

Air Strikes and Rambouillet

To bomb Yugoslavia without the consent of the UN is a military aggression violating international law. This serious step is justified by a rhetorical question: Can we really allow a European state to use tanks and artillery against its own population, force people to flee their homes, burn down their houses, and kill innocent civilians?

If the question is posed in this manner, the answer is self-evident. The obvious counter-question, however, is whether this is a comprehensive account of what is going on in and around Kosovo.

For several years a guerilla war has been waged. It was started by the Kosova Liberation Army when, after the Dayton Accord, it was finally made clear that Kosovo would not obtain independence. The explicit goal of the guerilla war was to liberate Albanian-dominated areas in Macedonia, Montenegro, and Serbia, in order to create a unified Albanian state. Thereby the historical injustice done to the Albanian people in 1913 would be corrected.

The guerilla movement has consistently worked for its goal by 1) terrorist acts against Albanian and Serb civilians; 2) attacks on police patrols, official institutions, Serb refugee camps, and military personnel; and 3) using civilians as a buffer.

The main strategy has been to provoke the Serbs into actions that would cause a strong international reaction, preferably a military intervention, which would give the Kosovo Albanians a state which they at the moment are unable to establish on their own. It should be added that this is a completely rational strategy on the part of the guerillas. The KLA has very skillfully employed the means at its disposal: military, political, diplomatic, and media.

No one could defend the massacres committed by Serbs forces in Kosovo. Even if guerilla bases are located in villages, it is unacceptable that civilians or prisoners are being deliberately killed, which has happened on several occasions. However, equally unacceptable are the murders of civilians, committed by the KLA, systematically and in great number. Normally a state has the right to defend itself against such attacks.

The international community has been shocked by Serb offensives but has tended to shut its eyes to the fact that in many cases these offenses have been an answer to guerilla actions. As Timothy Garton Ash writes in his famous article (*New York Review of Books*, January 1999), the guerilla has the initiative, the KLA decides about war and peace. In fact, there were no large-scale military campaigns in Kosovo before the guerrilla attacks begun. (According to Amnesty International between 1995 and 1997 14 Albanians died in unclear circumstances or when in

custody. At the same time 28 people lost their lives in guerrilla attacks. 22 of the victims were civilians; of these 15 were Albanians.)

Trying to handle the situation, the international community put strong pressure on the Milosevic regime, while explaining that an independent Kosovo is out of the question. At the same time no efforts were undertaken to curb the activities of the KLA.

It would have been natural to cut the supply lines of the guerilla, to stop support coming from Albania, and to block access to KLA economic resources in Western Europe. Such a policy would have diminished military tensions in the area, and, above all, given the pressure on Serbia a strong moral justification.

The United States, however, categorically refused to participate in such a policy. Instead, under the threat of bombs, it forced Serbia to accept the Holbrooke - Milosevic agreement in October 1998, which meant that Yugoslav security forces were either withdrawn from Kosovo or returned to their barracks. After that, the guerrillas recaptured most of the areas they had lost in the summer of 1998 and resumed military actions both in Kosovo and on the border between Yugoslavia and Albania.

After the events in Racak the international community issued an ultimatum to “both parties”. If they did not sign the agreement formulated by the USA, NATO would bomb Serbia. It is obvious to everyone that this is an unusual strategy in negotiations. How could you resolve a conflict by threatening one of the parties with exactly those sanctions that the other party has been constantly demanding and consciously tried to provoke?

The breakdown in Rambouillet was followed by disquieting and distasteful manipulations of public opinion. On the one hand, the Serbian refusal to sign the agreement has been presented as an unreasonable obstruction to what the foreign ministers of the EU countries referred to as a “balanced agreement”. On the other hand, the Albanian signature is described as a major concession. They gave up independence and obtained only “enlarged self-rule” or “autonomy”.

To anyone who has read the Rambouillet document, this description of its character seems utterly dishonest. The *interim agreement* without any doubt means that Yugoslavia more or less immediately will give up its control of Kosovo, and in three years agrees to accept a *final settlement* depending on the *will of the people*.

