

PRESIDENT OF THE FEDERAL REPUBLIC OF YUGOSLAVIA

STATE SECRET

SHORTHAND NOTES
Taken at the session of the
SUPREME DEFENCE COUNCIL
Held on 10 February 1993

BELGRADE

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The session started at 1145 hrs.

The session was attended by: Academic Dobrica ĆOSIĆ, President of the Federal Republic of Yugoslavia and President of the Supreme Defence Council; Slobodan MILOŠEVIĆ and Momir BULATOVIĆ – members of the Supreme Defence Council; Dr. Radoje KONTIĆ, Deputy Federal Prime Minister; Colonel General Života PANIĆ, Chief of the General Staff of Yugoslav Army; Lieutenant General Ljubomir DOMAZETOVIĆ, Assistant Chief of the General Staff of VJ /Yugoslav Army/; Lieutenant General Milorad DRAGOJEVIĆ Assistant Minister of Defence for Military and Economy Sector; Colonel Dr. Miodrag STARČEVIĆ, Chief of the Legal Administration at Ministry of Defence; Colonel Ratomir RISTIĆ, Chief of the Department for Organisation and Formation; Colonel Slavko KRIVOŠIJA, Military *Chef de Cabinet* and Secretary of the Council.

(Shorthand notes taken by Jordan ŽIVANOVIĆ, Chief of the Shorthand Writers Unit in the Office of the President of FRY /Federal Republic of Yugoslavia/).

Dobrica ĆOSIĆ:

I suggest that we start the session.

For today's session you all received the proposal of the following:

AGENDA:

1. Bill on Yugoslav Army
2. Bill on Defence
3. Information on problems related to financing of the Yugoslav Army and financing of the assistance to the Republic of Serbian Krajina
4. Activities of paramilitary political armies in the territory of Yugoslavia

Is there a suggestion for the amendments to the proposed agenda?

2.

Slobodan MILOŠEVIĆ:

I do not know, why should we discuss these Bills?

Dobrica ĆOSIĆ:

We have to state our standpoint about it.

Života PANIĆ:

There are certain problems and therefore some issues need to be brought into accord.

Slobodan MILOŠEVIĆ:

All right, this means “some open questions”?

Radoje KONTIĆ:

It was a mistake to prepare the session in this way. The texts that were prepared by the Federal Government should have been submitted for this session instead of the texts that were prepared by I don't know whom. Here it says that the “Ministry of Defence” prepared them. We have the texts, which are in the Federal Parliament. We had approximately twenty amendments to these texts and we were to discuss the character of these amendments – not one by one but all of them together.

This what we have here was done in a different way – all these amendments were included into the text of the laws, so now we do not know what were the amendments on the text. I personally know what amendments were made, but you who had no chance to see it do not know it. And we are speaking about very major issues of concepts. As the Government we did not want to state our opinion about these amendments before the Supreme Defence Council gives its opinion since these are very essential issues of concept.

Života PANIĆ:

Regarding the proposed Agenda – I would like to ask you to delete the item regarding the “paramilitary units”. I suggest this because we are not in charge of that

field and we are not familiar with it. This part should be presented by MUP /Ministry of the Interior/ of Yugoslavia, MUP of Serbia and MUP of Montenegro.

3.

Dobrica ĆOSIĆ:

I have heard that the Serbian Guard is finishing the mobilisation in Serbia!?

Života PANIĆ:

That Serbian Guard is actually the SPO /Serbian Renewal Movement/.

Dobrica ĆOSIĆ:

I know, but having the armed people walk all over Belgrade and political parties having their own armies are very serious issues. I think that this is a serious issue.

Života PANIĆ:

We do not have that information.

Dobrica ĆOSIĆ:

Don't you?

Arkan has some army guarding his house in the middle of Belgrade!

Slobodan MILOŠEVIĆ:

He does not. There was an attempt but all of them were arrested. No one is allowed to guard his own house with a rifle.

Dobrica ĆOSIĆ:

When did that happen?

Slobodan MILOŠEVIĆ:

It happened a few months ago.

Dobrica ĆOSIĆ:

That happened ten days ago. People carrying pistols are there.

Slobodan MILOŠEVIĆ:

If that is correct someone will be dismissed because something like that should not be allowed.

4.

Dobrica ĆOSIĆ:

All right. If you don't have this information then we should exclude this Item from the Agenda.

Slobodan MILOŠEVIĆ:

That issue should be taken into consideration. If they don't have the data about it at the moment then they should collect it as soon as possible, so that we discuss it, because that is a serious issue.

Života PANIĆ:

I say that we have not got that data. If it is necessary then we will collect it. However the MUP of Serbia and Yugoslavia should do that.

Radoje KONTIĆ:

The MUP of Serbia should deal with it because the MUP of Yugoslavia does not exist.

Dobrica ĆOSIĆ:

All right, we will postpone the discussion on this subject for the next session. Until then the information should be gathered and submitted to us.

Života PANIĆ:

We would gather whatever we are able to but in co-operation with the MUP of Serbia and Montenegro. You should authorise us to do that.

Dobrica ĆOSIĆ:

Yes, of course.

I did not include this but I think that you should be informed about the letter that General STEVANOVIĆ addressed to me, and, I believe, to you too.

Života PANIĆ:

I suggest that we discuss that letter at the level of the General Staff and present it during the next session.

5.

Dobrica ĆOSIĆ:

All right. You discuss it and then we will also discuss it here. I think that it would be appropriate to visit the Command of the RV /Air Force/ and PVO /Air Defence/ and talk about it. They say it is very difficult to preserve the equipment under the conditions and the capabilities they have. Only 146 aircraft could be put away.

Života PANIĆ:

The aircraft were withdrawn from all the airports of the former Yugoslavia. They were absolutely secured in the airports in Bihać, Pleso, Tuzla, etc. We have withdrawn these aircraft and we have not got the shelters for them. In order to provide that now we need an amount, which would have to be five times the amount of the budget of the Yugoslav Army.

Dobrica ĆOSIĆ:

I know, but we should make it clear with them, so that they would know that we do not have resources for that.

