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ANNEX III
THE MILITARY STRUCTURE, STRATEGY
AND TACTICS OF THE WARRING FACTIONS

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I. INTRODUCTION

1. The following report describes the basic military characteristics and features of the "warring factions" in the former Yugoslavia. The focus of this report is on the structures, strategies, and tactics of the regular military forces engaged in the conflict. These regular forces are those of the Yugoslav Army (JA) and its predecessor, the Yugoslav Peoples Army (YPA), also referred to as the Yugoslav National Army (JNA); the Bosnian Serb Army (BSA); the Krajina Serb Army (SKA); the Croatian Army (HV); the Croatian Defence Council (HVO); and the Army of Bosnia-Herzegovina (BiH). Paramilitary and Special Forces units have performed an important role in this conflict, often coordinating their operations with those of conventional forces. These forces are discussed in detail in Annex III.A. Armed police and local volunteers have also been active participants in military activities.

2. With the exception of the JNA, the military forces involved in the conflict have been organized only recently. In large measure, they emerged from the former Yugoslav National Army (JNA) and local Territorial Defence Forces (TDF).

3. The strategies of the "warring factions" in the current conflict, with their decentralized structures and reliance on partisan tactics, have much in common with the tactics employed by Yugoslav forces during the Second World War. Thus, the following discussion begins with a review of military operations that emerged to resist the Axis powers.

4. The facts discussed below are linked to the periods to which they relate. Obviously, command structure, "order of battle", forces, equipment, and troop disposition change. Thus, this report is not intended to be a specific chronology of such events. Rather, it is intended to reflect a general situation that needs to be understood in order to assess the military context of the events that led to large scale violations. It is not therefore a complete survey of all aspects of the military situation. The description which follows is based on information obtained up to March 1993.

II. SUMMARY AND CONCLUSIONS

5. Unlike other conflicts, this one has peculiar characteristics which partake of conventional and unconventional war.

6. Political factors, both international and local, significantly affected the course of military operations.

7. Because the overall conflict evolved into three separate ones, the armies of some of the warring factions were newly constituted while the JNA was three times reconstituted. This situation produced complications and peculiarities with a direct bearing on the course of military activities, and the status of command and control.

8. The geographic spread of military industries, and the location of maintenance facilities, army depots and government supplies, also affected the course of military operations and the use of weapons because of the availability of munitions, spare parts and repair facilities.

9. Military operations in BiH and Croatia by the JNA, BSA, and SKA have essentially been a function of the political-military goal of securing territories that link Serbia proper with Serb-inhabited areas in BiH (along the Drina and Sava rivers) and Serb-inhabited areas in Croatia. The Serb goal was to achieve a territorial and defensible link between areas constituting a

"Greater Serbia". Thus, there has never been a unified or coherent battle line, but multiple theatres of operation between which forces shifted, depending on the status of each theatre. Strategic positions were related to each one of these theatres, but since these theatres were part of a political-geographical arc linking Serbia with Serb-inhabited areas in BiH and Croatia, the theatres of military confrontation were readily identifiable. As the conflict progressed, the Serb side sought to solidify and enlarge its territorial gains in the areas of the projected "Greater Serbia", while BiH and Croatian forces sought to dislodge them. These theatres saw a constant ebb and flow of military activities.

10. Because these areas were of mixed ethnic and religious population and Serbs were usually a minority, particularly in BiH, Serbs felt that they had to dislodge the other groups. In 1992, Bosnian Serb forces were insufficient in number and disorganized. However, they were tasked by their political leaders with massive population removal in a relatively short period of time without the open and direct participation of the JNA. The JNA, however, militarily supported the Bosnian Serb forces in many ways, including bombardment and shelling. They were also directly involved in several operations. This was in execution of the policy of "ethnic cleansing" which is described in Annex IV and more specifically in Annex V. The overriding political goal of depopulating these areas of non-Serbs determined the nature of the military activities. These areas were not military targets, but civilian areas with strategic importance derived from the fact that they linked Serbia with Serbs in BiH and Croatia. Personnel, arms and supplies crossed the Drina River from Serbia to Serbs in BiH and through Bosnian Serb areas to certain parts of the Krajinas, which are surrounded by Croats. Military operations in these areas must therefore be seen in this light in order to be understood.

11. Confrontation lines are therefore in and around cities and villages, and access roads to them. But they are not part of a continuous line. Consequently, there are seven areas in BiH controlled by the Bosnian government which are geographically unconnected. This also means that areas under Serb control are not contiguous. The same is true with respect to Bosnian and Croatian forces in Herzegovina and also in the Krajinas where the Serbs are in four unconnected sectors. This checkered military map meant the forces from different warring factions were interspersed. In many areas, the party in control is surrounded entirely by another party, or only partly by that party and partly by yet another party.

12. The result of this checkered and totally uneven field situation is that each one of these theatres of military confrontation had different characteristics. More particularly, they also had different dynamics and the relations between opposing groups varied significantly.

13. One way by which this is evident is in the level of the black market and trade that goes on in these areas between the warring factions or through their lines. Thus, for example, the Tuzla area, which has over one million inhabitants, including some 20,000 Serbs and 30,000 Croats, has suffered little bombardment from the Serb forces which surround it entirely. That city has a flourishing black market to which goods arrive from Serbia through Serbian lines. Another example is the Bihać pocket which, until summer 1994, was ruled by Fikret Abdić who broke with the Sarajevo government. He operated a private company that brought goods from Croatia (which borders Bihać on one side) into the pocket, and also traded with the Serb forces which encircled the pocket from three directions. This cozy relationship resulted in Abdić's signing in Belgrade in April 1993 a separate peace with the Bosnian Serb Republic. This situation changed when the Fifth Army Corps of BiH recaptured the area in August 1994. Since then, the area has been the scene of intense

fighting between BiH forces and the BSA, which also has support from the SKA in nearby Croatia. These are only illustrations of the peculiarities of this conflict.

14. The military structure, strategies and tactics of the "warring factions" are a consequence of the following factors:

(a) World War II antecedents, as well as experiences in that partisan war which led to the doctrine of Total National Defence (TND). TND includes the placing of weapon caches with local territorial defence units, decentralization of forces and command control, reliance on local forces, and other characterizations, which partake of a combination of guerilla and conventional warfare;

(b) Political factors leading to the different stages of the JNA; and,

(c) The gradual evolution of the conflict which took place between multiple parties, at different times, and in separate, though frequently related, theatres of operation.

15. The TND was part of Yugoslav political-military doctrine. Thus, TND and the type of Army and Party structures that existed in Communist Yugoslavia constitute a political-military context which has had significant impact on the goals, strategies and tactics employed by the JNA and the forces that emerged out of the JNA in Serb Bosnia and Krajina. This context and, in particular, the political factors that led to the conflicts in Slovenia, Croatia, and BiH, are crucial to an understanding of what occurred.

16. When the three Republics of Slovenia, Croatia, and BiH declared their independence, 1/ they did not have separate armies. Before 1991, the JNA was a single army for all members of the former Yugoslavia, though its military centrality changed since 1974. Upon the successive declarations of independence of these three republics, some of the military personnel, who had been located in each of these Republics, left the JNA and reconstituted themselves as part of the newly created national armies of Slovenia, Croatia, and BiH. 2/ In addition, each of the "warring factions" used paramilitary and special forces as described in Annex III.A. The armies of the "warring factions" consisted mainly of military personnel and equipment of the former JNA. But each of these Republics had local TDF 3/ which were part of the TND of Yugoslavia, and local police forces consisting of personnel from their respective Republics. These forces and armed civilians supplemented the armies of the "warring factions".

17. The role performed by the military in the breakup of the former Yugoslavia was critical to the evolution of this conflict, as stated by James Gow, a Research Fellow at the Centre for Defence Studies, King's College, University of London:

"[t]he role played by the military in the breakup of the former Yugoslavia was central: it made the difference between widespread unrest and war. By September 1991 the military had decided to create a new Yugoslav state from parts of Croatia and Bosnia and Herzegovina, which would be "cleansed" of "unreliable" and potentially hostile inhabitants. At that stage, as the Belgrade military intensified its activity in Croatia, it also appears to have begun preparations for a war to divide Bosnia and Herzegovina. That war was launched in the period preceding international recognition of the Bosnian state, with a series of attacks at crucial points in the country. In the face of international pressure, the Yugoslav military divided, with half of its capability remaining in Bosnia as the Bosnian Serb army. This force

proceeded to occupy and "cleanse" large parts of Bosnia and Herzegovina." 4/

18. Since the conflict began, however, there has been considerable continuity in the structure, strategy, and tactics of the military forces in the former Yugoslavia. The distinctive changes since 1993 are that the "warring factions" increased centralized command of their respective army structures; established control over paramilitary and special forces by integrating them into the army or disbanding them; and enhanced military professionalism. The result, as of middle-to-late 1993, is that more combatants are in uniform, who operate as part of regular army units, and under the command of superior officers. It is therefore important to distinguish between the situation that existed between approximately June 1991 and late 1993, and the ensuing period, bearing in mind that the process of transformation has been gradual.

19. The earlier part of the conflict was characterized by a multiplicity of combatant forces (for example, regular armies, militias, special forces, police and armed civilians) operating within different structures or outside any structure, sometimes operating under no established command and control. Some of these forces operated without uniforms, emblems or insignias. Frequently, these forces merged or combined in connection with certain operations. Probably the only factor common to all of these forces is their receipt of military equipment, ammunition and supplies from their respective armies and governments, and in the case of Bosnian and Krajina Serbs, their reliance on the JNA and the FRY.

20. The military structure and the strategies and tactics employed blur the chain of command and conceal responsibility. This concealment may well be intended by some of the parties to provide a shield of plausible deniability to the military and political leaders. But it could also have been the result of a chaotic situation which regular armies in the process of constituting or reconstituting themselves could not control until they had reached a sufficient level of organization. This occurred later in the conflict, but after most of the violations had occurred.

21. These factors, however, contributed to the manner in which the policy of "ethnic cleansing" was implemented, particularly by Serb forces, who were unrestrained by the JNA, from which they received support.5/

22. The overall conflict in the former Yugoslavia evolved through three distinct phases. The military structure must be examined in the contexts of the three succeeding and sometimes overlapping conflicts which took place during these three phases, as described below.

