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Evaluation of the Kosovo War

The question guiding my evaluation of NATO's Operation Allied Force, the bombing campaign against the Federal Republic of Yugoslavia that began March 24 and ended June 12th, 1999, is: "Is this how to approach and solve the kind of problem represented by the conflict over Kosovo?" NATO officials declared the operation a success, but they redefined their goals and criteria for success so often during the campaign and after that it is difficult to know what they mean by success.

I will attempt to answer the question in five parts, leaving a sixth – relations between the western powers and Russia – to Nadia Arbatova. Those five are: the idea that by March 24th, NATO powers had no alternative but to bomb; the authority to use military force; the concept of humanitarian intervention in a case of political conflict between two or more peoples over one territory; asymmetric warfare; and whether we do now have a solution to the conflict.

The overwhelming reaction within NATO countries toward the operation was to believe that it was not only legitimate but necessary. There appear to be two camps: those with no qualms about the decision to bomb and even to carry it on for eleven weeks, many of whom actually welcomed and rejoiced in that decision, and those who retain doubts about the means used and the way the decision was taken, but who nonetheless accept it as a necessary evil on the grounds that all other alternatives had been exhausted. Representative of this second camp is Oxford professor of international relations and law, Adam Roberts, writing in *Survival*.¹ With the failure of the negotiations sponsored by the U.S., U.K., and France between Yugoslav and Albanian representatives at Rambouillet, France, he argues, there was "no alternative" left but to bomb. But anyone who followed those negotiations, their prelude during 1998 in the shuttle diplomacy of U.S. Ambassador to Macedonia,

¹ Adam Roberts, "NATO's 'Humanitarian War' over Kosovo," *Survival*, vol. 41, no. 3 (Autumn 1999).

Christopher Hill, and similar conflicts over territory (such as the Israeli-Palestinian conflict) could see quite easily that this is nonsense. One cannot expect to solve in a few weeks' time, particularly under the threat of bombing against one side, what had been ignored for ten years (or twenty, if one dates the start of the current phase of conflict over Kosovo not to the reduction in Kosovo's autonomy in 1989 and subsequent direct rule by Belgrade, but to the student riots of 1981 demanding a separate federal republic).

There were plenty of alternatives, and publicly known. The issue instead was impatience on the part of the major powers. Once the American secretary of state and the British foreign secretary, the two most vocal players at the time, had chosen to engage rhetorically at the level they did, they did not want to risk the political costs of the delays faced by the EU and UN envoys in their negotiations on Bosnia and Herzegovina. Even more important, the issue was credibility – credibility of the most powerful military alliance in the contemporary world, the North Atlantic Treaty Organization (NATO). NATO's threat to bomb Yugoslavia in order to force Yugoslav President Slobodan Milosevic to conclude a political agreement with Kosovar Albanians had been issued already in June 1998, eight months' before the Rambouillet meetings, and it had also been repeated several times. At some point, the credibility of the threat depended on NATO states' willingness to follow through.

In contrast to those who refer to the NATO operation, and the bombing of Bosnian Serb military installations in August-September 1995 on which the threat was modelled, as demonstrations of the effectiveness of coercive diplomacy – that diplomacy must be backed by the threat of force if it is to succeed – the NATO threat was issued *before* the diplomatic process had even begun. There were no ongoing negotiations, and no proposed political agreement, to make credible with the threat of force. Once they began in the fall of 1998, moreover, it was the Albanian side that refused to participate because Belgrade would not first meet their precondition, that all Yugoslav security forces leave the province (which in Belgrade's eyes would be a total concession on the issue that was to be the subject of negotiations, Kosovo's status in relation to Yugoslav sovereignty). In addition to the vital loss of time between June 1998 and late October 1999 when the cart of force was running ahead of the horse of diplomacy, any threat separated from the diplomatic process and not issued against the recalcitrant party but against the one that was, at least publicly, willing to negotiate, had no credibility from the start.