Života PANIĆ:

Furthermore, they insist on establishment of a General Staff of the RV and PVO and General Staff of the Navy. We have all together 5 thousand people in the Navy. We have between 15,000 and 17,000 people in the Air Force. The total number of the manpower is 120 thousand and at the moment we have 100,000. Can you imagine that we form the General Staff for 5,000 soldiers now? That means that we would have 4 General Staffs. By that we would enlarge the structure and the number of officers in this area, etc.

Dobrica ĆOSIĆ:

Are they talking about the Joint General Staff?

Života PANIĆ:

They meant to have this General Staff, then the General Staff for the RV and PVO, General Staff for KOV /Ground Forces/, General Staff for the Navy and the Joint General Staff.

Dobrica ĆOSIĆ:

Anyhow, we are invited to study it and discuss it.

6.

Života PANIĆ:

They don't have the spare parts. He told me: "I will provide them but I need you to sing it". I signed it for him and then he came to me and asked me to provide him with 2 billion dollars.

Slobodan MILOŠEVIĆ:

You need to prepare it in view of a need to increase the readiness of the RV and PVO in this situation.

Dobrica ĆOSIĆ:

All right. In the meantime I will go with one of you to visit the Command of the RV and PVO.

I suggest that we start the discussion on the Item 1 of the Agenda:

1. BILL ON THE YUGOSLAV ARMY

There was a lot of discussion on this Bill, different opinions and many misunderstandings. I am asking competent people to have the floor.

Milorad DRAGOJEVIĆ:

I expected General DOMAZETOVIĆ, who was in charge of that, to explain why that Bill was prepared in that manner, but I will state my opinion.

Bearing in mind all the problems we had with the former Laws and the fact that we wanted to adjust that Bill to the existing Constitution and decision on Transformation of the Army, which was adopted by the Presidency and the Supreme Defence Council, the Bill on the Army was prepared in details. These two documents were our guiding principles in creating of that Bill. All the organisations in the Army were working on that and even the legal experts, who are not the members of the Army, were consulted. All the people were of the very same opinion, which is that this is the Bill that we needed because it is appropriate to the organisation and what is the most important it is in conformity with the Constitution.

7.

During the meeting of the Department heads of the Ministry of Defence and the General Staff, that was presided over by General PANIĆ, not a single person had an objection or said that this Bill should be different. We passed this Bill on to the Government. Some changes on it were made later on. It was discussed in the meeting of the Government through their Commissions. Even though Prime Minister PANIĆ insisted - there were a lots of rumours that he put pressure and changed that Bill – I was present there and I know that he tried but the legal services of the Ministry and the Government persuaded him. Therefore Prime Minister PANIĆ did not amend a single clause giving him any kind of authority in commanding.

The Bill that we sent as the basic document entered the procedure in the Parliament. Bearing in mind the crisis we had at the time and certain things involved in all of it, that Bill was not defended in the appropriate manner. The one who was to defend that Bill should have explained the Bill instead of accepting certain issues, which made the significant changes to that Bill. I would not speak about the procedure or how that Bill was accepted by the Boards. Significant changes were made to it, and according to the opinion of the Legal Administration of the Ministry and the Government's and your Legal Administrations it deviates. They share the same opinion when it comes to accepting these amendments and their meaning with respect to the Bill.

That could be divided into a few groups.

The first group, by which changes are made in the field of authority, makes essential change in the Bill because the execution of the Federal Law, actually of

decree-level domains of the Federal Law, and the powers of the Presidents of the Republics and the Chief of the General Staff would be transferred to the President of the Republic. The President of the Republic should then transfer it to the Chief of the General Staff. This power could not be given to the Chief of the General Staff. Besides, we need to bear in mind that the authority of the President of the Republic is regulated by the Constitution and not by this kind of a document. The law determines in what way to implement the items mentioned in the Constitution.

8.

These amendments seriously infringe the constitutional position of the Federal Ministry as against the Yugoslav Army. According to the Constitution every Federal Ministry should perform certain tasks through enactment of sub-Acts, while in this document and from these amendments it turns out that the General Staff would practically be in charge of that. In that way the General Staff would be practically structured as the administrative organ.

Mr President, if this is the case, and it follows from this, that would mean that we are making a deviation from the concept of transformation of the Army. We do not have the General Staff that could be a central and professional organ and the Ministry that would offer a full support to the Army. The idea was to disburden the General Staff, and have it perform only military-related tasks and be of the same size in war and peacetime while the Ministry would perform all other tasks.

According to the current suggestion the General Staff would be in charge of everything that the former SSNO /Federal Secretariat for the National Defence/ used to be in charge of. The Ministry would practically have no authority over nor would have anything to do with the Army.

Besides, the amendments that were made seriously infringe the organisation and system of authority stipulated in the Constitution, as well as the system of parliamentary control over the implementation of the federal laws. This control, as envisaged, should be as follows: Ministry is accountable to the Government, the Government is accountable to the Parliament and the General Staff is not included into it because it does not have a direct contact with other institutions except with the President of the Republic.

I am now the “oldest man” in the Ministry. I did not receive the paper, which contained the amendments and which all of you have, although it has the header of the Ministry of Defence. The Ministry was not included into the procedure when the

Government passed that Bill on to the Parliament. The Ministry was excluded. We only had one of our men there but by a combination of circumstances he was not even able to take part in the discussion.

I think that we should follow the Constitution and that we should not get ourselves into the position which we had in 1974 when everyone was allowed to interpret the Constitution the way they liked. The lawyers should say what it means; these are the issues that have significant influence on the organisation of the Army.

9.

According to the things I saw and received, the Legal Administration of the Ministry, Government's Legal Administration and your legal experts have the very same opinion regarding the meaning of these amendments.

The second group of the amendments represents certain parts of the Defence Law that were included into the Bill on the Army. After the analysis we think that we should not do that. It does not matter in the final one but it should be in the Defence Law /sic/. The Defence Law should refer and be applicable to the entire state.

