

THE ROLE OF MONTENEGRO IN THE WARS OF THE 1990s: "FROM A CONSISTENT WARRIOR TO AN (UN)WILLING ALLY"

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INTRODUCTION

In order to fully understand the role of Montenegro in the wars that caused the disintegration of Yugoslavia, it is necessary to keep in mind that, from 1945 to 1992, Montenegro was a federal unit within the Yugoslav state. Based on the 1974 Constitution, it had formed a federal government, together with five other republics and two provinces, holding - at least theoretically - approximately 12.5% of the power at the federal level. In the period 1992-2003, it was part of the Federal Republic of Yugoslavia (FRY), in which it theoretically held 50% of the power, while from 2003 to 2006 it was part of the Union of Serbia and Montenegro, a confederate entity in which it was guaranteed 50% of the power.

In essence, the constitutional definition was subordinated to the centre of power, which was personified since 1989 by the regime of Slobodan Milošević, president of the Republic of Serbia. Montenegro was, thus, formally part of a wider community in which it essentially had no role in the decision-making process. The constitutional order from 1974 began to collapse in 1988. By abolishing the autonomy of Vojvodina and Kosovo, and by installing a puppet government in Montenegro, Milošević's regime had established control over 50% of the Yugoslav federation, as the control of four votes was able to cause a 'blockade' of the work of federal bodies.

It is important to note that the constitutional powers of the republics were reduced, especially the control of the armed forces (Yugoslav People's Army - YPA later Yugoslav Army - YA). However, this does not mean that the republics were not involved in war conflicts in various ways, either as (in)voluntary allies or as direct and interested participants. All the more so since Montenegro had, since the 1989 coup, identified itself as Serbia's undisputed ally in preserving Yugoslavia within the existing constitutional framework and, consequently, as an opponent of the independence of other Yugoslav republics. In such circumstances, referenda that were organised in the republics as part of the process of their gaining independence became the initial sparks that fired up the armed conflicts.

MONTENEGRO AND THE WAR IN SLOVENIA (1991)

At the end of 1990 and 1991, the authorities in the Socialist Republic of Montenegro (SRM) were antipodal to the policy of the leadership of SR Slovenia, and at the beginning were not at all in favour of Slovenia's decision to proclaim independence. They condemned it as an act of 'unilateral secessionism' and 'hostility' towards Yugoslavia which would

cause its ‘unconstitutional disintegration’. On 28 June 1991, the Assembly of the SRM concluded that the above decision, being ‘unlawful’, would not be able to produce any legal consequences.

Politically and operationally, the attitude of the leadership of the SRM and its representative in the Presidency of the SFRY towards the official declaration of independence of the Republic of Slovenia (of June 25, 1991) - and immediately afterwards, towards the *ten-day war* in Slovenia (June 27 - July 7, 1991) - was the same as that of the top leadership of the Republic of Serbia and its respective representative in the Presidency of the SFRY. The intervention of YNA, which was under the jurisdiction of the Presidency of the SFRY, i.e. the Supreme Command, took place based on the decision which was not made by this body, although it was the only one that was constitutionally competent. According to Momir Bulatović and Slobodan Milošević, the decision to engage the YNA in Slovenia was made by the Federal Government (SIV SFRY), led by Ante Marković. Marković however denied this, claiming that the Federal Executive Council (SIV) neither made the decision, nor had the constitutional authority to do so. According to the President of the Federal Executive Council Ante Marković, he and the Government did not make the decision to use the the YNA in Slovenia. He claimed that it was done by the army leadership, without authorisation, without his knowledge and without any consultations with him, but also without the decision of the Council. According to Marković, the decision was made by Army General and SFRY Federal Secretary of Defence Veljko Kadijević and the YNA General Staff headed by General Blagoje Adžić, in agreement with Slobodan Milošević and Borislav Jović, then President of the Republic of Serbia and erbia’s representative in the SFRY Presidency.¹

In relation to the war in Slovenia, on 4 July 1991 the Assembly of the SR Montenegro and its executive bodies (the Presidency and the Government) demanded from the competent authorities of the SFRY and the Republics of Croatia and Slovenia to “*fully comply with the three-month moratorium, with a full guarantee of the implementation of decisions relating to secession from Yugoslavia as unilateral acts*”.²

In its adopted conclusions, the Assembly of SR Montenegro demanded that “*armed conflicts in Slovenia be stopped immediately and unconditionally, that the units of the so-called Territorial Defence of Slovenia be withdrawn, and that all captured persons be released and provided with necessary assistance*”.³ It also supported the measures of the Staff of the Supreme Command of the YNA, assessing that “*at the moment, there is no need for the return of soldiers from Montenegro who are serving in the YNA. Montenegro is committed to Yugoslavia, as a state union of the peoples who want and intend to live in it, and is requesting that related necessary changes be made in the federal bodies. As a sovereign state, Montenegro will independently decide on the forms of cooperation and connection with other nations of the future union*”.⁴ It was also stated that the Parliament of Montenegro, however, “*believes that no nation, or parts of any nation, shuld be forcibly kept in Yugoslavia and that those who want to leave it should be allowed to do so*”.⁵

So, during the war in Slovenia, the leaderships of Montenegro and Serbia, as well as their representatives in the Presidency of the SFRY, were of the opinion that Slovenia should not be

¹ **For additional information about this, see:** Prof. Dr. Šerbo Rastoder and M.Sc. Novak Adžić, “Modern History of Montenegro 1988-2017 - From the Coup to the NATO pact”, Volume II, “Vijesti”, Podgorica, 2020, pp. 493-502.

² According to “Pobjeda”, Titograd, no. 9191, of 5 July 1991, pp. 1 and 7. See more about this in: Prof. Dr. Šerbo Rastoder and M.Sc. Novak Adžić, “Modern History of Montenegro 1988-2017 - From the Coup to the NATO pact”, Volume II, “Vijesti”, Podgorica, 2020, pp. 506-507.

