STABILITY OPERATIONS IN KOSOVO 1999-2000: A CASE STUDY

Jason E. Fritz

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ABOUT THE AUTHOR

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INTRODUCTION

This case study examines the intervention and stability operations in Kosovo from March 24, 1999 through approximately 2 years thereafter. Set during the dissolution of the former Yugoslavia and preceded by ethnic carnage in Bosnia, Croatia, and elsewhere, the intervention, named Operation ALLIED FORCE, was executed in order to protect Kosovars of Albanian descent from the ethnic cleansing of the Serbian leaders of the remaining federation of Yugoslavia. The operation was also intended to exhibit the North Atlantic Treaty Organization's (NATO) resolve in the face of rampant violence within Europe.

U.S. operations in Kosovo consisted of two major phases: Operation ALLIED FORCE, the American-led air campaign to compel Serbia to withdraw from Kosovo, and Operation JOINT GUARDIAN, the follow-on stability operation led by other NATO states to which the United States provided a brigade in support. This case study explores Operation ALLIED FORCE in some detail because understanding the precursor to Operation JOINT GUARDIAN is essential in understanding why those stability operations were ill-planned and where success was based on personal experiences, ad hoc relationships, and some luck. The primary lessons of operations in Kosovo are the need to better translate national policy into joint force operations, the adverse effects of too much risk aversion, the results of failing to draw up contingency plans for inevitable operations, and the importance of including the justice system in initial campaign designs.

This case study consists of six sections. "Background Strategic Conditions of the Operation" establishes

the historic basis of ethnic violence in Kosovo that led to Serbian aggression against Kosovo's Albanian population. "Operational Environment" discusses the geography of Kosovo, its economy—licit and illicit—in the run-up to the war, and infrastructure, as well as the friendly, enemy, and other forces at play. "Strategic Guidance" explores the President's guidance to the joint force and the joint force commander's interpretation of the guidance. "Design and Planning for the Operation" examines the planning process, the mission statement, the concept of the operation, task organization, and rules of engagement for Operation ALLIED FORCE. "Deployment and Intervention" tell the story of how the intervention unfolded through the air campaign, the capitulation of Serbian forces, and the introduction and conduct of ground forces for stability operations. "Assessment and Insights on Joint Planning and Operations" plumbs a number of lessons learned from the case study at the strategic and operational levels of war.

Background and Strategic Conditions of the Operation

War in Kosovo was the product of the political manipulation of ethnic tensions between peoples of Serb[1] and Albanian extraction. These tensions were not the result of any sort of "ancient hatreds," as posited by some scholars. Rather, both groups resided in relative peace for many centuries without a major power actively quelling nationalistic fervor. Indeed, contemporary nationalistic focal points are modern contrivances designed for very specific political purposes, dating mostly to the mid-19th century. In Francis Stewart's *Horizontal Inequalities and Conflict*, David Turton notes that the "very effectiveness [of ethnicity] as a means of advancing group interests depends upon its being

seen as 'primordial' by those who make claims in its name."[2] Identity salience shifts over time, or belongs to multiple groups simultaneously, depending upon the situation and the leadership making such claims. The Albanian-Serb conflict in Kosovo is an example of this salience shifting.

The principal focal point is Serbia's founding national narrative—that its army was defeated by the Ottoman army at Kosovo Polje in 1389—and it is mostly untrue. While the battle did break Serbia's nascent military power, it was fought while Serbia was already in decline. And indeed, it was not a clear Ottoman victory; both sides sustained significant losses and both commanders were killed, but the Ottomans withdrew at the end of the day. The "martyred" Serbian commander, Prince Lazar, played an outsized role in Serbian nationalist liturgies that predict a return of Serbian hegemony. Specifically, this memory heavily influenced modern Serbian nationalism with regard to Kosovo.[3]

However, Serbian claims to Kosovo predate the battle of Kosovo Polje. Reaching back to the 12th century, Kosovo has been held as the "'heart of Serbia', or in other words, 'the state, political, economic and cultural centre of the Serbian nation.'"[4] The mythologizing of the ancient Serbian ties to Kosovo, including the legend of Kosovo Polje, has less to do with the veracity of the claims than the centuries-long internalization of its perceived truth as a central element of Serbian nationalism, reignited in the late 20th century.[5]

However, in the period between 1389 and 1822, it was extraordinarily rare for Albanian and Serb Kosovars to fight each other.[6] When nationalism erupted in the mid-19th century, it began due to the long-standing Serbian desire for access to the Adriatic, not centuries

of animosity.[7] On the Kosovo Albanian side: "The Albanians' quest for independence in recent years is motivated by the strong desire to free Kosovo from the Serbian oppression it had to endure since the start of the twentieth century."[8] The argument that the Kosovo conflict of the late 20th century is the result of ancient hatreds does not stand to scrutiny. Rather, it was the result of Serbian territorial ambitions that originated in the mid-19th Century at the earliest.

Conflict in the 19th and 20th Centuries

As new alliances formed and the Ottoman Empire began to decay, Albanians and Serbians were caught in the geopolitical contests of the day. They were on opposite sides of both World Wars and intrastate violence in Kosovo was a product of these greater battles. In the First World War, the Serbian army had to flee in the face of a German and Austro-Hungarian offensive in 1915. Its retreat to the Adriatic Sea was harassed by Albanian forces preparing for Bulgarian reinforcement. However, at the end of the war Serbia was rewarded by the victorious Allies for its loyalty and given control over Kosovo. The Serbians exacted revenge on their enemies, destroying numerous villages and killing a number of Kosovo Albanians.[9]

A popular guerrilla movement began, with Albanian attacks on Serbian officials and settlers, and Serbians responded with their own atrocities.[10] The interwar period was marked by Serbian migration into Kosovo and the expulsion of Albanians. Some 90,000 to 150,000 Albanians were deported or emigrated out of fear or opportunity.[11]

Axis-collaborating Albanians and Yugoslav partisans clashed during the Second World War, including

massacres by both sides. By the end of the war, the new Yugoslavia saw its Albanian population as a threat because it sided with the Axis occupying powers.[12] The Communist Party of Yugoslavia decided during the war that Kosovo would become part of Serbia.

The Yugoslav constitution of 1946 granted Kosovo status as an autonomous region within the People's Republic of Serbia, a lesser standing than that of an autonomous province.[13] Author Lazar Nikolic notes that throughout 1965,

> Aleksander Rankovic, the Vice-President of Yugoslavia, pursued a heavily repressive policy [in Kosovo], carried out by secret police. A split emerged in the Albanian society between the leaders of the local Communist Party and the masses who resented the police brutality. Thus, national identity remained stronger than class feelings.[14]

After reforms and the dismissal of Rankovic in 1966, a period of *Albanization* existed. The Yugoslav government granted Kosovo veto powers within Kosovo over Serbian legislation. This continued and expanded after the federal reforms of 1974 and during the period of 1981 to 1988, when Kosovo enjoyed a privileged status within the Socialist Federal Republic of Yugoslavia (SFRY).[15] With this power over its own affairs, Kosovo Albanians discriminated in turn against Kosovo Serbs, expelling up to 100,000 in the 25 years leading to 1991.[16]

The balance of power between Kosovo Albanians and Serbs swung in the other direction after the March 1989 amendments to the Constitution of the Socialist Republic of Serbia that effectively removed the autonomous status for all such provinces and regions within Serbia.[17] In removing the autonomous status for provinces and regions, Serbian President Slobodan

Milosevic gained control over the presidency of Yugoslavia, beginning the process for Slovenia and Croatia to secede from the federation in the early 1990s.[18] Serbia held tight political and security control over Kosovo and supported mass Serb migration into the province. As the other Balkan wars raged into the mid-1990s, many Serbs settled in the northern part of Kosovo.

The Road to Intervention

What had been sporadic and nonsystematic discrimination became organized ethnic cleansing in 1998. Serbian military and police forces began widespread operations to turn Kosovo Albanians out of their homes and began the isolated massacres of civilians.[19] Milosevic claimed that he was conducting these operations to root out Kosovo Liberation Army (KLA)—the Kosovo Albanian militia—strongholds. Through the spring of 1998, President Bill Clinton's administration reaffirmed the so-called "Christmas Message" issued by President George H.W. Bush in 1992 that stated, "In the event of conflict in Kosovo caused by Serbian action, the United States will be prepared to employ military force against Serbians in Kosovo and Serbia proper."[20]

U.S. Ambassador Richard Holbrooke, who had brought the Dayton Accords to fruition to end the war in Bosnia-Herzegovina, was tapped to lead a shuttle-diplomacy effort with Milosevic, supported by Supreme Allied Commander Europe (SACEUR) General Wesley Clark. By October 1998, Milosevic had agreed to a number of concessions in the face of NATO demands: stopping the violence against civilians, reducing Serbian forces in Kosovo, and the initiation of talks to move Kosovo towards greater autonomy from Belgrade.[21] Part of the agreement allowed for the Organization for

Security and Cooperation in Europe (OSCE) to provide unarmed monitors to ensure Serbian compliance with the agreement. Additionally, NATO was to conduct aerial overflights of Kosovo to verify compliance.

Initially, the Serbians acted in accordance with the agreement and began to withdraw some forces and took part in the agreed-upon negotiations that took place in Rambouillet, France. However, as Serbian forces departed, KLA forces filled the void left in their wake.[22] In response Serbian forces simply moved back in, in violation of the Rambouillet Agreement. A tipping point to war occurred on January 15, 1999 when Serbian police massacred 45 Kosovo Albanians near the village of Racak.[23] While negotiations continued for two more months, the Racak massacre galvanized American and European support for military action because of the humanitarian need to stop Milosevic's ethnic cleansing. By the end of January, the North Atlantic Council (NAC) had authorized NATO Secretary General Javier Solana to order airstrikes against Serbia.

The threats had no effect on Milosevic, whose forces continued to perpetrate violence against Kosovo Albanian civilians. On March 19, 1999, Serbian negotiators left the peace talks in France. That day OSCE removed all of their monitors from Kosovo, all in a single day and without incident.[24] The next day Serbian forces escalated their ethnic cleansing operations, evicting thousands from their homes, destroying houses, and killing many civilians. A last diplomatic effort was given on March 21 when Holbrooke met one last time with Milosevic in Belgrade. Holbrooke returned on March 23 without success, and the NAC, in consultation with member states, gave final authorization for war.[25] On the afternoon of March 24, Clark received the order to proceed with combat

operations from the National Command Authority via General Hugh Shelton, the Chairman of the Joint Chiefs of Staff.[26] Operation ALLIED FORCE had begun.

Operational Environment

The operational environment of Operations ALLIED FORCE and JOINT GUARDIAN—the follow-on ground operation—consists primarily of the province of Kosovo. Serbia is also relevant to this study, but only insofar as elements within Serbia were able to affect operations in Kosovo—specifically Milosevic himself, military and police capabilities, and Milosevic's political base. This study focuses on the environment in Kosovo because the centrality of that geography for ground operations, but the air operation was split between both Kosovo and Serbia.

Physical and Human Geography

Kosovo is a small Balkan country that consists of some 10,887 square kilometers that shares borders with Serbia, Macedonia, Albania, and Montenegro.[27] Before the war, Kosovo was a semi-autonomous region of Serbia and part of the SFRY. The country is rimmed by mountains on all sides and is internally divided north-south by a range of hills.[28] The southern part of Kosovo is rich in minerals and arable land, while the northern part is mostly agricultural, with the notable exception of the Trepca mines.[29] Kosovo's natural resources are primarily nickel, lead, zinc, magnesium, lignite, kaolin, quartz, asbestos, limestone, marble, chrome, and bauxite.[30] Kosovo's population was less than two million in 1999, down from 2.3 million in 1997. It is a young population, owing to its very high birth rate.[31] Of the pre-war population, some 60 percent of the population lived in rural areas.[32]

By 1999, roughly 90 percent of the population was of Albanian ethnicity, with seven percent of Serbian heritage. Kosovo Albanians mostly speak Albanian, with very few capable of communicating in Serbian, as spoken by Kosovo Serbs.[33] Albanian Kosovars generally live in the central, east, south, and west of the country, including Pristina, the capital. Kosovo Serbs primarily occupy the northern quadrant of Kosovo, nearest the border with Serbia, but there were pockets of Kosovo Serbs throughout the country before the war.

Economy

Sectors, Employment, and the Economic System

Prior to the demise of the SFRY, Kosovo's economy was increasingly industrialized, particularly in the extraction of raw materials and some textiles. From 1971 to 1988, industry grew as a market sector from roughly one-third to one-half of all productivity. During the same period, agriculture, Kosovo's historically primary sector, fell from one-third of the economy to one-fifth. These advancements reverted to their 1971 levels from 1988 to 1996, a time during which annual per capita income fell 13.4 percent, so that by 1995 it had dropped to US$400.[34] It is likely that this latter value undervalued the gross social product and the contributions of Kosovo Albanians, meaning this recorded value of per capita gross domestic product depends mostly upon the economic output of Kosovo Serbs.[35] While industrial investment within Kosovo was never very high, it declined precipitously when Serbia revoked Kosovo's independent status.

However, Kosovo was never an economic center for Serbia, and it remains a mostly agricultural and commercial society. Trade is mostly regional in scope,

and its industrial sector, mostly chemical processing today, provides little to the overall economy. Kosovo's mines were underinvested and overexploited when controlled by Serbia, limiting their impact. Its principal commodity has been cheap labor.[36]

An underperforming economy was further eroded by labor policies. Serbian President Slobodan Milosevic's regime enacted the "1990 Labour Act for Extraordinary Circumstances" and other discriminatory acts that forced some 145,000 Kosovo Albanians from civil administration, public services, and industry.[37] To put this number in context, the working-age population of Kosovo in 1997 was 1.33 million, of whom 469,000 were employed and 861,000 were unemployed.[38] This affected all Kosovo Albanian management, with only manual laborers kept employed by state-owned and -run enterprises.[39] Other discriminatory legislation included prohibiting Kosovo Albanians from purchasing land from Kosovo Serbs, even though illicit transfers occurred.[40]

Social and economic inequalities abounded between Kosovars of Albanian and Serb ethnicities. The growing political economic disparities, coupled with Serbia's nationalistic policies inflamed Kosovo Albanian nationalism. This eroded support for moderate politicians and created a rich recruitment pool among the unemployed young for the KLA, an Albanian ethnonationalist militia.[41] Ethnic fighting was not economics-driven, but Milosevic used economic control as a weapon against the Kosovo Albanians, which ultimately led to high unemployment that helped feed the ranks of the KLA.