23. The first phase involved the conflict in Slovenia. It began when that Republic declared its independence from the former Yugoslavia on 25 June 1991. That conflict involved the JNA, Slovenia's TDF, Slovenian troops who left the JNA to join the newly created Slovenian Army, and local Slovenian Police. This phase lasted for only 10 days in June and July 1991, and resulted in limited human and property harm. 6/

24. The second phase of the conflict involved Croatia. It started before that Republic officially declared its independence on 25 July 1991. On one side, that conflict involved the JNA, Serb militia in Krajina and in eastern and western Slavonia, special forces from Serbia (with the participation of Serb expatriates and some mercenaries), local special forces, and Serb police and armed civilians from the same areas. On the other side, the newly-formed Croatian Army consisted of Croatian troops who left the JNA, the Croatian National Guard (ZNG), local militia, special forces (with the participation of

expatriate Croats and some mercenaries), and local Croatian police and armed civilians. After November 1991, the JNA formally withdrew from Croatia, but continued to support the army of the newly-formed, self-proclaimed "Serb Republic of Krajina". Meanwhile, the newly-established Republic of Croatia had formed its army, the Croatian Army (HV), which, along with Croatian special forces and others, continued the armed conflict in what became the United Nations Protected Areas (UNPAs) in Croatia. 7/

25. The third phase of the conflict began in BiH, following its declaration of independence on 6 March 1992. It involved simultaneous fighting between Croats and Bosnian government forces, Bosnian government forces and Serbian forces, and Croatian and Serbian forces. The Croatian Defence Council forces in BiH (HVO) were supported by the Croatian Army, local Croatian police, volunteer civilians and special forces like the HOS, the military wing of the Croatian party of Rights (named after the former Ustaše of the Second World War, who also fought against the Serbs in the Krajina area). The HOS was later partially incorporated into the HVO and disbanded. Other Croatian armed civilian forces operate essentially in local areas. At first, the Bosnian government and JNA opposed each other. This lasted from April to June 1992, during which time the JNA troops from Serbia and Montenegro "officially" withdrew from BiH, leaving behind Serbian JNA troops from BiH and their equipment. They were supplemented by special forces from Serbia which consisted of Serbs, expatriate volunteers and mercenaries, Bosnian Serb militia and police, and local Serb volunteers. 8/

26. As described above, in addition to the regular armies of JNA, Croatia and BiH, there are three additional armies: the Bosnian Serb Army (BSA), which operates in Bosnia; the Krajina Serb Army (SKA), which operates in Croatia; and the Croatian Defence Council (HVO), which operates outside the border of the Republic of Croatia, in BiH. The first two are armed and supported by the JNA (the Yugoslav Army or JA) and the third is armed and supported by the Croatian Army (HV).

27. In addition to these armies, the TDF were militarily active. In Croatia, TDFs were known as the Croatian National Guard (ZNG). The TDFs had a separate command structure from the regular army. Nevertheless, they joined in the armed conflict, frequently operating with their respective regular army and under regular army officers' command. They also operate independently in certain geographic areas, usually the areas from which most of the personnel in these units came.

28. Two other types of paramilitary groups and formations are also engaged in military operations. They consist of the so-called special forces, and local police forces augmented by local armed civilians. All of the warring factions make use of such forces among their combatants, but the lines of authority and the structure of command and control are confusing, even to the combatants. (See Annex III.A, Special Forces).

29. There are several reported paramilitary and special forces, (see Annex III.A), which usually operate under the command of a named individual and apparently with substantial autonomy, except when they are integrated into the regular army's plan of action.⁹ These forces are supplied and often trained by the governments that they serve. Many special forces answer only to senior political officials in the respective governments. Such relationships are frequently based on personal political allegiance and are not always publicly known. However, in time, information about the political sponsorship and support of these groups became more readily available though still nebulous. As these units usually operate independently and outside the apparent military chain of command, their order of battle is not known. Notwithstanding the strong links between these units and the respective

armies, the regular armies failed to restrain them from the commission of grave breaches of the Geneva Conventions and other violations of international humanitarian law. Among the most notorious of the special forces are Arkan's "Tigers" and Šešelj's "White Eagles" (also referred to as "Etniks"). Many of these units operate throughout the territory of the former Yugoslavia. Thus, the Serbian units operate in BiH and Croatia, and the Croatian units in BiH. These special forces have committed some of the worst violations of international humanitarian law. They are described in Annex IIIA.

30. Some towns and villages formed paramilitary units, which are not to be confused with the special forces mentioned above. These local forces operate in the areas of their towns and villages. Occasionally, they also lend support to similar groups and other combatants in the same opština (county) and neighbouring areas. Their command and control is local, and the chain of command difficult to establish, though these groups, like the special forces, typically have an identifiable leader. Frequently, the unit or group is called by the leader's name. Otherwise, the unit or group uses a politically significant name or the name of their town, village or area. The leadership of these groups is local, mostly consisting of political figures. These units, particularly among Serbs in BiH and Krajina and Croats in Krajina and BiH, have, like the special forces, committed grave breaches of the Geneva Conventions and other serious violations of international humanitarian law.

31. The police, augmented by volunteer armed civilians, also participate in military activities. These forces operate within a given municipality. They are nominally under the control of the Ministry of Interior. Furthermore, the respective Ministries of Interior also have national and regional police units, which usually operate outside the boundaries of local municipalities. The relationship between national, regional and local police is not always clear and varies in each country, and sometimes within the regions of each country. During the early stages of the conflicts in Croatia and in BiH, the police, augmented by volunteer armed civilians, operated without apparent command and control from the army. Their leadership was local and included many political figures. These forces acted with apparent autonomy in their respective areas, except when engaged in operations with their respective regular army.

32. During the early stages of the conflict, most of the combatants, including in many cases those in the regular army, did not wear distinctive uniforms, emblems or insignias of rank. As a result, officers freely moved from army to militia and from one unit to another. To further complicate matters, in the early stages of the conflict between Croatia and the FRY and other Serb forces within Croatia, and between BiH and the FRY and other forces within BiH (in May 1992, JNA forces from the FRY officially withdrew from Bosnia), the order of battle of many army and militia units was not clearly established. The chain of command was significantly blurred, even to insiders. Consequently, the organizations' command and control structures were seriously eroded, which resulted in much confusion. The confusion was more pronounced in BiH among Serb combatants until late 1992. It seems to have been purposely kept that way for essentially political reasons. This makes it difficult to ascertain units in a specific area and to establish command responsibility. The situation changed as the three regular armies managed or decided to control these combatants as of 1993. But that process was slow.

33. The outcome of such a structure and the strategies and tactics employed blur the chain of command and help conceal responsibility. This concealment may well be intended by some of the parties to provide a shield of plausible deniability. But, it could also be due to other factors existing at the early stages of the conflict, as stated by one expert:

"[t]here is a great deal of genuine confusion in the West as to who actually controls the Serbian forces in BiH. To make the situation even more complicated, the regime in Belgrade consistently tries to do its best to muddle the issue by denying its own responsibility for war in the neighbouring republic. For example, the President of the self-proclaimed FRY, Mr. Dobrica Cosic (who is also Supreme Commander of the Federal Army) falsely asserted on 15 July that the army does not provide any weapons and military equipment to the former 'territorial Defense Forces of the Serbian Republic of BiH, except for some limited humanitarian aid'. Moreover, it does not command and control these forces. But the reality is quite different. The operational chain of command in the federal army runs from the Supreme Defense Council (composed of the president of the FRY and presidents of the Republics of Serbia and Montenegro through the General Staff in Belgrade to the commanders of 1st MD (Belgrade), 4th MD (Podgorica), the Army of the Serbian Republic of BiH, Naval District (Kumbor, Bay of Cattaro), Air Force and Air Defense units." 10/

34. Special forces are apparently accountable only to senior political officials of the governments which they serve. Little is known about their order of battle except that restraint of these units by the regular army is conspicuously absent. Command and control, in effect, have been established through a policy of omission. The JNA, in particular, has at least tacitly permitted paramilitary units and special forces to engage in conduct that has resulted in grave breaches of the Geneva Conventions and other violations of international humanitarian law. In many instances, the JNA was on the scene and militarily supported these activities and these violations. A purposeful failure to act was therefore evident in many cases.

35. As stated earlier, paramilitary units and special forces have performed an important role in the conflict. In the early stages of the war in BiH, for example, paramilitary units coordinated their operations with the JNA. This was apparent in the attacks on Prijedor, Bijeljina, and Zvornik, as well as in other attacks in cities and villages along the Drina and Sava Rivers. The role that paramilitary and special forces have played in the conflict is explored in greater detail in Annex III.A.

36. A large number of Serbian and Croatian expatriates have joined in the fighting, mostly with paramilitary and special forces. There are also a smaller number of non-nationals, volunteers, and a few that could be called mercenaries also joining in the fighting. In contrast, a much smaller number of expatriates and non-nationals joined on the BiH side. (See Annex III.A, Special Forces)

37. All of the combatant forces, in significantly different degrees, have committed grave breaches of the Geneva Conventions and other violations of international humanitarian law for which military and, in some cases, civilian commanders are responsible under the principle of command responsibility. The largest number of these violations were clearly perpetrated by Serb combatants, and the largest number of victims have been from BiH.

38. The absence of command and control and the conditions created, particularly on the Serb side, were conducive to large scale and repeated violations. Persons who engaged in this conduct were encouraged by propagandistic rhetoric and comforted by the belief that they would have impunity. The absence of preventive action by military commanders and other purposeful omissions, such as the failure to punish known perpetrators, constitutes a clear basis for command responsibility.

39. The history of war clearly reveals that professional armies that are

under effective command and control commit fewer violations than fighting units that are not properly trained in the law of armed conflict and are not under the effective command and control of superior officers. But when military commanders order violations, permit them to happen, fail to take measures to prevent them, and fail to discipline, prosecute and punish violators, then the worst can be expected. Unfortunately, in this conflict, the worst did occur. This is a sad commentary on those who committed these crimes, but it is an even sadder one concerning the military and political leaders who ordered these acts or made them possible. War is sufficiently inhuman without having it carried out in the most inhuman ways. Tragically, in this case, these inhuman ways were designed to serve a political purpose. See the Policy of Ethnic Cleansing Annex IV.

40. The grave breaches of the Geneva Conventions and other violations of international humanitarian law occurring in this conflict are, in part, the product of the military structure that resulted in a lack of effective command and control. The violations are also the result of the strategies and tactics employed by the "warring factions", and the failure of military commanders to prevent and repress these violations.

41. The parties to this conflict are bound by the four Geneva Conventions of 12 August 1949 and Additional Protocols I and II, both under State succession and by the parties' specific accession thereto. 11/ The parties are also bound by the Genocide Convention under State succession, in so far as that convention has been ratified by the former FRY. The parties are also bound by that Convention under jus cogens and customary international law. The parties are also bound under jus cogens and customary international law by the obligations arising under "crimes against humanity", as developed in conventional and customary international law. 12/

42. The Federal Criminal Code of the former Yugoslavia embodied the international rules of armed conflict. JNA military personnel were instructed accordingly. Thus, grave breaches of the Geneva Conventions and other violations of international humanitarian law are also part of the applicable national laws of all warring factions.

43. Furthermore, the ordinary criminal laws which existed in the criminal codes of all the former Republics of Yugoslavia also prohibited those acts (which are grave breaches of the Geneva Convention and other violations of international humanitarian law) as common crimes.

44. Lastly, the defence of "obedience to superior orders", finds no application in the cases of violations which occurred in this conflict.