There is an amendment related to the use of the resources for the Army's needs. That Law /or Bill/ should be uniform for the federation. Only the part that refers to the Army could have its own specifics. That part, which was written into the Law /or Bill/, should not have been written.

The fourth group of the amendments represents the amendments, which regulate the issues of status and material issues. These issues could be discussed by the Parliament and they are not the problem.

Mr President, I would like to point out what effect this had on the Army. I told you about the specific problems we faced in the Ministry because of the fact that practically we did not /word hand written – illegible/ Minister. I spoke to you about it. That situation was aggravated drastically. Why? I think that the way we organised the Ministry and the General Staff in the past, which lies on the experience of the foreign states, was solid. I think that we should not return to the organisation, which proved not to be good. We should not try to make new paths in our work. Instead we should use the experience of the foreign states. In the meantime essential changes have happened, which from the function I perform I could not have an influence on. If the organisation of the Ministry was verified by the Supreme Defence Council then I think it would be all right to present it to the Supreme Defence Council through the

discussion. We have the situation of receiving only a written information saying that some of our Administrations and Institutions would no longer come within our competence, such as the Judicial system, Department for a Contact with International Organisation. The structure we had before was infringed.

I've spoken with General PANIĆ on several occasions. He stopped every further change, but we've always had a paper

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arriving afterwards, which he eventually did not even sign. For example, it is out of the question to have the departments for international contacts within the competence of the General Staff. *Chef de Cabinet* signed that. We are losing the departments and people and some new organisations are being formed. These are the issues that caused serious problem within the Ministry and had a negative influence on morale of the personnel. This Ministry is constituted of 1,000 people and of approximately 39,000 employees of the military industry and other institutions. I am not saying that due to the /?current circumstances/ we were unable to do much, to prepare the normative provisions and take certain measures. The current situation is that people are in suspense and are asking questions. We were told that it will be some kind of a civil Ministry and that it will have nothing to do with the Army. I can present you the papers, which we received and wherein it is written: "... organisation of the Ministry and the SSNO, which was done six months ago, was not brought into accord with the Constitution and therefore has to be changed". I had to say that now because this was the only chance for me to say it to you. I had no one to complain to.

Accordingly, the Law /or Bill/ that was enacted in this manner and concept, which is not viable, should have undone the changes that were not good for the Army. If we should organise the Ministry in the very same manner that the SSNO used to be organised you should tell us that and we will do it.

The authority of the Ministry and the Army regarding the sub-Acts, control, etc, as against the authority of others is still in question.

So, this Law /or Bill/ does not contain formal but essential issues.

That is all.

Ljubomir DOMAZETOVIĆ:

Only the Ministry of Defence calls this Law /or Bill/ in question.

I personally think, and I believe other people share my opinion, that disputing this is an absurd idea. I only dispute it because I think that everything that was done or suggested and then changed was unconstitutional.

11.

No one here should be upset. From the General DRAGOJEVIĆ's and my speech it is obvious that there are two options. These two options are at variance with each other. There are disputes even when two brothers are separating. We should look for an arbiter.

The role of the former SSNO was completely misunderstood here, as well as its division. In the Constitution it was not clearly divided and explained. It was divided by the Constitution and whoever knows the laws he understands that very clearly. The issue of the Yugoslav Army was autonomously elaborated in the Constitution, wherein it was not mentioned what the tasks of the Ministry are, it only mentioned what the tasks of the Government are. The Government is entitled to form the Ministry. I've dealt with the laws for already 13 years. I have worked on each single law ever since then and had to fight for them in the Parliament, etc.

The first draft of the Law was offered with the approval of all the people from the General Staff. General PANIĆ is here and he is a witness that I was against that first draft of the solution because it directly impinge on the constitutional solutions of the SRJ /Federal Republic of Yugoslavia/. The Yugoslav Army was completely divided by the section of the Chapter VII and was autonomous. Secondly, the principles of commanding, which is where the preparation of the bill should start from, are misunderstood here.

The Federal Secretariat was exclusively the military organ that was in charge of leading of and commanding the Yugoslav Army through the General Staff, and was only a co-ordinating factor, an organ for preparations of defence. We have reached the point when the Ministry has to be separated because the state has to be prepared for the mobilisation, war production and all that has to be regulated by a plan. The entire civilian sector has to be well organised and prepared because it is not only the Army that fights in the war but also the entire country.

That is a major problem and reason why we, the Generals, are at variance with each other in interpretation of the federal regulations. As it happens, Vice President KONTIĆ invited me to the session. There were two Items on the agenda. He warned

me that President PANIĆ will be presiding it. I left. The Items were discussed out of sequence but it is important that the Law /or Bill/ on Yugoslav Army was discussed. During that session of the Government some issues and problems

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regarding the leadership and commanding were not brought into accord, so it was decided to make it be as the Government thinks it should be.

Secondly, the idea of finding a uniform solution for all the material resources, which would be in accordance with the law, was not accepted and neither were some other solutions. However, the Ministry of Defence passed on that Bill to the Parliament of Yugoslavia for the procedure without the knowledge of any other organ except the Chief of the General Staff who signed it and who was informed about that Bill. As a representative of an official organ I am in charge of defending the Law on Yugoslav Army.

There were 46 amendments to that Bill. Most of these amendments were referring to the authority. As a representative of the Government I either reject or accept the Bill. However, not a single member of the Parliament and none of the Republics were in support of that Bill. All the members of the Parliament voted for acceptance of 90% of these amendments and they were accepted. However, the Republics of Serbia and Montenegro made a note of urgency, wherein they demanded withdrawal of the Bill on Yugoslav Army from the procedure. They also demanded to have it reconsidered by the representatives of three organs: the representative of the General Staff, the representative of the Republic and we asked for the representatives of the Yugoslav Parliament. We reached an agreement. The request says that the Yugoslav Army has to be autonomous, President is to be the Supreme Commander of the Army and he will command over the Army upon the standpoints and decisions of the Supreme Defence Council. Furthermore, the General Staff, which is to be formed as a professional and central organ is to be in command of the lower units. That means that the Supreme Commander will be in command through the Chief of the General Staff.