³ *Ibid.*

⁴ *Ibid.*

⁵ *Ibid.*

kept in Yugoslavia by force and that it should instead be allowed to 'secede'. They were also convinced that Yugoslavia would be able to exist without Slovenia and that the YNA should withdraw to the borders of the future projected, 'reduced' Yugoslavia. Many researchers emphasise that the opinion that 'Slovenia should be allowed to leave' was a clear indicator that defending Yugoslavia was not the primary goal. This can explain the short duration of the war that ensued in this republic, in which Montenegro participated because its soldiers were serving in the YNA.

According to the available data, one YNA officer (pilot) from Montenegro was killed, one officer and two soldiers were wounded, and 30 soldiers were captured during the short war. On 6 July 1991, 21 YNA soldiers from Montenegro returned to Titograd from captivity in Slovenia. Other captured soldiers from Montenegro were also released. In total, the war in Slovenia took the lives of 44 members of the YNA: six officers, six non-commissioned officers, 30 soldiers and cadets, one civilian serving in the army and one unidentified person. 184 YNA soldiers were wounded. Eight members of the Territorial Defence of Slovenia, four police officers, six Slovenian civilians and six foreigners who happened to be in Slovenia at the time were also killed during the armed conflict.

The war ended on 7 July 1991, by a political agreement which was reached between the parties to the conflict as a result of pressure and mediation by the European Community. The Presidency of the SFRY made the decision to withdraw the YNA from Slovenia on 5 July 1991 and decided to implement it in full within a period of three months. The last YNA soldier left Slovenia on 26 October 1991. The Montenegrin leadership stood behind this plan, and its representative in the Presidency of the SFRY voted for the withdrawal of the YNA.

MONTENEGRO AND THE WAR IN CROATIA (1991-1995)

As it was not an independent subject of international law, Socialist Republic of Montenegro (SR) formally and legally 'did not participate' in the war that took place in Croatia (1991-1995). However, realistically, in fact, it *was* a participant in that war of aggression.

The authorities in SR Montenegro and its representatives in Socialist Federal Republic of Yugoslavia (SFRY) during the period 1990-1991, as well as its official representatives and actors in the new state of Federal Republic of Yugoslavia (FRY) from april 1992 onwards, supported the Serbian political and armed uprising in Croatia, adhering to the Greater Serbia war concept of 'all Serbs in one state'. They promoted a policy based on the plan according to which a large part of the territories, i.e. the state space of the Republic of Croatia which officially declared independence on 25 June 1991, significantly inhabited by the Serb population, should be separated and amputated from Croatia, and that it should in the future become an integral part of the territory of the projected, reduced 'truncated Yugoslavia'. The political leadership of SR Montenegro and its representatives in the government of SFRY, and later FRY, supported, just like Serbia, and in many ways enormously helped both the creation and the several years of functioning of a parastatal creation. It was the so-called 'Republic of Serbian Krajina', which was forcibly established in the territory of the Republic of Croatia, regardless of the fact that it was an internationally recognised state that later became a member of the UN.

Realisation of the Greater Serbia unification project, or gathering under the same state roof of the 'Serbian ethnic space', which implied territorial fragmentation of the Republic of Croatia, involved active military participation of the YNA since mid-1991, i.e. its leadership and the forces that were under its command and control. In that sense, the general military, offensive 'Operation Dubrovnik' began on 1 October 1991, and was launched from the territory of the Socialist Republic of Montenegro as well as from Herzegovina (part of SR BiH). It began with

the YNA attack on the area of Konavle and the entire Dubrovnik region, and was followed by an attack on the city of Dubrovnik. Although not officially, Montenegro had been at war with Croatia since 1 October 1991, despite the fact that its official republic bodies denied it.

More than 7,000 mobilised citizens of Montenegro took part in the war operation. Citizens went to war *en masse*, outside the borders of Montenegro, taking part in the attack on the Republic of Croatia, which had declared independence three months earlier. Organised by and under the orders of the General Staff of the YNA and other structures of government, power and influence, citizens of Montenegro were mobilised into the YNA and the volunteer units placed under its command, into the Territorial Defence of Montenegro, but also – partly – into the armed formations of the Special Republic Police Forces of the Government of the Republic of Montenegro. Based on the way in which it was executed and the consequences it had caused, ‘Operation Dubrovnik’ was a conquest-oriented, destructive and plundering campaign that took place in the Republic of Croatia, specifically in the Dubrovnik area, despite the fact that the leadership of SR Montenegro, or the YNA, had never officially declared war on Croatia. On the contrary, the political elite of Montenegro claimed that Montenegro was not at war, which was something that did not correspond to the facts. On 2 October 1991, together with army representatives, the main representatives of the authorities in Montenegro, that is, its republic bodies, officially gave full support to the YNA leadership, i.e. the Supreme Command Staff and its war operations in Croatia, especially concerning the Dubrovnik-Herzegovina front.

The decision to engage the YNA in the war in Croatia (1991) was not made by the legal and legitimate Presidency of the SFRY, which was the only competent constitutional body and the supreme commander of the army. This body was under a blockade as half of its full members had either left it or were boycotting its work. The SFRY presidency was thus illegitimate, blocked and unable to make a constitutional and legal decision on the use of the YNA in armed conflicts in Croatia. However, the ‘truncated’ Presidency of the SFRY, composed of four members under the control of the President of SR Serbia Slobodan Milošević (among whom was also the representative of Montenegro, Dr. Branko Kostić),⁶ took a decision to engage the YNA. This truncated body, illegally and illegitimately, also made the decision to declare a state of imminent danger of war in the country. The leadership of Montenegro, headed by the President of the Presidency, Momir Bulatović, *de facto* agreed with that decision.

The decision to engage the YNA in the war in Croatia, and especially in the military operations on the Dubrovnik-Herzegovina front, was made by the YNA leadership headed by the SFRY Federal Secretary for National Defence, General Veljko Kadijević and the YNA Chief of General Staff, Colonel-General Blagoje Adžić. The Leadership of republics Serbia and Montenegro and their representatives in the truncated Presidency of the SFRY (Dr Borislav Jović on behalf of Serbia, Dr Branko Kostić on behalf of Montenegro, Jugoslav Kostić on behalf of Vojvodina and Sejdo Bajramović on behalf of Kosovo, all under the control of Milošević) *de facto* knew of and agreed with said decision. Namely, Serbian leader Slobodan Milošević had gained full control over the YNA military leadership in mid-1991, and Montenegro and its leadership were by then in the jaws of his policy and under his patronage.