45. The doctrine of "Command Responsibility" and the defence of "obedience of superior orders" are discussed in the Final Report, & 55-62.

III. WORLD WAR II AND THE BIRTH OF THE YUGOSLAV MILITARY

46. Eleven days after the German invasion of Yugoslavia in March 1941, King Peter fled with his government to England. 13/ The Royal Yugoslav Army, which had not yet been mobilized, surrendered. To eliminate a threat to their southern flank, the Axis powers divided Slovenia between Germany and Italy. A government was established in Croatia under Ante Pavelić, leader of the pro-fascist Ustaše. In addition, several border areas were ceded to Hungary, Bulgaria, and Albania. The Germans then consolidated their hold on the population by introducing mandatory conscription and forced labour. 14/

47. By the summer of 1941, guerilla bands were operating in mountainous regions stretching through Slovenia, Montenegro, and Macedonia to the Greco-Yugoslav border. The guerrillas were members of two distinct, and eventually mutually hostile, groups: Četniks and Partisans. The main group, the Četniks, operated under a regular army officer, General Draža Mihajlović, who established his headquarters in the mountains of western Serbia. The Četniks were known for their fierce fighting and guerrilla tactics. Politically, however, the Četniks were divided into those who supported King Peter's government-in-exile and those who favoured the establishment of a Republic.

48. The Partisans, who were aligned with the Communist Party, were a more cohesive group than the Četniks. This group, and its leader, Josip Broz (who adopted the nom de guerre Tito, later Maršal Tito), had been banned since 1921. Thus, they had 20 years experience living underground by the time of the invasion, resulting in a more disciplined and secretive force. Tito set up headquarters in Ulice, not far from Mihajlović's stronghold and exploited anti-German sentiment in Yugoslavia, taking aggressive offensive action against German forces. Mihajlović, by contrast, sought to avoid German reprisals by building a resistance movement for later cooperation with the allies. See Annex IV, Part 1, for further discussion of this period.

49. By 1942, Četniks and Partisans were fighting each other, and occasionally Četnik forces collaborated with the Italian occupying forces in BiH, Dalmatia, and Montenegro. Četniks in Serbia maintained a tacit truce with the German occupiers. In Croatia, Ustaše troops formed pro-Axis units, and cooperated in offensive actions against the Partisans and occasionally against the Četniks. Bosnian Muslims, along with Serbs and Croats from BiH, formed a brigade to combat the Partisans. Approximately one million people were killed in the former Yugoslavia during World War II. During the war, the Croatian Ustaše regime launched a campaign of annihilation against the Serbs. It has been estimated that the Ustaše killed a large number of Serbs during this period. Depending on the source, the number of Serbs killed varies between 200,000-700,000.

50. Political and military structures continued to evolve during the war. By mid-1942, Tito had two Partisan "divisions", unorthodox formations of about 2,500 fighters each. By late-1942, the Partisan army had been recast as the Yugoslav People's Army of Liberation, consisting of seven "divisions", ranging in strength from 2,500 to 3,500. ^{15/} These were loosely organized into brigades, and subdivided into battalions. Brigades and battalions were capable of independent operations, and were largely self-sustaining in terms of supplies and equipment. These units lacked artillery, air support, or effective communications. However, they were well-disciplined and fought effectively. ^{16/}

51. Tito's Partisans relied on leadership, security, mobility, and a strategic focus on offensive operations against "soft" targets -- enemy communications, supply, and rear service troops ^{17/} -- to keep German and other pro-Axis forces (an estimated troop strength of 140,000 German and 66,000 troops from other German Allies including Italy) tied down for the bulk of the war. In addition, the Germans supported 150,000 to 170,000 Croatian Ustaše, Bulgarian, and Četnik troops. ^{18/} The Partisans were faced by 36 pro-Axis divisions, but the bulk of these were Ustaše, followed by Italian and Albanian forces for a variety of reasons, their effectiveness amounted to less than one half of these forces. Still, a force equivalent to 1,415 effective divisions was checked by the Partisans' guerilla tactics.

52. In addition to his "regular" army, Tito relied on "part-time" partisans, sympathetic local citizens, who served as an auxiliary force. The Germans referred to these troops as Hauspartisanen, or "Home Partisans". The "Home

Partisans", farmers and tradesmen by day, conducted ambushes, sabotaged facilities, and mined roads at night. Their disruptive effect on the Germans was out of proportion to their numbers, and they were rarely caught. Mihajlović's fears of German reprisal were borne out as the Germans killed or imprisoned tens of thousands of civilians to avenge their losses. The reprisals, however, tended to drive more civilians into "Home Partisan" units.

53. After German reprisals resulted in over 8,000 Serb deaths in Kragujevac, Mihajlović's Četniks suspended their operations against the Axis troops. Tito, however, continued his military activities. Thus, the split between Tito's Partisans and Mihajlović's Četniks deepened. The differences between the two forces, both tactical and ideological, were exacerbated by ethnic rivalries and led to a four-way civil war among the Ustaše, Četniks, Partisans and the rump Serbian regime. The power struggle that grew out of the struggle to expel the Axis Powers is not unlike those that have emerged in the current conflict.

54. Tito's Partisans received aid from the Allies throughout the war, although not in large quantities. Tito's requests for aid from the Soviet Union were generally ignored. However, because the Allies viewed Tito as the most effective opposition to the Axis Powers, he drew considerable British support. This, in turn, led to US support for Tito's forces. Thus, the Allied Powers, especially the United Kingdom, developed historic ties to Yugoslavia. At the close of the war, Tito filled the political vacuum left by the Royal Yugoslav and Četnik default. He was expelled from the Soviet bloc by Stalin, and succeeded in his post-1960s efforts of rapprochement with the Soviets while maintaining his independence. 19/

55. Tito was strongly influenced by his experiences in World War II. After being expelled from the Cominform in 1948, and especially after the Soviet invasion of Hungary in 1956, Tito feared an attack by the Soviet bloc from neighbouring Hungary and Bulgaria. Consequently, he developed the concept of "Total National Defence" (TND, later known as "General People's Defence"), which would require the coordination of the army, Territorial Defence Forces and the local population. The real centre of gravity of the TND was again in BiH, where Tito's Partisans were most successful. Their success was essentially due to the terrain of the region, which consisted of several mountains, heavily wooded areas, caves, ravines, and few roads, making it difficult for the enemy to transport heavy military equipment. Because of the limited access of heavy armour and artillery, the enemy had limited effectiveness. In addition, air superiority would not be a decisive factor because of the mountains, heavily wooded areas and caves and the winter weather. Thus, BiH became the favoured location for storing arms and supplies and building arms and munitions factories. This explains, in part, why the fiercest fighting occurred in certain areas within BiH. Also, because the JNA was in control of the military depots and most of its troops were Serbs, it provided access to the Serb paramilitaries and others to these depots. This provided them with military superiority over Bosnian Muslims and Croats in Bosnia and Herzegovina. Furthermore, because of the larger numbers of Serbs in the JNA, these troops joined in the fight against BiH Muslims and Croats.

IV. DEVELOPMENT OF THE YUGOSLAV MILITARY STRUCTURE

56. Under the 1974 constitution, the federal government of the former Yugoslavia was headed by a Presidential Council which consisted of one member from each Republic and province. The position of chairman of the Presidential Council rotated among the Republics and provinces annually. 20/ Tito retained the title of President, and virtually all of the political power. From 1948 until his death in 1980, President Tito cultivated cultural,

economic, and political contacts with western nations as a leader in the "non-aligned" movement. 21/

57. Under a policy of "socialist self-management", the Yugoslav government managed ethnic nationalism within the Republics and autonomous regions, while generally allowing the Republics to conduct their own economic affairs. 22/ Expressions of ethnic nationalism were prohibited, and demonstrations, as well as other anti-government activities, were dealt with harshly. 23/

58. As mentioned above, Stalin's expulsion of Yugoslavia from the Cominform had far-reaching consequences for the post-war structure of the Yugoslav military. Unlike the other communist countries of Eastern Europe, Yugoslavia's military planners focused not on a threat from Western Europe and the United States, but on the threat of an invasion from the Soviet Union. 24/ This threat gained currency with the Soviet invasions of Czechoslovakia in 1948 (and again in 1968) and of Hungary in 1956. 25/ The specter of a Soviet invasion permeated Yugoslav strategic thought at all levels, and was directly responsible for the force structure that evolved in the former Yugoslavia and in the republics.

59. As mentioned earlier, TND sought to defeat a Soviet invasion by mobilizing all of the cultural, societal, and military resources of the country 26/.

60. The TND became official military doctrine after the 1968 invasion of Czechoslovakia and became official policy upon adoption of the National Defence law of 1969. 27/ As with other communist countries, the communist party apparatus was tightly integrated into the strategic scheme, and party structures at all levels were geared to support military and societal mobilization for war. 28/ Military structures accommodated a "shadow" chain of command responsible to the communist party apparatus. Political commissars, responsible for the political education of the army, were assigned down to brigade level.

A. Evolution of the JNA

61. The evolution of the JNA, particularly after the 1974 constitution, was intertwined with a variety of political trends. One trend was to maintain a strong, centralized, well-equipped mobile army modelled after the principal western armies of the North Atlantic Treaty Organization (NATO). The modernistic conception of NATO was the anti-thesis of both the Soviet military doctrine, which had prevailed for a long time in the JNA, and more particularly, of those who urged a de-centralized army, which would reflect the ethnic and regional realities of this federal state. The 1974 constitution reflected the latter position. The die was then cast for a de-centralized military structure which combined a central army with regionally based and regionally staffed Territorial Defence Forces (TDF). As political events evolved, the centralized federal union began to give way to regional aspirations. The JNA's role as a federal army capable of preserving or imposing federal unity became the subject of intense political manoeuvres. Those who wanted to reduce that potential role of the JNA proceeded to de-centralize its structure and command, reinforce the TDFs under regional command, and reduce the federal defence budget.

62. The post-1974 process was significantly accelerated after 1988 with a number of amendments to the 1974 constitution, which had a strong impact on the increasing political autonomy of the regions (the term regions here includes the republics). This political evolution led to greater regional

control over the TDFs, as well as JNA units stationed in the various regions. In short, it was the beginning of the breakdown of a strong centralized army. By 1991, the JNA was, for all practical purposes, an army without a state, while the republics emerged as states without regular armies. This, to a large extent, explains the transformation that took place over the more than 15 years preceding the beginning of the conflict. It was also during this period, particularly between 1990-1991, that paramilitary units started to be formed. They represented the various ethnic groups, though most of them were Serbian (see Annex III.A, Special Forces).

63. As discussed below, the concept of an "armed people" combined with a professional army was appealing to those brought up in the communist tradition, as well as to those who believed that Yugoslavia and its regions would inevitably have to fight overwhelming foreign opponents and thus necessarily resort to some type of guerilla warfare. The result was a move to enhance the TDFs, de-centralize tactical military command, and pre-position weapons and supplies in areas where the people could have ready access to them. Thus, the people could fight without depending on a distant centralized command which would also lead to delays in receiving weapons and supplies.