Informal and Criminal Economy

Economic conditions drove Kosovars to informal and criminal economies in order to make ends meet, a problem that persists to this day. There were three primary factors that caused the emergence of these gray and black markets. The first were the employment policies discussed above that created high unemployment. Second, international sanctions on Yugoslavia as a result of previous ethnic wars compounded the damage already done. Third, Kosovo Albanians established a parallel state to the official Serbian apparatus, including taxes, government, education, and health care.[42] The shadow government of the "Kosovo Republic" was born of economic and social-services necessity, not merely an act of defiance against Belgrade. The "parallel" government employed an estimated 24,500 Kosovo Albanians to provide social services, particularly in the health and education sectors.[43]

The KLA was able to finance its weapons purchases through drug trafficking and money laundering—the economic base for the group was fundamentally illicit.[44] This outcome is ironic: Serbia's actions were counterproductive. Economic oppression from Belgrade forced the creation of an illicit economy so Kosovo Albanians could, at least at first, provide social services. However, this led to more criminality that helped arm the KLA in its fight against Serbia. The effects of this coupling of Kosovo Albanians and illegal economies persisted throughout the intervention and continues today.

Infrastructure

Kosovo has one major international airport that services Pristina. There is a smaller regional airport in Gjakova,

and the Yugoslav air force maintained an airfield near the Serbian border. The road network connects towns and villages adequately, and nearly all of them are paved.[45] Roads do not restrict mobility across Kosovo. The electricity grid is based on two coal-fired plants that are inefficient. Energy consumption has matched peak load over time, but the inadequacies of the system have driven persistent load shedding and unplanned outages.[46]

Albanian infrastructure is relevant to this study, as NATO prepositioned ground forces and humanitarian assets there for ground operations in Kosovo after the air campaign. Transportation in Albania was less than ideal. The airports and seaports were in poor condition and not capable of efficiently handling modern military equipment. This had an adverse effect on logistical turn-around and throughput times for all coalition operations that transited Albania.[47]

Friendly Forces

Friendly forces were ostensibly the collective military power of the member states of NATO, the most powerful military alliance in history. However, not all of this power could be used against Serbia, because member states had other commitments, such as providing peacekeeping forces in Bosnia and Macedonia, deploying forces to deter Iraqi and North Korean aggression, and maintaining strategic balance across a plethora of interests and obligations. Additionally, many NATO members wished to achieve success against Serbia with the minimal level of force necessary.

The initial phase of Operation ALLIED FORCE consisted of a mix of air and naval power. The United States provided 214 aircraft, not including U.S.-based

B-2 bombers, and missile fires from four Navy surface vessels and two submarines.[48] NATO allies provided 130 additional aircraft for the mission, with the United Kingdom also providing missile fires from one of its attack submarines.[49] The aircraft carrier USS *Theodore Roosevelt* deployed to the Persian Gulf in the days before Operation ALLIED FORCE began, leaving the operation without a U.S. aircraft carrier until the *Theodore Roosevelt*'s return a few weeks later.[50]

As NATO and the United States had ruled out ground operations before the war began, member states obligated no ground forces to NATO command for Operation ALLIED FORCE. Just four days before Operation ALLIED FORCE began, Clark proposed to Shelton the possibility of deploying an Army task force consisting of attack aviation and rocket batteries.[51] The intent of the task force, called TF Hawk, was to provide a different capability than fixed-wing aircraft flying at 15,000 feet. The AH-64 Apache helicopters of the task force could fly at low levels to better target Serbian forces on the ground in Kosovo.[52] Although originally planned to base out of Macedonia, the Macedonian government prohibited the use of its territory to launch offensive operations against Serbian forces, so TF Hawk was then deployed to Rinas Airfield outside Tirana, Albania. The first Apaches arrived at Rinas on April 21, 1999.[53]

Initially, the service chiefs in Washington raised many objections to the deployment of TF Hawk. The Army and the Air Force chiefs of staff and the commandant of the Marine Corps each declined Clark's first request. Their primary concern was that it introduced ground forces into theater, contrary to the strategic guidance provided by the National Command Authority (NCA). Second, the Serbian army was not massed in armored formations—the target type that Apaches were best

suited for at the time. Third, NATO knew little about Serbian air defense capabilities, presenting a high risk to low-level aviation assets. And finally, TF Hawk would need to be incorporated into the air campaign, for which no doctrine existed. Deep strike rotary-wing aviation was doctrinally designed to be part of air-ground combat operations, not air-air operations. While U.S. Secretary of Defense William Cohen and Chairman of Joint Chiefs of Staff General Hugh Shelton both recommended deploying the task force, and the President approved the action, TF Hawk never directly took part in Operation ALLIED FORCE.[54]

However, TF Hawk played a major, if indirect, role in Operation ALLIED FORCE. The first task organization plan included a mechanized infantry company to provide force protection for the small footprint expected at Rinas.[55] As the size of the task force grew during the planning process, the size of the ground element for force protection grew as well. Ultimately, TF Hawk included two full infantry battalions: 1-6 Infantry (Mechanized) from the 1st Armor Division, commanded by LTC James Embrey, and 2/505 Infantry (Airborne) from the 82nd Airborne Division, commanded by LTC Joseph Anderson. The mere presence of these ground forces within striking proximity of Kosovo gave Milosevic the impression that NATO was preparing for a ground attack, potentially accelerating his decision to come to terms with NATO and end the air campaign.[56] Additionally, the airborne infantry battalion provided the initial force package for the follow-on operations of Operation JOINT GUARDIAN.

Enemy Forces

Before discussing the organization of Yugoslav/ Serbian forces, it is worth understanding Milosevic's

objectives in Kosovo and his strategy for overcoming NATO pressure and intervention. Serbia's primary objective was to retain Kosovo as part of Serbia.[57] States naturally prefer to maintain their integrity, particularly in face of external threats. Milosevic had objected to what he saw as the unilateral secession of other ethnic groups from Yugoslavia in the early to mid-1990s and was acutely sensitive to further erosion of the Yugoslav federation and Serbia's frontier.[58] Not insignificantly, one Serbian objection to the earlier secessions was that they appeared to violate the Yugoslav constitution (1974) that required all republics to agree to changes in the federation's international borders.

Milosevic's domestic power was directly tied to his adoption of the Kosovo-as-Serbian-cradle myth.[59] Serbian ethnonationalists would view the acquiescence of Kosovar independence as treason against Serbs. Serbia's obstinacy in the face of NATO's power served Milosevic by substantiating his nationalist rhetoric and by ensuring that Serbia's claims on Kosovo were not given up without a fight. Accepting the Rambouillet Agreement not only set the path towards Kosovo's autonomy, it allowed NATO to conduct inspections anywhere in Serbia. Signing would likely have caused Serbian hyper-nationalists to oust Milosevic from power—they would never stand for these infringements upon Serbian sovereignty.[60]

Serbian leaders were also defiant to NATO pressure because they had no confidence that after signing the original Rambouillet agreement that NATO would not come back and demand more.[61] It was a typical commitment problem.[62] Milosevic was worried other ethnic factions would attempt to secede, including in Montenegro, the last independent republic in Yugoslavia, and Vojvodina, the last remaining autonomous province. No credible commitment existed

that NATO would stop supporting self-determination at Serbia's expense, driving Milosevic to act while he still had a minimal relative power advantage.[63]

These interests in Kosovo led Milosevic toward one overarching political strategy: eroding NATO cohesion.[64] Serbia had four paths to causing NATO member to diverge on attacking Serbian forces at home and in Kosovo, recognizing that NATO activities require unanimity of member states.[65] The first was recognizing that many European states were highly reticent to inflict civilian casualties to the point of vetoing military action that might result in such collateral damage. The second path was stoking European fears of Russian interference in NATO operations. Third, pushing the fear that another major conflict in the Balkans would trigger another wave of refugees into western European states. Finally, Milosevic hoped that he could complete his immediate military objective of destroying the KLA, thus reducing the fighting in Kosovo to a level that some NATO members would find military intervention unnecessary, while also removing the KLA as a party to the eventual settlement.[66]

To support this political objective, Serbia undertook a military strategy that was designed to provide time and to preserve "tactical freedom of action for Serb military and police forces in Kosovo."[67] Serbia dispersed its military assets and camouflaged them to prevent their identification by NATO aircraft. Reportedly, Serbian forces prepositioned supplies in Kosovo so that they would not have to depend upon targetable supply lines.[68] Air defenses also played a major part in the Serbian military strategy. Beyond merely threatening NATO with aircraft losses, the defensive plan was to push allied planes to higher altitudes where they were

less likely to identify and target concealed ground assets.

The Yugoslav military was in poor material condition, having missed "at least a generation of military technological modernization" and with its most powerful ally, Russia, in economic recession.[69] However, the personnel of the Yugoslav military had a wealth of combat experience, mostly from Bosnia and Herzegovina and Croatia. Serbia's most advanced air defense weapon was the SA-6, with a range of 42,000 feet. Because these weapons required radar guidance, they ended up not playing much of a role because operators did not want to expose their batteries to NATO's anti-radar weapons.[70] In keeping with their strategy to keep NATO aircraft at medium to high altitudes, Serbia deployed mostly cannon- and shoulder-fired anti-aircraft weapons. Particularly in Kosovo, they maintained a variety of 20-30mm canons with ranges from approximately 5,000 to 10,000 feet. They also fielded SA-7 and SA-9 anti-aircraft missiles, the former man-portable with a range near 6,000 feet and the latter light-vehicle mounted with a range over 11,000 feet.[71] Together these weapons all but completely denied low-level flight to NATO aircraft, driving them to higher altitudes that degraded their ability to target Serbian forces. In addition to these, the Yugoslav air force maintained 238 aircraft, of which 15 were MiG-29s and 64 were the older MiG-21s.[72]

Milosevic had some 114,000 soldiers, 1,400 artillery pieces, 825 fighting vehicles, and 1,270 tanks at his disposal.[73] The tanks included T-72s, T-74s, T-55s, and M-84s. Of these, over 100 were deployed to Kosovo with approximately 15,000 soldiers. These forces were deployed in dispersed company-sized combined arms teams, allowing for self-sufficiency that prevented

NATO targeting but facilitated their support for the police force's ethnic cleansing activities.[74] In addition to these military forces, NATO estimated that there were 14,000 police from the Yugoslav Ministry of the Interior whose primary duties were to conduct ethnic cleansing of Kosovo Albanians.[75]

Other Relevant Organizations

The United Nations

Operation ALLIED FORCE was notable for its lack of United Nations Security Council (UNSC) authority. The Security Council lacked unanimity for military action against Serbia, primarily because of Russia's support of Milosevic's regime and China's general intransigence toward Western initiatives. Both Russia and China worried that authorizing NATO support of a break-away region could embolden NATO to support other secessionist areas in both states' periphery or even within their own territorial borders.[76]

This is not to say that the UNSC did not take some actions. In March 1998 it passed UN Security Council Resolution 1160 (see Appendix D) that created an arms embargo on all of the Federal Republic of Yugoslavia (FRY) until the violence stopped, Yugoslav forces were removed from Kosovo, peace talks begun, and international observers let in.[77] When UN Security Council Resolution (UNSCR) 1160 failed to have any effect, UNSCR 1199 (see Appendix E) was passed in October 1998 with unanimous approval (including Russia, with China abstaining).[78] UNSCR 1199 was passed under Chapter VII of the UN Charter, meaning that it fell under the security functions of the UN and its authorities. However, the resolution did not contain a force proviso in the case that Milosevic failed to comply.

UNSCR 1199 demanded that Serbia cease committing violence against Kosovo Albanians, that they provide access to international monitors, facilitate the return of refugees and internally displaced persons, and to make progress toward an agreement on the status of Kosovo and its citizens.[79]

However, because UNSCR 1199 did not authorize force in the case of noncompliance, the UN did not view NATO's initiation of war as legitimate in spite of its humanitarian goals, as it violated Serbia's sovereignty without the explicit approval of the international community. NATO, on the other hand, rationalized the Chapter VII adoption of the resolution as an implied authorization of military enforcement.[80]

NATO

While NATO was a principal combatant during Operation ALLIED FORCE, the politics of NATO and its member states played a major role in how the operation was planned and executed. On the whole, the European states believed in the humanitarian purpose behind the mission and were willing to use force to achieve that objective. The main supporters of the U.S. initiative to intervene in Kosovo were the United Kingdom and Canada, the former leading efforts to introduce ground forces in the initial phase.[81]

Spain and Germany ultimately supported NATO intervention, but mostly out of a desire to be seen as good allies. Both states preferred a diplomatic solution to the conflict and were vocal on the need to prevent civilian casualties.[82] France and Italy both contested American leadership, but neither were able to provide compelling alternatives and also ended up supporting the U.S.-led effort and contributed combat forces.[83]

Greece's government supported the intervention, despite widespread popular disapproval based on religious affinities and concerns about a flood of Kosovar refugees entering their country.[84]

While the decision to intervene was unanimous among member states, there were contentious issues. As Milosevic noted, many NATO members had very serious concerns about civilian casualties, combat losses, Russian retribution, and maintaining domestic support for foreign military activities. Compounding this were members with their own domestic secessionist movements, such as the Basque region of Spain, Wallonia in Belgium, and Northern Ireland in the United Kingdom. Support for Kosovo's effective secession from Serbia would be seen as hypocritical and weaken government arguments for maintaining these enclaves.