In fact, the NATO threat never was addressed to the Kosovo conflict. It was an attempt to compensate for the failure to bring an end to the war in Bosnia sooner – an attempt to erase the sense of guilt among many American and European leaders – and to demonstrate, under a new NATO Secretary General and new American foreign policy team in Brussels and Washington, that NATO could and would act this time. Its credibility as the preeminent European security organization, at the very moment when it was preparing to celebrate its fiftieth anniversary with a new strategic doctrine appropriate to its new role after the cold war and a NATO summit in Washington in April 1999, was felt to be on the line. And for leading proponents of bombing, such as U.S. secretary of state, Madeline Albright, it was about a personal animosity that had overflowed its bounds against Slobodan Milosevic and his apparent defiance of American will and international law. It was time to get rid of him definitively.

Perhaps the most telling evidence that the NATO bombing was *not* about the Kosovo conflict or the initially announced goal of preventing a humanitarian catastrophe is that there was no humanitarian catastrophe until the bombing operation began. The horrendous campaign of expulsion and ethnic cleansing was a *consequence*, not a cause, of Operation Allied Force. Sadly, moreover, the effect of NATO's trumpeting of success, including the now conventional wisdom that by March 24 there was no alternative (such as a genuine negotiations process, incentives to either or both sides to negotiate an agreement, or even ground troops sent in under terms acceptable to Belgrade), has been to divert attention from the development of diplomatic tools that are appropriate to the tough conflicts like Kosovo which have no easy solution. What does the argument that bombing was the only alternative by March 1999 say about Chechnya, Dagestan, Kashmir, East Timor, Aceh or Irian Jaya (both in Indonesia), or the Kurdish problem of southeastern Turkey?

The second aspect of evaluation concerns the forceful violation of a state's sovereignty. There is no doubt that the international use of force must be considered under some domestic circumstances if humanitarian principles are to be upheld. In circumstances where the likely outcome of a referendum or a political agreement is opposed by a minority willing to use force to prevent losing – as was the case with the referendum in Bosnia in February/March 1992, that in East Timor in 1999, the one proposed by the Rambouillet proposals in February 1999, and appears to have been the case with Arusha agreement of 1994 in Rwanda – then it is more than irresponsible not to pre-

pare for such a scenario. Why, in each case including the negotiations over Kosovo at Rambouillet, was deployment of peacekeeping troops not considered a necessary part of the policy package of an internationally assisted referendum? Why is it legitimate to send in troops after a war but not preventively, in advance? Why, in the case of Kosovo, was the threat of bombing issued against those who would lose as a result of internationally mediated negotiations (Serbia) but who were on the ground in a position to do the damage that did occur, and at the same time to propose sending ground forces *after* such a loss that would intensify the reduction of Serbian sovereignty by insisting that they agree to give NATO temporary but total control of all ground and air lines of communication into and out of Serbia?

There is a reason, furthermore, why the major powers after world war II made the United Nations Security Council the one body with the authority internationally to authorize the use of force. Even NATO states which violated international law through the bombing campaign, on the grounds that the egregious repression of human rights of Albanians in Kosovo province justified intervention into Yugoslav sovereign territory, took pains to argue that the use of military force in this intervention *had been* authorized by the Security Council in its resolution of 23 September 1998. Operation Allied Force, they insisted, was only an implementation of UNSCR 1199 which had called on Yugoslav forces to cease military action, withdraw to force levels in the province of February 1998, and allow complete access for humanitarian organizations – although it had explicitly *not* used the standard formula authorizing force, that of “all necessary means.”

The dubious legality of Operation Allied Force (international lawyers tend to agree that the action was illegal, but many of them say it was nonetheless legitimate) means that there now no longer exists any check on the use of force internationally. And this lack of an institutionalized check can work both ways. It applies not only to the NATO states who usurped this authority, but to all member states of the United Nations. There is now much open talk by leaders who fear their country might someday be vulnerable to such intervention about their need to find an effective deterrent. In a contest so asymmetric as that between NATO and any non-NATO state, that means obtaining or deploying nuclear weapons.

Even the lesson drawn by European members of NATO from Operation Allied Force is to increase remilitarization. They did not conclude, as I think they should, that there should now be a more earnest search for methods of

conflict prevention or for diplomatic tools appropriate to these conflicts. Rather, the operation demonstrated the enormous gap between American military capabilities and theirs and the need to fill that gap. Their response has been to increase expenditures on military equipment and armaments to make their national armed forces more *compatible* with that of the United States, particularly in logistics and lift – only a decade after the end of the Cold War had seemed to usher in an era of declining military budgets and arms races.