Nowhere in the agreement is Kosovo's relationship to the Yugoslav Federation or the Republic of Serbia constitutionally defined. Neither does it say that Kosovo is a part of Yugoslavia. The word autonomy is not even mentioned. True, in some places there are formulations to the effect that the sovereignty and territorial integrity of Serbia/Yugoslavia should be respected, but in view of other clauses and

the text as a whole this is of no importance. A remarkable detail, by the way, is the fact that the Federal Republic of Yugoslavia, the Republic of Serbia, and Kosovo are supposed to be signatories of the agreement. This would actually mean that Kosovo is already not a part of the Yugoslav State.

Another problematic aspect is the insufficient protection of the Serbs and other ethnic minorities. As in Dayton, the Americans have simply forgotten the language issue. In this case it would be natural that Kosovo is bilingual according to principles similar to those in Finland. That would however be contrary to the idea of Kosovo as an Albanian state, and in general the constitutional mechanisms are such that an Albanian parliamentary majority would rather easily push through solutions that are contrary to the interests of the Kosovo Serbs. While it is true that the agreement verbally provides for the protection of minority culture and language, the formulations remind one of the rights of immigrant groups in the US.

You could go on, item for item, and, unfortunately, the Rambouillet document must be regarded as a sloppy piece of work which does not even try to find a solution to this complex problem. In addition, the textual changes that were made by the end of February are one-sided, merely satisfying Albanian interests.

Furthermore, the agreement was apparently not even discussed in Rambouillet, as the Albanians consistently refused to sit at the same negotiating table as the Serbs. It is obvious that no government would sign such a document, and it is very strange that European politicians should endorse the text. The only reasonable explanation would be that they have not read it.

By forcing the secession of a minority-dominated territory in a sovereign state, a precedent is set which might have far-reaching consequences. Although the Albanians constitute 80-90 percent of the population in Kosovo, their share of Serbia's population is 17 percent. What are the implications for a country like Macedonia? If ethnic criteria were used, as they have been in this case, the Albanian demands on Macedonian territory would be even more justified, since the percentage of Albanians in that country is much higher than in Serbia.

Above all, the agreement is contrary to the central principle behind the resolution of the Bosnian conflict: the borders of the former Yugoslav republics must not be changed. Programs to integrate Serb or Croat areas into larger national states have been considered both illegitimate and impossible. This seems now to have been forgotten. With the help of bombs, the international community is trying to promote a solution, which means that, on grounds of principle, it could hardly oppose the partition of Bosnia or Macedonia.

It is true that the Serb negotiators have stubbornly clung to cultural autonomy as defined in the present constitution of Serbia. In that situation one argument might have been that the Albanians of Kosovo must be given the same rights as the Serbs

in Bosnia. That argument is now impossible to use, since the international community is acting against the very principles it formulated in the autumn of 1995.

In practice, the United States has been acting as an ally of the guerrilla. This was made perfectly clear by some remarkable statements made by Madeleine Albright after the unsuccessful Rambouillet meeting. The Albanians were urged to sign the agreement, in order to make the situation "black and white" again. If they refused, the United States would "withdraw its support" and stop the inflow of weapons. What this means is, first, that an agreement was formulated which in reality would be unacceptable to the Serbs, and, second, that the US could have taken action against the guerrilla if it had wanted to do so.

Leading politicians are now declaring that they were forced to bomb in order to save human lives. The cynicism of this argument is shocking. The only possible military solution would be to enter with ground troops and fight both the guerrilla and the Yugoslav army. As the United States is not prepared to do this, the whole strategy is built on the assumption that Milosevic will give in. If he refuses, NATO will have to escalate the air strikes to an extent that would cause enormous material damage and loss of civilian lives in Serbia. The effects in Kosovo, however, will at least initially be negligible. Instead the door is opened to a bloodbath that will make the violence in Bosnia look pale.

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