The Kosovo Liberation Army

The KLA was founded in 1993, the product of a series of nationalist groups that dated to the end of the Second World War. While not Marxist nor supportive of Enver Hoxha's regime in Albania, the early KLA used Marxist jargon and allowed some rumors of being Enverists to persist, all in the interest of obtaining aid from the Albanian regime.[85] The KLA was, however, a purely nationalist militia for Kosovo's Albanian population. Serbian repression and a poor economy helped with recruitment. The fall of the Communist regime in Albania led to the looting of its armories, flooding Kosovo with cheap weapons.[86]

Among its activities, the KLA attacked Serbian police and military targets. Because of this, the U.S. Special Representative to the Balkans, Richard Gelbard, called them a terrorist group. This view of the KLA was held

by other members of the U.S. Government, aided by the KLA's participation in illegal activities to fund its operations.[87]

The exact size of the KLA is unknown, but estimates put it around 5,000 militants around the time Operation ALLIED FORCE began.[88] Estimates were difficult because of the many villages arming and declaring themselves part of the KLA.[89] Regardless, they were a significant guerrilla force in Kosovo and their political wing spoke for Kosovo Albanians generally. The Kosovo Albanian delegation at Rambouillet was led by Hashim Thaci, then leader of the KLA and later the second president of an independent Kosovo.[90] Indeed, former members of the KLA led much of Kosovar civil society. However, many of the initial members of the KLA had significant ties to organized criminal networks and continued to engage in illicit activities after the war, propagating the crime problem that persists in Kosovo.[91]

Strategic Guidance

According to President William Clinton, the United States had three policy goals for using military force as Operation ALLIED FORCE kicked off: "to demonstrate the seriousness of NATO's opposition to aggression and its support for peace," deter Serbian violence against Kosovo Albanian civilians, and degrade Serbian military power in order to prevent future violence.[92] Without UNSC support to stop the ethnic cleansing, American-led NATO felt it appropriate to intervene to stop the violence. Particularly, U.S. sensibilities were aroused by a decade replete with crimes against humanity: not just in Bosnia and Croatia, but also in parts of Africa. President Clinton personally promoted the policy of stopping the massacre of civilians, specifically after U.S. inaction in

1994 failed to prevent the genocide in Rwanda—a case that directly influenced President Clinton's decision to intervene in Kosovo.[93]

The President and NATO members supported an air campaign because it excluded the obligation of ground forces, pressured Milosevic toward compliance, and limited allied exposure to losses. The rejection of a ground option satisfied domestic political interests across the Alliance, but limited the seriousness of the threat posed to Milosevic. NATO publicly ruled out ground forces to assuage citizens concerned about starting a new war, but the announcement also signaled to Serbia the limits of U.S. and NATO commitment.[94] The guidance from the NCA, discussed in the following section as the plan developed, provided a limited set of strikes to draw Serbia back to negotiations, going so far as to give a break in hostilities to signal NATO's preference for a bargain, while allowing for an accelerated series of strikes if that failed. Theoretically it was an ideal strategic approach: a limited use of force to compel the adversary to a negotiated settlement. It limited friendly, enemy, and civilian casualties, did not tie down U.S. forces into an occupation, and while Serbian allies such as Russia would disapprove, it was limited enough to keep Russia on the sidelines. Of importance after the operation began, not only did NATO reject a ground component, it refused to plan for any contingency that included ground forces in Kosovo.

Clark identified three "measures of merit" to describe overarching military objectives of the air campaign. The first was to not lose aircraft, or barring that to minimize the loss of aircraft in order to maintain public support for the operation in the United States and other NATO member states. The second measure of merit was to "impact the Yugoslavian military and

police activities" quickly to prevent further violence. The final objective was to protect ground forces and international organizations in Bosnia and Herzegovina from Serbian retribution via missile and artillery fires.[95] Clark also had a secondary objective: keep Albanian and Macedonian (FYROM) support because NATO needed access to their airspace.[96]

Design and Planning for the Operation

Mission Analysis Process

The mission analysis and planning process was a primarily American activity, beginning in June 1998. U.S. Air Forces in Europe (USAFE), commanded by General John Jumper, conducted the principle planning of the operation since intervention of ground forces was not authorized. The scheme of maneuver would follow the NATO model in Bosnia and Herzegovina: coercive, targeted strikes to compel Milosevic to stop his ethnic cleansing operations.[97] However, due to Serbia's robust air defense system, the initial stages of an air campaign would require following the Desert Storm model: the first days of strikes would be purely to gain air supremacy, limiting losses, before switching to ground force targets.[98] These guiding principles drove the planning process and outcomes.

Plans developed by USAFE went through a complex, if ad hoc, approval process. USAFE created the original plans and then provided them to the SACEUR, General Clark. Clark in turn had to consult with both Washington and Brussels. With Washington, Clark went through the Chairman of the Joint Chiefs of Staff, General Hugh Shelton, and General Joe Ralston, Vice Chairman of the Joint Chiefs of Staff, in communicating the plans and receiving feedback from Secretary of Defense William Cohen and National Security Advisor

Sandy Berger. Berger's National Security Council staff was responsible for the overall political approach, ensuring balance between military operations and diplomatic efforts. U.S. planning also included the commanders and staffs of NATO Air South Command and U.S. Naval Forces in Europe, both headquartered in Italy.

Shelton and Ralston had no command authority over Clark, unlike Cohen or the President, whose decisions were usually relayed by NSA Sandy Berger, but were both a communications conduit up to Cohen and Berger as well as ensuring the Joint Chiefs of Staff had input into the planning. The Joint Chiefs were reticent to commit to action in Kosovo because they were concerned with the impact of operations on their planning contingencies for two major operations in separate theaters. They were particularly concerned for general readiness, and they were able to delay the planning process as a result. Instead of discussing the content of plans, the Joint Chiefs—into January 1999 at least—were interested in discussing whether there should be a plan in the first place.[99]

The Joint Staff also had a significant role in planning targets to be serviced. Following the air strikes in Iraq as part of Operation DESERT FOX in 1998, Clinton's White House held authority for target selection. Insisting again on approval authority for targeting, the Joint Staff worked with Clark's NATO and European Command (EUCOM) staffs to prepare target briefs for White House approval.[100]

Clark coordinated planning with NATO through the Military Committee (MC), the "senior military authority in NATO."[101] The MC is the military component of the North Atlantic Council and is composed of the senior

military representative to NATO from each member state, mostly three-star flag officers. This was the forum for members to voice their states' interests to influence military planning. However, planning was not done at the MC, only the communication of preferences that were then, as best as possible if there was consensus, incorporated into the USAFE planning process.

The NATO staff did provide some contingency planning, specifically for the deployment of 25,000 to 30,000 ground troops to conduct a permissive entry into Kosovo *after* the completion of a peace agreement with Serbia. The branch of NATO that conducted this planning was the Allied Command Europe Rapid Reaction Corps (ARRC) and its commander, UK Lieutenant General Michael Jackson. The allocation of areas of operation within Kosovo was a highly political undertaking. The United Kingdom wanted Pristina, the Germans wanted the sector with the fewest Serbs, the Americans the quietest sector, and the French and Italians had no preferences. The Germans were given the south-west sector, the United States the south-east near the Macedonian border, the Italians the north-west area, and the French volunteered for volatile Mitrovica, which was dominated by Kosovo Serbs. To reiterate, this ground force was only to deploy as peacekeepers only after the Rambouillet agreement was made; it was not a ground invasion force.

Mission Statement

The initial mission statement for Operation ALLIED FORCE was to "conduct air operations against military targets throughout the Former Republic of Yugoslavia to attack Serbian capability to continue repressive actions against ethnic Albanians."[102] The wording of the mission statement did reflect the intent and eventual plans of the operation. Activities were strictly

conducted from the air and targets consisted both of Serbian forces in Kosovo as well as military assets that could eventually be used against Kosovo Albanians and infrastructure in Serbia proper.

Concept of the Operation

Operation ALLIED FORCE consisted of two simultaneous and complementary operational plans. The Phased Air Operation was more expansive, designed to establish air supremacy and degrade Serbian military capabilities generally. The Limited Air Operation targeted forces in and around Kosovo that were taking direct part in ethnic cleansing operations, or were supporting or reinforcing those operations.[103] The Limited Air Operation was integrated into phase two of the Phased Air Operation. The overall phasing of Operation ALLIED FORCE was:

- Phase 1 – Deployment.
- Phase 2 – Establish air superiority, targeting Serbian air defenses and command and control.
- Phase 3 – Stop ground forces from perpetrating ethnic cleansing.
- Phase 4 – Expanded air operations to degrade future Serbian capability to attack Kosovo.
- Phase 5 – Redeployment.[104]

The concept also called for a bombing pause, reflecting the success of the pause taken during the 1995 bombing campaign in Bosnia.[105] NATO members were hoping that a quick demonstrative strike would compel Milosevic back the Rambouillet talks and cease attacks on Kosovo civilians, obviating the need for phases 3 and 4.

Task Organization[106]

Command and control of Operation ALLIED FORCE contained two paths.[107] The first was specific to the United States. At the top was the National Command Authority—comprised of the President and Secretary of Defense—in Washington, D.C., that gave orders to Clark in his role as Commander-in-Chief Europe (CINCEUR). Under Clark was Joint Task Force (JTF) Nobile Anvil, the U.S.-specific element of Operation ALLIED FORCE, which was commanded by Admiral (USN) James O. Ellis. Ellis in turn commanded the Navy and Air Force component commands. These were the Navy's Sixth Fleet, commanded by Vice Admiral (USN) Daniel J. Murphy, Jr., and the 16th U.S. Air Force, commanded by Lieutenant General (USAF) Michael C. Short.

The NATO chain of command overlapped considerably. The NAC issued orders to Clark in his role as SACEUR. The operation commander was Ellis in his role as commander of NATO's Southern Europe Allied Forces (CINCSOUTH). Under Ellis, Murphy was dual-hatted as the commander of Strike Force South, and Short was commander of NATO Air Command South (AIRSOUTH).[108] In other words, these commanders—Clark, Ellis, Murphy, and Short—commanded U.S. forces in their American roles and commanded U.S. and allied forces in their NATO roles.

There were two commands unique to NATO. The first was Allied Naval Forces Southern Europe (NAVSOUTH) commanded by Italian Admiral Giuseppe Spinozzi that oversaw non-U.S. naval operations. The second was the Allied Rapid Reaction Corps, commanded by Lieutenant General (UK) Michael Jackson, who also served as the Combined Joint Force Land Component Commander.[109] The

United States had two joint task forces that were under the operational control (OPCON) of U.S. commanders: the Joint Special Operations Task Force (OPCON to EUCOM) and the Joint Psychological Operations Task Force (OPCON to JTF Noble Anvil). Additionally, strategic aircraft based primarily out of the United States were OPCON to USAFE, with tactical control (TACON) given to AIRSOUTH.[110] The combined U.S. and NATO command structures are depicted in Figure 1.

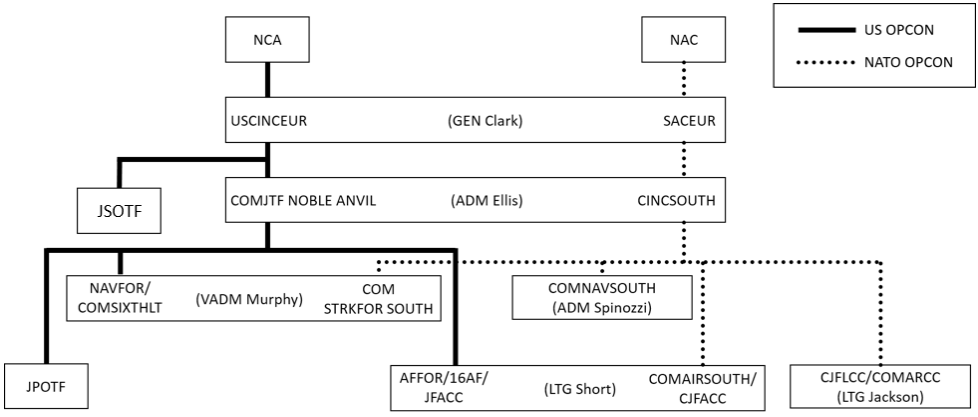

Figure 1: Operation ALLIED FORCE Command Structure[111]

Rules of Engagement

Because Operation ALLIED FORCE was essentially a humanitarian mission, NATO enforced tight rules of engagement in order to prevent the loss of noncombatants. The moral standing of the operation would be compromised if NATO aircraft killed or

injured civilians in any great numbers. Target approval was restrictive and required approval from the White House, including estimates for potential collateral damage. Additionally, aircraft were prohibited from dropping munitions on military vehicles if they were intermingled with civilian vehicles, and targets needed clear identification before pilots could release weapons.[112]

Deployment and Intervention

Air Campaign

The operation began on the night of March 24, 1999. The first phase of the night's attacks consisted of cruise missiles, launched from four U.S. surface vessels, an American fast attack submarine, a British attack submarine, and six B-52 bombers operating outside of Yugoslav territory.[113] The cruise missiles were aimed at civilian and military airfields as well as the electrical grid in Kosovo.[114] The missile attacks were followed by fixed-wing aircraft attacks, aimed mostly at air defenses and military command and control targets. Other targets included:

> Electrical power generating facilities, weapons producing factories, military and police barracks, and command and control nodes, including some aim points located north of Belgrade. Among specific targets attacked were the VJ's [Yugoslavian Army] Kosovoski Junaci barracks near Pristina in Kosovo, the Golobovci airport in Montenegro, munitions stores at Danilovgrad, and other military targets at Radovac, Sipcanik, and Ulcini.[115]

Aircraft were land-based as the aircraft carrier assigned to the Mediterranean Sea had been diverted to the Persian Gulf just before operations began. In total, there were some "120 land-based fighters, 7 B-52s, 6 B-2s, 10

reconnaissance aircraft, 10 combat search and rescue (CSAR) aircraft, 2 airborne command and control center (ABCCC) aircraft, and around 40 tankers."[116] Nearly 400 sorties were flown against 40 specified targets with strict rules of engagement. Planes carried smaller 500 pound bombs, instead of 2,000 pounders, to reduce the probability of collateral damage, and pilots were instructed to return with weapons if they could not positively identify their targets.[117] Coupled with a 15,000-foot minimum flight elevation to hedge against air defense systems, the effects of the strikes were limited.

In response, Serbia launched most of its MiG-29 jet fighters, with three shot down by U.S. and Dutch fighters.[118] Some SA-3 and SA-6 surface-to-air missiles were fired at NATO planes, but without effect.[119] No NATO aircraft were lost, but it was clear that Milosevic intended to fight back and would not roll over after the first bombs were dropped.

No airstrikes were conducted the next day, but NATO allies and U.S. diplomats were already asking Clark when he would suggest the bombing pause to allow Milosevic the space to consider taking up negotiations again—a step Clark opposed.[120] That day, President Clinton publicly announced that the United States would not deploy a ground invasion force to fight against the Serbian army, an announcement made without consulting or warning Clark.[121] In spite of this and some delays in getting presidential approval for some targets, 50 targets were hit the second night of the war, consisting mostly of air defense and command control systems in Serbia and army and police headquarters in Kosovo.[122]

The third night's attacks focused more on Kosovo than the previous nights, but the airstrikes were having little

effect on the Serbians. Indeed, by taking advantage of NATO's gradual escalation of strikes, Serbia was able to acclimate itself to the increasing pain levels.[123] In turn, Serbian military and police forces accelerated their displacing of Kosovo Albanian civilians in order to more freely attack the Kosovo Liberation Army.