A third aspect in evaluating the Kosovo war is the lesson for a wide range of possible insurgents that the NATO campaign has reinforced. In Slovenia, Croatia, Bosnia and Herzegovina, and now in Kosovo, the lesson is: those who are willing to resort to violence in pursuit of their political goals win. The Albanian nationalists seeking Kosovo's independence even learned successfully a particular strategy that appears to win with the major powers. Find a way to create victims in one's own population and gain substantial media coverage of those victims, and the chances of gaining humanitarian intervention in support of one's cause appears to be good. The KLA drew that lesson from the previous Yugoslav conflicts and were rewarded.

Unfortunately, the very nature of such a public relations campaign and media coverage then sharply limits reasoned policy and policy flexibility, including the independent role that expertise should play in policy deliberations. If the media pressure and the rhetoric attempting to legitimize the Kosovo war encourage greater willingness to use military force in the future, then this reduced scope for reason and flexibility is worrisome indeed. It implies only two policy choices: either a resort to military force of a kind that powers like the United States are willing to exercise (such as aerial bombing that does not risk soldiers' lives), rather than a kind appropriate to the particular instance and objectives, or far less willingness to intervene at all where major powers perceive no strategic interests because less costly choices have been eliminated early (as in many of the African cases).

Fourth, the Kosovo war illustrates that the asymmetric nature of such interventions is more complex than NATO propaganda suggests. The asymmetry gave advantages, as military theorists remind us, to the weaker parties on their home ground, such as the ability of Serbian forces to escape major damage and the huge boost given to the military and political fortunes of the Kosovo Liberation Army (KLA) over the future of Kosovo including in competition with local rivals. The asymmetry is also composed of multiple layers,

making it nearly impossible for NATO to control the course of the campaign and its outcomes. NATO kept regaining the initiative only by increasing the range of targets and amount of firepower it was willing to entertain, not by reducing the harm to the populations of Kosovo.

The war stimulated a vast increase in weapons flowing into the region, primarily through Albania into Kosovo, but also from Kosovo across the border into Macedonia (and stockpiled for future war) and even through refugees and criminal networks into western Europe (as has been recorded in Britain, for example). The consequences for violence against the non-Albanian population of Kosovo was immediately apparent in the first weeks of the U.N. provisional administration and NATO ground deployment as a peacekeeping force (KFOR). Moreover, the claim that for the first time in history, air power alone was sufficient is simply false. As in Bosnia and Herzegovina in 1995, ground troops were essential to the eventual success (i.e., termination) of the operation, but they were provided by the insurgents. NATO countries trained and equipped KLA units in Albania in the course of the campaign to provide the ground portion of the operation, raising thereby an entirely new set of problems for the future of Kosovo. And the fact that Yugoslav forces withdrew under a political agreement with NATO, rather than through the NATO destruction promised during the campaign by Supreme Allied Commander for Europe, General Wesley Clark, left some NATO officials, above all General Clark, convinced that the primary threat to Kosovo Albanians *remained* Yugoslav security forces after the campaign ended. This required, in their reasoning, the creation of a local *deterrent force* for the day when NATO forces withdraw. Despite the "undertaking for demobilization" of the KLA signed with NATO, they set about transforming the KLA into a deterrent force for a future Kosovo, now called the Kosovo Protection Corps.

Finally, fifth, did Operation Allied Force solve anything? Here the answer is a clear no. Insisting that this was a humanitarian intervention, not one to support Albanian political aspirations, NATO powers wrote a UN resolution that leaves Kosovo stranded between independence and autonomy in Yugoslavia, an ambiguous way-station that is not stable. The operation itself destroyed the last elements of equilibrium in the southern Balkans. The independence of Montenegro from Yugoslavia, which was supported and even urged as a way to put additional pressure on Milosevic, is a new element seriously complicating both political stability in the region and a resolution for the future status of Kosovo itself. The massive support for the Albanian

cause in Kosovo emboldened Albanians in neighboring Macedonia, while the clear international support for some form of enhanced political autonomy, even if it does not yield independence in the short run, presents the greatest possible threat to the territorial integrity of Macedonia. The NATO operation, in other words, has only opened the next stage of the Yugoslav wars of succession and Balkan conflict.