armed forces/ is an organisational part of the Federal Secretariat for National Defence and the chief of the GS /General staff/ of the OS is the immediate subordinate of the Federal Secretary for National Defence. Thus the "sharing of responsibilities" which the president of the SFRY Presidency is carrying out is not merely without basis, but is also ill-intentioned.

We in the Federal Secretariat for National Defence state with regret that the president of the SFRY Presidency is not aware that the Presidency is not the Supreme Command of the armed forces, but a collective supreme commander (which together with its staff – the SSNO / Federal Secretariat for National Defence/ constitutes the Supreme Command), just as he does not know that the organisation of the SSNO as an institution is directly subordinate to the SFRY Presidency.

As for the contents of the actual order by the president of the SFRY Presidency, the Federal Secretariat for National Defence informs the Presidency of the following:

1. JNA units will not withdraw to barracks until the SFRY Presidency has made an appropriate decision on this, strictly on the basis of the Cease-fire Agreement signed with the European Community.

2. The position of the president of the Presidency that " all military commanders who ignore and do not carry out the decree of the Presidency on the withdrawal of the army to barracks are putting them(selves) outside the law" really expresses support for lawlessness and state terror, since in a civilised state no-one, and not even those who have committed the most serious crimes, can be outside the law. Even they must be judged and tried according to the law.

Members of the JNA are, in fact, prepared to carry out decrees of the Presidency of the SFRY consistently in the future, but not the unauthorised decrees of its individual members.

The Federal Secretariat for National Defence takes this opportunity to express the JNA's firm determination that the Cease-fire Agreement be implemented consistently, and that it will contribute by its actions to a complete end to the armed conflicts and the establishing of a much needed peace.

The Federal Secretariat for National Defence once again asks the SFRY Presidency to defend the JNA from the deliberate and continuous attempts by Mr MESIĆ to discredit and break up the Yugoslav People's Army.

It must be clear to everyone that the Yugoslav People's Army will not put up with the torture of others and that it will protect the dignity, lives and honour of its members with all its strength and resources.

FEDERAL SECRETARY FOR NATIONAL DEFENCE
General of the Army
Veljko KADJEVIĆ
/Signed and stamped/