The increase in atrocities and Serbian intransigence in the face of attacks goaded NATO into expanding the target set beyond air defenses and command and control, attacking ground forces in Kosovo and Serbia to impact Serbia's ability directly to continue attacking civilians.[124] Throughout early April, NATO planes struck Serbian infrastructure, including bridges and oil refineries and storage facilities.[125] Clark had requested additional aircraft that gave him over 800 aircraft, ostensibly giving NATO the capacity to conduct 1,000 sorties per day.[126] However, this rarely if ever occurred. Inclement weather set in over Kosovo limiting target visibility and the use of laser-guided munitions; Serbian forces were widely dispersed and were difficult to target; and Serbia's air defenses proved much more resilient than projected, keeping NATO strike aircraft at higher altitudes.[127] In spite of the provision of additional aircraft, the bombing itself was not intensified, and Milosevic's forces were able to continue their ethnic cleansing. They were racing against NATO's will, hoping to finish the job before NATO decided to intensify its use of air power to create real harm to Serbia's military, infrastructure, and economy.

That decision was made during the NATO summit to commemorate the Alliance's 50th anniversary in Washington, April 23-25, 1999. News coverage of the atrocities committed by Serbian forces created domestic support in the United States and Europe for finishing the

mission and stopping the violence. This emboldened NATO member leaders to increase their pressure on Milosevic, principally through further expansion of the target set to destroy more Serbian infrastructure to degrade Milosevic's domestic support.[128] Targets included "national oil refineries, petroleum depots, road and rail bridges over the Danube, railway lines, military communications sites, and factories capable of producing weapons and spare parts."[129] They also included state-run media (supervised by Milosevic's wife) and the use of munitions specially designed to disrupt electrical grids temporarily.[130] NATO was going after Milosevic's political base as well as the assets of Milosevic's closest associates and was severely impacting Serbia's economy and labor market.[131]

As Milosevic and the Serbian people began to feel the effects of the intensified NATO attacks, the United States and NATO began to discuss a ground invasion option in case Milosevic's recalcitrance continued. By the end of May, it was public knowledge that NATO was moving towards a ground-based solution to the violence in Kosovo.[132] Throughout April and May, the United States and the United Kingdom had each initiated unilateral planning for the forced entry into Kosovo, and official NATO planning began in early June. With ground forces within striking distance, Milosevic surely took note of the seriousness of this threat; the Allied Rapid Response Corps (ARRC) was nearly fully deployed to Macedonia and TF Hawk was already deployed in Albania.[133]

Increased sorties and the clearing of the weather allowed NATO planes to affect substantially Serbian forces in and around Kosovo. Air attacks degraded Serbian air defense system and effectively targeted ground forces, while severing their supply lines because of NATO attacks on Serbian infrastructure.

Allegedly, the morale of Serbian forces in Kosovo was beginning to decline.[134]

As noted earlier, part of Milosevic's strategy included leveraging Russian support to threaten European members of NATO. However, as the air campaign wore on, Russia became more interested in an end to hostilities and was not willing to risk a new Cold War with the West because of Russia's poor economy.[135] Russia joined the G-7 in early May for talks on what terms to offer Serbia to end the war. Russia was not completely on board with NATO plans, and the talks were tense, mostly over the role of the UN in post-war Kosovo.[136]

By late May, NATO, the European Union, and Russia held high-level talks to finalize terms of the peace agreement. They were respectively represented by U.S. Deputy Secretary of State Strobe Talbott, Finnish President Martti Ahtisaari, and former Russian Premier Viktor Chernomyrdin.[137] After Chernomyrdin visited Belgrade, negotiations were completed on June 1, 1999. The next day Ahtisaari and Chernomyrdin presented these terms to Milosevic in person, making it clear that they were not there to negotiate.[138] Without the support of Russia, Milosevic had no choice but to sign the agreement, which he did on June 3, 1999.[139]

The parties signed the final agreement, titled the Military Technical Agreement (MTA, see Appendix G), on June 9 and agreed to the phased withdrawal of all Serbian ground forces from Kosovo within eleven days and all air and air defense forces within three days.[140] An International Security Force (KFOR) would assume the responsibility to secure Kosovo and monitor Serbian compliance with the agreement. KFOR would deploy upon passing of a UNSCR authorizing the UN mission. After 78 days and thousands of sorties, NATO

had compelled Milosevic to cease his ethnic cleansing of Kosovo Albanians, all for the loss of two aircraft, no casualties, and over 20,000 munitions dropped, at a toll of some 500 civilians killed by NATO airstrikes.[141] By finally causing significant pain to Serbia's political elite, threatening a ground invasion, and enlisting the defection of Russia, NATO had ultimately succeeded in its primary goals, and Operation ALLIED FORCE was over.

In spite of losing the war, Milosevic did gain some advantages by fighting NATO instead of conceding during the Rambouillet talks.[142] First, the UN was the ultimate governor of Kosovo after the air campaign and not NATO—an important distinction that left open the possibility of returning Kosovo to Serbia. Second, the MTA did not push for dialogue on the long-term status of Kosovo, unlike Rambouillet's requirement for such discussions. Third, the UNSCR in question, discussed below, maintained Yugoslav ownership of Kosovo even if it does not allow the FRY to govern it. Fourth, the later agreement gave space for Russian forces as part of KFOR. Fifth, the new agreement precluded NATO access into Serbia, whereas Rambouillet allowed NATO freedom to move unencumbered throughout Serbia. While NATO's principal objectives were met, Milosevic's strategy conveyed to him and Serbia some gains while placing the political and security future of Kosovo in limbo.

KFOR and Peacekeeping Operations

The purpose of this study is to understand how the design and planning for the operation contributed to the success of the mission. However, virtually no design or planning went into Operation JOINT GUARDIAN, the peacekeeping operation that followed Operation ALLIED FORCE, primarily because the ground attack

option had been removed by virtually every NATO member, including the United States. NATO and select member states had begun some planning in 1998, but this effort was shelved during the October crisis. NATO began planning a ground option again during the Rambouillet talks, but ceased when it became apparent that conflict was inevitable.[143] This was in spite of the presence of TF Hawk in Albania and the ARRC in Macedonia. Until the MTA was signed, NATO member states had conducted only minor unilateral planning for introducing ground forces into Kosovo. The unexpected end of Operation ALLIED FORCE compelled NATO and its members to devise a plan quickly to secure Kosovo with forces.

The plan was light on details, and operational success depended significantly on the experiences of the 1st Infantry Division staff and units that had experience in Bosnia and Herzegovina. This included establishing an ROE, which was mostly determined at lower levels based on the Bosnian experience. While Kosovo was a more violent environment than Bosnia, that experience provided an important—in the absence of relevant doctrine—base to develop Kosovo-specific procedures.[144]

Unlike the air campaign, the UNSC authorized Operation JOINT GUARDIAN via UNSCR 1244 (see Appendix F), passed on June 10, 1999. UNSCR 1244 stressed the importance of a political solution to the question of Kosovo's status; that the international community, principally the UN, would administer the province until that question was resolved and Kosovars assumed responsibility. Further, the international community would help refugees resettle and facilitate humanitarian relief. And, importantly for KFOR, they were responsible for not just providing security in Kosovo, overseeing the withdrawal of Serbian forces,

and the demilitarization of armed groups, as the UNSC had mandated in Bosnia, but also to maintain civil law and order until indigenous agencies could do so.[145]

While UNSCR 1244 authorized both KFOR and the United Nations Mission in Kosovo (UNMIK), both organizations worked in parallel and not hierarchically.[146] KFOR was responsible for the security and demilitarization tasks and generally supporting UNMIK, while UNMIK was to oversee administration and rebuilding tasks. UNMIK divided these tasks into four pillars, each with a separate international lead organization:

- Pillar I: Civilian administration of Kosovo (UN)
- Pillar II: Humanitarian aid (UN High Commission for Refugees [UNHCR])
- Pillar III: Democratization and institution building (OSCE)
- Pillar IV: Reconstruction (EU)[147]

The first pillar gave UNMIK overall responsibility for not just general administration, but also policing and legal issues.[148] Without a military, Kosovo's police organization would be the primary security service in Kosovo and yet providing and developing a policing capability was not under the purview of KFOR.

LTG Michael Jackson (UK), as the Coalition Forces Land Component Commander, commanded KFOR, headquartered in Pristina. KFOR then divided Kosovo into five multinational brigades (MNB), each with one NATO member in overall command with other NATO members providing additional forces. These sectors were: MNB Central (United Kingdom), MNB East

(United States), MNB South (Germany), MNB West (Italy), and MNB North (France), depicted in Figure 2. While 50,000 troops were authorized for KFOR, in 1999, roughly 35,500 were deployed from 17 member states.[149]

Figure 2: KFOR Brigade Sectors[150]

In the U.S. sector (MNB East), TF Falcon was a joint and combined brigade (plus) sized element. The task force's commander was the 1st Infantry Division (Mechanized) Assistant Division Commander for Maneuver, Brigadier General John Craddock. Craddock's staff was an amalgam of the 1st Infantry Division's forward

battle staff and the headquarters of the 2nd Brigade, 1st Infantry Division. The force itself consisted of elements of TF Hawk, a U.S. Marine Corps Expeditionary Unit, elements of 2nd Brigade, 1st Infantry Division, and international partner contributions. Specifically, it consisted of:

- 2nd Battalion, 505th Parachute Infantry Regiment;
- 1st Battalion, 26th Marine Expeditionary Unit;
- 1st Battalion, 77th Armor Regiment;
- 2nd Battalion, 1st Aviation Regiment (augmented with a reconnaissance air troop from 1st Squadron, 4th Cavalry Regiment);
- 1st Battalion, 7th Field Artillery Regiment;
- 9th Engineer Battalion; and the
- 299th Forward Support Battalion.[151]

The international elements of the task force included the 18th Air Assault Battalion of the Polish Army, the 501st Mechanized Battalion of the Greek Army, the Russian Army's 13th Task Group, a Ukrainian peacekeeping battalion, and a battalion from the United Arab Emirates consisting of armored, mechanized, attack aviation, and special forces.[152]

Due to the sudden end of the air campaign and the short window for the Serbian withdrawal from Kosovo, getting into sector was challenging. Coupled with refugee flows, ground convoys between Macedonia—the U.S. staging area—and Camps Bondsteel and Monteith in MNB East were stuck in traffic for many hours. The first convoy entered Kosovo on July 12, 1999 and within 48 hours TF Falcon was able to insert the

equivalent of two company-sized elements to occupy the campsites.[153] Because the ground operation was unplanned, Serbian forces were required to quit their posts and return to Serbia before U.S. forces could fill the security vacuum left in their wake. This challenged NATO forces in fulfilling their obligations under both the MTA and UNSCR 1244.

TF Falcon faced a surge of criminality when trying to fill the security void left by Serbian police and military forces. While anticipating the need to protect Kosovo Albanians from Kosovo Serbs, U.S. troops—and KFOR troops more generally—were forced to do the opposite when Kosovars of Albanian heritage exacted revenge upon those of Serbian heritage. As Albanian refugees flooded home from Albania and Macedonia, Serbs were migrating to Serbia.[154] As they exited the province, many Kosovo Serbs set fire to their now-former houses and farms, and often killed their cattle, rather than let them fall into the hands of Kosovo Albanians.[155] Some of the atrocities committed by Kosovo Albanians was instigated or led by elements of the KLA, which in spite of demobilization as a militia group was taking advantage of the lack of security to reap revenge on their former persecutors and perceived collaborators.[156]

The structure of the international community, as mandated by the UNSC, created constraints on the ability of KFOR and UNMIK to fulfill its obligations in the first year or two. UNSCR 1244 obligated KFOR to ensure "public safety and order until the international civil presence can take responsibility."[157] In MNB East, this meant that fewer than 7,000 U.S. and allied forces were responsible for policing a population of nearly 150,000.[158] The plan, such as it was, consisted of UN police officers taking policing responsibility over from KFOR, while training indigenous police and handing

responsibility to them. However, the UN was unable to raise the required number of qualified police officers in a timely manner. The original authorization, including regular, special, and border police, was for 4,718 officers—for the entire province of Kosovo. Even with such a modest goal for so criminally violent a territory, UNMIK was only able to field roughly 2,000 officers late into 2000.[159]

With so few civilian UNMIK police available, and years before indigenous police would be prepared to assume responsibility, much of the law-and-order mission in Kosovo fell to KFOR. Military forces, including a later-added military police battalion, provided some semblance of crime fighting during their routine patrolling and demining operations.[160] However, even when filling the gap left by professional police, KFOR personnel faced two additional challenges that prevented it from stemming crime in Kosovo: there was no clear code of laws applicable to Kosovo, and there was no formal criminal justice system through which to try criminal cases.[161]

The disarmament, demobilization, and reintegration (DDR) of the KLA exhibited equally mixed results. On June 21, 1999, Hashim Thaci—as leader of the KLA—gave a demobilization plan to Jackson, beginning the process of KFOR-supervised DDR of the KLA.[162] However, the DDR process was slow and imperfect. Many former members of the KLA fully demobilized and integrated into civilian life.[163] Others were formed into the Kosovo Protection Corps (KPC). The KPC was conceived of by the KLA as a means to maintain a semblance of the organization and ostensibly operated as a 5,000-man emergency service under the supervision of KFOR.[164] However, they maintained

their KLA uniforms, accepted KLA leadership and organization, and acted much as a militia in their early years.[165] The KPC expected to become the future army of Kosovo, but the role of a number of KPC members in organized and violent crime degraded the organization's reputation until substantial reforms were made beginning in 2004.[166]

The DDR agreement also made a provision for the incorporation of KLA fighters in the newly-formed Kosovo Police Service (KPS), later renamed the Kosovo Police (KP). The proportion of KPS slots reserved for former KLA fighters was negotiated by Thaci and his representatives at half of the new force authorized at 4,000 total officers.[167] Twenty-five percent of the KPS was to come from the ranks of the 1980s Kosovo police force, a move designed to promote the supporters of the centrist Rugova.[168] Even with UNMIK oversight on individual selection, the KPS remained weak, partially attributed to quotas for former militia members and police officers.

With over 25,000 former fighters registered for reintegration programs, employment for merely 7,000 of them in government service left many former KLA fighters receiving long-term reintegration assistance from international organizations.[169]

In all, KFOR—and TF Falcon and its successors—was only able to verify the withdrawal of Yugoslav forces, prevent widespread communal violence, and deter Serbia from attempting to reenter Kosovo. On the other hand, KFOR was unable to provide security in the form of the provision of law and order until full transition to civilian authority occurred. This situation remained relatively unchanged into 2002 when the United States drew down its force size in Kosovo to

some 1,400 troops—approximately twice the size of the current U.S. contingent to KFOR.[170]

Assessment and Insights on Joint Planning and Operations

U.S. operations in Kosovo have generally been viewed positively in recent years because U.S. primary objectives were achieved, violence levels are low in Kosovo, and no U.S. service members were killed by enemy fire during the intervention. However, Operations ALLIED FORCE and JOINT GUARDIAN suffered from a number of problems at the strategic and joint force commander level. On the whole, entirely too much emphasis was placed on averting risk during what were effectively combat operations. Additionally, planning was hampered by a lack of foresight into ground operations and the challenge of translating national policy into operational objectives. Finally, stability operations inherently involve the indigenous justice system, which needs to be assessed and contingency plans to build or reform it immediately need to be drawn.