Everything else is to be rejected. This innovated Bill was passed on and was waiting for the procedure. However, Mr PANIĆ urged with the assistance from the sidelines, most probably the Ministry sent the /letter/. However the General Staff have

not received that letter until now even though we should have received it. I asked for it in order to bring things to an accord but I have not received it yet. Since there was no agreement the amendments were passed back on to the Government and were reconsidered. However, we were told that a Commission was to be formed. Pavle BULATOVIĆ, Minister of the Interior, was to be the President of the Commission. That Commission has not met to date. Thereby the right to further work on the procedure and adoption of the Bill on Yugoslav Army was disputed.

13.

However, the Parliament was able to adopt that Bill even without it because the Parliament is entitled to adopt the solution whether the Government agree or disagree with it; the Deputies /had/ practically carried that.

At the moment we are in position that the legitimacy of this already half way passed document regarding the Army is called in question.

There is truth in what Milorad has said - it completely separates the Army from the Ministry and places the Army into different context – Supreme Commander – General Staff – Supreme Defence Council – Supreme Commander – General Staff /sic/. Ministry of Defence arranges its tasks in accordance with the Law on Defence. It has a lot of tasks, which were performed by the Ministries of Defence of the Republics. The Law in Montenegro does not envisage the higher level Ministry of Defence. The question that is raised now is – what is the meaning of the defence in Montenegro being regulated by the law as of 1 January. Serbia kept that after realising the danger considering the fact that the Ministry was neither conceived nor established in terms of organisation in order to be able to perform such a function. Why? We worked on the organisation of the General Staff at the time when the Constitution was not even a subject matter.

I asked to have a military officer as a member of that group, in order to avoid this kind of problems, but we did not reach that far to assist /sic/. Some kind of a sublimation /sic/ was done, which represented neither unity nor disunity /sic/. We transferred a part of the job to the Ministry, as Milorad has said, and now the Constitution has distinguished and divided it /sic/.

As for my opinion, I have nothing against it. The Constitution clearly says that all the laws have to be in accordance with the Constitution. If the Constitutional Court or Constitutional Commission make a decision about it and say that the Ministry of

Defence will be in command of the armed forces I will have nothing against it and we will enact a new bill within 10 days. I can tell you that Hungary has the same concept that the Ministry pleads for. Their Chief of the General Staff and the Minister of Defence got into fierce arguments. It is looming here as well. Over there it reached so far that he wanted to resign but the Government did not accept his resignation but has appointed him a Commander of the Armed Forces.

14.

The Ministry says that this is against the Constitution. I interpret this solution as the one, which is fully in accordance with the Constitution because it was defined and brought into accord with the Republics. It is correct that this significantly infringes the role of the Ministry of Defence. According to the new structure and organisation the Ministry of Defence would have to be the Ministry of Defence for real and would have to be restructured in terms of organisation.

The General Staff would take over all the powers of the former Ministry of Defence. If this does not happen but instead we form an organ, which belongs “neither here nor there”, then we will not have the Army and the Ministry of Defence. We will not have the defence and the preparation of the society.

If we adhere to the existing law then we have to understand that the Chief of the General Staff is still the Deputy Minister of Defence.

I have to warn you that the commanding and leadership comes only within the competence of the Supreme Commander and the Chief of the General Staff. All this, which is being done at the moment, such as finance, status and housing issues, etc, fall under the commanding and leadership. Even according to the existing laws the Minister of Defence is not entitled to make any kind of decision related to the needs and interests of the Army.

The Ministry of Defence has to keep records of the population fit for work; it has to take care of the civil protection sector and the organisation of wartime working organisations and the organisation of production as well as the entire civil protection field and legal system, also, personnel system within that structure – there are between 4,000 and 5,000 people there; entire financial system, etc. We can even let them take care of the military industry.

Milorad DRAGOJEVIĆ:

What do you mean “we can give them military industry”? I guess it should be said: “could be given”.

Života PANIĆ:

We agreed and it has to be in accordance with it – military and economy sector goes to the Ministry; Civilian sector goes to the Ministry;

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the budget goes to the Ministry; law provisions go to the Ministry. We can speak in reference to the budget because the budget has to be regulated by the Army or /the Army/ could regulate it at our request. We say to the Ministry: “We need 100 tanks, 100 carriers /vehicles/” etc, and it would be Ministry’s obligation to provide it for the Army. Ljubo, we have to make this clear. This kind of a law has to exist because the Ministry has to be responsible for such things because the Government is making all the decisions.

Furthermore, we have to regulate the issue of the leadership and command. The Supreme Commander is here; the Chief of the General Staff executes the decisions of the Supreme Commander down to the lower level structures.

The leadership and command, then the war planning and everything else do not come within the competence of the Ministry. That is the aim of everything that we have done so far.

Slobodan MILOŠEVIĆ:

Do two of you agree with General PANIĆ?

Milorad DRAGOJEVIĆ:

President, that is the concept. I have to say something. That is an old issue being foisted on me. I am the only one who distanced myself from that guy PANIĆ. The General Staff supported him. There was a story that I raised an objection on PANIĆ. I had no objections on PANIĆ but on Deputy Prime Minister KONTIĆ. As a man I find it important. According to the law I had no contact with PANIĆ so do not spread stories that are not true.

Secondly, the problem does not lie in disagreement between the Ministry and DOMAZETOVIĆ, as the only person from the General Staff who pleads for this

concept. In the very beginning I had clearly said that the Law departments should state their opinions. If the representatives of the Legal Administration of the Ministry, the Legal Administration of the Government and your legal Department are here then they should state their opinions and not you and me (addressing DOMAZETOVIĆ). That is the essence.

Radoje KONTIĆ:

I would like to bring the things down to their basic principle. I do not want to get involved in the genesis of the preparation of the Law /or Bill/ or

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explain it.

My opinion is that the Supreme Defence Council should decide on two issues today. The first one is of a concept nature and the second is a constitutional issue.