⁶ Dr. Branko Kostić was a member from the middle of May 1991, and then the vice president of the Presidency of the SFRY. From 6 December 1991 to 15 June 1992, he was acting President of the "truncated" Presidency of the SFRY, when that function was abolished because the new state of the FRY, the federal union of Serbia and Montenegro, was created on 27 April 1992. The first president of FRY, Dobrica Ćosić, was elected on 15 June. Until then, that is, until the election of Dobrica Ćosić as the first president of the FRY, Dr. Branko Kostić formally performed the duty of the first man of the new joint state of Montenegro and Serbia - the FRY. He was nominally the commander-in-chief of the rest of the YNA, which was transformed into the Yugoslav Army (YA) on 20 May 1992, as the armed force of the FRY.

As regards the military offensive in the south of Croatia (Dubrovnik and its territory), the President of the Presidency of the Republic of Montenegro Momir Bulatović later claimed that he had been deceived by the Federal Secretary for the Defence of SFRY General Veljko Kadijević, the main actor at the top of the YNA, and his subordinates. He claimed that they told him that “30,000 Ustashas were waiting on the Croatian side of the border with Montenegro, preparing to attack Montenegro.” That information was incorrect. Soldiers and reservists from Montenegro and other areas, who were part of the Second Operational Group of the YNA, which was under the command of General Pavle Strugar (before this, he was the commander of the Territorial Defence of Montenegro) were visited in Cavtat during the military operations on the Dubrovnik-Herzegovina battlefield, on 13 October 1991, by the President of the Presidency of the Socialist Republic of Montenegro, Momir Bulatović, and a member of the Presidency of the SFRY, Dr. Branko Kostić. On that occasion, they gave full support to their military command.

During the 1991 war in Croatia, the Montenegrin republic leadership showed certain - although limited - degree of disagreement with the actions of the YNA leadership and the SFRY Minister of Defence, General Kadijević. This was especially evident when a large number of YNA soldiers and reservists were taken from the army barracks in Montenegro to the front in Banija (Dvor na Uni). They were used to man the YNA units that were incomplete due to the failed mobilisation in Serbia and the desertion of some YNA members from that battlefield. Contrary to the will of the authorities in Montenegro, and without an agreement with them, more than 1,000 soldiers from Montenegro were taken to the Banija battlefield (in Croatia). Partly under pressure from family members of the taken soldiers, the Montenegrin leadership publicly asked them at the end of October 1991 to leave the units and return to Montenegro, which is what later gradually happened.

During the first stage of the war in Croatia (1991), not all Montenegrins who served in or were part of the command structures of the YNA were in favour of the war against it. The captain of battleship Boka, Rear Admiral Krsto L. Đurović, was against the capture of Čilipi, the destruction of the Dubrovnik area, the war campaign and the siege of Dubrovnik. He lost his life in Konavle on 5 October 1991, under still unexplained circumstances. Numerous pieces of evidence show that he was killed in a helicopter, or during a helicopter's forced landing in the area of Konavle, by YNA personnel who were ordered to do so because of Đurović's disagreement with the politics, plans and actions of the YNA and its political mentors regarding the attacks on Čilipi and the aggression against the city of Dubrovnik. Prior to the death of Rear Admiral Krsto Đurović, YNA Admiral Vladimir Barović (a Montenegrin) also refused the order of his superiors to bomb Dalmatian cities. In the capacity of Deputy Commander of the Naval District of Split, instead of executing the order to demolish Dalmatian cities, he committed suicide on 29 September 1991, on the island of Vis. In the suicide note, he wrote that he finds the YNA aggression against Croatia an act that is contrary to the Montenegrin honour, and that he refuses to participate in it.

In Montenegro, especially from the middle of 1991 (well before the war ‘Operation Dubrovnik’ began on 1 October 1991), a terrible and permanent war-mongering propaganda campaign was carried out by the then only republic media source - the Montenegrin Television. On the other hand, during the war in Croatia, especially during the offensive on the Dubrovnik area and the frequent shelling of the city of Dubrovnik, the anti-war movement of the minority, civil, ‘other Montenegro’ was very active, gathered behind the maxim “*Heroism means not to go to war*”. The movement consisted of several state-building, sovereignist parliamentary Montenegrin political parties, as well as some independent print media (the „Monitor” weekly) and a small number of alternative associations of writers, journalists and important intellectuals. At a rally in favour of a sovereign and independent Montenegro, organised by the Liberal Alliance (LSCG) on 1 February 1992 in Cetinje, the united Montenegrin state-building,

sovereignist and anti-war opposition sent a clear message through a song performed by tens of thousands of gathered citizens: *“From Mt. Lovćen a fairy shouts: Forgive us, Dubrovnik”*. The rally was a gathering of the united Montenegrin anti-war, sovereignist, parliamentary (and to a lesser extent extra-parliamentary), democratic and civil opposition, led by LSCG and other members of the Alliance of Reform Forces for Montenegro (composed of several parties that would later, after the 1993 unification, make up SDP CG, and part of the Democratic Coalition, that is, representatives of the Democratic Alliance in Montenegro, etc.).

Citizens of Montenegro died and were wounded in the war in Croatia (1991-1995), not only on the Dubrovnik-Herzegovina battlefield, but also on the Slavonian front (Vukovar) and in other parts of Croatia. Among those killed on these fronts were volunteers from Montenegro who served in the YNA, but also those who operated within paramilitary formations from Serbia and Montenegro in Slavonia, Knin, Baranja, Banija and other battlefields along the Danube and in other areas of Croatia (these were primarily volunteer formations of the People’s Party of Montenegro, as well as paramilitary formations in which Montenegrin citizens also participated: “Serbian Guard”, SPO - Vuk Draskovic; citizens of Montenegro who volunteered in the units of the Serbian Radical Party of Dr. Vojislav Šešelj; members of the “Serbian Volunteer Guard” from Montenegro – “Tigers” of Željko Ražnatović Arkan; members of the “White Eagles” from Montenegro; the formation of Mirko Jović’s and Dragoslav Bokan’s (both from Serbia) Serbian National Renewal; and members of the (semi)paramilitary “Red Berets” (formerly known as Captain Dragan Vasiljković’s “Knindžas”). Essentially, all these were units of the Serbian State Security who fought in the wars in Croatia, Bosnia, etc.

