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The Kosovo War, Round One: 1998**

I. Introduction

Kosovo – in Albanian Kosova – is an administrative unit of 10,887 square kilometers (4.252 square miles) consisting of 29 municipalities in the South-western corner of the Republic of Serbia within the Federal Republic of Yugoslavia (FRY, Serbia–Montenegro).

There are no reliable statistical data on the current number, ethnic structure, and mobility of the population of Kosovo. The last census taken in the Socialist Federal Republic of Yugoslavia (SFRY) in 1991 was boycotted by Kosovo Albanians. According to incomplete official Serbian statistics, in 1991 out of 1,954,747 inhabitants of Kosovo 1,607,690 (82.2 per cent) were Albanians, 195,301 (10.0 per cent) Serbs, 57,408 (2.9 per cent) Southslav-speaking Muslims, 42,806 (2.2 per cent) Roma, 20,045 (1.0 per cent) Montenegrins, 10,838 (0.6 per cent) Turks, and 8,161 (0.4 per cent) Croats.¹ An estimated 85 per cent of the population in Kosovo are Muslims, the rest Christian Orthodox and a small Catholic community. Kosovo Albanians are the "youngest" people of Europe: 45 per cent are under the age of 18, and 70 per cent under 30. Kosovo has the highest birth rate in Europe (23.1 per 1000 in 1989) and also the highest infant mortality rate (27.8 per 1000 live births).²

From 1991 to 1994, an estimated number of 400,000 Kosovo Albanians have left Kosovo for political reasons for Switzerland and the European Union, in particular, Germany, Austria and Sweden.³ By the end of 1995, 340,700 Kosovo Albanians had sought political asylum outside the FRY.⁴

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¹ Cf. tables 14, "The number and ethnic structure of the population of Kosova according to municipalities in 1991 (the number of Albanians is according to estimates)", and 15, "The ethnic structure of the population of Kosova according to municipalities in 1991", in: Pushka, Asllan: *Kosova and Its Ethnic Albanian Background: An Historical-Geographical Atlas*, trans. Muhamet Hamiti (Prishtina: Qendra për Informim e Kosovës, 1996), pp. 21–22.

² *Kosovo Spring. The International Crisis Group Guide to Kosovo* (Brussels: International Crisis Group, 1998), p. 16.

³ *Der Fischer Weltatmanach 1998*, ed. Mario von Baratta (Frankfurt/M.: Fischer Taschenbuchverlag, 1997), col. 395.

⁴ Cf. Parliamentary Assembly of the Council of Europe, 1996 Ordinary Session, 5th Sitting: *Resolution 1077 (1996) on Albanian asylum-seekers from Kosovo*, Strasbourg, 24 January 1996, para. 3.

According to UNHCR estimates and figures given by the governments of Albania and Montenegro, the Kosovo War of 1998 resulted in the flight of another 98,100 Kosovo Albanians to Montenegro (42,000), Albania (20,500), other parts of Serbia (20,000), Bosnia-Herzegovina (8,600), Macedonia (3,000), Slovenia (2,000) and Turkey (2,000). 200,000 Kosovo Albanians were dislocated within Kosovo.⁵ There were also population movements on behalf of Serbs and Montenegrins in Kosovo. In-between 1991 and 1996, some 19,000 Serbian refugees from Bosnia, the Krajina and other parts of Croatia were resettled in Kosovo⁶, whereas in 1998 c. 20,000 Kosovo Serbs fled or were forced to leave the region for the interior of Serbia.⁷ Already in the spring of 1997, almost the entire Croat population of Kosovo had emigrated to Croatia.⁸

The conflict between Serbs and Kosovo Albanians over Kosovo is a territorial one with strong ethnopolitical, cultural and linguistic connotations. Considerably less prominent are economic factors and the religious dimension. The claims on the entire territory of Kosovo by Serbian nationalism and the present Serbian régime are based on historical arguments, since from the 12th to the 15th centuries, Kosovo formed the core of medieval Serbia. Albanian nationalism and the Kosovo Albanian élite also argue in historical terms referring to an ancient Albanian state called Illyria and covering the whole territory of Kosovo. In addition, both sides stress ethnodemographic factors like continuous Serbian settlement from the Great Migration of Peoples to the 1990s or continuous Albanian settlement from antiquity to the present.⁹ Both sides favor solutions to the conflict which are incompatible: Serbia opts for the preservation of the status quo including a continuation of outward migration by Kosovo Albanians – be it as a result of political repression, economic crisis or ethnic cleansing. By now, Kosovo Albanians can no longer imagine a future inside Serbia or even the FRY – they opt for external self-determination in the form of independence or an *anschluss* to Albania. In pursuing their strategic aims, the two sides apply different political tactics. Belgrade depicts the conflict as an internal affair between legitimate state organs and an illegal separatist movement using terrorist means. Accordingly, any attempt at an internationalization in the form of foreign intervention or even mediation by third parties as well as any talk on what the West called "enhanced status", "meaningful autonomy", "third republic" is vehe-

⁵ United Nations High Commissioner for Refugees: UN Inter-Agency Update on Kosovo Situation Report Period Covered: 14-20 October 1998, Prishtina, 22 October 1998, p. 4, <<http://www.reliefweb.int>>.

⁶ Malcolm, Noel: *Kosovo: A Short History* (London, New York, NY: Macmillan and New York University Press, 1998), pp. 352-353.

⁷ Reuter, Jens: Die internationale Gemeinschaft und der Krieg in Kosovo, in: *Südosteuropa*, vol. 47, 1998, no. 7-8, p. 293; Dinmore, Guy: Kosovo Serbs flee war in their ancestral homes, in: *Financial Times*, 21 May 1998, p. 2.

⁸ Vickers, Miranda: *Between Serb and Albanian: A History of Kosovo* (London, New York: C Hurst and Columbia University Press, 1988), pp. 307-308.

⁹ Cf. Malcolm, *op. cit.*; Vickers, *op. cit.*

mently refused – not to mention at all a voluntary change of borders. All Kosovo Albanian political actors strive at an internationalization of the conflict in the form of military intervention and third-party mediation on track one and two. Serbian rule over Kosovo is depicted as an occupation régime denying basic human and minority rights to the Albanian majority there.

From February to October 1998, a war-like armed conflict between a Kosovo Albanian guerrilla formation rapidly growing in strength called "Kosova Liberation Army" (Ushtria Çlirimtare e Kosovës, UÇK) on the one side and regular units of the Army of Yugoslavia (Vojska Jugoslavije, VJ), regular Serbian police plus three specialized police forces of the Public Security Service inside the Ministry of the Interior of the Republic of Serbia (Služba javne bezbednosti Ministerstva unutrašnjih poslova Republike Srbije, MUP), *i.e.*, the Special Purposes Police Units (Jedinice posebne namjene policije, JPNP), also called "Red Berets", the Special Anti-Terror Units (Specialne antiterorističke jedinice, SAJ), and the Special Police Unit (Posebna jedinica milicije, PJM), on the other¹⁰ took place in Central and Western Kosovo. Fighting resulted in the killing of more than 100 Serbian police officers, some 40 army soldiers and an unknown number of Montenegrin and Serbian civilians as well as in c. 1,500 casualties on the Albanian side¹¹, several thousands of wounded as well as a material damage of yet unspecified dimension. Estimates on the number of houses rendered uninhabitable vary between 20,000 and 45,000.¹²

II. Conflict in Kosovo: Roots and Reasons

The Kosovo War of 1998 is a consequence of a wider Albanian Question in the Southern Balkans. This knot of territorial and ethno-political problems emerged in the late 19th century along with the Macedonian Question and the Aromanian Question as a by-product of the epochal process of the disintegration of the Ottoman Empire called the Eastern Question. Since the Albanian lands as well as the Albanian political élite were much firmer integrated into

¹⁰ For detailed information on MUP and its units cf. The Federation of American Scientists' Intelligence Resource Program, <<http://www.fas.org/irp/world/serbia>>.

¹¹ Rüb, Matthias: Im Kosovo sind ganze Landstriche entvölkert, in: *Frankfurter Allgemeine Zeitung*, 6 October 1998, p. 3; cf. also Loza, Tihomir: A Milosevic for All Seasons, in: *Transitions*, vol. 5, 1998, no. 10, October, p. 38. – A Kosovo Albanian NGO gives for the period mid-January to end-October 1998 a figure of 1,770 Albanians "killed by Serbian forces of whom 1,341 are identified and 429 unidentified, 203 are women and 193 are children." Cf. Council for the Defence of Human Rights and Freedoms in Prishtina: Report on the Violation of Human Rights and Fundamental Freedoms in Kosova during October 1998, Prishtina, 6 November 1998, <<http://albanian.com/kmdlnj/showdoc.cgi?file=english/mujore/10en.htm>>.

¹² Hiatt, Fred: Strong Talk About Kosovo Was Just Talk, in: *International Herald Tribune*, 1 September 1998, p. 8; Rüb, *loc.cit.* – According to a Balkan specialist, in the 1998 Kosovo War "the most devastating weapons of all [proved to be] cigarette lighters". Cf. Judah, Tim: Impasse in Kosovo, in: *The New York Review of Books*, vol. 45, no. 15, 8 October 1998, p. 4.

the Sultan's realm than their Greek, Slav and other neighbors, they developed their own national movement much later than these others. Thus, when Turkey-in-Europe was finally divided up among the Balkan states in the wars of 1912 and 1913, Albanians were the last to achieve – with the decisive help of the Great Powers – their own nation-state.