When speaking about the issue of the concept I would like to inform you that the Government had the opinion that when a problem is treated within certain legal limits then it should be treated in common and integral manner within the law. In this case it means that if the issue of the defence is discussed then it should be resolved within the Law on Defence in common and integral manner. If the issue on property of the federation is a subject of a discussion then the property of the federation should be discussed in integral and common manner. This will have implications for other laws. We have requests from the NBJ /National Bank of Yugoslavia/ and SDK /Public Auditing Service/ asking us to treat the issue of their property within their laws, which, in our opinion, do not enable the effective and good control. That is the first issue. If we adhere to that and the Federal Government does that then it is clear to all of us that some of the amendments could not be accepted.

The second issue is of a constitutional nature. That is a much more serious issue because firstly the Federal Constitution is not in accord with the Constitutions of the Republics. The Federal Constitution suggests one kind of solutions while the Constitutions of the Republics suggest different ones. Solutions, which are not in conformity with the Federal Constitution, are specified in the Constitution of the Republic of Serbia. We need to solve this issue.

I think that the Federal Constitution precisely specifies that the leadership comes within the competence of the President of the Republic but has to be in

accordance with the decisions of the Supreme Defence Council. Proposals made regarding that are little bit unclear. The one saying that the President of the Republic “is in command in the wartime” is not in accordance with the Constitution because it is precisely specified in the Law that he is in command “in the war and peacetime”. Accordingly, this kind of amendments is unacceptable. It means that everything related to the command is regulated in that manner. Everything that is related to the Law, legal provisions, execution of the provisions and sub-Acts come within competence of the Federal Government. The Constitution specifies that “ the Federal Government determines, through its structures, the policy, enacts and executes the federal laws and other provisions, general acts ...” etc.

17.

Otherwise the link between the Assembly and the Federal Government is lost; I mean this would happen if we transferred these authorities to the General Staff; the General Staff is not accountable to the Assembly.

The third issue is related to the Ministry. Those are the administration tasks. Apart from the fact that the Ministry should be accountable to the Government and should propose many things to the Government, it also carries out the administrative supervision of the government related tasks. Those tasks could not be transferred to anyone. Because in that case that would be an organ of government, but the Army is not an organ of government.

Miodrag STARČEVIĆ:

Mr President, Messrs Presidents, the essential issue is exactly related to what Mr Vice President has said. In the context of this Law /or Bill/ which was discussed at the Government’s session the basic line of demarcation is exactly this one – all what comes within the commanding authority is within the exclusive competence of the President of the Republic and the General Staff. As for the enforcement of federal laws, in other words the passing of bylaw regulations and administrative affairs – this is the task that remains within the competence of the Federal Government and a portion of the said tasks remains with the Ministry of Defence. For all that and from the constitutional point of view, a request could be made for the Minister to be tasked with passing of some legal regulations. This is the only line of demarcation that is possible. However, this could be an ongoing discussion whether a certain task is the

commanding task or the enforcement of the Federal Law. It is easy to define this theoretically: in our opinion, a commanding task includes everything that is related to the preparations, usage and execution of the Army as an armed force. As for anything else that is related to the status issues, in other words to the rights of people who do their military service, so it means the definition of the said rights, administrative affairs... all that falls under the enforcement of the Federal Laws and passing of bylaw regulations.

Ljubomir DOMAZETOVIĆ:

The Constitution is clear about this. But I would ask all of you a question: Does the Ministry of Defence deal with the Army and defence of the country at all? If there is a single word in the Constitution dealing with this matter I will admit that I am wrong. Here the Government of SRJ /Federal Republic of Yugoslavia/ is being identified with the Ministry of Defence, which is an administration apparatus and which takes a precedence over the General Staff when it comes to certain tasks.

18.

Whoever wants to rule the country and have the power he has to have the funds at his disposal, so if there are no funds, he will have nothing to rule over. Every financial document has to be signed by a minister of defence, and this minister's post is mentioned nowhere in the Constitution. How could the competencies of the government be legally applied to the Ministry of Defence? It means that the Federal Government should not be identified with the Ministry of Defence. I would like this issue to be resolved since that is the key issue.

Slobodan MILOŠEVIĆ:

I think that we should not have a discussion here that is usually held at the session of the Assembly's Board or at the session of some expert collegiate body, which is supposed to write a law. It would be irresponsible behaviour and the lack of seriousness if we started discussing each of the articles and amendments here.

We should agree that the new Federal Government, which is due to be constituted in a few days, send immediately the complete set of Bills to the Federal Assembly as it was agreed as far as the concept is concerned. As I can see the agreement was reached between the General Staff and the Ministry, and consequently

the Prime Minister. Due to serious failures in the work of the Federal Government there has been a delay in passing of these two bills.

Radoje KONTIĆ:

That is because we had no minister.

Slobodan MILOŠEVIĆ:

Fine, that is the mistake of the Federal Government; the Government was not in function. As for the Army – and when I say “the Army” I mean Milorad and Žika and I cannot dissociate two of you in my mind – that is the General Staff and the Ministry. It is nonsense to provoke the antagonism between the Ministry of Defence and the General Staff; there is no such a thing in any state. We have to get over this danger, as well as this provocation which is, in my opinion, a sort of understandable provocation.

Therefore, I suggest that we stop this discussion. We have the same opinions about the general approach, which is to fully address the issue of defence and the Army by the Defence Law and the Army Law. And we should ask the Federal Government to do that.

19.

We have neither the Assembly’s nor the Government’s authority. In view of this, the Federal Government has to offer proposals to the Assembly. Then the Assembly is in charge of passing or not passing a law, it is in charge of adopting or not adopting amendments – the Assembly should do it in a way it deems appropriate. This may refer to these laws or to some other laws; it does not matter at all which laws are in question. I believe that the conditions have been met for the Federal Government to send two complete Bills to the Assembly very soon.

Dobrica ĆOSIĆ:

I fully support this. I just want to point to something that is our obligation: we should reach an agreement about the basic principles. I think that Mr KONTIĆ has presented them.

Radoje KONTIĆ:

Those principles are the following: a certain subject that is included in a law should be dealt with uniformly and as a whole; and secondly, it should be in accordance with the existing Constitution; if the Constitution is not good, then we should change it.

