

Podgorica/Zagreb, 06/12/2011

Reaction to the public address of judge Milivoje Katnić, lieutenant of KOS during the attack on Dubrovnik 1991-1992

Reaction of Milivoje Katnić, judge of the Appellate Court of Montenegro, is not surprising due to the fact that he is called directly as a perpetrator of war crimes by former detainee Metodije Prkačin at the conference "War for Peace - 20 years later," organized by the Centre for Civic Education, Human Rights Action and Documenta, with the support of the Friedrich Ebert Stiftung.

However, vocabulary used by the judge Katnić is unexpected, as well as the manner in which he responded to the serious charges of Metodije Prkačin. As the judge knows well where and how to determine the facts and that the judicial truth, carried out by independent and impartial courts, is the only one that matters it is strange selection of style for answer on charges related to a period when the judge Katnić held office of lieutenant of KOS (Counter-intelligence service). We expect the Judicial Council to address this issue and to determine if the judge Katnić by his response acted in line with the dignity of the position of judge.

From the public address of the judge Katnić, it is clear that he is a person that could significantly contribute to fact establishment from the war period in Dubrovnik region. It is well known and easily verified that almost 240 days citizens of Dubrovnik lived in the land and sea blockade, 138 days without electricity and water, while they were more than four months in shelters. In the area of Dubrovnik, the JNA (Yugoslav People's Army) forces were destroying, looting and setting fire to civilian objects, as determined by the Hague Tribunal. Part of the population fled to Dubrovnik, Northern Dalmatia and on the islands, and in the villages remained mostly elderly residents of which many were killed or taken to JNA concentration camps in the Morinj in Montenegro or in Bileća in B&H. In the war in Dubrovnik area, according to the indictment of the Croatian State Attorney, 116 civilians were killed and several hundreds injured; there were killed 430 Croatian defenders, 443 persons were detained in camps Morinj and Bileća, whereas 33,000 persons were expelled and 2,071 residential buildings destroyed. According to available data, in Dubrovnik area, during the war operations were killed also 166 reservists from Montenegro. Based on the first-instance verdict of the Higher Court in Podgorica, at the territory of Montenegro there was "collection centre " in Morinj where war crimes were committed, and among others also against Metodije Prkačin. The war completed in June 1992 by the agreement Tuđman - Čosić on demilitarization of Prevlaka and withdrawal of JNA 15 km into territory of Montenegro. The Hague Tribunal sentenced for war crimes from 6 December 1992, during the most intensive shelling of old city of Dubrovnik, Nikola Strugar and Miodrag Jokić. Ten JNA officers were indicted for war crimes by the County Court in Dubrovnik.

The judge Katnić surely remembers that 6 December is the day when the shelling of Dubrovnik has started, for which only have been convicted generals Strugar and Jokić in front of the Hague Tribunal, although it is clear that they could not be the only guilty of all the crimes that have occurred in the area Dubrovnik region during 8 months. The symbolism of this press release sent by the judge Katnić exactly on this day to the best illustrates the

paradox of calamity made at that time, but also result of an inadequate process of dealing with the past in Montenegro.

Without getting into the issue of potential liability of the judge Katnić, a former lieutenant of KOS, for war crimes that the prosecution should investigate urgently, it is obvious that he possesses important information that could be of great importance to establish the factual status of the role, importance and involvement of Montenegrin reservists, as well as regular army and police forces, and individuals from the political and media milieu of Montenegro within the seizure of Dubrovnik twenty years ago.

Public testimonies are one of the ways to constantly and again open questions of responsibility of parties in the conflict and actors of the war, around Dubrovnik in concrete case, as long as the authorities are not "provoked" to fully establish the facts about the war, victims and perpetrators of war crimes, because war crimes are imprescriptible.

We expect that the competent State Prosecutor urgently examine allegations presented at a conference in the presense of the prosecutor Lidija Vukčević, which refer to the judge of the Appellate Court Milivoje Katnić and others, and to consequently inform the public. In addition, we expect that the Judicial Council take the stance and assess the case in the context of public appearance of the judge Katnić. The conference, at which were presented, beside the current public testimony, also number of other valuable exposures and reviews, should attract the attention of the relevant institutions. Silence is dangerous and represents the highest threat that through oblivion again make the basis for new crimes.

Daliborka Uljarević, Executive Director, CCE

Tea Gorjanc Prelević, Executive Director, Human Rights Action

Vesna Teršelič, Executive Director, Documenta