Yugoslavia I & II, 1912/18-1991

The newly founded Kingdom of Albanian had about the size of today's Republic of Albania and thus left half of the Albanian population outside its borders. Considerable Albanian-speaking minorities were to be found in Montenegro (around the town of Ulqin on the Adriatic), Serbia (Kosovo and Polog, *i.e.*, the Western part of Vardar Macedonia), and Greece (Çamëria region in the Epirus Mountains).¹³ Having been a Serbian-dominated province of the Kingdom of the Serbs, Croats and Slovenes throughout the entire interwar period, in spring 1941 Kosovo together with Western Macedonia was united with the territory of the former Kingdom of Albanian, which in 1939 had been annexed by Italy. This situation ended in the fall of 1943 when Italy dropped out of World War II. In 1944, Kosovo became part of the Serbian Republic inside postwar-Yugoslavia while Western Macedonia was allotted to the new Yugoslav Republic of Macedonia. In 1945, within Serbia an Autonomous Province Kosovo-Metohija (abbreviated Kosmet in Serbian¹⁴) was created. In 1963, this rather low degree of autonomy was considerably upgraded, and the so-called Tito Constitution of 1974, which would remain in force until the break-up of the second Yugoslavia, granted Kosovo *de facto* federal status and gave it the right to its own constitution. The Kosovo Albanian demand for *de iure* republican status was, however, denied by Belgrade. In 1968, 1975 and, in particular, 1981, severe clashes between Kosovo Albanian demonstrating for a Republic of Kosovo as constituent part of the SFRY and Serbian police took place.¹⁵

The accession of Slobodan Milošević to power in Serbia in September 1987 brought a new stage of escalation in Kosovo. In the summer of 1988, the new strong man pushed through a bill declaring Serbian the official language of Kosovo, thereby banning the use of Albanian for official business. At the same time, the first mass rallies of Serbs demanding the abrogation of

¹³ Schukalla, Karl-Josef: Nationale Minderheiten in Albanien und Albaner im Ausland, in: *Albanien* (Südosteuropa-Handbuch, VIII), ed. Klaus-Detlev Grothusen (Göttingen: Vandenhoeck & Ruprecht, 1993), pp. 505-528; Troebst, Stefan: Still Looking for an Answer to the 'Albanian Question', in: *Transition*, vol. 3, no. 4, 7 March 1997, pp. 24-27; figure 'Ethnic Albanians in Southeastern Europe', *ibid.*, p. 25.

¹⁴ While there is a geographical equivalent to the term "Kosovo and Metohija" in the Albanian language – *Kosova dhe Rrafshi i Dukagjinit* – in political terms it is resented as partitionist by the Albanians. For them, *Kosova* covers both the Eastern and the Western half of the region.

¹⁵ Reuter, Jens: *Die Albaner in Jugoslawien* (München: R. Oldenbourg, 1982); Roux, Michel: *Les Albanais en Yougoslavie. Minorité nationale, territoire et développement* (Paris: Editions de la maison des sciences de l'homme, 1992).

the autonomy of Kosovo and Vojvodina took place. And in November 1988, Milošević engineered the resignation of the popular Azem Vllasi from the leadership of the League of Communists of Kosovo and installed Rahman Morina as his puppet. Protests and demonstrations on behalf of Kosovo Albanians culminated in February 1989 in a hunger strike of more than one thousand miners at the Trepça lead and zinc mining and processing complex. Belgrade sent in the army and federal police and imposed emergency measures.¹⁶ Already on 24 January 1989, a demonstration for "Kosova – Republika!" had taken place in Prishtina. In March 1989, the Serbian Parliament adopted amendments to the Serbian constitution in order to change the status of Kosovo. With what Belgrade called "the 1989 Reform"¹⁷ a fake autonomy was decreed. Under great intimidation by secret police and severe political pressure from Belgrade, the Kosovo Assembly voted on 23 March with 168 to 10 in favor of these amendments (two abstentions). There are, however, serious doubts as to whether this officially announced voting result corresponded to what happened during the voting. This triggered off mass demonstrations by Albanian protesters which were brutally answered by Serbian security forces resulting in an unknown number of casualties. On 28 June 1989, the traditional Serbian St. Vitus Day (Vidovdan) and the 600th anniversary of the historical Battle between the Ottoman conqueror and a pan-Balkan force in 1389 on the "Field of Blackbirds" (Kosovo polje), Milošević addressed a rally of several hundreds of thousand Serbs at Gazimeštan near Prishtina (Priština). In an inflammatory nationalist and anti-Albanian speech he called for the re-Serbianization of Kosovo. Mass demonstrations of Albanians and violent clashes with the police went on for all of 1989 and the spring of 1990, culminating in late January with a death toll of at least 27 Albanians.¹⁸

In the meantime, the Kosovo Albanian political élite was searching for new forms of organization and resistance. On 24 December 1989, the "Democratic League of Kosovo" (Lidhja Demokratike e Kosovës, LDK) was founded by the Chairman of the Writers' Union of Kosovo Ibrahim Rugova who rallied the majority of the 180 members of the Kosovo Assembly behind him. On 2 July 1990, 114 ethnic Albanian delegates of the Assembly met and declared Kosovo an "independent and equal entity within the framework of the Yugoslav federation (confederation) and as an equal subject with its counterparts in Yugoslavia"¹⁹ – a secession from Serbia, not, however, from

¹⁶ Ramet, Sabrina P.: *Whose Democracy? Nationalism, Religion, and the Doctrine of Collective Rights in Post-1989 Eastern Europe* (Lanham [etc.]: Rowman & Littlefield, 1997), p. 147.

¹⁷ Rajović, Radošin: Constitutional Development from Autonomy to the 1989 Reform, in: *Kosovo. Past and Present*, ed. Ranko Petković (Belgrade: Review of International Affairs, [1989?]), pp. 161-174.

¹⁸ The conflict in Yugoslavia – a chronology, in: *The 'Yugoslav' Crisis in International Law: General Issues* (Cambridge International Document Series, vol. 5). Part I, eds. Daniel Bethlehem and Marc Weller (Cambridge: Cambridge University Press, 1997), p. xxi.

¹⁹ Constitutional Declaration of the Assembly of Kosova, Prishtina, 2 July 1992, in: *The Truth On Kosova*, ed. Academy of Sciences of the Republic of Albania, Institute

Yugoslavia. Already on 26 June 1990, however, the Assembly of the Republic of Serbia had decided to temporarily close down the Kosovo Assembly and to proclaim a state of emergency over Kosovo. On 5 July 1990, this decision was made a permanent one, and simultaneously a "special administration" for the province was set up. Milošević managed to intimidate even the members of the Collective State Presidency of the SFRY to such a degree that they "condemned" the declaration of independence by the disbanded Kosovo Assembly.²⁰

The dismissal of some 15,000 Kosovo Albanians from their jobs resulted on 3 September 1990 in a general strike with a participation of up to 200,000 people. Serbian authorities retaliated by preventing the return of the strikers to their work places. On 7 September, 111 Albanian, Turkish and Muslim delegates of the disbanded Kosovo Assembly convened secretly in Kaçanik and promulgated on 13 September the Constitution of the Republic of Kosova.²¹ The Serbian parliament adopted on 28 September 1990 a new constitution which definitely abolished the previous territorial autonomy of Kosovo and Vojvodina by formally granting a fake autonomy to the "Autonomous Province Kosovo and Metohija" and the "Autonomous Province Vojvodina" (paragraphs 6 and 108 to 112). These moves by Milošević were accompanied by an unparalleled cleansing of Albanians from virtually all positions in the public and economic spheres in Kosovo. At least 100,000 Albanians were fired from factories, mines, schools, hospitals, the judiciary, cultural institutions, media, public services, municipal and regional authorities etc., and replaced by Serbs, Montenegrins, Turks or pro-Serbian Albanians. At the same time, all Albanian political organizations as well as all cultural and sports associations were forbidden and most Albanian print and other media closed down.²²

Kosovo Albanian Non-Violence and "Parallel State", 1991-1995

By the summer of 1991, the Kosovo Albanian leadership had firmly organized a multi-level non-violent resistance movement aiming at the establishment of a "parallel" Kosovo Albanian state on the territory of what now again was Serbia. From 26 to 30 September 1991, an underground referendum on this "sovereign and independent state of Kosova" was held. 87.01 per cent of the voters, i.e., 1,051,000 inhabitants of Kosovo, were said to have participated, out of which 99.87 per cent were said to have voted "Yes". On 19 October 1991, the Republic of Kosova was proclaimed as an independent and

of History (Tirana: Encyclopaedia Publishing House, 1993), p. 329.

²⁰ The conflict in Yugoslavia – a chronology, *loc. cit.*, p. xxii.

²¹ For a legal evaluation of this constitution see Marko, Joseph: Perspektiven des zukünftigen politischen und rechtlichen Status Kosovos, in: *Journal für Rechtspolitik*, vol. 1, 1993, pp. 20-41.