Dobrica ĆOSIĆ:

This is within our competence and we can make such a conclusion.

Slobodan MILOŠEVIĆ:

I think that we can say that the Supreme Defence Council considered the issue of passing the two Laws; however, due to serious failures in the work of the Federal Government there is a delay in passing the said Laws without a justified reason. We can also say that the Supreme Council estimates that the conditions have been met for the new Government to send the concrete set of the two Bills to the Federal Assembly as soon as possible. There is an agreement about the concept, which means that the issue of defence should be completely resolved within the Defence Law and the Army Law in accordance with the Constitution.

Dobrica ĆOSIĆ:

I would suggest to the Federal Government and authors of these laws to summarise them. I do not believe that we need the laws of such length.

20.

Momir BULATOVIĆ:

I think that we have faced unnecessary complicated situation because we can hardly follow when the amendments came, how they were incorporated, why, etc.

I would like to emphasise my belief. We have no open options. It has been quite clearly stated here, both in the Constitution and in the concept of new construction. What can be a cause of misunderstanding? This is an issue, which we should measure out when the Government starts discussing it. I can notice a fear arising here whether the Ministry will take too much of the financial power. When you take a look at this text addressing the issue of the control over the funds and usage of funds, then you can see that there is no need for the Ministry because the General Staff makes the funds available upon the decisions of the Chief of General Staff. If we go for the Ministry of Defence, which should, according to the

Constitution, be in control of the funds and implement our commitment that the General Staff should be a military expert organ, unburdened of the present huge amount of work, we would face a quite different and completely unknown area. To be honest, I do not know how much it is known and I am inclined to accept that these fears are justified and that it is possible for the conflicts to occur, etc. I say this because it is quite possible that we select a civilian person to be the Minister of Defence. He will be creating a general frame. There might be some frictions and misunderstandings, which will emerge out of this situation.

The proposal of General PANIĆ might be a good one – the Ministry should work upon the proposal of General Staff.

Slobodan MILOŠEVIĆ:

It works in that way, it cannot work in another way.

Ljubomir DOMAZETOVIĆ:

There are two laws in question – the Defence Law and the Army Law. The Army Law regulates the complete set of defence preparations and the Ministry of Defence.

Momir BULATOVIĆ:

Since there are very stormy reactions, especially in Montenegro, as well as among the representatives of SUBNOR /Federal Association of WW2 Veterans/, etc, we think that we should be more cautious and wiser in dealing with the changes that are just taking place.

21.

None of us was consulted concerning the question whether the 22nd of December will be marked as the Yugoslav Army Day.

Života PANIĆ:

We were consulted.

Momir BULATOVIĆ:

I apologise. But I think that was a convenient time to mark it. The First Proletarian Brigade was established on that date.

Života PANIĆ:

It was marked in a working manner.

Momir BULATOVIĆ:

They are removing the names of the heroes from the barracks.

Života PANIĆ:

Nobody has removed anything.

Slobodan MILOŠEVIĆ:

What do you mean nobody has removed anything – I also have a report where it is said that the names have been removed; the memorial rooms of the units are being abolished and there are some other things happening.

Momir BULATOVIĆ:

If we want to have our tradition of the unified Army we must not go too far in the past. I am aware of the need for the national reconciliation, but I am also aware of the serious danger of the permanent and repeated fight between the *Partisans* and *Chetniks*. The *Partisans* won, so this is not an idea which would be thrown away, this idea is the basis of our future. There is some talk, for example, that the cap of the Yugoslav Army officer will be a modified form of “*šajkača*” /Serbian traditional cap/. There is no need for us to go too far in the past because at that time we had had two armies. We have to listen carefully to what soldiers are telling us.

22.

Slobodan MILOŠEVIĆ:

I have received similar objections coming from the field. Please, if you have some issues pertaining to some important political decisions – you are not allowed to deal with them without an agreement. Please, you can issue an order, make an announcement, you may do it, but we will ask for the person who is to be held responsible for that if we find out that something like that took place. We should not play games. I think in the same way as Momir, – the first unit that was established in the history, the first unified unit, was the First Proletarian Brigade of the 22nd

December. It consisted of four Serbian battalions and two Montenegrin battalions. That was the first unit, which represented the unified Army of Serbia and Montenegro. I do not care if some people say that STALJIN's /as written/ birthday was on 21st December. We could see that this day was not marked, the 22nd December was abolished.

Života PANIĆ:

It was marked in a working manner.

Slobodan MILOŠEVIĆ:

In a working manner! You changed it and you did not ask anyone.

Života PANIĆ:

I asked the Commander-in-Chief.

Slobodan MILOŠEVIĆ:

The Commander-in-Chief is not in charge of this issue; the Supreme Defence Council makes decisions and that is written in the Constitution. The Commander-in-Chief is not entitled to make any decision without the decision of the Supreme Defence Council; Put such ideas out of your heads!

Dobrica ĆOSIĆ:

That matter is beyond dispute; there is no reason for it to reach a peak. Gentlemen, we have to discuss what the liberation tradition of our Army is. Slobodan, it does not refer to the dates counting from the 19th, 21st or 22nd December. These /two/ countries are older than the First Proletarian Brigade. I disagree with the resolving of this issue in such a simple way. We can and we should talk about that.

23.

We should see what the ideological assumptions of our struggle tradition are; I mean the assumptions that we should take into consideration. There is a sort of inertial ideologization of the Army supported by SUBNOR, as well as by the officers in reserve, the Movement for Yugoslavia – the communists; they apply their ideological beliefs to the current situation automatically. But this is a completely new order and a

different country. We should agree about that. There is a reason for a serious talk: what in this struggle was related to the liberation aspect and what to the aspect of antifascism; what are the distinctive traits of this struggle in ideological terms and what in political party's terms? We have to discuss this subject.

Slobodan MILOŠEVIĆ:

I am against discussing this matter on an "ad hoc" basis; the decision should not be made until this matter is discussed. Therefore, the situation remains unchanged until we discuss the subject. That is logical. I have nothing against this idea.