In 1991 and 1992, 165 Montenegrin citizens who served in the YNA were killed on the Dubrovnik-Herzegovina front. Another 236 were wounded. In Montenegro and the FRY, they later received the status of war invalids. It is also important to point out that 14 citizens of Montenegro, who participated in the war as soldiers and reservists of the YNA, were brutally tortured and killed as prisoners of war by Croatian armed groups and by the authorities in the military investigation centre - the Lora camp near Split. This also occurred in other locations in Croatia and Bosnia and Herzegovina in 1991 and 1992, where a significant number of detainees were tortured but have managed to survive. Out of a total of 14 murdered soldiers and reservists from Montenegro, the remains of 12 had been found. They were tortured and killed in the Lora camp and were discovered in several locations in BiH.

Due to the war in Croatia and the violation of the Geneva Conventions, the war law and the humanitarian law, the UN Hague Tribunal sentenced the YNA Colonel General Pavle Strugar to seven and a half years in prison. A Montenegrin, he was first the commander of the Territorial Defence of Montenegro, and then Commander of the Operational Zone on the Dubrovnik-Herzegovina front, under the command of the General Staff of the YNA from Belgrade (to which he was subordinated). The Hague Tribunal also convicted Admiral Miodrag Jokić, a citizen of the Republic of Serbia and the former Army Minister, later commander of the YNA Navy and the battleship Boka during the attack on the Dubrovnik area and the city of Dubrovnik. He pleaded guilty before the Hague Tribunal, and was also sentenced to seven years in prison. The Prosecution of the Hague Tribunal also filed an indictment for the war crime of civilian suffering etc. in relation to the shelling of the old town of Dubrovnik, against the YNA Captain Vladimir Kovačević-Rambo from Nikšić. He was taken to court in The Hague, but it was decided that he was unable to stand trial due to mental insanity. The Hague Prosecution did not file an indictment against any civilians or public officials from Montenegro for participation in the war in the Dubrovnik area (1991-1992).

During the war in Croatia, war crimes also took place on the territory of Montenegro. Namely, in the town of Morinj (Bay of Kotor), a collection centre (camp) for prisoners from the Dubrovnik battlefield operated from October 1991 until the second half of 1992. *There were*

more than 300 prisoners of war in this camp, under the control of the YNA, i.e. its officers at that time. They were soldiers and civilians from the Dubrovnik battlefield, many of whom were subjected to inhuman treatment, torture and starvation. On 31 July 2013, the High Court in Podgorica sentenced four persons from Montenegro to a total of 12 years in prison for war crimes committed in the Morinj camp. On 22 April 2014, this verdict was upheld by the Court of Appeals of Montenegro.

At the end of 1991 and in the course of 1992, the European Community and the United Nations tried, through numerous peace initiatives and mediation, to end the war in Croatia. The leadership of Serbia, led by Slobodan Milošević, the leadership of Montenegro, led by Momir Bulatović, and the ‘truncated’ (illegitimate, illegal) presidency of the SFRY led by the Acting President Branko Kostić, all agreed with Vance’s plan. The SFRY presidency was composed of four members (representatives of Serbia, Montenegro and Milosević’s people from Vojvodina and Kosovo) and had only a formal (façade) civilian command over the illegitimate YNA, which was still led by Kadijević and Adžić. However, it should be noted that the leadership of the rest of the YNA behaved autonomously and arbitrarily on many occasions during the war, and that it was mostly under the influence and control of Slobodan Milošević and Borislav Jović. After the adoption of the aforementioned UN peace plan with the aim of ending the war in Croatia, that is, the Security Council Resolution no. 743, UN peacekeepers arrived in Croatian protected zones. Vance’s peace plan foresaw the withdrawal of the YNA from Croatia based on the agreement that was reached in Geneva between the President of the FRY, Academician Dobrica Ćosić, and the President of Croatia, Dr. Franjo Tuđman, on 30 September 1992, with the mediation of the international community. The YNA – since May 1992, the Army of the Federal Republic of Yugoslavia (YA) – was forced to implement the provisions of that agreement. It withdrew from the territory of Croatia, and consequently from the Dubrovnik region and the Prevlaka area. The YNA/YA siege of southern Croatia thus ended on 20 October 1992. The Prevlaka area was demilitarised and placed under the jurisdiction of UN observers, whose mandate was later extended for several years. But the war in Croatia lasted until the first days of August 1995, until the end of the military-police operation of the Republic of Croatia known as “Storm”, which ended in victory for the Croatian Armed Forces. The para-state creation known as the Republic of Srpska Krajina (RSK) fell and disappeared, after which more than 180,000 Serbs left and were expelled from that part of Croatia. In relation to the fall of the RSK, the Supreme Defence Council of the FRY, of which President of the Republic of Montenegro Momir Bulatović was a full member, was of the unanimous opinion that the army and other armed formations of RSK should resist the operation “Storm”, after which the YA would militarily intervene on the Serb side ‘in defence of Krajina’. However, since Serbs in Krajina and their armed forces all but failed to resist the Croatian army and police, the FRY (YA) decided not to intervene, that is, not to enter into an armed conflict with Croatia.

The war in Croatia definitely and formally ended on 12 November 1995, when the *Erdut Agreement* was signed by the representatives of Croatia and the local Serb community in Croatia, with the mediation of US Ambassador Peter Galbraith and UN mediator Torvald Stoltenberg. The negotiating parties agreed to the peaceful reintegration of the Croatian Danube region – which, several years earlier, had been under Serbian control - into the Republic of Croatia. The Serbian minority was guaranteed national, political, civil and other minority rights. The authorities in the FRY, i.e. Serbia and Montenegro agreed with the text and dynamics of the implementation of the *Erdut Agreement*.