²² Schmidt, Fabian: Kosovo: The Time Bomb That Has Not Gone Off, in: *RFE/RL Research Report*, vol. 2, no. 39, 1 October 1993, pp. 21-29; Reuter, Jens: Die politische Entwicklung in Kosovo 1992/93. Andauernde serbische Repressionspolitik, in: *Süd-osteuropa*, vol. 43, 1994, pp. 18-30.

sovereign state, and on 23 October, a provisional coalition government under the leadership of LDK was formed with the urologist Bujar Bukoshi as Prime Minister. On 24 May 1992, elections for the Parliament of the Republic of Kosovo were held under conspiratorial circumstances. With a turnout of 89.32 per cent, 96 seats went to LDK, 29 to other Kosovo Albanian parties, and 5 to "people of Muslim ethnicity".²³ 14 seats remained vacant; they were reserved for Montenegrins and Serbs from Kosovo should they decide to take them. On the same day, elections for the Presidency of the Republic of Kosovo took place. In addition to 766,069 voters in Kosovo, also 105,300 Kosovo Albanians abroad participated. With 99.56 per cent, Rugova, the only candidate, was elected. It was he who now organized the non-violent resistance to the Serbian policy of de-Albanization and occupation.²⁴

LDK's strategy during the Serbian military operations against Slovenia, Croatia and Bosnia and Hercegovina was staying out of the post-Yugoslav imbroglio by relying on the support of the international community for what Kosovo Albanians perceived as their just demands. In doing so, the Kosovo Albanians were, however, soon disappointed. At the European Community's Conference on Yugoslavia in The Hague in October 1991, EC negotiator Lord Peter Carrington had proposed a plan for the reconstruction of Yugoslavia as "a loose association of sovereign and independent republics" with the possibility of special status for regions compactly inhabited by minorities. While in a first version of this plan of 18 October Kosovo was not mentioned at all, a second version of 25 October did contain the provision to re-establish the autonomy of Kosovo and Vojvodina within Serbia. As a concession to Belgrade, Carrington deleted this passage from a new draft of 1 November. Nevertheless, on 4 November Serbia rejected the Carrington Plan.²⁵

Later in 1991 then, the EC adopted the view of the Conference's Arbitration Commission regarding the status of Kosovo. This body under Robert Badinter did not consider the formerly autonomous provinces Kosovo and Vojvodina within the Socialist Republic of Serbia to be federating sovereigns of the Socialist Federal Republic Yugoslavia with the right to form their own state. While the Commission did not question the right of Kosovo to auton-

²³ These are Bosnian Muslims (*bosanci*), Sandžak Muslims (*sandžakli*), Macedonian Muslims (*torbeši*) and Gora Muslims (*goranci*), the latter living in the municipality of Dragash (Dragaš), the Southernmost tip of Kosovo.

²⁴ Reuter, Jens: Die politische Entwicklung in Kosovo 1992/93. Andauernde serbische Repressionspolitik, in: *Südosteuropa*, vol. 43, 1994, pp. 18-30.

²⁵ Peace Conference on Yugoslavia: Arrangements for General Settlement [the so-called Carrington Draft Convention], The Hague, 18 October 1991, in: *Yugoslavia Through Documents*, doc. no. 124, pp. 357-363. See also *ibid.*, pp. 363-365, Milošević's answer; Peace Conference on Yugoslavia: Treaty Provisions for the Convention, The Hague, 1 November 1991, *ibid.*, doc. no. 127, pp. 370-378. For critical evaluations of the Carrington Plan cf. Meier, Viktor: *Wie Jugoslawien verspielt wurde* (München: C. H. Beck, 1995), pp. 402-413; Libal, Michael: *Limits of Persuasion. Germany and the Yugoslav Crisis, 1991-1992* (Westport, CT: Praeger 1997), pp. 68-69; Gow, James: *Triumph of the Lack of Will: International Diplomacy and the Yugoslav War* (London: Hurst, 1997), pp. 57-59.

omy as a non-sovereign territorial unit with national characteristics, it equally did not recommend diplomatic recognition like it did in the case of Slovenia or Macedonia. The Kosovo Albanian leadership's argumentation that representation on the collective Federal Presidency made Kosovo a sovereign federating unit was ignored by the Badinter Commission and by the EC.²⁶ Of course, there was also a political element in it – the factual similarity of the Kosovo case with the position of the Serbs in the Krajina within Croatia. While EC member states like Germany were afraid of an encouragement of Krajina separatism by a recognition of an independent Kosovo, they considered the Krajina issue promising in forcing Belgrade to restore autonomy to Kosovo.²⁷

By the time Milošević proclaimed Serbia and Montenegro to form the new FRY as the third Yugoslavia, the Kosovo Albanian leadership under Rugova had abandoned any thought of a militarily-backed secession. Instead, peaceful, *i.e.*, non-violent means became the sole tactics of the movement for independence. Thus, Rugova, the LDK and the Kosovo Albanians as a whole gained an immense amount of political goodwill in the West where, however, their ultimate goal – a sovereign, independent "Kosova Republika" outside the FRY – was deliberately ignored. Yet Rugova had no success in reversing Belgrade's apartheid policies in Kosovo itself. Instead, the official Serbian régime of occupation and the institutions built up by the Kosovo Albanians developed into two completely separate "states" on one and the same territory. Since 1992, an Albanian "shadow state" exists in Kosovo with its own parliament, government, and president as well as its own educational and health care systems, all financed by a fiscal system based on a three-percent tax on the monthly incomes of the Kosovo Albanian labor emigration in Western Europe. In addition, Kosovo Albanian print media, news agencies, publishing houses, etc., were re-established, and a purely Albanian second-class economy of petty businesses emerged.²⁸ Serbian public institutions as well as elections to the Parliament of the FRY, the Assembly of the Republic of Serbia and the puppet-Assembly of the "Autonomous" Province of Kosovo and Metohija were boycotted by the Kosovo Albanians. The non-participation of some 20 per cent of the voters proved to be crucial for Milošević and his Serbian Socialist Party to secure the majority of seats in the federal and re-

²⁶ Letter by the Government of the Republic of Kosovo to the Extraordinary EPC Ministerial Meeting in Brussels, 21 December 1991, in: *The Truth On Kosova*, pp. 341-343; EC Declaration Concerning the Conditions for Recognition of New States, Adopted at the Extraordinary EPC Ministerial Meeting, Brussels, 16 December 1991, in: *Yugoslavia Through Documents*, doc. no. 144, pp. 431-432. See also Gow, *Triumph of the Lack of Will*, pp. 75-77; Radan, Peter: The Badinter Arbitration Commission and the Partition of Yugoslavia, in: *Nationalities Papers*, vol. 25, 1997, pp. 537-557.

²⁷ Libal, Michael: *Limits of Persuasion. Germany and the Yugoslav Crisis, 1991-1992* (Westport, CT: Praeger 1997), pp. 29-30.

²⁸ Kostovičová, Denisa: *Parallel Worlds: Response of Kosovo Albanians to Loss of Autonomy in Serbia, 1986-1996* (Keele European Research Centre Research Papers: Southeast Europe Series, 2) (Keele: Keele University, 1997).

publican bodies. It is also the reason for the toleration of most of the Kosovo-Albanian "parallel" structures by the Belgrade authorities. Belgrade enforced neither the collection of taxes from Kosovo Albanians nor the drafting of Albanians recruits for the Yugoslav army. This far-reaching separation of Serbian and Albanian societies and "states" contributed to a relatively low degree of political friction up to 1997. Sensitive issues, however, remained – the issuing of birth certificates, passports, or driving licenses and other legal matter such as selling, buying and inheritance of landed property and real estate.

Kosovo Albanian "parallel statehood" took place under the watchful eyes of an overwhelming Serbian police and military presence. In 1992/93 some 35,000 police and 40,000 regular troops were said to be stationed there.²⁹ According to information of the General Staff of the Army of Macedonia of spring 1993, regular forces of the Prishtina-based 52nd Corps of the Third Army consisted of two tank brigades, three mechanized infantry brigades, each with one tank battalion, three artillery regiments, one anti-tank battalion, and one air defense regiment. In addition, three volunteer brigades with 1,000 to 1,200 men comprising of Serbs and Montenegrins living in Kosovo were said to have been organized³⁰.

Spiraling into Inter-Ethnic Warfare after Dayton, 1995-1998

The peculiar situation of a dualism of an official Serbian state and a Kosovo Albanian "parallel state" on one and the same territory, "stable and explosive" as it was³¹, began to erode in late 1995. It was the Peace Agreement on Bosnia and Hercegovina achieved at the Wright-Patterson Air Force Base in Dayton, Ohio, on 21 November 1995 which made the volatility of this unique model of hostile coexistence more than obvious. The LDK was not present at the negotiation table in Ohio and the Kosovo problem was mentioned in the final treaty only once, in connection with preconditions for lifting the "outer wall of sanctions" against the FRY.³² This "outer wall of sanctions" related to full diplomatic recognition of the FRY, full membership of the FRY in international organizations like the UN and the OSCE and in international finan-

²⁹ Human Rights Watch/Helsinki (Formerly Helsinki Watch): *Open Wounds: Human Rights Abuses in Kosovo* (New York, NY: Human Rights Watch, 1993) [author Julie Mertus], p. 95; International Helsinki Federation for Human Rights: *From Autonomy to Colonization: Human Rights in Kosovo 1989-1993* (Vienna: IHF, November 1993) [author Paula Tscherne-Lempiäinen], p. 67.

³⁰ Brigadier-General Finn Saermark-Thomsen, commander-in-chief of UNPROFOR Macedonia Command: *Report to the Headquarter of the United Nations Protection Force on a Possible Uprising in Kosovo at the End of March 1993*. Skopje, of 20 February 1993 (Mission Archive, OSCE Mission to Skopje, Documentation CSCE Spillover Monitor Mission to the Former Yugoslav Republic of Macedonia).