Dobrica ĆOSIĆ:

As for the 22nd December, we discussed this matter – you can read our document; that was published in the newspapers – you can see how this date was formulated. It did not affect the liberation character of our Army in any way, I mean it did not affect its tradition.

Života PANIĆ:

We have a lot of nameplates on the barracks with the names of people who are not from Serbia and Montenegro, but from Croatia or Bosnia and Herzegovina.

Slobodan MILOŠEVIĆ:

These names should not be changed until the assessment is made; so what if there are Muslim names there, Muslims also fought; we have two million Muslim citizens in Yugoslavia. I guess that we do not want to expel them from Yugoslavia and that we would not tell them that they are not allowed to do their military service?

Života PANIĆ:

We currently have 3,200 officers who are foreign citizens.

Slobdan MILOŠEVIĆ:

That is another issue.

24.

They might not want to accept the citizenship; they have their families that they often visit in Macedonia and other areas of Yugoslavia, even in Slovenia.

Slobodan MILOŠEVIĆ:

You should systematise these issues and then we can see what all of that is about.

Dobrica ĆOSIĆ:

I would like to ask some of you from the General Staff and Ministry of Defence to formulate these ideological issues and to discuss this matter from the point of view of the Army and its public functioning. Let us see what the meaning of the term “ideologization of the Army” is.

Života PANIĆ:

We have the units with tradition – they are marking the days of their units. Shall we continue in this way?

Slobodan MILOŠEVIĆ:

Each unit marks its day of the unit; some unit might be formed yesterday and would celebrate its day anyway.

Dobrica ĆOSIĆ:

This is the Army of two states now.

Slobodan MILOŠEVIĆ:

We have to cherish the tradition which unifies these two states but not the tradition that separates them. Only in that case can we apply that formula, which you criticised, for the creation of the Serbian and Montenegrin Armies, and then the joint General Staff of these two Armies. If you like it that way, it is fine with me.

Dobrica ĆOSIĆ:

I am not in support of this idea.

Slobodan MILOŠEVIĆ:

If you are in support of this position then you have to appreciate the fact that we have a unified Army. And I am also in support of the unified Army.

25.

Dobrica ĆOSIĆ:

Does anybody want to have the floor with regards to these laws? (Nobody wants to take the floor). It means that we have agreed about this matter.

We move on to the third item of the agenda:

3. INFORMATION ABOUT THE PROBLEMS RELATED TO THE
PROVISION OF FUNDS FOR THE YUGOSLAV ARMY AND THE
PROVISION OF FINANCIAL AID FOR THE REPUBLIC OF SERBIAN
KRAJINA

Života PANIĆ:

As for the provision of funds for the Yugoslav Army, we had talks with some of our comrades. I believe that we have found a solution. However, despite this we are still late when it comes to the implementation of the agreement to deliver certain quantity of money that is needed by the Yugoslav Army. As for this date, we do not have a single dinar of debt to any work organisation. However, new invoices arrive every day – it goes simultaneously: they give us certain amounts of money and we pay the work organisations.

As for the Republika Srpska and the Republic of Serbian Krajina, huge amounts of material means have been sent to these areas. Whatever we send them we have to refund at our market – no matter whether it is food, spare parts, ammunition, clothing, etc.

There are 2,500 of our commanding officers in the Army of Republika Srpska. They come from those areas, but also from our units. They will return here after three or four months; then we will send other /officers/, etc. We have sent 700 commanding officers to the Army of the Republic of Serbian Krajina – they are still there; they are volunteers and they come from those areas. We have prepared and armed 3,000 volunteers that we have sent to the Republic of Serbian Krajina. As far as I know, there is no a single soldier who is a member of any party. They told me that they are good fighters, that they are satisfied with their moral and combat capability.

Mr President, we have been receiving on a daily basis a lot of requests for ammunition and weapons. We send what we can, there have been great demands for the infantry ammunition, but we have to pay that.

26.

The money we give for the needs of Republika Srpska and the Republic of Serbian Krajina should be reimbursed in order for us to be able to make purchases for our needs.

Mr President of Serbia has made great efforts; we have cleared things with the Government of Serbia and we have been in the process of resolving those issues. We make combat rations together; we have sent 68 thousand combat rations to Krajina.

We gave them complete equipment to form one corps.

The biggest problem is with the purchase of the artillery ammunition and tank ammunition. We manage this through different channels – sometimes we manage to do that, and sometimes we don't; all that is paid in dollars or in exchange. We have a lot of infantry ammunition /stored/ in the Bar Port; we intend to take this ammunition. The owners of this ammunition want us to pay them in copper or in woods.

Miodrag DRAGOJEVIĆ:

I would explain something in the part that is not related to Krajina. You saw these figures. Mr President, when I last visited you, we pointed out that we were to get 277 billion. On that occasion the Minister of Finance was with President MILOŠEVIĆ. I pointed out the problems of the funds inflow. We had a 25% of inflow and now it is 64,8. It means that we did not get what had been approved.

Secondly, here are some figures that I expect you to declare on. We listed some stuff that we are in urgent need of and for which we envisaged some funds. That is in total 398 billion. This amount must enter into the revision of the budget that we have to work on because of some other things. Those are the things that the Army declared to be urgent. As for what General PANIĆ has said – we are trying to get these two countries to deliver us the stuff we need; we use very secret channels; those prices are not low, so regardless of whether we will get this stuff - we will pay it in dollars.

I would like to hear something about these figures, excluding Krajina.

27.

This is an extremely complex problem. The expenditures of the Army are by far the largest in the budget of Federation. Of course, there cannot be any consolidation of the budget of Federation in a situation where the budget of the Federation has to bear such costs.

We have a temporary method of the provision of funds for the first quarter of the year. According to this funding method, we have a 50% of the total budget for the Army – for the current funding, or 570 billion; of which 40% is the primary emission or some 240 billion for the first quarter of the year.