Translating National Policy to Joint Force Objectives

In the run-up to Operation ALLIED FORCE, President Clinton stated three policy goals for the operation: demonstrate NATO's resolve, deter Serbian violence against civilians, and degrade Serbia's ability to use violence in the future. While President Clinton's first goal was really an outcome of using force to achieve the other two goals, these latter two had specific military objectives. Of note, there was not an elucidation of an overarching political objective towards which military power was being used, such as U.S. goals in the long-term disposition of Kosovo vis-à-vis Serbia. There was,

of course, an acute objective in stopping the violence against Kosovo Albanians, but without a greater political objective success becomes elusive. KFOR remains in place, albeit at much lower force levels than in 1999, to this day and will likely remain to deter Serbia from undermining Kosovar governance and reasserting its claims on Kosovo. With no end in sight to the intervention in spite of Kosovo's declaration of independence in 2008, this case suggests that joint force commanders should ask the NCA for political goals that delimit operational success beyond military objectives.

In spite of being given military objectives in the form of policy goals, the translation of these goals from the NCA to the joint force was not effective. Only the second goal mapped to the joint force commander's—Clark as both CINCEUR and SACEUR—goals, which were to minimize aircraft loss, "impact Yugoslavian military and police activities," and protect ground forces in Bosnia. Recognizing that Clark received pressure from the NCA with regard to losses, the joint force commander's guidance gives the impression that force protection was the overarching objective of the operation, while ending violence against civilians was a secondary concern. This was seen in the rules of engagement that prevented American airpower being used to its full potential, especially with the original 15,000-foot minimum flight altitude that made target identification and servicing difficult. This had two effects. First, resources were wasted because targets needed further air strikes and because aircraft were unable to hit them on their first try. Second, these conditions made it difficult for NATO air forces to identify dispersed and camouflaged Serbian targets that were engaged in ethnic cleansing. Together, these

factors prolonged the air campaign and gave Serbia the freedom of maneuver it needed to carry out its ethnic cleansing operations. The joint force commander's military objectives should have more closely followed the President's policy goals.

Joint Force Contingency Planning

The most shocking aspect of joint operational design and planning for KFOR was the complete lack of planning, save the logistical planning to get assets into theater. Even though NATO and its members spent two years considering the use of force in Kosovo to stop Serbian violence, they had not devised a plan for gaining and maintaining the peace outside of drawing contingent boundaries. The prudence of removing the ground option so early in the negotiating period is beyond the scope of this study, but the ramifications of that decision are germane. As noted, even the primary effort of Operation ALLIED FORCE—the air campaign—had only a couple of days of planned operations. NATO and EUCOM planners, particularly at USAFE, were then adapting to the situation on the ground on a daily basis.

Without a ground plan in Operation ALLIED FORCE, the staff of U.S. Army Europe (USAREUR) should have had the capacity, current operations in Bosnia notwithstanding, to create contingency plans for the insertion and operations of a ground element. Indeed, USAREUR should have been able to provide multiple branches to a main plan based on possible outcomes: the order for a ground invasion, the enforcement of a peace agreement, or something in between. The joint force commander should have demanded these if they were not provided. Recognizing that Clark was explicitly told that there was no ground option in Operation ALLIED FORCE, Clark should have realized

that plans are just that: plans. The telling of the end of the air campaign in multiple accounts is contradictory: the bombing lasted 2 months longer than expected, and yet the ending of hostilities was surprising and sudden. There must have been some sense within the joint force that ground forces would enter Kosovo at some point, but NATO was still unprepared for the event when it occurred.

The effects of this lack of planning are multiple. First, U.S. Army and Marine Corps elements seemed unprepared for the mission. Other than military police units, they were not specifically trained to maintain law and order or how to protect civilians. Second, TF Falcon seemed surprised that it would have to protect Kosovo Serbs from reprisals instead of Kosovo Albanians. Third, better planning would have better coordinated operations in this complex environment. With stove-piped contingent operations and multiple UN and EU operations, often overlapping, command and coordination across entities was ad hoc. Even the relationship between NATO and KFOR headquarters was fraught with confusion over authorities.[171] Fourth, ground forces were slow to get into theater even though Serbian security forces were displacing, leaving a security vacuum that was filled by vigilantism and criminality, the latter of which persists. These issues could have been planned for, obviating the experience of the first two years of KFOR that was marked by adapting and reacting instead of executing a coherent plan to pacify and maintain the peace in Kosovo.

Accepting Risk

No less than Carl von Clausewitz, the Prussian soldier-philosopher, had noted the human tendency to want to limit risk: “Kind-hearted people might of

course think there was some ingenious way to disarm or defeat an enemy without too much bloodshed, and might imagine this is the true goal of the art of war. Pleasant as it sounds, it is a fallacy that must be exposed."[172] At the time of Operation ALLIED FORCE, the concept of a relatively bloodless war was popular amongst policy makers and air planners, likely based on the logic decried by Clausewitz.[173] Without friendly military casualties, Operation ALLIED FORCE was an ideal operation with regard to the wellbeing of service members, but this risk aversion prolonged the conflict at the cost of the wellbeing of Kosovars and the long-term risks of mission success.

As discussed above, the lack of a ground threat in the early days of the intervention signaled to Milosevic that NATO had limits on its willingness to cease Serbian operations in Kosovo. NATO therefore had to rely on precision strikes against dispersed targets, handicapped by having to do so from high altitudes. Indeed, Milosevic and his generals preyed upon the risk aversion of using aircraft at lower altitudes. Further dispersion of his ground forces made these forces even harder to target from 15,000 feet above. The United States' risk aversion in Operation ALLIED FORCE all but ensured that Serbian security forces were able to continue their ethnic cleansing without much interference from an alliance of major powers.[174]

Justice and Security Are Interwoven

NATO was woefully unprepared for the vacuum of justice created in the departure of Serbian military and police forces. Which is not to say that Serbian police provided justice, but rather that the MTA effectively mandated that nearly all law enforcement personnel were to return to Serbia, leaving Kosovo without

police or courts. Previous experience in interventions, such as in Panama (Operation JUST CAUSE), should have informed the joint force on the repercussions of failing to account for police and other justice sector responsibilities. More recent experience in Bosnia was not as extreme, and a police force remained; the effect of the intervention there was the reform of that force that provided a modicum of security as opposed to the vacuum that existed in Kosovo. A complete policing void inevitably leads towards more crime and the degradation of personal security that this crime drives. U.S. forces saw this again in Iraq in 2003.

The lack of justice planning paralleled the lack of most other types of planning for Operation JOINT GUARDIAN and was thus not unique. However, this operation highlights the strategic importance of the justice sector and the need to include it in the operational design. From a strategic perspective, the absence of a justice sector makes achieving success more difficult and needs to be considered in the calculus used to determine whether or not intervene. The considerations include, but are limited to, the presence of indigenous system or the need to develop one from scratch; the existence of an established and legitimate legal code; and the education standards of the territory that are capable of producing capable policemen, lawyers, and judges. The operational design should designate the agencies and bureaus responsible for justice sector activities as a stop-gap measure, the plan to replace the joint force as the provider of justice, the legal system to be followed,[175] and a set of guidance and regulations to ensure compliance with national and international laws and norms while the joint force administers the justice system.

Conclusion

KFOR was a relative success in spite of the dearth of planning for the operation. Serbia was forced to cease its violence against civilians and withdraw its forces. Roughly 1,000,000 refugees and internally displaced persons were able to return, if not to their homes then at least to their lands. The KLA was mostly disarmed and demobilized as a militia. The air campaign was able to deliver the first outcome and ultimately led to the rest.

However, in other ways it has not been a success. The lack of planning for ground operations all but ensured the formation of a security vacuum that led to high levels of criminal activity that continue to challenge the stability of Kosovo. International forces were unable to foresee or prevent ethnic violence in the form of reprisals against Kosovo Serbs and other minority groups. Coordination across the joint force and with international partners was difficult because official authorities had not been planned. At the strategic level, the lack of a ground invasion plan—the lack of which was broadcast in the media—signaled to Milosevic that NATO was not as serious about stopping the ethnic cleansing as Milosevic was about executing it.

In spite of the lack of planning for post-war operations, KFOR was able to hold enough of a peace to allow international organizations, specifically UNMIK, OSCE, and the European Union, to deploy and relieve KFOR of its state-building duties. These organizations continue their efforts in security sector, judicial, legal, and constitutional reforms, as well as economic and infrastructure development. KFOR also assured that Serbia would not attempt to reoccupy Kosovo. Following Kosovo's declaration of independence in

2008—recognized by over 100 countries—KFOR set the conditions necessary for the lengthy process of creating a sovereign and independent state. This outcome speaks highly of the ability of KFOR leadership over the years and their ability to contribute to mission success in the initial absence of a plan to stabilize Kosovo.

The United States' experience in Kosovo generates a number of recommendations for future stability operations. First, *presidents are unlikely to articulate specific strategic objectives* in the future any more than President Clinton did in 1999. With this in mind, senior military leaders should persistently urge the National Security Council advisors and the President to articulate strategic objectives and guidance for strategy formulation. Second, joint force commanders should create contingency plans in the run up to and during interventions, regardless of initial policy preferences (Presidents often change their minds). As the situation changes on the ground, the president's priorities and directives will likely also shift and the joint force needs to prepare for these eventualities. Failing to create contingency plans means the joint force commander must react to events instead of being proactive and potentially forces the President into decisions that he or she would otherwise not make. Finally, the joint force must be prepared to provide security after the war and cannot assume that indigenous or international police forces will be able to fill the vacuum. Internecine violence must be anticipated and cannot be assumed away. KFOR succeeded despite these shortcomings, but had NATO followed these recommendations in 1999, the process of rebuilding Kosovo and security for its people could have progressed faster and cost less in terms of blood and treasure.

APPENDIX A: ABBREVIATIONS

ABCCC	Airborne Command and Control Center
AIRSOUTH	NATO Air Command South
ARRC	Allied Command Europe Rapid Reaction Corps
CINCEUR	Commander-in-Chief Europe
CINCSOUTH	Command-in-Chief Southern Europe
	ALLIED FORCEs
CJFACC	Combined Joint Forces Air Component Command
CJFLCC	Combined Joint Forces Land Component Command
CPY	Communist Party of Yugoslavia
CSAR	Combat Search and Rescue
DDR	Disarmament, Demobilization, and Reintegration
EU	European Union
EUCOM	European Command
FRY	Federal Public of Yugoslavia
G-7	Group of 7
JFACC	Joint Forces Air Component Command
JTF	Joint Task Force
KFOR	Kosovo Force
KLA	Kosovo Liberation Army
KP	Kosovo Police
KPC	Kosovo Protection Corps
KPS	Kosovo Police Service
MC	Military Committee
MNB	Multinational Brigade
MTA	Military Technical Agreement
NAC	North Atlantic Council
NATO	North Atlantic Treaty Organization

NAVSOUTH	Allied Naval Forces Southern Europe
NCA	National Command Authority
OPCON	Operational Control
OSCE	Organization for Security and Cooperation in Europe
SACEUR	Supreme Allied Commander Europe
SFRY	Socialist Federal Republic of Yugoslavia
TACON	Tactical Control
TF	Task Force
UK	United Kingdom
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
UNMIK	United Nations Mission in Kosovo
UNSC	United Nations Security Council
UNSCR	United Nations Security Council Resolution
USAF	U.S. Air Force
USAFE	U.S. Air Forces in Europe
USAREUR	U.S. Army Europe
USN	U.S. Navy

APPENDIX B: REFERENCES

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APPENDIX C: KOSOVO CHRONOLOGY SINCE 1992

1992	'Christmas Message' issued by President George H.W. Bush stating US is prepared for intervention in Kosovo conflict.
1993	KLA founded.
1995	Bombing campaign in Bosnia
1998	Organized ethnic cleansing begins.
March 1998	UNSC passed Resolution 1160 that created an arms embargo on all of the FRY until the violence stopped.
June 1998	USAFE and NATO begin deliberate planning process for intervention.
September 1998	UNSCR 1199 passed with unanimous approval.
October 1998	Milosevic agreed to a number of concessions based on the demands of UNSCR 1199, lowering tensions in the short term.
January 15, 1999	Serbian police massacred 45 Kosovo Albanians near the village of Racak.
March 19, 1999	Serbian negotiators left the peace talks in Rambouillet, France.
March 20, 1999	Serbian forces escalated their ethnic cleansing operations, evicting thousands from their homes, destroying houses, and killing many civilians.
March 21, 1999	Holbrooke met one last time with Milosevic in Belgrade.
March 23, 1999	Holbrooke's attempt at diplomacy failed, leading to war.
March 24, 1999	Clark received the order to proceed with combat operations from the National Command Authority via General Shelton. Operation ALLIED FORCE began on the night of the 24th.
April 23-25, 1999	NATO commemorated the alliance's 50th anniversary in Washington, decided to increase pressure on Milosevic.
May 18, 1999	Chernomyrdin, Talbott, and Ahtisaari began talks to negotiate with Milosevic.
June 3, 1999	Due to lack of Russian support, Milosevic reluctantly agreed to terms.
June 9, 1999	The Military Technical Agreement signed called for the phased withdrawal of all Serbian ground forces from Kosovo within 11 days and all air and air defense forces within 3 days.
June 10, 1999	UNSCR 1244 passes, authorizing KFOR, UNMIK and other international organizations to begin stability operations in Kosovo.

June 12, 1999	TF Falcon began entry into Kosovo and occupied Camps Bondsteel and Monteith.
June 21, 1999	Serbian forces out of Kosovo and returned to Serbia.
June 21, 1999	Thaci provides KLA demobilization plan to Commander, KFOR.