³¹ De Vrieze, Franklin: Kosovo: Stable and Explosive, in: *Helsinki Monitor*, vol. 6, 1995, no. 2, pp. 43-51

³² Schmidt, Fabian: Teaching the Wrong Lesson in Kosovo, in: *Transition*, vol. 2, no. 14, 12 July 1996, pp. 37-39. For the original text see: The General Framework Agreement for Peace in Bosnia and Herzegovina and the Annexes thereto, in: *U. N. Doc. 5/1995/999* (1995).

cial institutions such as the World Bank and the IMF as well as to the release of contested assets to the FRY. Soon after Dayton and despite Kosovo Albanian protests, the EU unconditionally recognized the FRY while Germany decided to begin to "repatriate" 130,000 Kosovo Albanian political émigrés to Serbia. Almost instantly the united front of political forces of Kosovo split up. Immediately, influential intellectuals challenged Rugova's tactics of non-violent resistance by opting for a pro-active intifada-type protest movement,³³ whereas others refuted even LDK's goal of "Kosova Republika" by favoring a solution within a confederated or at least re-federalized FRY. And in February, for the first time a Kosovo Albanian underground movement emerged which immediately turned to violent means in fighting the Serbian régime: All these Dayton-triggered changes in the tectonics of "parallel" power in Kosovo have led the three main political currents, the pacifists, the activists and the militants, to intensify their respective endeavors.³⁴ On 22 April 1996, four almost simultaneous attacks were launched in separate locations killing two Serbian police officers and wounding another three³⁵; a challenged Rugova "retaliated" by negotiating improvements in the educational sector with the Serbian leadership; and his political opponents announced their intention to turn to "active civil resistance" against Serbian repression.³⁶

The inner-Albanian power struggle was further complicated by a parallel intra-Serbian rivalry over Kosovo: Milošević's "reconciliatory gesture" of signing (but not implementing) an agreement on the Albanian-language education system in Kosovo with Rugova on 1 September 1996³⁷ provoked the reappearance of Greater Serbian nationalists in Kosovo. The fact that the whole specter of Serbian political opposition to Milošević was even more nationalistic than he himself was the reason for the silence of the Kosovo Albanian élite during the mass demonstrations of the winter of 1996/97 in Bel-

³³ Tindemans, Leo; et al.: *Unfinished Peace. Report of the International Commission on the Balkans*, (Washington, D. C.: Carnegie Endowment for International Peace, 1996), p. 116; Beshiri, Ismije: Kosovar Independence Lacks International Backing, in: *Transition*, vol. 2, no. 6, 22 March 1996, p. 54.

³⁴ Pula, Gazmend: Modalities of Self-Determination – The Case of Kosova as a Structural Issue for Lasting Stability in the Balkans, in: *Südosteuropa*, vol. 45, 1996, pp. 380-410; The Albanian National Question: The Post-Dayton Pay-off, in: *WarReport*, no. 41, May 1996, pp. 25-50.

³⁵ ICG, *Kosovo's Long Hot Summer*.

³⁶ Surroi, Veton: Mehrheit und Minderheit in Kosovo: Albaner contra Serben, in: *Internationale Politik*, vol. 52, 1997, no. 10, pp. 49-52.

³⁷ Silber, Laura: Milošević in accord to Albanian boycott of schools, in: *Financial Times*, 3 September 1996; Igrić, Gordana: Education is the Key in Serb-Kosovar Negotiations, in: *Transition*, vol. 3, no. 4, 7 March 1997, pp. 19-23. For the text of the agreement cf. Veremis, Thanos: The Kosovo Puzzle, in: *Kosovo: Avoiding Another Balkan War*, eds. Thanos Veremis and Evangelos Kofos (Athens: ELIAMEP and University of Athens 1998), pp. 40-4; for an analysis see Troebst, Stefan: International Mediation in the Kosovo Conflict, 1992 to 1998: The Issue of Education, in: *Conflict in Kosovo*, ed. Michael Barutciski (Oxford: Oxford University, Refugee Studies Programme, 1999; forthcoming).

grade and other Serbian towns.³⁸ On the one hand, prominent Kosovo Albanian leaders criticized Milošević's election fraud and sympathized with the demands of the Serbian opposition.³⁹ But on the other hand, they knew that the ideas of opposition leaders like Vojislav Šešelj, Vuk Drašković or Zoran Đinđić on Kosovo were much more radical than Milošević's comparatively flexible approach.

The year 1997 witnessed an increase in political violence in Kosovo as well as the appearance of a Kosovo Albanian student movement as an additional player. On 22 January 1997, a car bomb in Prishtina seriously injured Radivoje Papović, the hard-line rector of the Serbian University of Priština. The influx of a large number of small weapons into Kosovo caused by the collapse of the Albanian army in the spring of 1997 significantly contributed to the emergence of the UÇK. On the night of 10-11 September 1997, ten co-ordinated operations all over Kosovo targeted police barracks and vehicles.⁴⁰ Serbian security forces retaliated by searches and raids in the UÇK stronghold of Drenica in Northern Kosovo. On 28 November 1997, during the funeral of a Kosovo Albanian teacher killed in such a raid, UÇK made its first public appearance copying IRA symbols and choreography. Parallely, an independent student movement critical of LDK and UÇK as well gained momentum. On 1 October 1997, several thousands of students took the streets of Prishtina to demonstrate for the implementation of the Education Agreement of 1996. While on this occasion, the police did not interfere, another demonstration on 30 December 1997 was brutally dispelled.

III. War Over Kosovo, February to October

In January and February 1998, a Serbian military build-up took place in Kosovo preparing for a lethal blow against the UÇK aiming at the complete destruction and extermination of this guerrilla force while it was still *in statu nascendi*. The number of regular police, SAJ, JPNP and PJM as well as of VJ units and armed Serbian civilians in Kosovo involved can only be estimated. On 1 March 1998, the Prishtina daily *KOHA Ditore* reported, "Kosova has 13,000 Serb police forces – 25,000 reinforcement units can be transferred from central Serbia within 72 hours". The same source put the strength of the Army of Yugoslavia in Kosovo at 6,500 and mentioned in addition emergency plans for the deployment of 10,000 troops from Niš, Leskovac and Užice in the interior of Serbia. The figure of army reservists ready for action in Kosovo was given as 4,000; that of the paramilitary *Tigrovi* ("Tigers") of

³⁸ Rüb, Matthias: Für 'Zajedno' ist das Festlegen auf eine minderheitenfreundliche Politik das wichtigste strategische Ziel, in: *Frankfurter Allgemeine Zeitung*, 10 December 1996, p. 3.

³⁹ Zajović, Staša: Kosovo: Nightmare of the 'Serbian Dream', in: *Peace News*, March 1997, pp. 11 and 14; Schmidt, Fabian: Protests in Serbia Raise Hopes of Reconciliation in Kosovo, in: *Transition*, vol. 3, no. 4, 7 March 1997, pp. 16-18; Husarska, Anna: Closing the Circle in Kosovo, in: *ibid.*, pp. 22-23.

⁴⁰ ICG, *Kosovo's Long Hot Summer*.

the notorious Željko Ražnjatović ("Arkan") as 400.⁴¹ In January 1998, an unidentified OSCE source was quoted as putting the mobile components of the 52nd Army Corps in Prishtina commanded by Major-General Nebojša Pavković at 140 tanks and 150 armored vehicles.⁴² In late February 1998, a Belgrade paper reported, "in Kosovo there are permanently between 30,000 and 40,000 policemen".⁴³ On 29 October 1998, the US Department of State informed, the 10,000 regular police, SAJ, JPNP and PJM officers plus 11,000 to 12,000 VJ troops stationed in Kosovo in February, were from March on reinforced by another 4,000 policemen plus about 5,000 additional army personnel.⁴⁴

Much less is known on the numerical strength, armaments, equipment etc. of the UÇK: In the initial phase of the war, estimates varied between 350 and 1,500 fighters⁴⁵, at its peak between 5,000 to 30,000 members. "The most accurate estimate", thus an observer in the summer of 1998, "is 12,000 fighters."⁴⁶ Until the final phase of the war, UÇK armaments remained poor and insufficient. They consisted basically of AK 47 assault rifles ("Kalashnikov") and only a few rocket-propelled grenades, shoulder-fired anti-tank rocket launchers, mortars and anti-aircraft machine-guns on tripods.⁴⁷ By the end of 1998, the UÇK was said to be in the possession of

"significant amounts of anti-tank rockets, anti-aircraft guns, shoulder-fired Stinger anti-aircraft missiles, and long-barreled sniper rifles that can pierce armored vehicles [...] from three-quarters of a mile away."⁴⁸

⁴¹ KD-arta, 2 March 1998, <<http://www.koha.net/ARTA/drenica.htm>>.

⁴² Jovanović, Vladimir: "Adut" za kasnije pregovore: Priprema li se ograničen udar na Drenicu? ["Advance move" for later negotiations: Is a limited strike against Drenica in the Making?], in: *Nedeljna naša borba*, 31 January/1 February 1998, p. 2.

⁴³ Petrović, Dragoljub: Koliko ima pripadnika MUP u južnoj granici? Na Kosovu stalno između 30 i 40 hiljada policajaca [How many MUP personnel is on the Southern Border? In Kosovo, 30 to 40 thousand police are permanently stationed], in: *Naša borba*, 23 February 1998, p. 9.