64. Nationalistic ideologies grew stronger in the different regions, as reflected in the 1988 constitutional amendments, which increased local government powers. The JNA's central role was significantly affected, and later efforts between 1990-1991 by the JNA to disarm the TDFs and to exert both centralized authority and reinforce national unity proved in-effective.

65. The JNA was under the control of the collective Presidency, which rotated as to the President and whose decisions were based on a majority of its seven members, but also subject to a veto by any of its members. Thus, in time, control of the JNA was very much a consequence of the sharply divergent, political trends between those who sought to preserve federal unity and those who were preparing for a breakup of the federal system and the establishment of new independent states in some of the Republics based on historic ethnicity.

B. Total National Defence (TDF)

66. While national defence was a federal responsibility, the former Yugoslavia had a decentralized system of command and control. In part, it reflected the political trends towards regionalization and eventual separatism, as discussed above. However, it was, in part, based on a particular military doctrine. Reasoning that Belgrade was indefensible, and that national command, control, and communications facilities would thus be vulnerable, 29/ the Yugoslav military planners concluded that the federal government would be unable to control military forces throughout Yugoslavia. Thus, the governments of the various Republics were to cooperate with federal military authorities for regional defence. 30/

67. TND required universal military service to ensure cadres of trained soldiers throughout the country. 31/ Based on their perception of the threat, and fueled by their World War II experience, Yugoslav military training emphasized guerilla tactics in the rough terrain that makes up the bulk of the country. 32/ Decentralized training and mobilization further required dispersed military training facilities throughout the country. 33/

68. Weapons caches and supply stores, like training and facilities, were dispersed throughout the former Yugoslavia to ensure ready access to weapons in the event of invasion. The Yugoslav practice of putting pre-military

training in schools and of organizing its reserve units (Territorial Defence Force) around workplaces further ensured the wide distribution of weapons stores. 34/

69. As a matter of national defensive strategy, then, TND ensured the widest possible distribution of trained soldiers, weapons, and ammunition. Further, the structure of the military itself supported the decentralized concept of TND.

C. General structure of the Yugoslav armed forces

70. The Yugoslav People's Army (JNA) referred collectively to the Army, the Navy, the Air and Air Defence Forces, and border troops. 35/ The JNA was controlled by the federal Ministry of Defence, with operational responsibility resting with the General Staff. The General Staff, in turn, was subordinate to the collective presidency. 36/ Thus, political events related to the power struggles within the collective presidency between 1989-1991 are very significant to the eruption of the conflict and the conduct of the war.

71. In 1991, before the conflict in Slovenia, the core of the JNA was a cadre of some 70,000 regular officers and soldiers, augmented by some 150,000 conscripts serving short terms. 37/ The JNA was intended to provide a unifying force in peace and in war. Thus, the Ministry of Defence sent conscripts out of their home districts for service to avoid ethnic dominance in regular army units. 38/ Despite this effort, however, units were to supplement their ranks with reservists (estimated at 400,000) drawn from the local areas. 39/ As a result, units would have a distinctly ethnic character on mobilization. Despite efforts to homogenize the military ethnically, the JNA officer corps was dominated by Serbs and Montenegrins. Serbs and Montenegrins collectively reflected 38.8 per cent of the Yugoslav population, but made up 70 per cent of the JNA officer corps. 40/ This ethnic character of the JNA is also relevant to understanding the evolution of the conflict.

72. In addition to troops controlled by the Ministry of Defence, the Federal Ministry of the Interior controlled intelligence and state security forces and police forces throughout the country. 41/ The Ministry of the Interior also controlled the People's Police, a paramilitary organization that performed riot control and security operations in addition to standard police functions. 42/ As a police force, the People's Police were relatively heavily armed. Several units had armoured personnel carriers, armoured fighting vehicles, and helicopters. 43/ Because the People's Police were an important component of TND, they were well armed and received extensive infantry training. 44/ Locally recruited civilians would eventually serve with them in their respective Opštinas (counties).

73. TND also required the Republics and Autonomous Provinces to perform a critical role in mobilization. Specifically, each Republic and Autonomous Province was responsible for its own police forces and intelligence agencies under the republic's Ministry of the Interior. 45/ Further, each Republic and Autonomous Province was responsible for organizing, equipping, and mobilizing its own TDF and Civil Defence units. 46/ Each Republic maintained its own TDF headquarters, over which the Federal JNA General Staff was to exercise strategic control, leaving tactical control to the regional or local leadership. 47/

74. TDF units were a reserve force made up of veterans of active YPA/JNA service, leavened with a cadre of professional soldiers. 48/ The TDF was reportedly one million strong and organized into brigades. 49/ The basic

combat formation, however, was the company. 50/ TDF units drew their strength locally, and thus reflected the ethnic makeup of the local area. 51/ Furthermore, TDF units trained for combat operations close to home. Therefore, companies specialized in lowland, mountain, coastal, riverine, and urban warfare were accordingly trained and equipped. 52/

75. Beyond the TDF and regular army, all citizens between the ages of 15 and 65 (55 for women) not otherwise serving were required to participate in the Civil Defence Forces. 53/ The Civil Defence Forces were administered through the Federal Ministry of the Interior, and were reported to have had a strength of two million on mobilization. 54/ This fact is also of particular relevance to this conflict.

D. Structure of the regular army 55/

76. The JNA's structure was changed several times since the Slovenian War of Independence. Three major military re-organizations took place in 1991, 1992 and 1993. But, until the summer of 1991, the JNA was organized into three Military Districts (MD) and a Naval Military District. The Air and Air Defence Force had a separate headquarters at the same level of command as the MD. The MD, designated the 1st, 3rd, and 5th, represented an intermediate level of command between the General Staff and actual combat units. Each MD was responsible for exercising Federal control of forces within its geographic region.

77. The 1st MD, headquartered in Belgrade, was responsible for coordinating the defence of central and north-eastern Yugoslavia. Its estimated strength was 40,000 troops organized into six corps formations, plus units directly subordinate to the MD. Corps headquarters subordinate to the 1st MD were the following:

- (a) 4th Corps, headquartered at Sarajevo;
- (b) 5th Corps, headquartered at Banja Luka;
- (c) 12th Corps, headquartered at Novi Sad;
- (d) 17th Corps, headquartered at Tuzla;
- (e) 24th Corps, headquartered at Kragujevac; and
- (f) 37th Corps, headquartered at Uice.

78. In addition to these forces, the 1st MD had a mechanized infantry division (headquartered in Belgrade), three mixed artillery and anti-tank brigades, and a rocket artillery brigade directly subordinate to the MD headquarters. The 1st MD was thought to have 968 tanks, 56/ 633 armoured combat vehicles and 1,392 artillery pieces, including 92 multiple rocket launchers.

79. The 3rd MD, headquartered in Skopje, was responsible for the defence of Yugoslavia's southern flank. Its estimated troop strength was 41,000, again organized into Corps and direct reporting units. The five Corps headquarters subordinate to the 3rd MD were:

- (a) 2nd Corps, headquartered at Titograd;
- (b) 21st Corps, headquartered at Niš;
- (c) 41st Corps, headquartered at Bitola;
- (d) 42nd Corps, headquartered at Kumanovo; and
- (e) 52nd Corps, headquartered at Priština.

80. Two brigades of armour and two brigades of mixed artillery and anti-tank weapons were directly subordinate to the MD. The 3rd MD had 729 tanks, 472 armoured combat vehicles, and 1,190 artillery pieces, including 60 multiple

rocket launchers.

81. The 5th MD, headquartered at Zagreb, was responsible for the defence of northern Yugoslavia and had an estimated troop strength of 35,000. The 5th MD had five Corps headquarters:

- (a) 10th Corps, headquartered at Zagreb;
- (b) 13th Corps, headquartered at Rijeka;
- (c) 14th Corps, headquartered at Ljubljana;
- (d) 31st Corps, headquartered at Maribor; and
- (e) 32nd Corps, headquartered at Vara)din.

82. The 5th MD had 711 tanks, 367 armoured combat vehicles, and 869 artillery pieces, of which 64 were multiple rocket launchers.

83. The Naval MD, thought to be headquartered at Split, consisted of riverine and coastal naval forces, as well as two motorized infantry brigades and an amphibious brigade. Two Corps headquarters reported to the Naval MD, namely the 9th at Knin, and the 86th Guards 57/ Motorized Corps, headquartered at Split. The Air and Air Defence forces were headquartered at Zemun, and had fighter and bomber aircraft, helicopters, and air defence artillery units at air bases throughout the former Yugoslavia.

E. Specialized units

84. In addition to standard infantry, armour, artillery, and associated support units, the JNA had a number of specialized units for particular missions or distinct types of terrain. These units included Mountain Brigades, Alpine Brigades, and the Amphibious Brigade. Of the five Mountain Brigades, only one was an active unit. 58/

85. The JNA also maintained a uniquely Yugoslav formation known as the Partisan Brigade, with obvious historical links to the World War II experience. There were 21 Partisan Brigades spread throughout the former Yugoslavia, two of which were directly subordinate to the Ministry of Defence. 59/ Partisan Brigades were lightly armed and equipped, and formed a territorial reserve force. Much of the Partisan Brigades' equipment was thought to be of World War II vintage.

86. Yugoslavia's forces were designed for mobilizing small, semi-autonomous armies. Universal conscription ensured a basic level of military training for virtually all citizens; the decentralized command and control structures required by Total National Defence ensured that these citizens were prepared for mobilization. Widely dispersed armouries, training facilities, and munitions dumps ensured that the armies of the various Republics would be relatively well-prepared to fight.

V. POLITICAL DYNAMICS AND POLITICAL ORGANIZATIONS

87. In 1990, a dispute arose between Serbia and three of the other five republics. The disagreement concerned the structure of the federal government. The Republics of Slovenia, Croatia and BiH preferred a loose confederation in order to exercise greater autonomy. Serbia, on the other hand, wanted a more highly centralized federation in order to maintain its dominant role. 60/ This dispute resulted in the secession of Croatia, Slovenia, and BiH from Yugoslavia. 61/ The Republics of Serbia and Montenegro and other pro-Serbs did not oppose Slovenia's secession, as it would leave the collective presidency with seven members, four of whom would

be Serbians and Montegrins. This would permit their control over the JNA.

88. Between April and December 1990, multiparty elections were held in all six republics. 62/ After the election of a democratic government in Slovenia, that Republic held an independence referendum in December 1990 that resulted in an 88.5 per cent vote in favour of secession from Yugoslavia. 63/ Croatia held a similar referendum on May 19, 1991, and 93 per cent of the population voted in favour of independence. 64/ This threat of secession prompted a military response from the Yugoslav federal government in an attempt to preserve the territorial integrity of the government.