APPENDIX D: UNITED NATIONS SECURITY COUNCIL RESOLUTION 1160 (MARCH 31, 1998)

Adopted by the Security Council at its 3868th meeting, on 31 March 1998

The Security Council,

Noting with appreciation the statements of the Foreign Ministers of France, Germany, Italy, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America (the Contact Group) of 9 and 25 March 1998 (S/1998/223 and S/1998/272), including the proposal on a comprehensive arms embargo on the Federal Republic of Yugoslavia, including Kosovo,

Welcoming the decision of the Special Session of the Permanent Council of the Organization for Security and Cooperation in Europe (OSCE) of 11 March 1998 (S/1998/246),

Condemning the use of excessive force by Serbian police forces against civilians and peaceful demonstrators in Kosovo, as well as all acts of terrorism by the Kosovo Liberation Army or any other group or individual and all external support for terrorist activity in Kosovo, including finance, arms and training,

Noting the declaration of 18 March 1998 by the President of the Republic of Serbia on the political process in Kosovo and Metohija (S/1998/250),

Noting also the clear commitment of senior representatives of the Kosovar Albanian community to non-violence,

Noting that there has been some progress in implementing the actions indicated in the Contact Group statement of 9 March 1998, but stressing that further progress is required,

Affirming the commitment of all Member States to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia,

Acting under Chapter VII of the Charter of the United Nations,

1. Calls upon the Federal Republic of Yugoslavia immediately to take the further necessary steps to achieve a political solution to the issue of Kosovo through dialogue and to implement the actions indicated in the Contact Group statements of 9 and 25 March 1998;

2. Calls also upon the Kosovar Albanian leadership to condemn all terrorist action, and emphasizes that all elements in the Kosovar Albanian community should pursue their goals by peaceful means only;

3. Underlines that the way to defeat violence and terrorism in Kosovo is for the authorities in Belgrade to offer the Kosovar Albanian community a genuine political process;

4. Calls upon the authorities in Belgrade and the leadership of the Kosovar Albanian community urgently to enter without preconditions into a meaningful dialogue on political status issues, and notes the readiness of the Contact Group to facilitate such a dialogue;

5. Agrees, without prejudging the outcome of that dialogue, with the proposal in the Contact Group statements of 9 and 25 March 1998 that the principles

for a solution of the Kosovo problem should be based on the territorial integrity of the Federal Republic of Yugoslavia and should be in accordance with OSCE standards, including those set out in the Helsinki Final Act of the Conference on Security and Cooperation in Europe of 1975, and the Charter of the United Nations, and that such a solution must also take into account the rights of the Kosovar Albanians and all who live in Kosovo, and expresses its support for an enhanced status for Kosovo which would include a substantially greater degree of autonomy and meaningful self-administration;

6. Welcomes the signature on 23 March 1998 of an agreement on measures to implement the 1996 Education Agreement, calls upon all parties to ensure that its implementation proceeds smoothly and without delay according to the agreed timetable and expresses its readiness to consider measures if either party blocks implementation;

7. Expresses its support for the efforts of the OSCE for a peaceful resolution of the crisis in Kosovo, including through the Personal Representative of the Chairman-in-Office for the Federal Republic of Yugoslavia, who is also the Special Representative of the European Union, and the return of the OSCE long-term missions;

8. Decides that all States shall, for the purposes of fostering peace and stability in Kosovo, prevent the sale or supply to the Federal Republic of Yugoslavia, including Kosovo, by their nationals or from their territories or using their flag vessels and aircraft, of arms and related matériel of all types, such as weapons and ammunition, military vehicles and equipment and spare parts for the aforementioned, and shall prevent arming and training for terrorist activities there;

9. Decides to establish, in accordance with rule 28 of its provisional rules of procedure, a committee of the Security Council, consisting of all the members of the Council, to undertake the following tasks and to report on its work to the Council with its observations and recommendations:

(a) to seek from all States information regarding the action taken by them concerning the effective implementation of the prohibitions imposed by this resolution;

(b) to consider any information brought to its attention by any State concerning violations of the prohibitions imposed by this resolution and to recommend appropriate measures in response thereto;

(c) to make periodic reports to the Security Council on information submitted to it regarding alleged violations of the prohibitions imposed by this resolution;

(d) to promulgate such guidelines as may be necessary to facilitate the implementation of the prohibitions imposed by this resolution;

(e) to examine the reports submitted pursuant to paragraph 12 below;

10. Calls upon all States and all international and regional organizations to act strictly in conformity with this resolution, notwithstanding the existence of any rights granted or obligations conferred or imposed by any international agreement or of any contract entered into or any license or permit granted prior to the entry into force of the prohibitions imposed by this resolution, and stresses in this context the importance of continuing implementation of the Agreement on

Subregional Arms Control signed in Florence on 14 June 1996;

11. Requests the Secretary-General to provide all necessary assistance to the committee established by paragraph 9 above and to make the necessary arrangements in the Secretariat for this purpose;

12. Requests States to report to the committee established by paragraph 9 above within 30 days of adoption of this resolution on the steps they have taken to give effect to the prohibitions imposed by this resolution;

13. Invites the OSCE to keep the Secretary-General informed on the situation in Kosovo and on measures taken by that organization in this regard;

14. Requests the Secretary-General to keep the Council regularly informed and to report on the situation in Kosovo and the implementation of this resolution no later than 30 days following the adoption of this resolution and every 30 days thereafter;

15. Further requests that the Secretary-General, in consultation with appropriate regional organizations, include in his first report recommendations for the establishment of a comprehensive regime to monitor the implementation of the prohibitions imposed by this resolution, and calls upon all States, in particular neighbouring States, to extend full cooperation in this regard;

16. Decides to review the situation on the basis of the reports of the Secretary-General, which will take into account the assessments of, inter alia, the Contact Group, the OSCE and the European Union, and decides also to reconsider the prohibitions imposed

by this resolution, including action to terminate them, following receipt of the assessment of the Secretary-General that the Government of the Federal Republic of Yugoslavia, cooperating in a constructive manner with the Contact Group, have:

(a) begun a substantive dialogue in accordance with paragraph 4 above, including the participation of an outside representative or representatives, unless any failure to do so is not because of the position of the Federal Republic of Yugoslavia or Serbian authorities;

(b) withdrawn the special police units and ceased action by the security forces affecting the civilian population;

(c) allowed access to Kosovo by humanitarian organizations as well as representatives of Contact Group and other embassies;

(d) accepted a mission by the Personal Representative of the OSCE Chairman-in-Office for the Federal Republic of Yugoslavia that would include a new and specific mandate for addressing the problems in Kosovo, as well as the return of the OSCE long-term missions;

(e) facilitated a mission to Kosovo by the United Nations High Commissioner for Human Rights;

17. Urges the Office of the Prosecutor of the International Tribunal established pursuant to resolution 827 (1993) of 25 May 1993 to begin gathering information related to the violence in Kosovo that may fall within its jurisdiction, and notes that the authorities of the Federal Republic of Yugoslavia have an obligation to cooperate with the Tribunal and that the Contact Group countries will make available to the

Tribunal substantiated relevant information in their possession;

18. Affirms that concrete progress to resolve the serious political and human rights issues in Kosovo will improve the international position of the Federal Republic of Yugoslavia and prospects for normalization of its international relationships and full participation in international institutions;

19. Emphasizes that failure to make constructive progress towards the peaceful resolution of the situation in Kosovo will lead to the consideration of additional measures;

20. Decides to remain seized of the matter

APPENDIX E: UNITED NATIONS SECURITY COUNCIL RESOLUTION 1199 (SEPTEMBER 23, 1998)

Adopted by the Security Council at its 3930th meeting on 23 September 1998

The Security Council,

Recalling its Resolution 1160 (1998) of 31 March 1998,

Having considered the reports of the Secretary-General pursuant to that resolution, and in particular his report of 4 September 1998 (S/1998/834 and Add.1),

Noting with appreciation the statement of the Foreign Ministers of France, Germany, Italy, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America (the Contact Group) of 12 June 1998 at the conclusion of the Contact Group's meeting with the Foreign Ministers of Canada and Japan (S/1998/567, annex), and the further statement of the Contact Group made in Bonn on 8 July 1998 (S/1998/657),

Noting also with appreciation the joint statement by the Presidents of the Russian Federation and the Federal Republic of Yugoslavia of 16 June 1998 (S/1998/526),

Noting further the communication by the Prosecutor of the International Tribunal for the Former Yugoslavia to the Contact Group on 7 July 1998, expressing the view that the situation in Kosovo represents an armed conflict within the terms of the mandate of the Tribunal,

Gravely concerned at the recent intense fighting in Kosovo and in particular the excessive and indiscriminate use of force by Serbian security forces and the Yugoslav Army which have resulted in numerous civilian casualties and, according to the estimate of the Secretary-General, the displacement of over 230,000 persons from their homes,

Deeply concerned by the flow of refugees into northern Albania, Bosnia and Herzegovina and other European countries as a result of the use of force in Kosovo, as well as by the increasing numbers of displaced persons within Kosovo, and other parts of the Federal Republic of Yugoslavia, up to 50,000 of whom the United Nations High Commissioner for Refugees has estimated are without shelter and other basic necessities,

Reaffirming the right of all refugees and displaced persons to return to their homes in safety, and underlining the responsibility of the Federal Republic of Yugoslavia for creating the conditions which allow them to do so,

Condemning all acts of violence by any party, as well as terrorism in pursuit of political goals by any group or individual, and all external support for such activities in Kosovo, including the supply of arms and training for terrorist activities in Kosovo and expressing concern at the reports of continuing violations of the prohibitions imposed by resolution 1160 (1998),

Deeply concerned by the rapid deterioration in the humanitarian situation throughout Kosovo, alarmed at the impending humanitarian catastrophe

as described in the report of the Secretary-General, and emphasizing the need to prevent this from happening,

Deeply concerned also by reports of increasing violations of human rights and of international humanitarian law, and emphasizing the need to ensure that the rights of all inhabitants of Kosovo are respected,

Reaffirming the objectives of resolution 1160 (1998), in which the Council expressed support for a peaceful resolution of the Kosovo problem which would include an enhanced status for Kosovo, a substantially greater degree of autonomy, and meaningful self-administration,

Reaffirming also the commitment of all Member States to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia,

Affirming that the deterioration of the situation in Kosovo, Federal Republic of Yugoslavia, constitutes a threat to peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. Demands that all parties, groups and individuals immediately cease hostilities and maintain a ceasefire in Kosovo, Federal Republic of Yugoslavia, which would enhance the prospects for a meaningful dialogue between the authorities of the Federal Republic of Yugoslavia and the Kosovo Albanian leadership and reduce the risks of a humanitarian catastrophe;

2. Demands also that the authorities of the Federal Republic of Yugoslavia and the Kosovo Albanian

leadership take immediate steps to improve the humanitarian situation and to avert the impending humanitarian catastrophe;

3. Calls upon the authorities in the Federal Republic of Yugoslavia and the Kosovo Albanian leadership to enter immediately into a meaningful dialogue without preconditions and with international involvement, and to a clear timetable, leading to an end of the crisis and to a negotiated political solution to the issue of Kosovo, and welcomes the current efforts aimed at facilitating such a dialogue;

4. Demands further that the Federal Republic of Yugoslavia, in addition to the measures called for under resolution 1160 (1998), implement immediately the following concrete measures towards achieving a political solution to the situation in Kosovo as contained in the Contact Group statement of 12 June 1998:

(a) cease all action by the security forces affecting the civilian population and order the withdrawal of security units used for civilian repression;

(b) enable effective and continuous international monitoring in Kosovo by the European Community Monitoring Mission and diplomatic missions accredited to the Federal Republic of Yugoslavia, including access and complete freedom of movement of such monitors to, from and within Kosovo unimpeded by government authorities, and expeditious issuance of appropriate travel documents to international personnel contributing to the monitoring;

(c) facilitate, in agreement with the UNHCR and the International Committee of the Red Cross (ICRC),

the safe return of refugees and displaced persons to their homes and allow free and unimpeded access for humanitarian organizations and supplies to Kosovo;

(d) make rapid progress to a clear timetable, in the dialogue referred to in paragraph 3 with the Kosovo Albanian community called for in resolution 1160 (1998), with the aim of agreeing confidence-building measures and finding a political solution to the problems of Kosovo;

5. Notes, in this connection, the commitments of the President of the Federal Republic of Yugoslavia, in his joint statement with the President of the Russian Federation of 16 June 1998:

(a) to resolve existing problems by political means on the basis of equality for all citizens and ethnic communities in Kosovo;

(b) not to carry out any repressive actions against the peaceful population;

(c) to provide full freedom of movement for and ensure that there will be no restrictions on representatives of foreign States and international institutions accredited to the Federal Republic of Yugoslavia monitoring the situation in Kosovo;

(d) to ensure full and unimpeded access for humanitarian organizations, the ICRC and the UNHCR, and delivery of humanitarian supplies;

(e) to facilitate the unimpeded return of refugees and displaced persons under programmes agreed with the UNHCR and the ICRC, providing State aid for the reconstruction of destroyed homes,

and calls for the full implementation of these commitments;

6. Insists that the Kosovo Albanian leadership condemn all terrorist action, and emphasizes that all elements in the Kosovo Albanian community should pursue their goals by peaceful means only;

7. Recalls the obligations of all States to implement fully the prohibitions imposed by resolution 1160 (1998);

8. Endorses the steps taken to establish effective international monitoring of the situation in Kosovo, and in this connection welcomes the establishment of the Kosovo Diplomatic Observer Mission;

9. Urges States and international organizations represented in the Federal Republic of Yugoslavia to make available personnel to fulfil the responsibility of carrying out effective and continuous international monitoring in Kosovo until the objectives of this resolution and those of resolution 1160 (1998) are achieved;

10. Reminds the Federal Republic of Yugoslavia that it has the primary responsibility for the security of all diplomatic personnel accredited to the Federal Republic of Yugoslavia as well as the safety and security of all international and non-governmental humanitarian personnel in the Federal Republic of Yugoslavia and calls upon the authorities of the Federal Republic of Yugoslavia and all others concerned in the Federal Republic of Yugoslavia to take all appropriate steps to ensure that monitoring personnel performing

functions under this resolution are not subject to the threat or use of force or interference of any kind;

11. Requests States to pursue all means consistent with their domestic legislation and relevant international law to prevent funds collected on their territory being used to contravene resolution 1160 (1998);

12. Calls upon Member States and others concerned to provide adequate resources for humanitarian assistance in the region and to respond promptly and generously to the United Nations Consolidated Inter-Agency Appeal for Humanitarian Assistance Related to the Kosovo Crisis;

13. Calls upon the authorities of the Federal Republic of Yugoslavia, the leaders of the Kosovo Albanian community and all others concerned to cooperate fully with the Prosecutor of the International Tribunal for the Former Yugoslavia in the investigation of possible violations within the jurisdiction of the Tribunal;

14. Underlines also the need for the authorities of the Federal Republic of Yugoslavia to bring to justice those members of the security forces who have been involved in the mistreatment of civilians and the deliberate destruction of property;

15. Requests the Secretary-General to provide regular reports to the Council as necessary on his assessment of compliance with this resolution by the authorities of the Federal Republic of Yugoslavia and all elements in the Kosovo Albanian community, including through his regular reports on compliance with resolution 1160 (1998);