⁴⁴ U. S. Department of State: Off-Camera Daily Press-Briefing, DPB, # 119, Thursday, October 29, 1998, 1:12 p. m., <<http://www.fas.org/man/dod-101/ops/docs/981029db.html>>.

⁴⁵ Kusovac, Zoran: Another Balkans Bloodbath? in: *Jane's Intelligence Review*, 1998, no. 2, pp. 13-16. – On the pre-history of the UÇK see Lipsius, Stefan: Bewaffneter Widerstand formiert sich: Untergrundorganisationen stellen sich der serbischen Staatsmacht im Kosovo entgegen, in: *Frankfurter Allgemeine Zeitung*, 4 March 1998, pp. 10-11; idem: Untergrundorganisationen im Kosovo. Ein Überblick, in: *Südosteuropa*, vol. 47, 1998, pp. 75-82.

⁴⁶ Stavljanić, Dejan: Kosovo Crosses the Brink, in: *Transitions*, vol 5, 1998, no. 7, July, p.64.

⁴⁷ Steele, Jonathan: Kosovo fighters set no-go areas, in: *Guardian Weekly*, 17 May 1998, p. 4; FAS Intelligence Resource Program: Kosovo Liberation Army [KLA], <<http://www.fas.org/irp/world/para/kla.htm>>.

⁴⁸ Unnamend foreign experts according to an AP report of 20 December quoted in 'Quotes of the Week', in: *Radio Free Europe/Radio Liberty Balkan Report*, vol. 2, no. 51, 30 December 1998, <<http://www.rferl.org/balkan-report/index.html>>.

According to the Federation of American Scientists' Intelligence Resource Program, the UÇK fighters "carry visible insignia and execute the assignments of their command in a disciplined way."⁴⁹ The UÇK is said to be

"organized in small compartmentalized cells rather than a single large rebel movement [and is] divided between a maneuverable strike nucleus of a few hundred trained commandos, and the much larger number of locally organized members active throughout the region."⁵⁰

Up to the cease-fire of October 1998, the degree of coordination between the UÇK general staff, the various field commanders and individual units was low – probably due to what a Western military observer called a "rather horizontal command structure".⁵¹

By mid-February 1998, the Serbian military build-up was completed. Now it was a question of the right point in time and of a suitable pretext for striking the first blow. During the last week of February, on the international political scene as well as on the Kosovo one windows of opportunity opened. On 23 February 1998, after a lengthy talk with Milošević the Special Representative of the US President and the US Department of State for the Implementation of the Dayton Peace Accords Robert S. Gelbard repeated and underlined two essentials of US policy towards Belgrade and Prishtina: First, no unilateral change of international border, and secondly, the activities of the UÇK were labeled "terrorism" whereas those of the Serbian security forces were called "police violence." In addition, Gelbard announced several concessions of considerable symbolic value by Washington to Belgrade: (1) Eligibility of the FRY for the Southeast European Cooperative Initiative (SECI); (2) charter flights by Yugoslav airlines to US airports; (3) opening of a FRY consulate in the US; and (4) lifting of the ceiling of personnel at the Permanent Representation of the FRY to the UN in New York.⁵² Parallely, on the Kosovo scene, a political fragmentation took place which was interpreted by Belgrade as a weakening of the support for the UÇK. Having announced in late 1997 that parliamentary and presidential elections to the "shadow structures" would be held on 22 March 1998⁵³, Rugova had to face open opposition at LDK's third party convention in Prishtina on 25 February. While the convention re-elected him as party leader and nominated him once more as its candidate for the presidency, Rugova was severely criticized by leading party members for his attempt to strengthen his position as party leader by a change

⁴⁹ *Ibid.*

⁵⁰ *Ibid.*

⁵¹ Quoted by Ash, Timothy Garton: Cry, the Dismembered Country, in: *The New York Review of Books*, vol. 46, no. 1, 14 January 1999, p. 30.

⁵² Rüb, Matthias: Washington kündigt Lockerung der Sanktionen gegen Belgrad an, in: *Frankfurter Allgemeine Zeitung*, 25 February 1998, p. 2; Zuckerbrot für Milosevic? Amerikas Sondergesandter in Kosovo, in: *Neue Zürcher Zeitung*, 24 February 1998, p. 2.

⁵³ New Parliamentary and Presidential Elections in Kosova on March 22, 1998, in: *Kosova Daily Report*, #1307, 24 December 1997, item 1, <<http://www.hri.org/news/agencies/kosovo>>.

of LDK's statutes. In protest, fifteen members of the party leadership left the convention and announced their decision to leave the party.⁵⁴ Despite these setbacks, Rugova once more emerged as the Kosovo Albanian leader, while his more militant opponents, including the sympathizers of the UÇK, were sidelined. Taken together, these developments seem to have been interpreted by Belgrade as providing a good occasion for clamping down massively and ultimately on the growing in force UÇK.

Round One of the Kosovo War lasted from late February to mid-October 1998 when NATO-backed US diplomacy forced upon the combatants a shaky cease-fire lasting for most of November and December 1998. Six phases of the war fought on different theaters can be distinguished: (1) A Serbian Raid against the Drenica region in North-central Kosovo, February to March; (2) fighting in the Deçan region in Western Kosovo, March to May; (3) a Serbian offensive in the same region, end-May to June; (4) an upswing of Kosovo Albanian forces encompassing Western and Central Kosovo, mid-June to mid-July; (5) a final Serbian offensive in South-central and Western Kosovo, mid-July to mid-August; and (6) Serbian mop-up operations in all of Kosovo, mid-August to early October.

Serbian Raid against Drenica, February to March

On 28 February, a battle-like clash between UÇK fighters on the one side and heavily armed SAJ, JNPJ and PJM units on the other, equipped with 20 helicopter gunships and 30 armored personnel carriers, took place near the Drenica village of Likoshan (Likošan). The incident was triggered off by the killing of four Serbian policemen in an UÇK ambush. During the next three days, more than 16 Albanians guerrillas were killed.⁵⁵ On 2 March, Serbian riot police equipped with armored vehicles, water canons, tear gas and batons cracked down on a large crowd of Albanian demonstrators in Prishtina and injured at least 289 persons.⁵⁶ And from 4 to 7 March, the Serbian security forces directed a second blow against the Drenica villages of Prekaz i Ulët (Donji Prekaz) and Llausha (Lauša) where whole extended families and clans were executed.⁵⁷ In what was later called by Kosovo Albanians the Drenica

⁵⁴ Cf. Rüb, Matthias: Führungsstreit in Kosovo-Partei, in: *Frankfurter Allgemeine Zeitung*, 27 February 1998, p. 7.

⁵⁵ International Crisis Group: Again, the Visible Hand. Slobodan Milosevic's Manipulation of the Kosovo Dispute, Belgrade, 6 May 1998, <<http://www.intl-crisis-group.org/projects/s balkans/reports/you02rep.htm'ex>>.

⁵⁶ Policija rasterala demonstrante vodenim topovima i suzavcem [Police dispersed demonstrators with water cannons and tear gas], in: *Naša borba*, 3 March 1998, p. 1; Hedges, Chris: Serb Riot Police Beat Protesters in Edgy Kosovo, in: *International Herald Tribune*, 3 March 1998, p. 1; Rüb, Matthias: Bewunderung für die Befreiungsarmee der Kosovo-Albaner: Wachsender Haß gegen serbische Milizen, in: *Frankfurter Allgemeine Zeitung*, 4 March 1998, p. 5.

⁵⁷ Dinmore, Guy: 30 killed in Serb clashes with Albanian rebels, in: *Financial Times*, 2 March 1998, pp. 1 and 20; Hedges, Chris: Serbia Tries to Stamp Out an Ethnic Albanian Rebellion in Kosovo, in: *International Herad Tribune*, 3 March 1998, p.5; Dinmore, Guy: Serbian forces accused of slaughter, in: *Financial Times*, 3 March

Massacre some 80 Albanians, among them 25 women and children, were killed⁵⁸ and thus the key set for the seven months of war to come.

At the same time the key was set for international reactions to the Serbian policy of oppression, physical liquidation and ethnic cleansing of the Kosovo Albanians as well as to the latter's violent resistance. By March 1998, according to what Richard Caplan called "a pattern of neglect"⁵⁹ neither the OSCE, the EU, the UN or NATO nor individual Great Powers had adopted or at least formulated a concise Kosovo policy. Instead, like in the years 1991 to 1997, they kept repeating their ritual confirmation of "deep concern" over what was going on in Kosovo.⁶⁰

A striking example was the reaction on the Drenica Massacre by the Contact Group consisting of the US, the UK, France, Germany, Italy and the Russian Federation. At its London Meeting of 9 March, this body which in the fall of 1997 had emerged as the main coordinating body for handling the Kosovo Crisis was unable to come up with a determined and unanimous stand. While the US and the UK opted for a swift and harsh reaction, Italy, France and the Russian Federation refused to agree to such a move. The result was a statement announcing not more than to push for "a comprehensive arms embargo against the FRY, including Kosovo", in the UN Security Council⁶¹, furthermore "a refusal to supply equipment to the FRY which might be used for internal repression, or for terrorism", the "denial of visas for senior FRY and Serbian representatives responsible for repressive action by FRY security forces in Kosovo" and "a moratorium on government financed credit support for trade and investment, including government financing for privatisation, in Serbia".⁶² The Russian Federation dissociated itself from the latter two measures. In addition, the group called upon Milošević "to withdraw the special police units and cease action by the security forces affecting the civilian

1998, p. 2; Robinson, Anthony: Alarm bell sounds over Kosovo, in: *Financial Times*, 4 March 1998, p. 2; Hedges, Chris: After the Rampage: Bodies of 14 Kosovo Albanians Return Home, in: *International Herald Tribune*, 5 March 1998, p. 7; The Kosovo cauldron, in: *The Economist*, 14 March 1998, pp. 33-34. See also Map of Drenica Massacre, KD-arta, 2 March 1998, <<http://www.koha.net/ARTA/drenica.htm>>.