Besides, we have a series of laws adopted on the transformation of the Yugoslav Army. The material support is 90 billion per year; this whole amount comes from the primary emission. The fact that we grant a long-term loan and the securities – that is just the postponement of the problem, but this cannot solve the problem.

Apart from that, we should de facto give 320 billion dinars from the primary emission for the first quarter, which is for the needs of these two Army branches and at an inflation rate of 15% per month. In the next few months the inflation rate will be more than 100%. In total 80 billion have been issued so far from the primary emission; due to the inflation we had an increased, but the realistic amount of resources. However, after we finish the revision of the budget, the things will get to normal – it means that we have to get back to the primary emission. The reason for such disastrous results is this kind of primary emission.

Apart from that, the Army has placed new demands that are – I am getting into a panic - around 800 million dollars for this year. They need 36 million dollars immediately. Not to mention the next year – there have been 400 million dollars needed for the ammunition and arms supplies; is it a new request or is it within the existing request?

And on top of this there is the Republic of Serbian Krajina. They requested 341 million dinars and the total budget of the Federal Republic of Yugoslavia amounts to 320 billion per month! The General Staff estimated that they need 160 billion per year – all that should come from the primary emission. We do not have the real sources at all. Our economy is in recession. According to all these estimates, the domestic product of Yugoslavia has been decreased to 1,500 dollars; material reserves have been exhausted; military reserves have been exhausted.

28.

At the end of the day we have this: “if there is a need for helping the Republika Srpska we have to do it again from the fund for special purposes because the Army has no funds for such purposes”, and this is an additional thing.

Gentlemen, according to this, we should issue 500 billion from the primary emission! I can assure you that in four to five months we will face a situation where “Topčider” /printing enterprise/ will not be able to print that amount of money. The situation is more than tragic.

There are two things that are very important here: the reduction of all items should be carried out to a maximum degree. Then, we should see if we could be granted loans somewhere – maybe from Russia? I do not know what the limit of the country’s security is, but I am talking from the financial aspect and the effects that the primary emission could have on the real courses. In this way, our budget will come from the primary emission; the moment you have no goods, it soon transforms into a race between the prices and goods.

Milorad DRAGOJEVIĆ:

It would be a significant point if the amount that is approved by the law on transformation could come first, I mean the funds which are supposed to come through this budget – 270 billion.

Radoje KONTIĆ:

It came on 5 January with my signature on it.

Dobrica ĆOSIĆ:

Who is in control of the usage of funds that we give to the Krajinas. Do we know for what purposes these funds are used? How come that Krajina is “more important” than the state?

Slobodan MILOŠEVIĆ:

There is a war going on there. The war should be stopped!

Momir BULATOVIĆ:

It was more difficult for us to deal with the budget of the Serbian Krajina than with the budget of the Republic of Montenegro; we came to a point when it is even more difficult to deal with this budget than with the budget of FR Yugoslavia.

29.

Slobodan MILOŠEVIĆ:

We should see what could be made easier in this regard. First, the huge amounts of funds go for the military needs. Therefore, we should consider the issue of some military aid – if we can get some military aid from someone? It was always easier to get that kind of aid than the financial aid – we could try at least to get it from the countries that are so much “loaded” with the military equipment. It would be great if the Russians or the Romanians could help us.

The second thing that should be taken care of at the same time is the possibility of collecting the money they owe us, even if we have to do it through receiving the delivery of the needed military equipment from them.

Života PANIĆ:

These guys will come back on Friday. They were given such kind of task – to see what we could get as aid; then, what we could get in a form of a postponed payment. The Romanians said that they would give us something as aid. However, they are too scared and they are trying to hide our delegation, they take this delegation to some forests. We have good signs coming from Russia; the military attaché called and said that we would probably get something.

Milorad DRAGOJEVIĆ:

As for the thing that Romania has offered, those are the things that cover the needs to great extent; some of them are very expensive, some of them are cheap. We have to understand them for taking these preventive measures. However, after we finalise things related to the quantities, we should ask for the postponed payment at some other level.

Slobodan MILOŠEVIĆ:

What are the “real sources”? The real sources are those related to our capability to provide some military aid with the postponed payment of debts. I do not

see the third solution for this problem except for the printing house and it will "drown" us economically; also the war has to be terminated. Look, TUĐMAN got into debt of 20 billion dollars and we got into no debts!

Dobrica ĆOSIĆ:

What should we do with the request of the Republic of Serbian Krajina?

30.

Života PANIĆ:

We give as much as we can.

Slobodan MILOŠEVIĆ:

The Government should see to this issue. They do not ask for money, they only ask for ammunition, means, food and clothing.

Radoje KONTIĆ:

But that is almost finished, we have no more.

Dobrica ĆOSIĆ:

They ask a lot!

Slobodan MILOŠEVIĆ:

Well, we can not leave them to die of hunger!

Radoje KONTIĆ:

They wage war; they do not work! There are 100 thousand of them who wage war!

Života PANIĆ:

There are 40 thousand of them who are attacking and 20 thousand of them defending themselves and they cannot do anything.

Dobrica ĆOSIĆ:

Well, what did we decide?

Slobodan MILOŠEVIĆ:

We should examine these two possibilities.

Milorad DRAGOJEVIĆ:

We will have these data within 15 days. We will analyse them and see what the real chances are for meeting the most urgent needs and we will let you know.

Života PANIĆ:

I called the Chief of the Bulgarian General Staff – he will come and will offer his help.

31.

Dobrica ĆOSIĆ:

I suggest that we talk about the STEVANOVIĆ's proposal on the air force next time and /I suggest that we should/ pay a visit – some of you and I should pay this visit; or BULATOVIĆ could go instead of me.

Secondly, we should prepare ourselves for the paramilitary formations.

Života PANIĆ:

We will prepare that matter in co-operation with the two ministries.

Dobrica ĆOSIĆ:

Thirdly, we should agree and see what the ideological contents of patriotism and tradition of the Yugoslav Army are; we should take positions in this regard. I would ask for a competent person to present us with his report about this matter. That matter is related to the problems of barracks, the names, symbols, etc.

I close the session.

(The meeting ended at 1330 hrs).