89. In May 1991, when the leadership of the SFRY collective presidency was due for rotation, the tension increased considerably. A Croat, Stipe Mesić, was to assume leadership, 65/ but Serbia, Montenegro, and the representatives of the two autonomous regions of Kosovo and Vojvodina blocked the vote which would have approved Mesić's leadership.

90. On June 25, 1991, Slovenia and Croatia declared their independence. On 27 June, the central authorities of the armed forces of the central authorities, the JNA in Belgrade decided to attack the provisional Slovenia militia. The Slovenian authorities announced that a "state of war" existed, and appealed for international assistance. 66/

91. By September 1991, the following disposition of JNA forces had evolved:

(a) First operative group: This group was directly controlled by the JNA general staff, with the sector command North consisting of the headquarters of 12 Corps Novi Sad, at least three brigades, and additional forces. It also comprises the sector command South, consisting of the headquarters of the Belgrade mechanized division, with at least six brigades, one Partisan and one artillery brigade.

(b) Second operative group: This group was also directly controlled by the JNA general staff, with the sector command West directed by the 37 Corps (Titovo) Uice, and at least three brigades and territorial forces, and the sector command Dubrovnik controlled by 2 Corps Titograd with three to four brigades and forces of the Montenegrin territorial defence.

(c) Sector Papuk, Nova Gradiška: Troops in this sector were controlled by 5 Corps Banja Luka, with at least three brigades and territorial forces, probably controlled by the first military district Belgrade.

(d) Sector Bosna, Sava, Drina: This sector was controlled by 17 Corps Tuzla, and consisted of at least three brigades and one Partisan brigade. These troops were probably also directed by the first military district in Belgrade.

(e) Sector Karlovac: This sector was controlled by the fifth military district, possibly by the 10 Corps Zagreb, with the remnants of the 32 Corps Vara)din and at least three brigades, an artillery brigade, and territorial forces. The Plitvice, Lika sector was controlled by the 13 Corps from Rijeka with at least one reinforced brigade, one Partisan brigade, and territorial forces.

(f) Sector Knin: Troops within this sector were controlled by the 9 Corps Knin. These troops consisted of forces organic to the corps and additional territorial forces. These troops were reportedly controlled by the general staff in Belgrade.

A. The conflict in Slovenia

92. Beginning in 1990, the JNA moved to pre-empt TDF combat power in Slovenia and in Croatia. As it had done in Kosovo in the 1980s, the Federal Army executed a series of surprise raids on TDF arsenals, training facilities, and caches in an effort to seize weapons and bring them under federal control. These raids were only politically successful. In Croatia, the raids netted the majority of TDF arms stores, but because of the large quantities and the relatively long period of time involved, the JNA seized only 40 to 60 per cent of the Slovenian TDF weapons.

93. The other Republics responded to the threat of Federal raids by expanding their import of arms to offset the potential loss of TDF weapons. Slovenia reportedly spent \$50 million on imported anti-tank, small arms, and light anti-aircraft weapons. Slovenia also managed to seize some of the federal weaponry on its soil. Slovenia is also reported to have financially benefited from a complicated financial scheme in April 1991, guaranteed by the National Bank of Yugoslavia in Belgrade. As a result, the Yugoslav Dinar lost almost 50 per cent of its value. Slovenia, however, managed to obtain significant reserves in foreign currency, which financed its transition to independence. Some say that financial negotiations took place between officials in Belgrade and Ljubljana for the recovery by Belgrade of some of these funds. During that period of time, after Slovenia declared its independence and before the withdrawal of all JNA forces, it is reported that the military restraint of the JNA which was imposed from Belgrade was motivated by these negotiation considerations. This would explain why the JNA's overwhelming military superiority was not fully used against Slovenian forces which it could have easily crushed and also why there have been so few casualties and little damage. The JNA was not a willing participant in this restraining policy but it obeyed the political leadership in Belgrade. The result was a loss of morale in the JNA, particularly after its withdrawal from Slovenia. The prevailing wisdom, however, was that strategic considerations required restraint in order for the JNA to face the anticipated war in Croatia.

B. Slovenian forces

94. Relations between the Federal Army and Slovenia deteriorated rapidly throughout 1990, fueled by courts martial of Slovenian dissidents, and by the revelation of JNA contingency plans to topple the republic's leadership. The Slovenian president took over command of the Slovenian TDF, and the TDF began to serve as the nucleus of a national army. In January 1991, Croatia and Slovenia signed a defence cooperation agreement, and in March of that year, Slovenian draftees no longer reported for federal service. Also in March, the Slovenian parliament began requiring seven months service in the republic's armed forces. In June 1991, Slovenia recalled all Slovenian citizens from service with the JNA.

95. By April 1991, the Slovenian TDF was organized into 12 maneuver brigades and 10 independent detachments, which were subordinate to local and regional commands. While there were reportedly 68,000 soldiers available to the Slovenian TDF, there were only enough small arms for 40,000.

96. In June 1991, the JNA appeared ready to crush the Slovenian independence movement. On 26 and 27 June, forces of the 5th MD seized border crossings. However, the JNA's initial action was also subject to the approval of the political leadership in Belgrade, and that approval was withheld.

97. Notwithstanding the JNA's overwhelming military superiority, it acted

with restraint and reserve, ultimately allowing itself, by 3 July 1991, to be repelled by Slovenian forces. The JNA launched a mechanized attack in much the same way federal planners had envisioned a Soviet invasion would take place, and the mounted formations were road-bound, affecting link-up operations with previously inserted paratroops or forward detachments. Meanwhile the Air Force flew sorties in support of the invasion. But, while there was much show of force, there was in effect little action. There was, for example, no use of massed artillery.

98. A total of 45 YPA combatants were killed and 152 wounded in just over one week of fighting. Additionally, some 7,900 soldiers (including 1,000 officers), of a total deployment of 25,000, apparently defected or were captured by the Slovenian TDF. The JNA lost 31 tanks, 230 combat vehicles, and four helicopters.

99. Tactically, the Slovenian TDF forces effectively cut the JNA forces from their lines of support in much the same manner as had their partisan forbears had done to Axis forces. In the absence of concentrated artillery and air interdiction, the TDF mounted a successful anti-armoured defence. Slovenian TDF units cut off the columns of vehicles, or erected barriers on the roads to stop the advance, and then destroyed the stalled vehicles with light anti-tank weapons. Slovenian forces also captured and retained 124 tanks, plus heavy weapons and ammunition, from the JNA garrisons in Slovenia. The poor showing of the JNA, which was so much stronger in every respect, was due to the fact that it was not allowed by Belgrade to fight an all-out war. Thus, its troops became demoralized and uncertain as to the political goals of the leadership in Belgrade, which was restraining them. Some observers of the political scene attribute that to an earlier acceptance by the Serb leadership in Belgrade of Slovenian independence. Some see a connection to a financial settlement alluded to above. More obvious is the fact that Belgrade wanted to concentrate its forces against Croatia and to not have to fight on two fronts.

100. By mid-July 1991, JNA forces had agreed to withdraw from Slovenia within three months. The JNA completed the withdrawal on schedule in October 1991.

C. The conflict in Croatia

101. There are indications that the FRY's political and military leadership was preparing for military conflict in Croatia since 1990, if not earlier. By early 1990, the JNA had clearly shifted its attention to the growing independence movement in Croatia and had redeployed units to reinforce garrisons there. The character of the fighting, both in terms of tactics and intensity, was dramatically different than it had been in Slovenia.

102. Operation RAM called for the covert delivery of weapons from JNA arsenals to local Serb forces in Croatia and in BiH. A back-up plan reportedly was also developed by the JNA. The Psychological Operations Department of the JNA is reported to have had several plans for local provocation by special forces controlled by the Ministry of Interior, and "ethnic cleansing". According to an article appearing in the Slovenian newspaper, *Delo*, one of these plans, though unrelated to the plans for Croatia, called for mass rapes and executions of Muslims in BiH as a means of psychological warfare. 67/

D. Forces operating in Croatia

103. Unlike Slovenia, Croatia did not rely only on the TDF to form its army. Rather, the Croatians established their own armed forces. While the threat to

Slovenia was primarily an attack by JNA forces, Croatia perceived its threat to be resistance by its Serbian minority population. In Croatia, however, the TDF was named ZNG, and as of 1990, it was being gradually reinforced and strengthened.

104. Between August 1990 and April 1991, bombing and mining incidents, as well as attacks on Croatian police forces, resulted in frequent clashes between Croatian units and Serbian paramilitary forces. By mid-July 1991, the JNA moved an estimated 70,000 troops to Croatia, ostensibly to separate the local warring factions. The fighting rapidly escalated, eventually spanning hundreds of square kilometres from western Slavonia through Banija to Dalmatia.

105. The JNA's objectives in Croatia were not force-oriented, or even terrain-oriented in areas not inhabited by Serbs. Rather, the JNA and the ethnic-Serbian paramilitary forces targeted the civilian population in areas deemed to be part of the "Greater Serbia", primarily centred in the Krajinas. JNA operations in Croatia underwent at least three phases. First, JNA forces secured key bridges over major rivers and neutralized Croat police forces. Second, the JNA cut the capital of Zagreb off from Slavonia, the Krajinas, and Dalmatia. Then Slavonia, Banija, Krajina and Dalmatia were secured. The last phase involved an "ethnic cleansing" campaign to militarily expel non-Serbs from Serb controlled territory, to which the Croats responded in kind.

106. During the conflict in Croatia, the Serbs benefited from local Serbian support. Approximately 12,000 irregular Serb forces were armed and fighting alongside the JNA within Croatia.

107. The toll of the fighting in the first three months was heavy. It was reported that by October 1991, at least 200,000 buildings, 50 bridges, 100 merchant ships, thousands of privately owned vehicles, over 200 Catholic churches, 500 cultural monuments, 20 schools, and 250 post offices were destroyed. Twenty thousand Croats were killed or wounded, the majority of them civilians. The exact figures of the consequences of this war are yet to be established, particularly the losses and casualties on the Serb side which also suffered heavily.

108. Despite its control of approximately 30 per cent of Croatian territory, JNA forces experienced several problems. An estimated 25,000 draftees deserted, and the entire 32nd Corps, with its equipment, surrendered to Croatian forces in October 1991. According to Croatian sources, the JNA lost 618 tanks, 395 other armoured vehicles, and 100 aircraft during the fighting. In November 1991, the warring forces agreed to a JNA withdrawal from Croatia. Unlike the Slovenes, the Croats allowed the JNA to take its equipment with it. In return, the JNA agreed to return TDF weapons seized in the spring of 1991. The bulk of the JNA forces and their equipment were redeployed from Croatia to BiH. The following is a synopsis of the various military forces operating in Croatia.

E. Croatian army HV forces

109. The Croatian Army (HV) largely grew out of the former Territorial Defence Force in Croatia. Personnel was also obtained from police forces, volunteers and draftees. The HV is organized into six zones, each of which has mobile infantry and Home Defence Brigades. Although the HV is not officially a party to the conflict in BiH, Croatia has sent HV brigades into BiH on the side of ethnic Croats and their HVO forces.

