

NATO to Federal Republic of Yugoslavia, 13-10-1998

NATO to Federal Republic of Yugoslavia, 30-01-1999

The population of Kosovo, at the time a province of the Former Republic of Yugoslavia (FRY), was predominantly Albanian Kosovar (over 90%) with a small minority of inhabitants of Serbian origin. Kosovo was considered the historic Serbian homeland by the Serbian FRY President Milosevic. In 1998, clashes between Serbian police forces of the FRY and forces of the separatist Kosovo Liberation Army (KLA) resulted in hundreds of fatalities. The incident prompted widespread international condemnation.¹ The UNSC adopted resolution 1160 (with only China abstaining) on 31 March, imposing an arms embargo on the FRY and urging the parties to enter 'into a meaningful dialogue'.² The six members of the Contact Group – by now consisting of France, Germany, Italy, Great Britain, the US, and Russia – issued multiple warnings to the FRY leadership to cease and desist, and NATO forces conducted a show of force in June in order to 'demonstrate[e] NATO's capability to project power rapidly into the region,' all to seemingly little effect.³ Reports of atrocities committed by Serbian forces against civilians continued to elicit international outcry over the summer months. After repeated UN and NATO warnings went unheeded, the UNSC adopted resolution 1199 demanding an immediate ceasefire in Kosovo and condemning 'all acts of violence by any party'.⁴ Following more atrocities, UK Foreign Secretary Cook called for an emergency meeting of the UNSC for 1 October, warning the Serbs for NATO punitive military actions absent full compliance with the terms of the UNSC resolution. Additional economic sanctions were instituted.⁵ Following the UNSC meeting, in which the lack of FRY compliance was reported, NATO put its forces on a footing of high readiness for military strikes to put pressure on the FRY government. US Defense Secretary Cohen said that NATO forces would strike in two weeks. The six members of the Contact Group demanded oncemore that FRY comply with the UNSC resolution without mentioning NATO air strikes in order not to antagonise Russia (which opposed them).⁶ The Contact Group members then issued a communiqué on 8 October demanding that the FRY leadership complied with UNSC resolution 1199. The communiqué listed six demands. These included ending offensive operations in Kosovo; withdrawing Serbian troops; providing freedom of access for NGOs and agreeing to full co-operation with the International War Crimes Tribunal; allowing the safe return of refugees; and participating in negotiations to end the crisis.⁷ Robin Cook spoke of an ultimatum, but no actual deadline was stated.⁸ US Envoy Holbrooke delivered the list of demands to Milosevic. On 6

¹ International Commission on Kosovo, *Kosovo Report: A Report from the Independent International Commission on Kosovo*. (Oxford: Oxford University Press, 2000), 67–73. *Keesing's Record of World Events, Yugoslavia, March 1998*, vol. 44, Issue No.4 (Keesing's Record of World Events, (Formerly Keesing's Contemporary Archives 1931-1988), 1998), 42156, <http://www.keesings.com/article/22972>.

² *Keesing's Record of World Events, Yugoslavia, April 1998*, vol. 44, Issue No.4 (Keesing's Record of World Events, (Formerly Keesing's Contemporary Archives 1931-1988), 1998), 42237, <http://www.keesings.com/article/22972>. 'S/RES/1160', Resolutions adopted by the United Nations Security Council in 1998, accessed 3 August 2015, <http://www.un.org/en/sc/documents/resolutions/1998.shtml>.

³ *Keesing's Record of World Events, Yugoslavia, June 1998*, vol. 44, Issue No.6 (Keesing's Record of World Events, (Formerly Keesing's Contemporary Archives 1931-1988), 1998), 42356, <http://www.keesings.com/article/23082>.

⁴ 'S/RES/1199', Resolutions adopted by the United Nations Security Council in 1998, accessed 3 August 2015, <http://www.un.org/en/sc/documents/resolutions/1998.shtml>.

⁵ *Keesing's Record of World Events, Yugoslavia, December 1998*, vol. 44, Issue No.12 (Keesing's Record of World Events, (Formerly Keesing's Contemporary Archives 1931-1988), 1998), 42519, <http://www.keesings.com/article/22093>.

⁶ *Keesing's Record of World Events, Yugoslavia, October 1998*, vol. 44, Issue No.10 (Keesing's Record of World Events, (Formerly Keesing's Contemporary Archives 1931-1988), 1998), 42580, <http://www.keesings.com/article/22090>.

⁷ *Keesing's Record of World Events, Yugoslavia, October 1998*, 44:42580. I. H. Daalder and M. E. O'Hanlon, *Winning Ugly: NATO's War to Save Kosovo* (Brookings Inst Press, 2000), 46.

⁸ 'Milosevic Told Door To Options Is Closing - Tribunedigital-Chicagotribune', accessed 17 August 2015, http://articles.chicagotribune.com/1998-10-09/news/9810090299_1_activation-order-yugoslav-president-slobodan-milosevic-nato-governments.