⁵⁸ ICG, *Kosovo Spring*, p. 8; Hedges, Chris: Bodies Attest to Fury Of Serb Attack on Town, in: *International Herald Tribune*, 10 March 1998, p. 6.

⁵⁹ Caplan, Richard: International Diplomacy and the Crisis in Kosovo, in: *International Affairs*, vol. 74, 1998, no. 4, October, p. 747.

⁶⁰ Troebst, Stefan: *Conflict in Kosovo: Failure of Prevention? An Analytical Documentation, 1992-1998* (ECMI Working Paper # 1) (Flensburg: European Centre for Minority Issues, 1998), pp. 21-71, also <[http://www.ecmi.de/wp_r.htm#Conflict in Kosovo](http://www.ecmi.de/wp_r.htm#Conflict_in_Kosovo)>.

⁶¹ On 31 March, the Security Council adopted this proposal and decided an embargo of arms and related *matériel* of all types, such as weapons and ammunition, military vehicles and equipment and spare parts for the aforementioned. Cf. Resolution 1160 (1998) Adopted by the Security Council at its 3868th meeting, on 31 March 1998 (S/RES/ 1160 (1998) 31 March 1998), <<http://www.osceprag.cz/news/unscl1160.htm>>.

⁶² Contact Group Meeting: Statement on Kosovo, London, 9 March 1998, <<http://www.ohr.int/docu/d980309a.htm>>.

population" within ten days and to "commit himself publicly to begin a process of dialogue [...] with the leadership of the Kosovar Albanian community." In the case of compliance, the Contact Group announced to "reconsider the measures we have now adopted", while in the case of non-compliance "a freeze on the funds held abroad by the FRY and Serbian governments" was envisaged.⁶³ By making some minimal gestures, Milošević succeeded in widening the gap between the Contact Group members and thus achieving a five-day prolongation of the deadline fixed on 9 March.⁶⁴ When the Contact Group met on 25 March in Bonn, this deadline was extended for even another four weeks⁶⁵, notwithstanding the fact that the day before a new Serbian revenge crackdown on three villages near the town of Deçan (Dečani) on the border to Albania resulted in the killing of more than 40 Kosovo Albanians.⁶⁶ At the next Contact Group meeting in Rome on 29 April, "crucial requirements set out in the Contact Group's statements of 9 and 25 March" were said as having "not yet been met" by Milošević. Now the freeze of the funds was put into effect. However, the group announced that "we will immediately reverse this decision" once the parties to the conflict have set up a "framework for dialogue" and adopted a "stabilization package" by 9 May. In case of Belgrade's non-compliance "action to stop new investment in Serbia" was threatened.⁶⁷ So, two months after the beginning of the Drenica Massacre, the Contact Group as the leading international factor dealing with the conflict in Kosovo had put into effect an arms embargo on the FRY and frozen its funds abroad – two measures that did not really hurt Milošević since there was no lack of arms in Serbia whereas the funds had been transferred well in time. "International mediation efforts are", thus the results of an analysis of the Contact Group's performance in March 1998, "incoherent, fragmentary and lacking a concept. They are primarily declaratory and take place only after an escalation."⁶⁸

Fighting in the Deçan Region, March to May

Both the UÇK and the Serbian side used the relatively quiet two-weeks period following the Drenica Massacre to bolster up their military presence in Kosovo. Serbian security forces established a network of roadblocks and

⁶³ *Ibid.*

⁶⁴ Kosovo and the allies, in: *International Herald Tribune*, 21-22 March 1998, p. 6.

⁶⁵ Contact Group Statement on Kosovo. Bonn, 25 March 1998, <<http://www.ohr.int/docu/d980325b.htm>>.

⁶⁶ Drozdiak, William: U.S. Faces Uphill Battle on Kosovo, in: *International Herald Tribune*, 25 March 1998, p. 7; Tote bei Kämpfen in Kosovo, in: *Frankfurter Rundschau*, 26 March 1998, p. 1; Rugova fordert mehr Engagement der Kontaktgruppe, in: *Frankfurter Allgemeine Zeitung*, 28 March 1998, p. 2.

⁶⁷ Contact Group Statement, Rome, 29 April 1998, <<http://www.ohr.int/docu/d980429a.htm>>.

⁶⁸ Ehrhart, Hans-Georg; Matthias Z. Karádi: Wann brennt der Balkan? Plädoyer für eine komplexe Präventionspolitik im Kosovo-Konflikt, in: *Frankfurter Rundschau*, 25 March 1998, p. 9.

checkpoints over all of Drenica by bringing additional SAJ, JPNJ and PJM units in⁶⁹, while the UÇK built up a second stronghold in the Deçan region in Western Kosovo.⁷⁰ Supplies and enforcements crossed the border into Kosovo from UÇK's main training and stockpiling base in the village of Tropojë in Northeastern Albania.⁷¹

While the aforementioned Serbian raid of 24 March in the Deçan area was followed by a three-week pause, fighting in the West flared up again in the second half of April. On 16 and 20 April, Yugoslav border guards and UÇK fighters crossing into Kosovo from Albania clashed,⁷² and on 22 April Serbian security forces shelled the Deçan village of Baballoç (Babaloch).⁷³ On 23 April 1993, the day a referendum on international mediation in the Kosovo conflict was held throughout Serbia⁷⁴, a two-day battle took place near the border village of Kozare between some 200 UÇK guerrillas and Yugoslav troops resulting in 23 killed Kosovo Albanians.⁷⁵ During the following days, newly brought in army units shelled villages with artillery and tanks, while UÇK fighters attacked police posts in the Gjakova (Đakovica) region to the South of Deçan.⁷⁶ Although only lightly armed, the steadily growing in numbers UÇK now became a military problem for the inflexible Soviet-style Yugoslav army with its poor morale, low night-fighting ability and lack of experience of counter-insurgency.⁷⁷ From May on, the UÇK expanded its activities into Central Kosovo by attacking police posts on the region's main traffic artery, the highway leading west from Prishtina to Peja (Peć) and fur-

⁶⁹ Hockstader, Lee: Serbian Police Buildup Is Reported in Kosovo, in: *International Herald Tribune*, 28-29 March 1998, p. 2; Belgrad verstärkt seine Armee in Kosovo, in: *Neue Zürcher Zeitung*, 22 April 1998, p. 2.

⁷⁰ Hedges, Chris: Guerrilla Groups Gathering Strength in Kosovo, in: *International Herald Tribune*, 7 April 1998, pp. 1 and 6.

⁷¹ International Crisis Group: The View From Tirana: The Albanian Dimension of the Kosovo Crisis, Tirana-Sarajevo, 10 July 1998, <<http://www.intl-crisis-group.org/projects/s balkans/reports/kosrep03.htm#1>>.

⁷² Zwischenfall an der Grenze Jugoslawiens zu Albanien, in: *Neue Zürcher Zeitung*, 21 April 1998, p. 3.

⁷³ Berichte über Gefechte im Westen Kosovos, in: *Neue Zürcher Zeitung*, 23 April 1998, p. 2.

⁷⁴ With a turnout of some 73 per cent, 95 per cent answered 'No' to the question 'Do you approve of the participation of foreign representatives in the solution of the problems in Kosovo and Metohija?' Cf. Milosevic triumphiert – Erhöhte Kriegsgefahr in Kosovo, in: *Neue Zürcher Zeitung*, 25-26 April 1998, p. 3.

⁷⁵ Clash on Albanian Border Is Reported as Serbs Vote, in: *International Herald Tribune*, 24 April 1998, p. 5; Dinmore, Guy: Yugoslavs say Albania aids 'terrorists', in: *Financial Times*, 25-26 April 1998, p. 2.

⁷⁶ Clash Breaks Out On Kosovo Border, in: *International Herald Tribune*, 27 April 1998, p. 5; Dinmore, Guy; Lionel Barber: Kosovo violence 'spinning out of control', in: *Financial Times*, 28 April 1998, p. 2; Berichte über anhaltende Gefechte in Kosovo, in: *Neue Zürcher Zeitung*, 4 May 1998, p. 1; Terror und Gegenterror in Kosovo, in: *Neue Zürcher Zeitung*, 6 May 1998, pp. 1-2; Dinmore, Guy: Kosovo adversaries dig in for final showdown, in: *Financial Times*, 7 May 1998, p. 3.