F. Croatian National Guard (ZNG)

110. The most militarily significant new Croatian formation was the National Guard Corps (ZNG), introduced in April 1991. By May 1991, Croatian officials were listing "active" and "reserve" National Guard Corps brigades. National Guard Corps brigades were motorized and composed of several subordinate battalions, each composed of four to five 82-man companies. Seventy-five per cent of the troop strength is thought to be ethnic Croatian.

111. The National Guard Corps (ZNG) drew soldiers from the former republican police (a force of roughly 15,000 in 1990) and from reservists and Croatian TDF members. The bulk of the leadership positions were filled by former JNA officers who were Croatians.

112. In 1991, Croatia announced that Croatian citizens would perform their military service in the National Guard Corps (ZNG), rather than in the JNA. The primary role of the National Guard Corps was to provide internal security and to fight the counter-insurgency war against Serbian paramilitary groups.

113. While its armament is ostensibly "defensive", the National Guard Corps (ZNG) is armed with armoured fighting vehicles, and has access to the former tank plant at Djuro Djakovič. Croatia has purchased arms and munitions from Hungary, Romania, and from private sources in other countries.

114. In addition to the National Guard Corps (ZNG), the Croatian Ministry of the Interior formed units from its police reserves to serve as an internal security force. The Ministry of the Interior troop strength increased dramatically during 1991, to the point that many of its soldiers fought without uniforms in June and July 1991. The Ministry of the Interior troops also include the "Blue Berets", a special forces unit organized to conduct counter-terrorist operations. (See Annex III.A, Special Forces).

115. Croatia also has a small navy, consisting of approximately 30 ships seized from the JNA navy during 1991. Its primary mission is the defence of Croatia's territorial waters. It has limited capability for offensive operations using its two missile-gun boats, two missile craft, and one torpedo boat. In addition, Croatia launched a missile corvette in March 1992. The Croatian navy also controls a single regiment of naval infantry organized into eight companies. These units saw active service during the Croatian offensive into southern Dalmatia to relieve Dubrovnik.

G. Ethnic Serbian forces in Croatia

116. The Serbian minority in the self-proclaimed autonomous region of Krajina formed various paramilitary groups of approximately 12,000 men beginning in the summer of 1990. The largest of these was formed by the former chief of police for the region, Milan Martić, who became Secretary for Internal Affairs for the region. Ethnic Serbian members of the former police force, estimated to comprise 20 per cent to 50 per cent of Croatia's police, provided the bulk of the manpower for the "Martićevci" forces. Milan Martić, a former police officer in Krajina turned militia leader, is now President of the so-called Serb Republic of Krajina. These have been augmented by Serbian volunteers from Croatia, Serbia, and elsewhere in the former Yugoslavia. Martić also recruited local TDF units, with their weapons, to serve in the Krajina armed forces. The JNA provided substantial quantities of heavy weapons and supplies from within Serbia, as evidenced by reports that Krajina forces wore JNA uniforms and used JNA topographic maps. There were also reported increases in the quantity and sophistication of weapons in ethnic Serb training camps within the Krajina.

117. Serbian Krajina is composed of three autonomous regions: 1.) Kninska Krajina and Banija-Kordun; 2.) Western Slavonia; and 3.) Eastern Slavonia, Baranja and Western Srem. A large number of Serbian militia groups and special forces have been operating in this area. (See Annex III.A, Military Structure.)

H. Serbian Regular Army of Krajina (SASK)

118. The regular Serbian Army of Krajina is composed of 6 Corps, which in turn are composed of 24 Brigades, for an estimated troop strength of 35,000 to 45,000. These 6 Corps are reported to be directly subordinate to the SASK General Headquarters Command of the Republic of Serbia Krajina in Knin.

I. Reorganization of the YPA/JNA after 1992

119. Following the secessions of Slovenia and Croatia from Yugoslavia, the JNA reorganized its force structure to account for the changed geopolitical situation. The JNA planned its reorganization to coincide with the declaration of the new state of the FRY, consisting of Serbia and Montenegro, in April 1992.

120. The plan called for the downsizing of the ground forces, along with a change in force structure to reflect the Army's new mission. That mission, as conceived by JNA planners, included the protection of the Serbian population outside Serbia proper by transferring its command structure to the local TDF units and subsequently to the armies of BSA and the Serb Republic of Krajina, and by supplying arms, ammunition and supplies. This explains the strategic importance of controlling the areas in BiH along the Drina and Sava rivers.

121. The Ministries of Defence in the Serbian autonomous regions of Croatia and BiH were initially subordinated to the new Yugoslav Ministry of Defence. While the "autonomous regions" would remain responsible for recruiting and organizing their own field forces, they could do so only with Belgrade's approval. The General Staff in Belgrade would retain operational control over all of these forces. Ethnically, the new "Yugoslav Army" was to be almost entirely Serbian and Montenegrin, a measure designed to ensure loyalty among officers and troops. 68/

122. This plan for reorganization was overtaken by events on the ground, including the forced withdrawal of JNA troops from Macedonia and the worsening situation in BiH. By May 1992, the JNA had changed its name to the Yugoslav Army (YA), and had made a token withdrawal of forces from BiH. Roughly 80,000 former JNA forces deployed in BiH were officially transferred to the "Territorial Defence Forces of the Serbian Republic of Bosnia and Herzegovina" (SRBiH).

123. Salient features of the new JA include its smaller size and its greater reliance on professional soldiers. Fifty per cent of the JA were professional soldiers, recruited primarily from former conscripts. Along with downsizing, the JA initiated a rapid programme of equipment modernization. It transferred its older weapons to Serbian irregular units and replaced them with more modern, sophisticated weapons. Structurally, the JA created a force structure that includes forces capable of rapid intervention. New plans were prepared for the defence of the new FRY, particularly contemplating the eventuality of foreign military intervention in the conflict in Croatia and later in BiH.

J. Forces of the Federal Republic of Yugoslavia (FRY)

124. At the beginning of 1993, the JA troop strength was estimated to be 150,000 with 400,000 reserves. An additional 110,000 troops were nominally subordinated to the Defence Ministries of the Serbian Republic of Bosnia and Herzegovina (SRBiH) and the Serbian Republic of Krajina. These forces receive instructions, arms and ammunition and other support from the JA and from the FRY.

125. JNA units were typically kept below full strength in peace time, to be supplemented by reservists as needed. The JNA units have the following characteristics:

- (a) JNA Forces wear uniforms with distinctive emblems;
- (b) Officers have identifiable rank; and
- (c) Effective command and control exists.

126. The JNA exercised authority over Bosnian Serb and Croatian-Serb militias and armed civilian groups within their operational areas, but only during military operations in which the JNA was involved.

K. Forces in Bosnia and Herzegovina (BiH)

127. On 1 March 1992, BiH became the fourth Yugoslav Republic to declare its independence from the former Federal Government. The first three were Slovenia, Croatia and Macedonia. The BiH declaration of independence caused a split in that former Republic along ethnic lines. The large Serbian minority, approximately 33 per cent of the population, had passed their own referendum opting to remain a part of Yugoslavia in November 1991. Bosnian Serbs boycotted the March, BiH-wide referendum on independence. The Bosnian Muslims, 44 per cent of the population, and ethnic Croats, 17 per cent of the population, voted overwhelmingly in favour of secession. This sparked a rebellion among the Serb population and led to the bloodiest fighting to date in the former Yugoslavia.

128. What follows is a brief description of forces deployed in BiH at the time that conflict erupted.

L. The Territorial Defence forces of the Serbian Republic of Bosnia and Herzegovina (SRBiH)

129. In the months preceding the formal declaration of BiH's independence from the Yugoslav federation, the republic's civilian leadership had been involved in negotiations for the withdrawal of JNA forces from Bosnian soil. 69/ In April 1992, the Government of BiH ordered the official withdrawal of all Federal forces, which were not ethnically from BiH. 70/

130. The Belgrade government announced on 4 May 1992 that it would withdraw troops who were not from BiH. 71/ As a result, approximately 14,000 JNA troops were withdrawn from BiH in late May 1992. 72/ The Federal troops remaining, 80,000 combatants, were transferred with their equipment to the "Territorial Defence Forces of the SRBiH" (SRBiH). 73/

131. Serbian forces have divided BiH into six areas: 2nd Corps in the north-west, the so-called Muslim Triangle; 17 Corps in the north-east; 1 Corps in the centre, the Romanija Corps in the area of Sarajevo; the Drina Corps in the area around Srebrenica; and the Herzegovina Corps in the South.

132. The commander of the SRBiH is General Ratko Mladić, a former JNA Brigadier General and former commander of the JNA's 9th Corps headquartered at Knin. 74/

133. The Sarajevo Romanija Corps is the Bosnian Serb force of the Bosnian Serbian Army (BSA). The Romanija Corps has surrounded the city of Sarajevo since the beginning of the siege. It is the successor of the JNA unit which occupied the same position until May 1992. There are indications that early in the siege the JNA was involved in the fighting in Sarajevo. 75/

134. The Sarajevo Romanija Corps' headquarters is located in the hills overlooking the city at Lukavica. The Corps was originally commanded by Major General Tomislav Šipčić who was followed by Major General Stanislav Galić. The command structure has largely remained the same throughout the siege. The BSA forces have concentrated their efforts on weakening the city through constant bombardment from the surrounding hills. (See Annex VI, The Battle and Siege of Sarajevo.)

135. Since the beginning of the siege, on 5 April 1992, the 1st Corps Sarajevo served as the BiH defensive force in and around Sarajevo. Most assessments characterize the 1st Corps as having superior infantry numbers to the besieging forces, but clearly deficient in its firepower. The 1st Corps Sarajevo headquarters is located in Sarajevo and was originally commanded by Mustafa Hajrulahović. The most recent commander was Vahid Karavelić.

136. The Croatian Defence Council (HVO) and the 1st Corps forces fought together in defence of the city throughout much of the siege, despite opposing one another in Mostar and in other parts of BiH. However, in late September 1993, there were reports that the Bosnian Serb forces (BSA) held their fire along sections of the front in Sarajevo which were defended by the HVO. These forces traded cigarettes and food across the Miljacka. In early November 1993, the BiH army disbanded the HVO unit in Sarajevo and arrested its commander, Slavko Zelić. The BiH army then invited HVO soldiers to join a new Croatian brigade of the 1st Corps. (See Annex VI, The Battle and Siege of Sarajevo)

137. General Mladić is reported to have issued explicit orders to bombard non-Serbian civilian targets within the city of Sarajevo. 76/ Such targets have included the main hospital (which receives the bulk of its shelling during the mid-afternoon visiting hours), mosques, churches, and other civilian targets. 77/

138. General Mladić's headquarters moved from Pale, near Sarajevo, to more secure facilities near Han Pijesak, north-east of Sarajevo, in the summer or fall of 1992. 78/ From there, Mladić has secure communications with his deployed forces and with Belgrade. 79/ Mladić is the effective commander of these forces, but field commanders apparently have wide latitude in carrying out his guidance. 80/ Furthermore, cooperation and coordination between the SRBiH and local Serbian paramilitary forces have not been uniformly effective. 81/

139. Estimates of SRBiH troop strength have been unreliable, at least in part because of the confusion of SRBiH forces and the various ethnic-Serb paramilitary groups. Of an approximately 80,000 troops of the former JNA deployed in BiH, roughly 35,000 are considered an effective fighting force. 82/ Many of these troops move in and out of active duty, performing civilian functions when not called to engage in military activity.