October Russia stated that it would oppose UN resolutions sanctioning military action. The political situation in Germany (leadership transition) and Italy (leadership facing a vote of confidence) undercut the cohesion of the Contact Group further when both governments asked to postpone any military strikes.⁹ Holbrooke meanwhile threatened Milosevic privately that NATO would launch a bombing campaign if he did not comply.¹⁰ On 13 October the North Atlantic Council then adopted an activation order for air strikes to be delayed until 17 October to give FRY 96 hours to sign the terms of the verification agreement. This in effect constituted an ultimatum coupling a set of demands (compliance with the UNSC resolution 1199) with the threat of military force (air strikes) – without clear UNSC authorization – to a concrete moment in time (96 hours).¹¹ The ultimatum was intended to cement the agreement already struck between Holbrooke and Milosevic.¹² Milosevic had informed the former of his intent to comply with UN demands on 12 October, and assented to an international 2,000 strong observer force under the auspices of the Organisation for Security and Co-operation in Europe (OSCE) and overflights by NATO.¹³ In subsequent days Milosevic granted NATO aircraft rights to fly over Kosovo and sanctioning access to the OSCE observer force on 15 and 16 October. This led US President Clinton to declare that NATO's resolve had 'moved Milosevic from the battlefield to the bargaining table'.¹⁴ On 17 October NATO extended its deadline by another ten days to allow Serbia to withdraw its forces. But the next day US Envoy Holbrooke warned that Serbian withdrawal was too slow. NATO generals Clark and Naumann visited FRY leader Milosevic on 24 October to once more convey the threat of air strikes absent compliance by 27 October.¹⁵ Following considerable progress over the next three days, NATO did not execute any military strikes, instead suspending them for the time being.¹⁶

The cease fire, however, turned out to be fragile. In the months after the agreement, the terms of the verification agreement were repeatedly broken. KLA forces took positions left vacant by Serbian forces, Serbian forces deployed once again in large numbers (over 12,000) in Kosovo, and clashes between the parties were a regular occurrence.¹⁷ Meanwhile, reports of massacres of civilians at the hands of FRY forces continued to surface. Observers noted that the conflict threatened to escalate into all out war.¹⁸ The killing of forty-five civilians in the village of Račak in Kosovo by FRY forces in mid January prompted the six members of the Contact Group once more into action.¹⁹ On 30 January it called on representatives of both sides to stop all fighting, comply with all UNSC resolutions, and enter into negotiations at Rambouillet by 6 February. Negotiations were to be concluded within one week, with the possibility of a one-week extension. British Foreign Secretary Cook delivered these

⁹ *Keesing's Record of World Events, Yugoslavia, October 1998*, 44:42580.

¹⁰ Daalder and O'Hanlon, *Winning Ugly*, 47.

¹¹ 'NATO SecGen Press Conference, 13 Oct. 1998', accessed 3 August 2015, <http://www.nato.int/docu/speech/1998/s981013b.htm>.

¹² Daalder and O'Hanlon, *Winning Ugly*, 48.

¹³ International Commission on Kosovo, *Kosovo Report*, 76. *Keesing's Record of World Events, Yugoslavia, October 1998*, 44:42580. Steven L. Burg, 'Coercive Diplomacy in the Balkans: The U.S. Use of Force in Bosnia and Kosovo', in *The United States and Coercive Diplomacy*, ed. Robert J. Art and Patrick M. Cronin (US Institute of Peace Press, 2003), 80–81.

¹⁴ *Keesing's Record of World Events, Yugoslavia, October 1998*, 44:42580.

¹⁵ Daalder and O'Hanlon, *Winning Ugly*, 52–53.

¹⁶ *Keesing's Record of World Events, Yugoslavia, October 1998*, 44:42580.

¹⁷ International Commission on Kosovo, *Kosovo Report*, 78–80.

¹⁸ *Keesing's Record of World Events, Yugoslavia, November 1998*, vol. 44, Issue No.11 (*Keesing's Record of World Events, (Formerly Keesing's Contemporary Archives 1931-1988), 1998*), 42642, <http://www.keesings.com/article/22089>. *Keesing's Record of World Events, Yugoslavia, December 1998*, 42693, vol. 44, Issue No.12 (*Keesing's Record of World Events, (Formerly Keesing's Contemporary Archives 1931-1988), 1998*), <http://www.keesings.com/article/22656>. International Commission on Kosovo, *Kosovo Report*, 78–80.