At an official meeting with the President of the Republic of Croatia Stjepan Mesić, held in Cavtat on 26 June 2000, Milo Djukanović, President of the Republic of Montenegro at the time when it was part of the FRY, expressed regret and apologised to Croatia and the Croatian people for the participation of Montenegro and its citizens in the war attacks on the Dubrovnik

region and the city of Dubrovnik that lasted from the beginning of October 1991 until October 1992. On that occasion (2000), President of the Republic of Montenegro said the following: “I would like to take the opportunity to express my sincere regret to all citizens of the Republic of Croatia, and particularly to the citizens of the Dubrovnik and Dubrovnik-Neretva counties, on my own behalf and on behalf of the citizens of Montenegro - especially those who share my moral and broad political convictions - for all the pain, all the suffering and all the material losses that were inflicted upon them by any Montenegrin members of the YNA in the course of those tragic events”.⁷

MONTENEGRO AND THE WAR IN BOSNIA (1992-1995)

As early as October 1991, long before the Republic of Bosnia and Herzegovina declared its independence, a large number of soldiers and mobilised reservists from the YNA participated in numerous armed conflicts and operations that were undertaken at the Herzegovina-Dubrovnik front, performing military actions in eastern and western Herzegovina, in the territory of BiH.

Serbia and Montenegro (since 27 April 1992, the joint union state of FRY) refused to recognise the results of the referendum which was organised from 29 February to 1 March 1992, in which a convincing majority of the citizens (64.31%) of BiH voted for a sovereign and independent state. Authorities in Serbia-Montenegro (FRY) argued that BiH's constituent peoples (Bosniaks, Serbs and Croats) needed to reach a consensus on the state/legal status, and that the referendum was conducted against the will and despite the boycott of the Serb people who lived there. When the war in BiH broke out and flared up in April 1992, the Serbian-Montenegrin leadership sided with the Bosnian Serb nationalist political and military leadership and their troops. They planned and conducted war actions to ethnically divide BiH and form a Serb state on its soil. That state was later supposed – as projected by the centres of power who wanted a Greater Serbia – to gradually unite with the FRY, contrary to the decisions of the International Badinter Arbitration Commission on the inviolability and integrity of BiH's borders. As regards the war against BiH (1992-1995) and the aggression against it, the government in Montenegro predominantly followed the policy that was created and led by the President of the Republic of Serbia Slobodan Milošević and his regime.

Unequivocal indications of the agreement between Slobodan Milošević and Franjo Tuđman regarding the division of BiH, which was reached in Karadjordjevo, significantly influenced the character of the war. The authorities in Montenegro and Serbia, that is, the FRY, consistently officially denied their involvement in the war in BiH (1992-1995). However, on 30 May 1992 the United Nations Security Council imposed strict international sanctions against the FRY, precisely because of the role that Serbia and Montenegro played in the war. They remained in force for a long time. Ever since the beginning of the war in BiH, Serbia and Montenegro (FRY) politically, ideologically, militarily, materially, with weapons and ammunition, financially, logistically and in other ways supported and assisted the forces of the regime and the army of the war-formed entity of the ‘Republic of Srpska’ which was under the control and command of Radovan Karadžić and Ratko Mladić. With the objective of separating it completely from the BiH, they waged a war against the survival of Bosnia and Herzegovina as an

⁷ **For additional information about this, see:** Prof. Dr. Šerbo Rastoder and M.Sc. Novak Adžić, “Modern History of Montenegro 1988-2017 - From the Coup to the NATO pact”, Volume III, “Vijesti”, Podgorica, 2020, pp. 1,434-1,435.

internationally recognised state and a member of the UN. After the decision to withdraw the YNA from BiH in May 1992, former YNA, that is, the FRY authorities that used to control it played a crucial role in the creation and training of the Army of the Republic of Srpska. For years, this Army was financed from the FRY budget. Actors from the Montenegrin government (Republic of Montenegro) and its staff in the executive and legislative powers of the FRY also participated in this, by taking part in decision-making or approving decisions made in this regard.

From 1992 to 1997, the then President of the Republic of Montenegro, Momir Bulatović, was a full member of the Supreme Defence Council of the FRY, the body that was established on 20 May 1992 to command the Yugoslav Army (YA). Therefore, he equally participated in the adoption of all the decisions that were made by this body, as well as in those concerning the role of the FRY and the YA in the war in BiH (1992-1995). The President and the authorities of Montenegro, together with the leadership of the Republic of Serbia and the FRY, made decisions related to the budget of the Yugoslav Army. These decisions also concerned financial, arms, military, personnel and other support, supply and assistance that were provided to Serb troops, i.e. the Army of the Republic of Srpska in BiH and its war operations (1992-1995). The authorities of Serbia and Montenegro continuously supplied the Republic of Srpska and its Army during the war, mainly with oil (fuel). Also, armed paramilitary groups and individuals would leave the territory of Montenegro and fight on the Serbian side in BiH. Smuggling of weapons, oil, cars, etc. took place under international sanctions that were imposed on the FRY. There were also “weekend warriors”, who went to the Bosnian territory and participated in numerous robberies, arson, looting, rape, murder and abuse, acquiring war profits. All the while, nationalism and chauvinism spread through Montenegro, where Muslims/Bosniaks were terrorised.

In Montenegro and Serbia, the war in BiH inspired terror and crimes against Bosniaks. Despite the rejection of the request of the representative of the Republic of Srpska (Dr. Vladimir Lukić, Prime Minister) to ethnically cleanse Bosniaks/Muslims⁸ from northern Montenegro and the Sandžak area, a number of crimes were committed, ‘confirming’ the Montenegrin government’s loyalty to the struggle of Bosnian Serbs. The criminal act of deportation was one of them. In May 1992, Montenegrin police arrested and handed over to Bosnian Serb forces more than 85 Bosniak refugees. Most of them were killed. This was one of the most horrendous crimes in the history of Montenegro, in complete disagreement with the local traditions and customs, not to mention international law. There were other crimes as well: against refugee families (the Klapuh family from Foča); against Bosniaks from Pljevlja and the surrounding areas (Bukovica); the abduction of passengers from a train in Štrpci (part of the territory of BiH) on the Belgrade-Bar railway line, which took place on 27 February 1993, when 18 Bosniaks and one unidentified person were killed; and the so-called ‘Operation Lim’, during which the Montenegrin police arrested the entire political leadership of the SDA of Montenegro in early 1994, including republic deputies. They were tortured while in custody and 22 of them were sentenced, in a rigged political trial, to a total of 82.2 years in prison. They were released from prison on 29 December 1995, after they were abolished by the President of the Republic of Montenegro, Momir Bulatović. In contrast, many people from BiH sought and found refuge in Montenegro, on their way to third countries. In addition to people who were victims of violence and organised torture, there were also countless examples of solidarity and protection of such