140. By the beginning of 1993, in the Sarajevo area, SRBiH forces fell under the command of the IV East Bosnian Corps (also known as the Sarajevo-Romanija Corps), 83/ first commanded by Major General Tomislav Šipčić, then by

General Gelić. 84/ IV East Bosnian Corps controls elements of the former JNA 4th Corps. 85/

141. Units deployed in the Sarajevo area include the following: 86/

(a) The 7th Infantry Brigade, commanded by Lieutenant Colonel Jovo Bartula, Slaviša Terzić (rank unknown), Svetozar Antić (rank unknown), and Ilija Stanarčević (rank unknown), 87/ reportedly consists of three infantry battalions. It is reportedly operating to the south of Sarajevo.

(b) The 10th Infantry Brigade, which operates east of the city (no further information available).

142. The IV East Bosnian Corps is headquartered at Pale and retains several units in the vicinity of the headquarters. These units include the following:

(a) 14th Mechanized Infantry Brigade (no further information available);

(b) 215th Infantry Brigade (no further information available); and

(c) 9th Air Defence Artillery Regiment (no further information available).

143. In addition to these units, the IV East Bosnian Corps has several unidentified battalion formations of unknown strength, a military police element, and two regiments of artillery and mixed artillery/anti-tank weapons.

The current deployment of these units is not known. Furthermore, the Corps controls two additional brigades of infantry (one of which is reportedly mountain infantry) whose whereabouts are unknown.

144. Croatian sources have reported that the SRBiH has approximately 350 tanks, over 200 armoured personnel carriers, and as many as 1,000 field guns, as well as mortars and recoilless guns. 88/ Much of this inventory is likely to be in a poor state of readiness because of combat losses and damage, and because of poor maintenance. 89/

145. The SRBiH has large quantities of small arms and ammunition. The former JNA seized 450,000 small arms prior to its redeployment, 20,000 of which came from Sarajevo. 90/

146. Apart from the former JNA forces deployed in BiH, troops from Serbia have augmented local paramilitary forces. These forces vary greatly in size, strength, armament, and effectiveness. Collectively, they are referred to by the traditional moniker "četniks". 91/

M. Serbian forces

147. There has been no "Serbian Army" since 1915. However, in June 1991, Serbia's defence minister announced that Serbia would form its own army if the nation of Yugoslavia collapsed. Concern over the breakup of the Yugoslav federation led the Serb Republic to accelerate modernization of its TDF units should the need arise to re-establish the Serbian army. 92/

148. Like the other republics, Serbia had troops under the control of its Ministry of the Interior, primarily police units. In April 1991, Serbia conducted a partial mobilization of its police reserves, ostensibly to keep peace in the Muslim populated Sandžak region of Serbia. 93/ By July, Croatian sources indicated that these police units were massing along Serbia's

eastern frontier. 94/ The call up of police reserves was also designed to provide troop strength for Serbian paramilitary units. The mission of these units is to support Serb minorities in other Republics of the former Yugoslavia. 95/ These paramilitary units are linked with various Serbian nationalist political groups. Some of these units were fighting in Krajina by July 1991. 96/

149. The paramilitary forces include units such as Arkan's "Tigers", Šešelj's "White Eagles", Captain Dragan's forces, as well as forces led by retired JNA General Dušan Pekić. Dušan is associated with the "League of Communists - Movement for Yugoslavia". These and other paramilitary units are discussed in Annex III.A., Special Forces.

150. In mid-July 1991, the Serbian Radical Party announced its intention to send volunteer forces to the Krajina. The Serbian ministry for internal affairs was allegedly responsible for de-stabilizing other Republics and encouraging the Serbian population in Croatia, BiH, and Kosovo. 97/

151. In BiH, local Serbian leaders began to form paramilitary units in the summer of 1991, in response to the fighting in Croatia. 98/ These units were secretly armed and supplied by the former federal army. In addition, Serbian paramilitary groups based in Croatia and Serbia infiltrated parts of BiH where the Serbs comprised a majority of the population. 99/ Clashes among the Serbs, Muslims and Croats took place in late February 1992. Full scale hostilities broke out in April 1992, when Serbian irregulars opened fire on peaceful demonstrators in Sarajevo. At least 62 paramilitary units, or special forces, have been identified as operating within BiH. These units have close ties to the governments with which they are aligned. In fact, many of these units report to senior governmental officials in Serbia and Croatia. 100/

152. Some towns and villages formed additional paramilitary units. These local forces operate in the areas of their towns and villages. Occasionally, they also lend support to similar groups and other combatants in the same opština (county) and neighbouring areas. Their command and control is local and the chain of command difficult to establish, though characteristically these groups, like the special forces, have an identifiable leader. Frequently, the unit or group uses a politically significant name, or the name of their town, village or area. The leadership is drawn from the local area, and mostly consists of political figures. These units, particularly among Serbs in BiH and Croats in Krajina, have, like the special forces, committed many violations of international humanitarian law. The police (POLICIJA), augmented by "volunteer" armed civilians, also participate in military activities. These forces operate within a given municipality (opština) and are normally under the overall control of the Ministry of the Interior. Furthermore, the respective ministries of interior also have national and regional police units which usually operate outside the boundaries of local municipalities. The relationship between national, regional, and local police is not always clear and varies in each country and, sometimes, within the regions of each country. During the early stages of the conflicts in Croatia and in BiH, the police, augmented by volunteer armed civilians, operated without apparent command and control from the army. Their leadership was local, and included many political figures. These forces acted with almost complete autonomy in their respective areas.

N. Forces allied with the Republic of
Bosnia and Herzegovina (BiH)

153. The political leadership in Sarajevo was unprepared for the Serbian

paramilitary and SRBiH attacks. 101/ As a result, Serb forces controlled approximately 70 per cent of BiH before the Bosnian government mounted an effective resistance. 102/

154. Alarmed by Serbian attacks, local Muslim leaders organized paramilitary units in 1991. 103/ The first of these units was the "Bosna" organization, also known as the "Green Berets" for their distinctive headgear. The unit, composed of volunteers ranging in age from 15 to 60, is armed with former JA small arms, German-made light anti-tank weapons, and mortars. 104/ These and other paramilitary forces are discussed in Annex III.A, Special Forces. It should be noted that there is no single unit called "Green Berets". Most BiH units wear green berets and are referred to as such by sources.

155. The "Patriotic League of the People", with a reported strength of 3,500 troops is another Muslim paramilitary force. 105/ The group's weaponry is unknown, but because of the generally poor preparations for war in BiH and the United Nations arms embargo on the former Yugoslavia, it is unlikely to have large quantities of arms.

156. The Serbs initially claimed that BiH had organized 50,000 soldiers into four divisions and an assortment of smaller, independent elements. This claim, however, appears to have been principally designed for propaganda purposes. 106/ In reality, the government of BiH was unprepared for war.

157. On 11 April 1992, the Bosnian government ordered unification of all armed groups under the republic's General Staff. The General Staff then locally organized 75 communal staffs to administer the army. These local staffs consisted of 122 former JNA officers and NCOs and 33 civilian employees. 107/

158. On 14 May 1992, the government established a regular army under the President. The troops were to be administered by the Ministry of Defence through the General Staff. 108/ The government remained in Sarajevo. As a result, the entire Cabinet has been confined in the besieged city. This has had an adverse effect on command and control within the army, and on coordination of the fight at all levels. 109/ What follows is a breakdown of the military forces allied with the Republic of BiH.

O. Republic of Bosnia and Herzegovina (BiH)

159. By 1993, the Army of BiH was organized into five Corps commands, with a total of about 70,000 troops. However, only about 44,000 of this total was armed. The Corps consist of five brigades of 1,000 to 1,500 soldiers each, although some brigades are reportedly much smaller. Brigades are responsible for defending specific geographical areas. 110/ Each Corps is assigned to an Operational Zone in either Sarajevo, Tuzla, Zenica and Mostar.

160. Unlike the HVO and BSA, which can rely on support from neighbouring governments with which they are aligned, BiH has no effective neighbouring support. Consequently, volunteers in BiH are generally poorly trained and equipped.

161. In the spring of 1994, BiH achieved some successes against Serbian Forces. In part, this may be due to an improved ability to produce arms within BiH. According to a report by one military analyst, BiH's defence industry employs approximately 15,000 persons. 111/ It has also been reported that production has been restarted on Kobra (Cobra) assault rifles, hand grenades, grenade launchers, and other weaponry. 112/ Other weapons

reached BiH from abroad through Croatia.

P. Territorial Defence Forces (TDF)

162. Muslim TDF forces represent the Republic's territorial defence structure, including some local-level militias. TDF forces are usually comprised of Muslim soldiers, although there are sometimes also Croatians and Serbians. The forces usually operate under local or regional command.

Q. Forces of the Croatian community of Bosnia and Herzegovina (BiH)

163. The Bosnian Croat regular army is composed of 21 Brigades which include an estimated 60,000-70,000 troops in four operational groups. These operational groups are located in the four Operational Zones of south-east Herzegovina, south-west Herzegovina, middle Bosnia, and Posavina.

R. Croatian Defence Council (HVO)

164. These surrogate forces of the Republic of Croatian regular army (HV), are known as the HVO. They are usually comprised of Bosnian Croatians armed and trained by Croatia, and tend to be more disciplined. This is the principal Croatian military force fighting in BiH.

165. Until 1994, the Muslim and Croat forces in BiH were poorly armed compared to their adversaries, both in terms of the quantity and quality of their weapons. Most of the small arms are former JNA weapons of early post-war vintage. 113/ Reportedly, the Muslim forces have two tanks, a few armoured personnel carriers, and 10-12 heavy guns. 114/

166. In addition to indigenous ethnic Muslim and Croat forces, expatriots and volunteers from countries have contributed small forces to fight the Serbs. While reports have varied as to the number of mujahedin, volunteers from Islamic countries, the most accurate figure is between 400 and 600. In addition, Turkey and Iran reportedly sent military trainers and advisors to the Bosnian army. 115/

S. The military industry in the Former Yugoslavia 116/

167. Before 1991, Yugoslavia had over 150 government-owned companies which produced aeroplanes, tanks, trucks, armed personnel carriers, artillery, rocket launchers, small arms, munitions and spare parts, even submarines.

168. These industries were located in different parts of the country and came under different control as the overall conflict developed into three separate conflicts. This explains in part why some of the warring factions had certain weapons and equipment and not others.