16. Decides, should the concrete measures demanded in this resolution and resolution 1160 (1998) not be taken, to consider further action and additional measures to maintain or restore peace and stability in the region;

17. Decides to remain seized of the matter.

APPENDIX F: UNITED NATIONS SECURITY COUNCIL RESOLUTION 1244 (JUNE 10, 1999)

Adopted by the Security Council at its 4011th meeting, on 10 June 1999

The Security Council,

Bearing in mind the purposes and principles of the Charter of the United Nations, and the primary responsibility of the Security Council for the maintenance of international peace and security,

Recalling its resolutions 1160 (1998) of 31 March 1998, 1199 (1998) of 23 September 1998, 1203 (1998) of 24 October 1998 and 1239 (1999) of 14 May 1999,

Regretting that there has not been full compliance with the requirements of these resolutions,

Determined to resolve the grave humanitarian situation in Kosovo, Federal Republic of Yugoslavia, and to provide for the safe and free return of all refugees and displaced persons to their homes,

Condemning all acts of violence against the Kosovo population as well as all terrorist acts by any party,

Recalling the statement made by the Secretary-General on 9 April 1999, expressing concern at the humanitarian tragedy taking place in Kosovo,

Reaffirming the right of all refugees and displaced persons to return to their homes in safety,

Recalling the jurisdiction and the mandate of the International Tribunal for the Former Yugoslavia,

Welcoming the general principles on a political solution to the Kosovo crisis adopted on 6 May 1999 (S/1999/516, annex 1 to this resolution) and welcoming also the acceptance by the Federal Republic of Yugoslavia of the principles set forth in points 1 to 9 of the paper presented in Belgrade on 2 June 1999 (S/1999/649, annex 2 to this resolution), and the Federal Republic of Yugoslavia's agreement to that paper,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia and the other States of the region, as set out in the Helsinki Final Act and annex 2,

Reaffirming the call in previous resolutions for substantial autonomy and meaningful self-administration for Kosovo,

Determining that the situation in the region continues to constitute a threat to international peace and security,

Determined to ensure the safety and security of international personnel and the implementation by all concerned of their responsibilities under the present resolution, and acting for these purposes under Chapter VII of the Charter of the United Nations,

1. Decides that a political solution to the Kosovo crisis shall be based on the general principles in annex 1 and as further elaborated in the principles and other required elements in annex 2;

2. Welcomes the acceptance by the Federal Republic of Yugoslavia of the principles and other required elements referred to in paragraph 1 above, and demands the full cooperation of the Federal Republic of Yugoslavia in their rapid implementation;

3. Demands in particular that the Federal Republic of Yugoslavia put an immediate and verifiable end to violence and repression in Kosovo, and begin and complete verifiable phased withdrawal from Kosovo of all military, police and paramilitary forces according to a rapid timetable, with which the deployment of the international security presence in Kosovo will be synchronized;

4. Confirms that after the withdrawal an agreed number of Yugoslav and Serb military and police personnel will be permitted to return to Kosovo to perform the functions in accordance with annex 2;

5. Decides on the deployment in Kosovo, under United Nations auspices, of international civil and security presences, with appropriate equipment and personnel as required, and welcomes the agreement of the Federal Republic of Yugoslavia to such presences;

6. Requests the Secretary-General to appoint, in consultation with the Security Council, a Special Representative to control the implementation of the international civil presence, and further requests the Secretary-General to instruct his Special Representative to coordinate closely with the international security presence to ensure that both presences operate towards the same goals and in a mutually supportive manner;

7. Authorizes Member States and relevant international organizations to establish the international security presence in Kosovo as set out in

point 4 of annex 2 with all necessary means to fulfil its responsibilities under paragraph 9 below;

8. Affirms the need for the rapid early deployment of effective international civil and security presences to Kosovo, and demands that the parties cooperate fully in their deployment;

9. Decides that the responsibilities of the international security presence to be deployed and acting in Kosovo will include:

(a) Deterring renewed hostilities, maintaining and where necessary enforcing a ceasefire, and ensuring the withdrawal and preventing the return into Kosovo of Federal and Republic military, police and paramilitary forces, except as provided in point 6 of annex 2;

(b) Demilitarizing the Kosovo Liberation Army (KLA) and other armed Kosovo Albanian groups as required in paragraph 15 below;

(c) Establishing a secure environment in which refugees and displaced persons can return home in safety, the international civil presence can operate, a transitional administration can be established, and humanitarian aid can be delivered;

(d) Ensuring public safety and order until the international civil presence can take responsibility for this task;

(e) Supervising demining until the international civil presence can, as appropriate, take over responsibility for this task;

(f) Supporting, as appropriate, and coordinating closely with the work of the international civil presence;

(g) Conducting border monitoring duties as required;

(h) Ensuring the protection and freedom of movement of itself, the international civil presence, and other international organizations;

10. Authorizes the Secretary-General, with the assistance of relevant international organizations, to establish an international civil presence in Kosovo in order to provide an interim administration for Kosovo under which the people of Kosovo can enjoy substantial autonomy within the Federal Republic of Yugoslavia, and which will provide transitional administration while establishing and overseeing the development of provisional democratic selfgoverning institutions to ensure conditions for a peaceful and normal life for all inhabitants of Kosovo;

11. Decides that the main responsibilities of the international civil presence will include:

(a) Promoting the establishment, pending a final settlement, of substantial autonomy and self-government in Kosovo, taking full account of annex 2 and of the Rambouillet accords (S/1999/648);

(b) Performing basic civilian administrative functions where and as long as required;

(c) Organizing and overseeing the development of provisional institutions for democratic and autonomous self-government pending a political settlement, including the holding of elections;

(d) Transferring, as these institutions are established, its administrative responsibilities while overseeing and supporting the consolidation of Kosovo's local provisional institutions and other peacebuilding activities;

(e) Facilitating a political process designed to determine Kosovo's future status, taking into account the Rambouillet accords (S/1999/648);

(f) In a final stage, overseeing the transfer of authority from Kosovo's provisional institutions to institutions established under a political settlement;

(g) Supporting the reconstruction of key infrastructure and other economic reconstruction;

(h) Supporting, in coordination with international humanitarian organizations, humanitarian and disaster relief aid;

(i) Maintaining civil law and order, including establishing local police forces and meanwhile through the deployment of international police personnel to serve in Kosovo;

(j) Protecting and promoting human rights;

(k) Assuring the safe and unimpeded return of all refugees and displaced persons to their homes in Kosovo;

12. Emphasizes the need for coordinated humanitarian relief operations, and for the Federal Republic of Yugoslavia to allow unimpeded access to Kosovo by humanitarian aid organizations and to cooperate with such organizations so as to ensure the fast and effective delivery of international aid;

13. Encourages all Member States and international organizations to contribute to economic and social reconstruction as well as to the safe return of refugees and displaced persons, and emphasizes in this context the importance of convening an international donors' conference, particularly for the purposes set out in paragraph 11 (g) above, at the earliest possible date;

14. Demands full cooperation by all concerned, including the international security presence, with the International Tribunal for the Former Yugoslavia;

15. Demands that the KLA and other armed Kosovo Albanian groups end immediately all offensive actions and comply with the requirements for demilitarization as laid down by the head of the international security presence in consultation with the Special Representative of the Secretary-General;

16. Decides that the prohibitions imposed by paragraph 8 of resolution 1160 (1998) shall not apply to arms and related matériel for the use of the international civil and security presences;

17. Welcomes the work in hand in the European Union and other international organizations to develop a comprehensive approach to the economic development and stabilization of the region affected by the Kosovo crisis, including the implementation of a Stability Pact for South Eastern Europe with broad international participation in order to further the promotion of democracy, economic prosperity, stability and regional cooperation;

18. Demands that all States in the region cooperate fully in the implementation of all aspects of this resolution;

19. Decides that the international civil and security presences are established for an initial period of 12 months, to continue thereafter unless the Security Council decides otherwise;

20. Requests the Secretary-General to report to the Council at regular intervals on the implementation of this resolution, including reports from the leaderships

of the international civil and security presences, the first reports to be submitted within 30 days of the adoption of this resolution;

21. Decides to remain actively seized of the matter.

Annex 1

Statement by the Chairman on the conclusion of the meeting

of the G-8 Foreign Ministers held at the Petersberg Centre

on 6 May 1999

The G-8 Foreign Ministers adopted the following general principles on the political solution to the Kosovo crisis:

- Immediate and verifiable end of violence and repression in Kosovo;

- Withdrawal from Kosovo of military, police and paramilitary forces;

- Deployment in Kosovo of effective international civil and security presences, endorsed and adopted by the United Nations, capable of guaranteeing the achievement of the common objectives;

- Establishment of an interim administration for Kosovo to be decided by the Security Council of the United Nations to ensure conditions for a peaceful and normal life for all inhabitants in Kosovo;

- The safe and free return of all refugees and displaced persons and unimpeded access to Kosovo by humanitarian aid organizations;

- A political process towards the establishment of an interim political framework agreement providing for a substantial self-government for Kosovo, taking full account of the Rambouillet accords and the principles of sovereignty and territorial integrity of the Federal Republic of Yugoslavia and the other countries of the region, and the demilitarization of the KLA;

- Comprehensive approach to the economic development and stabilization of the crisis region.

Annex 2

Agreement should be reached on the following principles to move towards a resolution of the Kosovo crisis:

1. An immediate and verifiable end of violence and repression in Kosovo.

2. Verifiable withdrawal from Kosovo of all military, police and paramilitary forces according to a rapid timetable.

3. Deployment in Kosovo under United Nations auspices of effective international civil and security presences, acting as may be decided under Chapter VII of the Charter, capable of guaranteeing the achievement of common objectives.

4. The international security presence with substantial North Atlantic Treaty Organization participation must be deployed under unified command and control and authorized to establish a safe environment for all people in Kosovo and to facilitate the safe return to their homes of all displaced persons and refugees.

5. Establishment of an interim administration for Kosovo as a part of the international civil presence

under which the people of Kosovo can enjoy substantial autonomy within the Federal Republic of Yugoslavia, to be decided by the Security Council of the United Nations. The interim administration to provide transitional administration while establishing and overseeing the development of provisional democratic self-governing institutions to ensure conditions for a peaceful and normal life for all inhabitants in Kosovo.

6. After withdrawal, an agreed number of Yugoslav and Serbian personnel will be permitted to return to perform the following functions:

- Liaison with the international civil mission and the international security presence;

- Marking/clearing minefields;

- Maintaining a presence at Serb patrimonial sites;

- Maintaining a presence at key border crossings.

7. Safe and free return of all refugees and displaced persons under the supervision of the Office of the United Nations High Commissioner for Refugees and unimpeded access to Kosovo by humanitarian aid organizations.

8. A political process towards the establishment of an interim political framework agreement providing for substantial self-government for Kosovo, taking full account of the Rambouillet accords and the principles of sovereignty and territorial integrity of the Federal Republic of Yugoslavia and the other countries of the region, and the demilitarization of UCK. Negotiations between the parties for a settlement should not delay or disrupt the establishment of democratic self-governing institutions.

9. A comprehensive approach to the economic development and stabilization of the crisis region. This will include the implementation of a stability pact for South-Eastern Europe with broad international participation in order to further promotion of democracy, economic prosperity, stability and regional cooperation.

10. Suspension of military activity will require acceptance of the principles set forth above in addition to agreement to other, previously identified, required elements, which are specified in the footnote below.1 A military-technical agreement will then be rapidly concluded that would, among other things, specify additional modalities, including the roles and functions of Yugoslav/Serb personnel in Kosovo:

Withdrawal

- Procedures for withdrawals, including the phased, detailed schedule and delineation of a buffer area in Serbia beyond which forces will be withdrawn;

Returning personnel

- Equipment associated with returning personnel;

- Terms of reference for their functional responsibilities;

- Timetable for their return;

- Delineation of their geographical areas of operation;

- Rules governing their relationship to the international security presence and the international civil mission.

Notes

1 Other required elements:

- A rapid and precise timetable for withdrawals, meaning, e.g., seven days to complete withdrawal and air defence weapons withdrawn outside a 25 kilometre mutual safety zone within 48 hours;

- Return of personnel for the four functions specified above will be under the supervision of the international security presence and will be limited to a small agreed number (hundreds, not thousands);

- Suspension of military activity will occur after the beginning of verifiable withdrawals;

- The discussion and achievement of a military-technical agreement shall not extend the previously determined time for completion of withdrawals.

APPENDIX G: MILITARY TECHNICAL AGREEMENT (JUNE 9, 1999)

Between the International Security Force ("KFOR") and the Governments of the Federal Republic of Yugoslavia and the Republic of Serbia

Article I: General Obligations

1. The Parties to this Agreement reaffirm the document presented by President Ahtisaari to President Milosevic and approved by the Serb Parliament and the Federal Government on June 3, 1999, to include deployment in Kosovo under UN auspices of effective international civil and security presences. The Parties further note that the UN Security Council is prepared to adopt a resolution, which has been introduced, regarding these presences.

2. The State Governmental authorities of the Federal Republic of Yugoslavia and the Republic of Serbia understand and agree that the international security force ("KFOR") will deploy following the adoption of the UNSCR referred to in paragraph 1 and operate without hindrance within Kosovo and with the authority to take all necessary action to establish and maintain a secure environment for all citizens of Kosovo and otherwise carry out its mission. They further agree to comply with all of the obligations of this Agreement and to facilitate the deployment and operation of this force.

3. For purposes of the agreement, the following expressions shall have the meanings as described below:

(a) "The Parties" are those signatories to the Agreement.

(b) "Authorities" means the appropriate responsible individual, agency, or organisation of the Parties.

(c) "FRY Forces" includes all of the FRY and Republic of Serbia personnel and organisations with a military capability. This includes regular army and naval forces, armed civilian groups, associated paramilitary groups, air forces, national guards, border police, army reserves, military police, intelligence services, federal and Serbian Ministry of Internal Affairs local, special, riot and anti-terrorist police, and any other groups or individuals so designated by the international security force ("KFOR") commander.

(d) The Air Safety Zone (ASZ) is defined as a 25-kilometre zone that extends beyond the Kosovo province border into the rest of FRY territory. It includes the airspace above that 25-kilometre zone.

(e) The Ground Safety Zone (GSZ) is defined as a 5-kilometre zone that extends beyond the Kosovo province border into the rest of FRY territory. It includes the terrain within that 5-kilometre zone.

(f) Entry into Force Day (EIF Day) is defined as the day this Agreement is signed.