¹⁹ International Commission on Kosovo, *Kosovo Report*, 80.

demands in person to the combatants.²⁰ The President of the UNSC expressed its support.²¹ NATO then followed on the same day with an ultimatum calling on the parties to comply with the UNSC Resolutions and the demands of the Contact Group. NATO's ultimatum was not explicitly sanctioned by an UNSC resolution.²² The statement described NATO's strategy aimed at 'halting the violence and supported the completion of negotiations on an interim political settlement for Kosovo'.²³ It then outlined a series of steps which:

[..] must include acceptance by both parties of the summons to begin negotiations at Rambouillet by 6 February 1999 and the completion of the negotiations on an interim political settlement within the specified timeframe; full and immediate observance by both parties of the cease-fire and by the FRY authorities of their commitments to NATO, including by bringing VJ and Police/Special Police force levels, force posture and activities into strict compliance with the NATO/FRY agreement of 25 October 1998; and the ending of excessive and disproportionate use of force in accordance with these commitments. If these steps are not taken, NATO is ready to take whatever measures are necessary in the light of both parties' compliance with international commitments and requirements, including in particular assessment by the Contact Group of the response to its demands, to avert a humanitarian catastrophe, by compelling compliance with the demands of the international community and the achievement of a political settlement. The Council has therefore agreed today that the NATO Secretary General may authorise air strikes against targets on FRY territory. The NATO Secretary General will take full account of the position and actions of the Kosovar leadership and all Kosovar armed elements in and around Kosovo in reaching his decision on military action. NATO will take all appropriate measures in case of a failure by the Kosovar Albanian side to comply with the demands of the international community.²⁴

After initially resisting, all parties eventually showed up in Rambouillet. Despite very little progress, negotiations were extended on 13 February for one week, and once again, for 75 hours on 20 February.²⁵ No consensus was reached, however. The FRY delegation rejected the international proposals and the Kosovar representation stated that it would sign the agreement only in two weeks after having consulted the Kosovar people. The deadline was then pushed back once more until 15 March, when negotiations would be resumed again. The Contact Group continued to pressure the two parties to sign the agreement. When the Kosovar representatives finally signed on 18 March, but the FRY representatives refused, the conference came to an unsuccessful conclusion. NATO started gearing up to carry out the threat harnessed in its ultimatum. OSCE representatives were withdrawn. A last minute visit by US Envoy Holbrooke did not convince FRY leader Milosevic to give in. Airstrikes started on 24 March in an air campaign that would eventually last seventy-eight days until 10 June 1999.²⁶ NATO estimates were that 70% of the electricity generation capacity and 80% of the oil refinery capacity of the FRY was destroyed. NGO sources put the number of FRY civilians killed at around five hundred. The FRY government stated that at least six hundred FRY

²⁰ *Keesing's Record of World Events, Yugoslavia, January 1999*, vol. 45, Issue No.1 (Keesing's Record of World Events, (Formerly Keesing's Contemporary Archives 1931-1988), 1999), 42750, <http://www.keesings.com/article/97096>. See also Burg, 'Coercive Diplomacy in the Balkans: The U.S. Use of Force in Bosnia and Kosovo', 87-88.

²¹ 'S/PRST/1999/5', Statements made by the President of the Security Council in 1999, accessed 3 August 2015, <http://www.un.org/en/sc/documents/statements/1999.shtml>.

²² Dan Saaroshi, 'Chapter 9 The Security Council's Authorization of Regional Arrangements to Use Force: The Case of NATO', in *The United Nations Security Council and War: The Evolution of Thought and Practice since 1945*, ed. Vaughan Lowe et al. (OUP Oxford, 2010), 438.

²³ 'Statement by the North Atlantic Council on Kosovo, NATO Press Release (99)12 - 30 Jan. 1999', accessed 3 August 2015, <http://www.nato.int/docu/pr/1999/p99-012e.htm>.

²⁴ 'Statement by the North Atlantic Council on Kosovo, NATO Press Release (99)12 - 30 Jan. 1999'.

²⁵ Daalder and O'Hanlon, *Winning Ugly*, 80, 82.

²⁶ Daalder and O'Hanlon, 82-84. International Commission on Kosovo, *Kosovo Report*, 92.

soldiers were killed, three hundred of which in combat with KLA. The number of KLA fatalities is not known.²⁷ While the air campaign continued, momentum was building in NATO countries to reach a political settlement. Planning for the deployment of land forces began in April, even if there was considerable doubt about whether such a deployment would garner political support in Western countries.²⁸ Throughout the air campaign Russia's political leadership had repeatedly called for an end to the bombing. It had also expressed its opposition to an international peacekeeping force. But when the Russian position changed in late April and May, the FRY leadership was left isolated.²⁹ A joint proposal by EU envoy Ahtisaari and Russian Envoy Chernomydin based on a list of principles drawn up by the G8 countries (which in turn was based on the Rambouillet principles) was accepted by the FRY government in early June. The proposal granted greater autonomy to Kosovo but left its long term status open, while involving the UNSC in deciding upon this status.³⁰ NATO halted its air campaign on 10 June, once there was agreement on the details of the proposal. The adoption of Resolution 1244 by the UNSC marked the end of the war.³¹

²⁷ International Commission on Kosovo, *Kosovo Report*, 93, 94.

²⁸ International Commission on Kosovo, 95.

²⁹ Burg, 'Coercive Diplomacy in the Balkans: The U.S. Use of Force in Bosnia and Kosovo', 101–3.

³⁰ Burg, 103.

³¹ International Commission on Kosovo, *Kosovo Report*, 96.