Notes

1/ Slovenia declared its independence on 25 June 1991, followed by Croatia on 25 July 1991, and BiH on 6 March 1992. All three were admitted as members of the United Nations on 22 May 1992.

2/ Final Report of the United Nations Commission of Experts Established Pursuant to Security Council Resolution 780 (1992), U.N. Doc. S/1994/674, at 30, ¶ 116 (27 May 1994).

3/ Id. at 30, 117.

4/ James Gow, "One Year of War in Bosnia Herzegovina", 2 Jane's Intelligence Review 1 (4 June 1993).

5/ See Annex IV for the "Policy of Ethnic Cleansing", Annex IV, Part 3 of "Ethnic Cleansing in Zvornik", and Annex V for "Prijeedor".

6/ See James Gow, "Slovenia Territorial Defence A Year on", Jane's Intelligence Review 305 et. seq. (July 1992).

7/ See Milan Vego, "The Croatian Army", Jane's Intelligence Review 203 et. seq. (May 1993); Milan Vego, "The Croatian Forces in Bosnia-Herzegovina", Jane's Intelligence Review 99 et. seq. (March 1993).

8/ See Milan Vego, "The Army of Bosnia and Herzegovina", Jane's Intelligence Review 63 et. seq. (February 1993).

9/ Final Report of the United Nations Commission of Experts Established Pursuant to Security Council Resolution 780 (1992), U.N. Doc. S/1994/674, at 31 (27 May 1994).

10/ Milan Vego, "Federal Army Deployments in Bosnia and Herzegovina", Jane's Intelligence Review 445-46 (October 1992).

<u>11/</u>		<u>Geneva Conventions</u>	<u>Protocol I/ Protocol II</u>	
	Yugoslavia	(Ratification)	21 April 1950	11 June 1979
	Slovenia	(Succession)	26 March 1992	26 March 1992
	Croatia	(Succession)	11 May 1992	11 May 1992
	BiH	(Succession)	31 December 1992	31 December 1992

12/ See M. Cherif Bassiouni, Crimes Against Humanity in International Criminal Law (1992).

13/ Robert B. Asprey, War in the Shadows: The Guerilla in History (1975). See also Annex IV, Part 1, which discusses the history of the region.

14/ Id.

15/ In contrast, 14 German divisions had an authorized strength of roughly 10,000 troops per division.

Notes (continued)

16/ The Partisan military accomplishments are even more noteworthy because, unlike most guerilla armies in history, the countryside in which they operated was not necessarily friendly. Ustaše and Četnik forces, using tactics similar to those of the Partisans, occupied the same woods. This reduced the "safe haven" factor historically crucial to guerilla forces.

17/ A frequently used tactic was to hide in the hills, allow the German combat formations to bypass the hidden Partisans, and then to attack the support troops that followed behind the infantry. This caused major disruption to the German lines of support and communication, and had an extremely demoralizing effect on the German troops.

18/ The Germans launched at least seven major offensives to destroy the Partisans, using German, Četnik, Ustaše, and other Axis troops. While the Partisans suffered serious casualties, they were never completely defeated.

19/ The depth of the rift between Yugoslavia and the Soviets is underscored by the existence of a formal United States Military Assistance and Advisory Group in Belgrade from 1951 to 1961, at the height of the Cold War. Over the course of the Cold War, the United States extended some \$600 million in military grants and an equal amount in economic assistance to Yugoslavia.

20/ Mark Weller, "The International Response to the Dissolution of the Socialist Federal Republic of Yugoslavia", 86 American Journal International Law 569, 593 (1992).

21/ Michael S. Evancevich, "Danger in the Balkans", in Military Intelligence 10, 12 (April-June 1993).

22/ Id.

23/ Id.

24/ David C. Isby, "Yugoslavia 1991 - Forces In Conflict", 3 Jane's Intelligence Review 394 (1991).

25/ Id.

26/ Id.

27/ TND was codified in Article 240 of Yugoslavia's 1974 Constitution, which states that the armed forces consist of the YPA and territorial defence units.

28/ David C. Isby, "Yugoslavia 1991 - Forces In Conflict", 3 Jane's Intelligence Review 394 (1991).

29/ Id. The assessment that command, control, and communications facilities were vulnerable was based on the assumption, probably accurate, that an invading Soviet force would achieve air superiority early in the campaign and would thus be able to destroy the military infrastructure from the air. Id.

Notes (continued)

30/ David C. Isby, "Yugoslavia 1991 - Forces In Conflict", 3 Jane's Intelligence Review 394 (1991).

31/ Id. at 395.

32/ Id.

33/ Id.

34/ Id. In addition to military weapons, an estimated 1.6 million citizens legally owned private firearms in 1989. Id.

35/ Id. See also James Gow, "The Yugoslav Army, An Update", Jane's Intelligence Review 501 et seq. (November 1993); Milan Vego, "Yugoslav Ground Forces", Jane's Intelligence Review 247 et seq. (June 1993).

36/ David C. Isby, "Yugoslavia 1991 - Forces In Conflict", 3 Jane's Intelligence Review 395 (1991). After 1991, the reorganized JNA effectively came under the direct command of President Milošević, who was reportedly personally involved in the appointment of succeeding chiefs of staff and also of other senior officers. He is also reported to have become increasingly involved since 1991 in strategic and major tactical decisions, such as the type and level of military supplies and assistance given to the Serbs in Bosnia and Croatia.

37/ David C. Isby, "Yugoslavia 1991 - Forces In Conflict", 3 Jane's Intelligence Review 397 (1991).

38/ Id.

39/ Id.

40/ Id. at 396-97. The Air and Naval forces did not exhibit this striking ethnic imbalance. Id. at 397.

41/ Id. at 395.

42/ Id.

43/ Id.

44/ Id.

45/ Id. at 397.

46/ Id.

47/ Id. at 395.

48/ Id. at 397-98.

49/ Id. at 398.

Notes (continued)

50/ Id.

51/ Id.

52/ Id.

53/ Id.

54/ Id.

55/ The structural information presented here is drawn directly from Michael Brown, "Yugoslavia's Armed Forces - Order of Battle", 3 Jane's Intelligence Review 366 (1991).

56/ There were 230 M-84 model tanks, the Yugoslav version of the Soviet T-72 and 758 were the older, slower, and less heavily armoured T-55 model. Id.

57/ "Guards" is an honourific meant to recognize a unit's performance in combat.

58/ The active Mountain Brigade was the 6th, headquartered at Delnice, and subordinate to 13th Corps, 5th MD. Id.

59/ These were the 81st Partisan Brigade at Mostanika, and the 63rd Partisan Brigade at Zvezdara. The other 19 brigades were subordinate to various Corps headquarters, and through the Corps to the MD. Id.

60/ Mark Weller, "The International Response to the Dissolution of the Socialist Federal Republic of Yugoslavia", 86 American Journal International Law 569, 569-570 (1992).

61/ These Republics did eventually secede. Slovenia and Croatia seceded on 25 June 1991, and BiH on 6 April 1992.

62/ Mark Weller, "The International Response to the Dissolution of the Socialist Federal Republic of Yugoslavia", 86 American Journal International Law 569, 569-570 (1992).

63/ Id.

64/ Id.

65/ Id.

66/ Id. The YPA's performance against the Slovenes is discussed infra. See also supra note 6.

67/ See Annex IV.B.

68/ After its reorganization, the composition of the Yugoslav Army enlisted force was 50 per cent Serb, 20 per cent Montenegrin, and 30 per cent "other" -- primarily ethnic Albanians and Hungarians. The officer corps,

Notes (continued)

however, was 92.6 per cent Serbian, 7 per cent Montenegrin, and .4 per cent "other".

69/ Milan Vego, "Federal Army Deployments in Bosnia and Herzegovina", 4 Jane's Intelligence Review 445 (1992).

70/ Id.

71/ Id.

72/ Id.

73/ Id. The abbreviation "SRBiH" is used by the United Nations Protective Forces (UNPROFOR).

74/ Milan Vego, "Federal Army Deployments in Bosnia and Herzegovina", 4 Jane's Intelligence Review 446 (1992).

75/ See Annex VI, Study of the Battle and Siege of Sarajevo, for a daily chronology of the battle and siege and a detailed analysis and comprehensive breakdown of the forces in and around the city.

76/ Id. See also "Transcript of Radio Communications by Radovan Karadžić, Ratko Mladić and Others", (conversations reportedly between Mladić and his artillery commanders in which Mladić orders civilian targets hit repeatedly).

77/ Id.

78/ Milan Vego, "Federal Army Deployments in Bosnia and Herzegovina", 4 Jane's Intelligence Review 446 (1992).

79/ Id.

80/ Id.

81/ Id.

82/ Id.

83/ Id. at 447.

84/ UNPROFOR Order of Battle Document (25 May 93), IHRLI Doc. No. 2549-25123, at 25077.

85/ Milan Vego, "Federal Army Deployments in Bosnia and Herzegovina", 4 Jane's Intelligence Review 447 (1992).

86/ This analysis was made by comparing UNPROFOR Order of Battle Documents, with UNPROFOR Pictorial Information Summaries (PICINFSUM), 27 May 93.

Notes (continued)

87/ A more detailed and updated analysis is available in the Sarajevo report, Annex VI.

88/ Milan Vego, "Federal Army Deployments in Bosnia and Herzegovina", 4 Jane's Intelligence Review 447 (1992).

89/ Id.

90/ Id.

91/ Id.

92/ David C. Isby, "Yugoslavia 1991 - Forces In Conflict", 3 Jane's Intelligence Review 403 (1991).

93/ Id.

94/ Id.

95/ Id.

96/ Id.

97/ Id. See also Annex III.A, Special Forces.

98/ Milan Vego, "The Army of Bosnia Herzegovina", 5 Jane's Intelligence Review 63 (1993).

99/ Id.

100/ See Annex III.A, Special Forces.

101/ Milan Vego, "The Army of Bosnia Herzegovina", 5 Jane's Intelligence Review 63 (1993).

102/ Id.

103/ Id.

104/ Id. at 63-4.

105/ Id. at 64.

106/ Id.

107/ Id.

108/ Id. at 65.

109/ Id. at 64.

110/ Id. at 65.

Notes (continued)

111/ Milan Vego, "The Muslim Defense Industry in Bosnia and Herzegovina", Jane's Intelligence Review, May 1994, at 213.

112/ Id.

113/ Id. at 64. Typical weapons include AK-74 assault rifles, 90 millimetre. M79 Osa [Wasp] and 120 millimetre. Zolja [Hornet] anti-tank rockets, and German Panzerfaust bazookas, as well as 60 millimetre and 80 millimetre mortars. Id. Older weapons include AK-47 assault rifles, and M48 rifles (early postwar vintage).

114/ Id.

115/ Id.

116/ Miodrag Ivanović, "The Fate of the Yugoslav Military Industry", Jane's Intelligence Review, 164 et. seq. (March 1993).