⁸ For additional information about this, see: Transcript of the 8th session of the SDC of 12 March 1993, SPOV, no. 2-6. I; Momir Bulatović, "Slobodan Milošević - Unspoken defense", Niš-Podgorica, 2006, pp. 152-154; See in detail about it and: Prof. Dr. Šerbo Rastoder and M.Sc. Novak Adžić, "Modern History of Montenegro 1988-2017 - From the Coup to the NATO pact", Volume II, pp. 626-627.

people by ordinary citizens of Montenegro of all nationalities. According to the records of the Red Cross and the reports of the Commissariat for Refugees of the Government of Montenegro, on 25 January 1993 Montenegro was host to as many as 64,244 refugees from the war-affected areas of the former SFRY.

The fact that the FRY (i.e. its members, Serbia and Montenegro) were participants in the war in BiH was recognised by the bodies of the international community (European Community, European Union and United Nations), great powers and other states. The joint responsibility of the governments of Serbia and Montenegro for the aggression against Bosnia and Herzegovina was also mentioned in the Report of the US Department of State for 1992, which, inter alia, clearly stated the following: *“While the governments of Serbia/Montenegro insisted that they were not involved in the 1991 war that was fought in Croatia and BiH, they were, in fact, deeply involved in widespread violations of humanitarian law and human dignity in the Bosnian war, which were committed by the YNA and Serb paramilitary forces. They armed Serb forces in both republics through the YNA. Their citizens took part in the wars as members of paramilitary formations, with the approval of the Governments. They also allowed regular YNA troops to remain in Bosnia even after May, re-named as the local ‘Serbian army’. In addition, they continued to supply Serbian forces with fuel, food and other necessities, even when such goods were in short supply in their own republics. And they are failing to condemn personnel who appear to have been involved in war crimes.”*

The request of the Republic of Srpska for the extermination of Bosniaks/Muslims in Sandžak (part of Montenegro and Serbia) was rejected, while the Montenegrin leadership tried to get out of the ‘Bosnian war hell’. Despite its unequivocal support for the Serb side in BiH, as evidenced by the transcripts of the Supreme Defence Council, the leadership in Montenegro favoured the international community’s plans to end the war. This refers to the acceptance of the *Cutileiro Plan* (1992), followed by the *Vance-Owen Plan* for BiH (January-May 1993), the *Owen-Stoltenberg Plan* (June 1993-January 1994), the plan of the international *Contact Group* (May-July 1994), all the way to the *Dayton Agreement* (21 November) and the *Paris Peace Agreement* (1 December 1995, which in fact represented the official signing of the Dayton Agreement) that ended the war in Bosnia and Herzegovina. The FRY (Serbia and Montenegro) was *de facto* forced to recognise BiH within its existing borders only at the end of 1995. Although official Montenegro, as part of the FRY, was also an integral part of the Greater Serbia conquest-oriented war project that involved war, destruction, division and conquest of Bosnia and Herzegovina, the UN Hague Tribunal did not prosecute - in connection with the war in BiH (1992-1995) - any representatives of the Montenegrin republic-level civilian government, any of its citizens, or any of its officers who served in the command structures of the YNA/Yugoslav Army.

It is extremely important to point out that the judgment of the Hague International Court of Justice of 26 February 2007, in the dispute of BiH against Serbia and Montenegro (formerly FRY), had established only an indirect responsibility of Serbia – as the only legal successor of FRY – for genocide in BiH. The verdict relieved Serbia of direct responsibility and the obligation to pay war reparations to BiH, but found it responsible for not doing anything to prevent the genocide despite the fact that it had influence on the Army of the Republic of Srpska and the Bosnian Serb political leadership. At the beginning of the verdict, the President of the Trial Chamber of the International Court of Justice in The Hague, Rosalyn Higgins, stated that *“Montenegro is not a subject in the dispute, but it shares responsibility with Serbia as a signatory to the Convention against Genocide”*. In the reasoning of the verdict issued by the fifteen-member panel of judges, it was stated, among other things, that *“FRY did nothing to prevent the genocide in Srebrenica, despite the knowledge of the authorities in Belgrade about it”*. Some of the citizens, i.e. citizens and residents of Montenegro and the FRY, had participated in the

aggression on BiH until the end of May 1992, as conscripts of the YNA and later of the Army of the Republic of Srpska. They did so also as members of police formations of the State Security Agency of Serbia, as well as numerous volunteer and paramilitary formations (1992 -1995).

MONTENEGRO AND THE WAR IN KOSOVO (1998-1999)

To understand the conflict over Kosovo, one should bear in mind that the so-called ‘Kosovo issue’, or the ‘Albanian issue’, has been the focus of the Yugoslav political crisis since the early 1980s. That is when students at the University of Pristina, followed by MPs, presented their request – the Republic of Kosovo, to which Serbia responded by abolishing the autonomy of the province in 1989. By doing this, it reduced the issue to the relationship between Serbia and Kosovo. As a ‘frozen conflict’, the problem remained for twenty years, until it finally exploded into the open armed conflict that took place in 1999.

The war in Kosovo broke out during the conflict of Milo Djukanović and the regime of Slobodan Milošević, in an attempt to deviate from his policies. Although the government in Montenegro supported - until about 1997 - Serbia’s policy towards Kosovo as a province over which complete control needed to be established, a radical turn was made at the time of the outbreak of the armed clash.