⁷⁷ Kosovo: It's war, in: *The Economist*, 2 May 1998, p. 34.

ther to Montenegro.⁷⁸

The increasing strength of the UÇK was instrumentalized by US Special Envoy Richard Holbrooke to pressurize Rugova into agreeing to negotiations with Belgrade without international participation. On 15 May, Milošević received Rugova in Belgrade for a first round in what was supposed to become weekly negotiations.⁷⁹ The meeting did not bring any concrete results, but seriously damaged the reputation of the LDK leader who now was accused of "treason" by Kosovo Albanians⁸⁰, Milošević on the other hand profited considerably from the "photo-op" with Rugova by demonstrating his alleged willingness for a political solution of the conflict and thus regaining goodwill in the West. Accordingly, with the vote of the US the Contact Group on 23 May canceled the 9 May decision by its Western members to impose a ban on investment in the FRY.⁸¹ "Milošević", an international NGO monitoring the Kosovo War commented on this decision, "has succeeded in his effort to stare down the Contact Group and parry its threat to impose new economic sanctions."⁸²

Serbian Dečani Offensive, end-May to June

With the danger of Western sanctions thwarted, Milošević immediately ordered several thousand heavily armed special police officers and VJ troops to carry out a massive offensive in the Deçan region and to destroy the UÇK's new operation base by cutting it off its supply routes to Albania. On 24 May, villages along the Peja-Gjakova highway were attacked by tanks and artillery, and depopulated by scorched-earth tactics. The regional center Deçan was turned into rubble and almost all of its 20,000 inhabitants fled. The UÇK stronghold Junik, a village in the vicinity of Deçan, was said to be bombed on 5 June by four Serbian military aircraft. Several Serbian policemen and up to 100 Kosovo Albanians were killed. Villagers fled by the tens of thousand into the neighboring Kosovo regions around Gjakova and Mališeva (Mališevo), 7,000 into Montenegro and another 11,000 into Albania, while some 20,000 were trapped in-between the front lines.⁸³ According to

⁷⁸ Dinmore, Guy: Rebels in Kosovo attack police patrol, in: *Financial Times*, 12 May 1998, p. 4.

⁷⁹ Dinmore, Guy: Kosovo leader in first talks with Milosevic, in: *Financial Times*, 16-17 May 1998, p. 2.

⁸⁰ Rüb, Matthias: Rugova 'Kapitulation' vorgeworfen, in: *Frankfurter Allgemeine Zeitung*, 15 May 1998, p. 6.

⁸¹ Erlanger, Steven: G-7 Nations Halt Serbia Investment, in: *International Herald Tribune*, 11 May 1998, p. 5.

⁸² International Crisis Group: Inventory of a Windfall: Milosevic's Gains from the Kosovo Dialogue, Belgrade, 28 May 1998, <<http://www.crisisweb.org/projects/sbalkans/reports/yy03rep.htm>>.

⁸³ Dinmore, Guy: Serbs launch attack on Albanian rebels, in: *Financial Times*, 25 May 1998, p. 1; Mindestens dreizehn Tote bei Kämpfen in Kosovo, in: *Neue Zürcher Zeitung*, 27 May 1998, p. 2; 6 Killed in Kosovo, Ethnic Albanians Say, in: *International Herald Tribune*, 1 June 1998, p. 7; Berichte über Gefechte in Kosovo, in: *Neue Zürcher Zeitung*, 2 June 1998, p. 1; Hundreds Flee as Toll Rises in Kosovo, in: *Internationa*

Western observers, the aim of the offensive was "to have an eight to 10 kilometer wide stretch where no neutral people live".⁸⁴ In addition, the Yugoslav army planted land mines in the new cordon sanitaire along the 130 km border to Albania.⁸⁵ By June it became obvious that the UÇK counter-strategy of defending whole villages against superior Serbian firepower instead of flexibly withdrawing and striking again at night caused disastrous results.⁸⁶ On 13 June 1998, Western media reported,

"according to intelligence estimates, 9,000 to 11,000 Yugoslavs troops have surged into Kosovo, backed by 175 tanks, 200 armored personnel carriers and 120 artillery batteries, as well as 7,000 to 10,000 police or paramilitary troops."⁸⁷

The Serbian side exploited the growing weakness of the UÇK by launching a major attack on villages to the West of Gjakova, where tens of thousand of refugees were seeking shelter. On 11 June, shelling of the town of Gjakova itself and its immediate surrounding began and lasted for several days.⁸⁸

In late May, the Western disappointment on Milošević who had met Rugova and then again cracked down on Kosovo Albanian villages, caused a shift in focus on behalf of the UK which still was in the EU driving seat leading and, in particular, of the US. Due to Russian obstruction, Washington and London now instrumentalized purely Western institutions like NATO and EU instead of relying on the Contact Group or the UN.⁸⁹ On 9 June, EU banned new investments in Serbia – a decision that hit, in particular, Italy and Greece⁹⁰ –, while NATO stepped up its military presence in Macedonia and

tional Herald Tribune, 2 June 1998, pp. 1 and 6; Buchan, David: Serbs step up crack-down in Kosovo, in: *Financial Times*, 4 June 1998, p. 1; Serbian Forces Claim Heavy Strikes Against Kosovo Separatists, in: *International Herald Tribune*, 4 June 1998, p. 8; Schwere Kämpfe im Westen Kosovos, in: *Neue Zürcher Zeitung*, 5 June 1998, p. 1; Aufforderung zum Kampf in Kosovo, in: *Neue Zürcher Zeitung*, 8 June 1998, p. 1; Dinmore, Guy: Parallels with Srebrenica found in destruction of Decane, in: *Financial Times*, 11 June 1998, p. 3; Steele, Jonathan: Learning to Live With Milosevic, in: *Transitions*, vol. 5, 1998, no. 9, September, pp. 19-20.

⁸⁴ Hedges, Chris: Milosevic Starts Sweep To Crush Kosovo rebels, in: *International Herald Tribune*, 3 June 1998, pp. 1 and 7.

⁸⁵ Hedges, Chris: Serbs Laying Minefields, in: *International Herald Tribune*, 13-14 June 1998, pp. 1 and 4.

⁸⁶ Hedges, Chris: For Kosovo Rebels, Fading Hopes, in: *International Herald Tribune*, 10 June 1998, p. 5.

⁸⁷ Myers, Steve Lee: NATO Action in Kosovo Would Face New Pitfalls, in: *International Herald Tribune*, 13-14 June 1998, p. 2.

⁸⁸ Dinmore, Guy: Serb gunners defy west's outrage, in: *Financial Times*, 12 June 1998, p. 2; Hedges, Chris: Serbs Laying Minefields, in: *International Herald Tribune*, 13-14 June 1998, pp. 1 and 4.

⁸⁹ Fircchett, Joseph: NATO Draws Line on Kosovo, in: *International Herald Tribune*, 28 May 1998, pp. 1 and 8; Buchan, David: NATO prepares for Kosovo Explosion, in: *Financial Times*, 29 May 1998, p. 2.

⁹⁰ European Union: Statement on Kosovo, Brussels, London, 9 June 1998, <<http://europa.eu.int/abc/doc/off/bull/en/9806/p104023.htm>>.

Cf. also Barber, Lionel; Guy Dinmore: Kosovo crisis prompts EU ban on new in-

Albania.⁹¹ On 15 June, 83 aircraft from 15 NATO countries embarked on Exercise "Determined Falcon", a five-hour show of force in Albania and Macedonia within some 20 kilometers to the border to the FRY. This move was severely criticized by the Russian Federation which pressed for a political solution.⁹²

On the very same day, Milošević countered NATO's demonstration of unity by increasing the number of troops, artillery and anti-aircraft missiles in the border region to Albania as well as by paying an official visit to Moscow.⁹³ Milošević's meeting with President Boris N. Jelzin on 16 June resulted in an unofficial gentleman's agreement: Milošević would make some formal concessions to the West whereas Jelzin pledged to veto in the UN Security Council any mandate to NATO for humanitarian intervention in Kosovo. The text of the joint statement by Presidents Jelzin and Milošević read:

"The Presidents affirm their position of principle as to the necessity to preserve the territorial integrity and respect the sovereignty of the FRY, condemn any form of terrorism, separatism or military action which affects the civilian population.

With the aim of stabilising the situation in Kosovo and Metohija the Yugoslav side affirms its readiness:

- to resolve existing problems by political means on the basis of the equality of all citizens and national groups in Kosovo;
- without delay with this aim to continue talks between the government delegation and a delegation of the political parties of Kosovo Albanians begun by President Milosevic with the leader of the Kosovo Albanians Rugova. Talks on the whole complex of questions affecting Kosovo, including forms of autonomy in accordance with accepted international standards, will continue without interruption in line with an agreed schedule so as to achieve significant and early progress;
- there will be no repressive actions against the peaceful population;
- full freedom of movement on the whole territory of Kosovo will be assured so as to reinforce confidence building measures. There will be no restriction on diplomatic representatives of foreign governments and international organisations accredited in the FRY in order to allow them to acquaint themselves with the situation;

vestments in Serbia, in: *Financial Times*, 9 June 1998, p. 16.

⁹¹ Statement on Kosovo Issued at the Meeting of the North Atlantic Council in Defence Ministers Session, Press Release M-NAC-D-1(98)77, 11 June 1998, <<http://www.nato.int/docu/pr/1998/p98-077e.htm>>.

Cf. also Drozdiak, William: NATO Plans Air Activity As Warning to Milosevic, in: *International Herald Tribune*, 12 June 1998, pp. 1 and 12.

⁹² Spolar, Christine: NATO Planes Warn Serbs To Halt Kosovo Assault, in: *International Herald Tribune*, 16 June 1998, pp. 1 and 4; Dinmore, Guy: Serbs ignore Nato exercise to continue Kosovo attacks, in: *Financial Times*, 16 June 1998, p. 2 and 18. Cf. also Statement by NATO Secretary General, Dr. Javier Solana, on Exercise "Determined Falcon", Press Release (98)80, 13 June 1998, <<http://www.nato.int/docu/pr/1998/p98-080e.htm>>.