4. The purposes of these obligations are as follows:

(a) To establish a durable cessation of hostilities, under no circumstances shall any Forces of the FRY and the Republic of Serbia enter into, reenter, or remain within the territory of Kosovo or the Ground Safety Zone (GSZ) and the Air Safety Zone (ASZ) described in paragraph 3. Article I without the prior express consent of the international security force ("KFOR")

commander. Local police will be allowed to remain in the GSZ.

The above paragraph is without prejudice to the agreed return of FRY and Serbian personnel which will be the subject of a subsequent separate agreement as provided for in paragraph 6 of the document mentioned in paragraph 1 of this Article.

(b) To provide for the support and authorization of the international security force ("KFOR") and in particular to authorize the international security force ("KFOR") to take such actions as are required, including the use of necessary force, to ensure compliance with this Agreement and protection of the international security force ("KFOR"), and to contribute to a secure environment for the international civil implementation presence, and other international organisations, agencies, and non-governmental organisations (details in Appendix B).

Article II: Cessation of Hostilities

1. The FRY Forces shall immediately, upon entry into force (EIF) of this Agreement, refrain from committing any hostile or provocative acts of any type against any person in Kosovo and will order armed forces to cease all such activities. They shall not encourage, organise or support hostile or provocative demonstrations.

2. Phased Withdrawal of FRY Forces (ground): The FRY agrees to a phased withdrawal of all FRY Forces from Kosovo to locations in Serbia outside Kosovo. FRY Forces will mark and clear minefields, booby traps and obstacles. As they withdraw, FRY Forces will clear all lines of communication by removing all mines, demolitions, booby traps, obstacles and charges. They

will also mark all sides of all minefields. International security forces' ("KFOR") entry and deployment into Kosovo will be synchronized. The phased withdrawal of FRY Forces from Kosovo will be in accordance with the sequence outlined below:

(a) By EIF + 1 day, FRY Forces located in Zone 3 will have vacated, via designated routes, that Zone to demonstrate compliance (depicted on the map at Appendix A to the Agreement). Once it is verified that FRY forces have complied with this subparagraph and with paragraph 1 of this Article, NATO air strikes will be suspended. The suspension will continue provided that the obligations of this agreement are fully complied with, and provided that the UNSC adopts a resolution concerning the deployment of the international security force ("KFOR") so rapidly that a security gap can be avoided.

(b) By EIF + 6 days, all FRY Forces in Kosovo will have vacated Zone 1 (depicted on the map at Appendix A to the Agreement). Establish liaison teams with the KFOR commander in Pristina.

(c) By EIF + 9 days, all FRY Forces in Kosovo will have vacated Zone 2 (depicted on the map at Appendix A to the Agreement).

(d) By EIF + 11 days, all FRY Forces in Kosovo will have vacated Zone 3 (depicted on the map at Appendix A to the Agreement).

(e) By EIF +11 days, all FRY Forces in Kosovo will have completed their withdrawal from Kosovo (depicted on map at Appendix A to the Agreement) to locations in Serbia outside Kosovo, and not within the 5 km GSZ. At the end of the sequence (EIF + 11), the senior FRY Forces commanders responsible for

the withdrawing forces shall confirm in writing to the international security force ("KFOR") commander that the FRY Forces have complied and completed the phased withdrawal. The international security force ("KFOR") commander may approve specific requests for exceptions to the phased withdrawal. The bombing campaign will terminate on complete withdrawal of FRY Forces as provided under Article II. The international security force ("KFOR") shall retain, as necessary, authority to enforce compliance with this Agreement.

(f) The authorities of the FRY and the Republic of Serbia will co-operate fully with international security force ("KFOR") in its verification of the withdrawal of forces from Kosovo and beyond the ASZ/GSZ.

(g) FRY armed forces withdrawing in accordance with Appendix A, i.e. in designated assembly areas or withdrawing on designated routes, will not be subject to air attack.

(h) The international security force ("KFOR") will provide appropriate control of the borders of FRY in Kosovo with Albania and FYROM (1) until the arrival of the civilian mission of the UN.

3. Phased Withdrawal of Yugoslavia Air and Air Defence Forces (YAADF)

(a) At EIF + 1 day, no FRY aircraft, fixed wing and rotary, will fly in Kosovo airspace or over the ASZ without prior approval by the international security force ("KFOR") commander. All air defence systems, radar, surface-to-air missile and aircraft of the Parties will refrain from acquisition, target tracking or otherwise illuminating international security ("KFOR") air platforms operating in the Kosovo airspace or over the ASZ.

(b) By EIF + 3 days, all aircraft, radars, surface-to-air missiles (including man-portable air defence systems (MANPADS)) and anti-aircraft artillery in Kosovo will withdraw to other locations in Serbia outside the 25 kilometre ASZ.

(c) The international security force ("KFOR") commander will control and coordinate use of airspace over Kosovo and the ASZ commencing at EIF. Violation of any of the provisions above, including the international security force ("KFOR") commander's rules and procedures governing the airspace over Kosovo, as well as unauthorised flight or activation of FRY Integrated Air Defence (IADS) within the ASZ, are subject to military action by the international security force ("KFOR"), including the use of necessary force. The international security force ("KFOR") commander may delegate control of normal civilian air activities to appropriate FRY institutions to monitor operations, deconflict international security force ("KFOR") air traffic movements, and ensure smooth and safe operations of the air traffic system. It is envisioned that control of civil air traffic will be returned to civilian authorities as soon as practicable.

Article III: Notifications

1. This agreement and written orders requiring compliance will be immediately communicated to all FRY forces.

2. By EIF +2 days, the State governmental authorities of the FRY and the Republic of Serbia shall furnish the following specific information regarding the status of all FRY Forces:

(a) Detailed records, positions and descriptions of all mines, unexploded ordnance, explosive devices,

demolitions, obstacles, booby traps, wire entanglement, physical or military hazards to the safe movement of any personnel in Kosovo laid by FRY Forces.

(b) Any further information of a military or security nature about FRY Forces in the territory of Kosovo and the GSZ and ASZ requested by the international security force ("KFOR") commander.

Article IV: Establishment of a Joint Implementation Commission (JIC)

A JIC shall be established with the deployment of the international security force ("KFOR") to Kosovo as directed by the international security force ("KFOR") commander.

Article V: Final Authority to Interpret

The international security force ("KFOR") commander is the final authority regarding interpretation of this Agreement and the security aspects of the peace settlement it supports. His determinations are binding on all Parties and persons.

Article VI: Entry Into Force

This agreement shall enter into force upon signature.

Appendices

A. Phased withdrawal of FRY Forces from Kosovo

B. International security force ("KFOR") operations

1. Consistent with the general obligations of the Military Technical Agreement, the State Governmental authorities of the FRY and the Republic of Serbia

understand and agree that the international security force ("KFOR") will deploy and operate without hindrance within Kosovo and with the authority to take all necessary action to establish and maintain a secure environment for all citizens of Kosovo.

2. The international security force ("KFOR") commander shall have the authority, without interference or permission, to do all that he judges necessary and proper, including the use of military force, to protect the international security force ("KFOR"), the international civil implementation presence, and to carry out the responsibilities inherent in this Military Technical Agreement and the Peace Settlement which it supports.

3. The international security force ("KFOR") nor any of its personnel or staff shall be liable for any damages to public or private property that they may cause in the course of duties related to the implementation of this Agreement. The parties will agree a Status of Forces Agreement (SOFA) as soon as possible.

4. The international security force ("KFOR") shall have the right:

(a) To monitor and ensure compliance with this Agreement and to respond promptly to any violations and restore compliance, using military force if required.

This includes necessary actions to:

(1) Enforce withdrawals of FRY forces.

(2) Enforce compliance following the return of selected FRY personnel to Kosovo

(3) Provide assistance to other international

entities involved in the implementation or otherwise authorized by the UNSC.

(b) To establish liaison arrangements with local Kosovo authorities, and with FRY/Serbian civil and military authorities.

(c) To observe, monitor and inspect any and all facilities or activities in Kosovo that the international security force ("KFOR") commander believes has or may have military or police capability, or may be associated with the employment of military or police capabilities, or are otherwise relevant to compliance with this Agreement.

5. Notwithstanding any other provision of this Agreement, the Parties understand and agree that the international security force ("KFOR") commander has the right and is authorised to compel the removal, withdrawal, or relocation of specific Forces and weapons, and to order the cessation of any activities whenever the international security force ("KFOR") commander determines a potential threat to either the international security force ("KFOR") or its mission, or to another Party. Forces failing to redeploy, withdraw, relocate, or to cease threatening or potentially threatening activities following such a demand by the international security force ("KFOR") shall be subject to military action by the international security force ("KFOR"), including the use of necessary force, to ensure compliance.

ENDNOTES

1. The choice of demonym for the peoples originating from the country of Serbia is inherently political. Those that are from Serbia itself are called Serbian, while those that live outside of Serbia are called Serbs. Thus, when discussing the inhabitants of Kosovo, the demonym says much about the ownership of the province. Throughout this case study, the inhabitants of Kosovo of Serbian extraction will be referred to as Serbs, if only because this group also includes many Bosnian Serbs who settled in Kosovo after the war in Bosnia and who would not be considered Serbians. The use of Serbian in this case study refers specifically to persons and entities from Serbia proper, such as Serbian military and police forces.

2. Francis Stewart, "Horizontal Inequalities and Conflict: An Introduction and Some Hypotheses," in *Horizontal Inequalities and Conflict: Understanding Group Violence in Multiethnic Societies*, ed. Francis Stewart (Houndsmills: Palgrave Macmillen, 2008), 7.2008

3. Dick Leurdijk and Dick Zandee, *Kosovo: From Crisis to Crisis* (Aldershot: Ashgate, 2001), 4–8.

4. Židas Daskalovski, "Claims to Kosovo: Nationalism and Self-Determination," in *Understanding the War in Kosovo*, ed. Florian Bieber and Židas Daskalovski (London: Frank Cass, 2003), 15.

5. Ibid.

6. Noel Malcolm, "What Ancient Hatreds?," *Foreign Affairs* 78, no. 1 (1999): 133.

7. Leurdijk and Zandee, *Kosovo: From Crisis to Crisis*, 10.

8. Ibid., 12.

9. Ibid., 12–13.

10. Ibid., 13.

11. Ibid., 14.

12. Ibid.

13. "Constitution of the Federal People's Republic of Yugoslavia," 1946, 5, http://ucf.digital.flvc.org/islandora/object/ucf%3A5164.

14. Lazar Nikolic, "Ethnic Prejudices and Discrimination: The Case of Kosovo," in *Understanding the War in Kosovo*, ed. Florian Bieber and Židas Daskalovski (London: Frank Cass, 2003), 61.

15. Ibid., 62.

16. Ibid., 63.

17. Ministry of Foreign Affairs, Republic of Slovenia, "To the International Court of Justice: Accordance with International Law of the Unilateral Declaration of Independence by the Provisional Institutions of Self-Government of Kosovo (Request for an Advisory Opinion)," July 17, 2009, 12–13, http://www.icj-cij.org/docket/files/141/15696.pdf.11,22]]}},"locator":"12-13"}],"schema":"https://github.com/citation-style-language/schema/raw/master/csl-citation.json"}

18. Article 321 of *The Constitution of the Socialist Federal Republic of Yugoslavia (1974)* created a federal presidency consisting of the presidents of the republics and autonomous provinces (and until 1988 the president of the Communist Party). By revoking the political autonomy of Kosovo and Vojvodina provinces, Milosevic gained control of their presidencies. This gave Serbia and Milosevic the votes of Serbia, Kosovo, Vojvodina, and allied Montenegro and therefore control over the executive branch of Yugoslavia, as the Yugoslav constitution was not rewritten to reflect this new political reality. This power grab was a significant factor in Slovenia's and Croatia's decisions to secede from Yugoslavia. See Metta Spencer, "The Breakup of Yugoslavia," in *Separatism: Democracy and Disintegration*, ed. Metta Spencer (Lanham, MD: Rowman & Littlefield, 1998), 159-182.

19. Military and police forces under the command of Milosevic are alternatively called either Serbian or Yugoslavian. These units were technically Yugoslavian, but were partisan Serbian units. Thus the terms are used interchangeably.

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24. NATO had been concerned that if war was imminent that Serb forces would take OSCE monitors hostage, complicating air operations. Quickly and quietly evacuating the verification mission was essential to preventing this hostage taking and was executed flawlessly.

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27. Alexandros Yannis, "Kosovo: The Political Economy of Peacebuilding," in *The Political Economy of Armed Conflict: Beyond Greed and Grievance*, ed. Karen Ballentine and Jake Sherman (Boulder, CO: Lynne Rienner Publishers, 2003), 170.

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30. Ibid.

31. Lajos Hethy, "Employment and Workers' Protection in Kosovo," *SEER: Journal for Labour and Social Affairs of in Eastern Europe* 3, no. 2 (2000): 9.

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107. Each contributing member state had their own national command authority, but we focus here only on the United States.

108. As the commander of Strike Force South, Murphy also served as the Joint Force Maritime Commander. Similarly, Short was also the Combined Joint Force Air Component Commander.

109. The Department of Defense "Report to Congress" lists LTG Jackson as the CFLCC commander, but all other literature suggest that he never officially filled this role and was never designated as such, serving exclusively as the ARRC commander. Nardulli et al. (113-14) discuss this failure during Operation ALLIED FORCE and its implications.

110. Strategic aircraft consisted of the B-1, B-2, B-52, F-117, E-3C, KC-135, and reconnaissance aircraft. All other aircraft were attached or OPCON to AIRSOUTH directly.

111. Department of Defense, "Report to Congress: Kosovo/Operation ALLIED FORCE After-Action Report," 20.

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114. Ibid., 21.

115. Ibid.

116. Ibid., 20.

117. Ibid., 22.

118. Nardulli et al., *Disjointed War: Military Operations in Kosovo, 1999*, 24.

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121. Ibid., 206.

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123. Lambeth, *NATO's Air War for Kosovo*, 24.

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126. Ibid., 32–33.

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130. Ibid., 40–41. This particular weapon, the CBU-104, was used on five transformer yards on May 3, 1999, causing 70 percent of Serbians to lose their electricity.

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137. Nardulli et al., *Disjointed War: Military Operations in Kosovo, 1999*, 43.

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142. Posen, "The War for Kosovo," 79–80.

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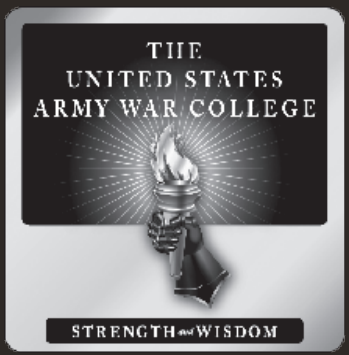

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