Official Montenegro, i.e. its government, refused to take part in the war in Kosovo (1998-1999) and the military conflict of the FRY with the North Atlantic Treaty Organisation (NATO) in 1999. Instead, it insisted on full cooperation with the US, NATO and the European Union. It was in favour of accepting peace plans and proposals that came from the international community regarding the peaceful resolution of the Kosovo crisis and the termination of armed conflicts and the war in Kosovo (1998-1999), which was waged by the Yugoslav Army (VJ) and Serbian paramilitary formations to quell the rebellion of the Kosovo Liberation Army (KLA) and the Kosovo Albanian uprising. The Montenegrin leadership favoured a political solution to the Kosovo issue and did not agree with the policy of the President of FRY Slobodan Milošević. Nevertheless, before the war in Kosovo escalated, at the session of the Supreme Defence Council held on 9 June 1998 in Belgrade, the President of the Republic of Montenegro, Milo Djukanović (who was a member of the SDC) – all this according to Momir Bulatović, who had participated at the meeting in the capacity as Prime Minister of the FRY – allegedly “*voted for the conclusions which assessed that the engagement of the YA in Kosovo and Metohija was in accordance with the Constitution and laws of the country, and supported the armed fight against the terrorist KLA*”⁹ President of the Republic of Montenegro, Milo Djukanović, participated at the session of the SDC in Belgrade, held on 4 October 1998, at which he insisted that the FRY should in no case confront NATO militarily, that the announced armed conflict and the threatened NATO intervention should be avoided, that the conflict in Kosovo should be resolved politically and through negotiations with the Albanian side and not by armed means, that he was against mobilisation, etc. But – according to the testimony of Momir Bulatović – when asked by Slobodan Milosevic “If NATO aggression against the FRY occurs, should we defend the country by all available means?”,¹⁰ and “Should our army defend our country?”,¹¹ Djukanović, allegedly, orally answered that “It should”.¹² However, there was no voting at the meeting, and there is no

⁹ Prof. Šerbo Rastoder and Novak Adžić, “Modern History of Montenegro 1988-2017 - From the Coup to the NATO Pact”, volume III, Vijesti, Podgorica, 2020, pp. 1314-1315.

¹⁰ For additional information, see: Prof. Šerbo Rastoder and Novak Adžić, “Modern History of Montenegro 1988-2017 - From the Coup to the NATO Pact”, volume III, Vijesti, Podgorica, 2020, pp. 1315-1316.

¹¹ Ibid, p. 1316

¹² Ibid.

available, original document, with Djukanović's signature, as evidence that he *had* voted as Bulatović claimed he had. The Montenegrin government was powerless in its constant attempts to influence the Serbian and federal authorities to avoid a violent solution to the Kosovo problem and the FRY's armed conflict with NATO that followed. The Montenegrin government and part of the parliamentary opposition were supporters of accepting the peace agreement that was offered by the International Contact Group (USA, European Union and Russia) at unsuccessful talks and negotiations in Rambouillet near Paris (6-23 February 1999) and in Paris (15-18 March 1999), where Montenegrin representatives were not present and which were conducted, with the participation of international political and military factors, between the representatives of the Serbian authorities and Kosovo Albanians in an attempt to resolve the Kosovo crisis and stop the war.

The proposed *Rambouillet Peace Agreement* was resolutely rejected by the FRY President Slobodan Milošević and the authorities in Serbia and FRY (without the participation of legitimate representatives of official Montenegro). The armed NATO intervention ensued after the last visit of US peace negotiator Richard Holbrooke, envoy of US President Bill Clinton, to Belgrade on 22 March 1999 and his failed attempt to persuade Milošević to accept US and international contact group terms, suspend the offensive in Kosovo and accept the provisions of the peace plan. The intervention lasted 78 days. NATO aviation bombed military targets located mostly in Serbia, but also those in Montenegro.

The Yugoslav Army (YA) had been constitutionally and legally defined as the joint army of FRY and many of its ground forces, navy and air defence were stationed in Montenegro. However, in 1998 and 1999 the YA *de facto* became the army of Serbia, under the full control of Slobodan Milošević and his regime. Milošević completely eliminated the Montenegrin President Milo Djukanović from the Supreme Defence Council (SDC), regardless of the fact that he was a full member of this body. From 25 December 1998 on, in violation of the FRY Constitution and the laws, president of the SDC Slobodan Milošević no longer invited Djukanović to participate in the work and decision-making of the SDC, nor was Djukanović, in fact, a part of that body until Milošević fell from power (on 5 October 2000). Since then, he was – in reality, although illegally - eliminated from the work of the body which was the constitutional supreme commander of the YA. At that time, Djukanović had already parted ways with Milošević and his regime (their disagreements have particularly intensified in 1999 and 2000), and has not had any official communication or meetings with him since. The actual elimination of Djukanović from the work of the SDC was done contrary to Article 135 of the FRY Constitution. That is how Milošević completely subordinated the federal body, which - as a collective - commanded the YA. After October 1998, the SDC met once again on 25 December of that year. It did not convene during the FRY war with the NATO Alliance (March-June 1999).

The Federal Government of the FRY was headed by Momir Bulatović, leader of the Montenegrin Socialist People's Party (SNP) which had not been recognised by official Montenegro since its formation in 1998. Momir Bulatović, the candidate who was defeated in the presidential elections in Montenegro (1997) was nevertheless, at the suggestion of Slobodan Milošević, still elected Prime Minister of the FRY on 18 May 1998. The FRY government was formed by the representatives of the SNP (which in Montenegro was considered an opposition party since it convincingly lost in the parliamentary elections held on 31 May 1998).

The day before the beginning of the NATO intervention, on 23 March 1999, the FRY government led by Momir Bulatović declared a state of imminent danger of war. Somewhat later it declared a state of war, and introduced the obligation of military mobilisation in Montenegro due to the FRY conflict with NATO. However, to avoid a conflict with the Alliance, the government in Montenegro opposed it and, instead of the war obligation, introduced a work obligation for its citizens. The already disturbed relations and tensions between the YA and the

Montenegrin authorities reached a peak during the NATO intervention. Montenegro was under the threat of violence by Milošević's supporters, but there was also a danger that Milošević would use the YA, which was under his control, against the legal and legitimate Montenegrin authorities in an attempt to overthrow the government in Montenegro by way of a military coup.

During the war in Kosovo, the YA mobilised Montenegrin citizens and, voluntarily or by force, sent them to Kosovo battlefields. In March 1999, on the eve of the NATO bombing, the Parliament of the Republic of Montenegro adopted a resolution in which it demanded that the YA return and withdraw soldiers and reservists from Kosovo to Montenegro, and that the territory of Montenegro not be used in the upcoming FRY military conflict with NATO. These demands were however rejected by the YA and the top authorities in the FRY. In the allied action of 19 countries, carried out under the names "Merciful Angel" and "Allied Force", the territory of Montenegro was nevertheless hit by NATO bombs and cruise missiles. Around 8 pm of the first evening of the bombing, on 24 March 1999, the Alliance's air force hit and rendered inoperable the YA radar centre on Crni Rt near Bar. That same evening, NATO bombed the Golubovci military airport near Podgorica, and the YA naval radar-communication centre in the Bay of Kotor (Obosnik). NATO bombs also targeted the YA barracks in Danilovgrad, killing a soldier from Belgrade who was serving in the military. Two soldiers were wounded during the air attack on the marked targets and facilities in Montenegro, one of which was the military airport "Golubovci". During the NATO bombing of the FRY, which lasted from 24 March until 10 June 1999, and the fiercest war in Kosovo, Montenegro was – for the most part (although not entirely) – spared war destruction and casualties. Its government officials constantly repeated that Montenegro was not at war with NATO, acting very constructively and cooperatively in its relations with the international community.

The already divided Montenegrin society was additionally radicalised - politically, ideologically and in other ways. The division into supporters and opponents of the war in Kosovo and the conflict with NATO was especially intensified, and there was a great danger that a civil war might break out. A particularly important act, which may have decisively contributed to the prevention of the civil war in Montenegro during the war in Kosovo and the NATO military intervention, was the *Resolution on Civil Peace in Montenegro* of 26 March 1999, adopted by consensus by members of parliamentary political parties.

There was a dual power in Montenegro during the NATO strikes against the FRY: there were civilian authorities that functioned under the control of the Montenegrin Government, and the military authorities that operated under the control of the federal administration in Belgrade. In attempts to subjugate Montenegro to political-military structures in Belgrade during the FRY's war with NATO, the YA (both then and later) played the role of a political *gendarme* and was used as a means of putting pressure on Montenegrin political leadership. The break with Milošević's policy spared Montenegro the destruction and consequences that certainly would have been greater if it had not distanced itself from the senseless war which was lost before it even began. But that does not mean that it was spared civilian casualties. Six civilians were killed when NATO bombed the bridge in the town of Murino on 30 April 1999, including children aged 9, 12 and 13.

On 18 April 1999, the YA General Staff demanded that the Montenegrin authorities place Montenegrin police under the command of the YA, in accordance with the decree declaring a state of war. The Montenegrin government rejected the request. The Government and its Ministry of Interior made it clear that they refused to place themselves under the control and administration of the YA. Two days later (on 20 April 1999), in Sutorina, near the Debeli Brijeg border crossing between Montenegro and Croatia, Yugoslav Army units entered the UN demilitarised zone and set up barricades, blocking the land exit from Montenegro and implementing rigorous control of the movement of passengers and transport of goods in both

directions. The only land path that connected Montenegro to the West was taken over from the Montenegrin civilian authorities by the YA. In addition to voluntary, the Yugoslav Army also carried out forced mobilisation in Montenegro, where it had more than 25,000 troops and reservists at its disposal in April 1999. Montenegro was blocked by the YA from land, sea and air, unable to control its borders. It was almost blocked economically as well. A significant part of its territory was not under the actual control of the legal and legitimate Montenegrin civilian authorities; instead, it was under forced YA administration. There was a balance of power and a balance of fear, which essentially saved Montenegro from a possible bloody internal conflict.

During the war in Kosovo and the NATO intervention against the FRY, the Seventh Battalion of the YA posed a special threat to civil peace. It acted practically as the party army of the SNP and was the “main weapon” of the Milošević regime in Montenegro. This battalion was formed on 1 June 1999. It first numbered about 400 soldiers, later increasing to 900, and finally to about 1,900.

According to available data, 34 Montenegrin citizens were killed during the war in Kosovo (1998-1999) and the NATO military intervention in the FRY (1999). They were part of the YA and police forces of the Ministry of Interior of Serbia. One of them was a woman who was an employee of the Ministry of Defence of Serbia on Kosovo.

On the territory of the Republic of Montenegro, which was an integral part of the FRY during the war in Kosovo, war crimes against civilians occurred in the village of Kaludjerski Laz and the surrounding locations in the municipality of Rožaje - the area that was under the command of the Second Army of the YA. A large number of refugees from Albania lost their lives in the period 18 April - 21 May 1999. 17 Albanian refugee civilians were killed and five were wounded. The State Prosecutor’s Office of the Republic of Montenegro had filed indictments against 8 YNA officers and soldiers for this war crime, but all the defendants were acquitted in the final verdict of the Court of Appeals of the Republic of Montenegro of 8 December 2014, allegedly “due to lack of evidence”. During the war in Kosovo and as a result of the humanitarian catastrophe, more than 110,000 refugees from Kosovo fled to Montenegro during the period 1998-1999. They were taken care of by the republic and local authorities, and especially by citizens, with the humanitarian help of international actors and organisations. Most of them were Albanians who later returned to Kosovo. About 22,000 Serb, Montenegrin, Roma and other people from Kosovo were also provided with refuge.

The war in Kosovo ended on 9 June 1999, when the representatives of the YA and the Serbian police and authorised NATO representatives signed the *Military-Technical Kumanovo Agreement*. Under the agreement, the YA and the Serbian police, as well as paramilitary forces, were to withdraw and allow international KFOR troops to come to Kosovo. KFOR was under the obligation to disarm the KLA. Montenegro welcomed and accepted the signing of the Kumanovo Peace Agreement, although it did not participate in its conclusion since its government was against the war in Kosovo and the FRY’s conflict with NATO. The bombing of FRY stopped on 10 June 1999, following the adoption of UN Security Council Resolution no. 1244.

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