⁹³ Russlands ambivalente Haltung auf dem Balkan, in: *Neue Zürcher Zeitung*, 16 June 1998, p. 2.

- unimpeded access is guaranteed to humanitarian organisations, the International Red Cross, and UNHCR so as to carry out their humanitarian tasks in the above mentioned territory;
- there will be no hindrance to the return of all refugees and displaced persons on the basis of a programme agreed with the UNHCR and International Red Cross. State help will be given towards the restoration of ruined homes;
- as terrorist activity diminishes the security forces will reduce their presence in those areas where they are not permanently stationed;
- the FRY is ready to begin talks with the OSCE at the same time as the establishment of that organisation's mission in Kosovo and the restoration of the membership of the FRY in the organisation;
- both Presidents expressed their firm intention to develop all round cooperation in the interest of the peoples of both countries, peace, and stability in Europe.⁹⁴

UÇK Upswing, mid-June to mid-July

Up to mid-June, the Serbian supply route from Prishtina via Prizren to the Western border region was safe, whereas the main Kosovo traffic artery Prishtina–Peja was firmly controlled by the UÇK. Now, however, the UÇK from its Southern stronghold Malisheva started to set up temporary check-points on the Prishtina–Prizren road. In a counter-move, army and special police were concentrated around Suhareka (Suva Reka) and Shtimë (Štimlje).⁹⁵ In the face of NATO airstrikes, however, Milošević was biding his time until he saw an opportune moment to strike for what was intended to be the coup de grace for the UÇK. This time came when the UÇK, ill-coordinated as it still was, began to overstretch its capabilities. In Junik and other places in Western Kosovo, the Yugoslav army and the UÇK were battling it out from fixed front-line positions in trenches and bunkers – a type of warfare the Serbian side was clearly profiting from.⁹⁶ Still, on 24 June, the UÇK refused to agree to a cease-fire in the West offered by Holbrooke to the regional UÇK leader, Lum Haxhiu.⁹⁷ To the contrary, the guerrilla army opened up more and more fronts: It started to ethnically cleanse Serbian villages in Central Kosovo, stepped up its attacks on the Prishtina–Prizren road

⁹⁴ *Joint Statement signed by Presidents Yeltsin and Milošević*. Moscow, 16 June 1998. [The author is obliged to Dr Evangelos Kofos (Athens) for making this document available from the files of the Greek Ministry of Foreign Affairs.] Cf. also Thornhill, John: Yeltsin claims breakthrough on Kosovo, in: *Financial Times*, 17 June 1998, p. 1; Hoffman, David: Milosevic Agrees to Talks With Kosovars, in: *International Herald Tribune*, 17 June 1998, pp. 1 and 6.

⁹⁵ Krieg der Worte und der Waffen in Kosovo, in: *Neue Zürcher Zeitung*, 19 June 1998, p. 1; Strategien des Kleinkriegs in Kosovo, in: *Neue Zürcher Zeitung*, 23 June 1998, pp. 1 and 4.

⁹⁶ Dinmore, Guy: Casualties mount as Kosovo conflict starts to spread, in: *Financial Times*, 10 July 1998, p. 3.

⁹⁷ Dinmore, Guy: Holbrooke meets the Kosovo fighters, in: *Financial Times*, 25 June 1998, p. 2.

as well as in the Gjakova region and staged a surprise attack on the strategically important open-pit coal mine of Bardh i Madh (Belaševac) near Prishtina.⁹⁸ Obviously, the UÇK general staff, now said to be located at Malisheva in the South, and the field commanders for the West and for the Drenica region didn't act coordinately.⁹⁹ On 29 June, Serbian forces reassumed operations in several parts of Kosovo and by 30 June had recaptured the Belaševac Mine.¹⁰⁰ In the West, however, the UÇK profited from capturing arsenals of anti-tank and anti-aircraft weapons which left the army reeling from casualties.¹⁰¹

Yet, the diplomatic front it was again Milošević who was gaining terrain since NATO, taken by surprise by the UÇK forays, now significantly stepped down its pressure on Belgrade.¹⁰² The Serbian régime even gained good will in the West: On 6 July, a Kosovo Diplomatic Observer Mission (KDOM) launched by the USA and the Russian Federation started to operate. Soon reaching a strength of 200 members, this mission functioned under the political guidance of a coordinating group consisting of the ambassadors of the Contact Group countries in Belgrade as well as the Ambassadors of Austria (representing EU Presidency) and Poland (representing the OSCE Chairman-in-Office). From now on, the international community was officially represented in the Kosovo theater of war – without doing harm to Milošević.¹⁰³

Final Serbian Offensive, mid-July to mid-August

By mid-July, the Yugoslav army and special police forces were under heavy pressure by the UÇK. Fighting now broke out in so far peaceful large towns

⁹⁸ Hedges, Chris: Rebels Start Attacking Serb Minority, in: *International Herald Tribune*, 25 June 1998, p. 6; Pendeldiplomatie Holbrookes in Jugoslawien, in: *Neue Zürcher Zeitung*, 27-28 June 1998, p. 4 and 5. – This mine supplies lignite coal to the adjacent Obilić Power Station which generates electricity for Kosovo and the rest of Serbia as well as power for Greece and Macedonia and is thus of primary financial importance to Belgrade. Cf. Kosovo: The Point of No Return?, in: *Military Watch*, vol. 3, no. 13, 2 July 1998, <<http://www.balkaninstitute.org/militarywatch/mw-3-13.html>>.

⁹⁹ Judah, Tim: Impasse in Kosovo, in: *The New York Review of Books*, vol. 45, no. 15, 8 October 1998, p. 4.

¹⁰⁰ Hedges, Chris: Holbrooke Fails In Kosovo Talks; Attack Expected, in: *International Herald Tribune*, 27-28 June 1998, pp. 1 and 4; Dinmore, Guy; Lionel Barber: EU softens line on Serbs as fighting intensifies, in: *Financial Times*, 30 June 1998, pp. 1 and 2; Hedges, Chris: Serb Troops Attack Kosovo Positions, in: *International Herald Tribune*, pp. 1 and 10; Harter Kampf um eine Kohlegrube in Kosovo, in: *Neue Zürcher Zeitung*, 1 July 1998, p. 1; Serbs Seize Strategic Kosovo Mine, in: *International Herald Tribune*, 1 July 1998, p. 10.

¹⁰¹ Hedges, Chris: Kosovo Rebels Get Flood of Arms, in: *International Herald Tribune*, 13 July 1998, p. 5.

¹⁰² Myers, Steven Lee: NATO Backs Away From Kosovo Strike, in: *International Herald Tribune*, 17 July 1998, p. 7.

¹⁰³ Kosovo Diplomatic Observer Mission: Fact Sheet released by the Bureau of European and Canadian Affairs of the US Department of State, Washington, DC, 8 July 1998, <<http://www.state.gov/www/regions/eur>>.

like Prizren¹⁰⁴, and on 17 July, UÇK launched a full-fledged "conventional" attack on the town of Rahovec (Orahovac) in Southwestern Kosovo and captured it. The attack was paralleled by the unsuccessful attempt of 1,000 UÇK fighters to cross the Albanian-Serbian border into Kosovo.¹⁰⁵ After four days of heavy fighting, Serbian forces reconquered Rahovec. 110 people, among them 34 UÇK guerrillas, were said to have died during the fighting while 25,000 inhabitants fled the town.¹⁰⁶

The success of Rahovec encouraged Milošević to carry out his coup de grace-scheme according to a two-phase scenario: First, UÇK communication and supply line had to be severed while Serbian ones would be restored; and secondly, the remaining UÇK strongholds in Central and Western Kosovo should be destroyed completely. Immediately after the re-taking of Rahovec, Serbian forces attacked UÇK posts along the Prishtina-Peja and Prishtina-Prizren highways and cleared them completely.¹⁰⁷ The "liberated territory" in Central Kosovo was now split into two parts.¹⁰⁸ On 28 July then, Serbian forces marched from three different direction on the town of Malisheva where the UÇK general staff was located. Obviously, the UÇK did not make a serious attempt to defend the town, but retreated in disarray together with several tens of thousand inhabitants and refugees.¹⁰⁹ In military as well as in political terms, this was the turning point of Round One of the Kosovo War: The myth of the UÇK as a modern, omnipresent and ultimately superior force and as such the nucleus of a new nation-state of the Kosovo Albanians – if not of all Albanians – was seriously damaged.

During the first half of August, the Serbian side succeeded in crushing the remaining UÇK strongholds in Drenica and in the West – among them the strategic villages of Llikovc (Likovac) on 6 August, and the by now legen-

¹⁰⁴ Buchan, David: Kosovo flash point ignites resistance, in: *Financial Times*, 18 July 1998, p. 2.

¹⁰⁵ Dozens Die As a Town in Kosovo Is Ensnared, in: *International Herald Tribune*, 20 July 1998, pp. 1 and 7; Buchan, David: Serbs retaliate as KLA launch bold offensive, in: *Financial Times*, 20 July 1998, p. 3; Intensivierung der Kampfhandlungen in Kosovo, in: *Neue Zürcher Zeitung*, 21 July 1998, pp. 1 and 2.

¹⁰⁶ Serbian Forces Said to Kill 34 Kosovo Rebels, in: *International Herald Tribune*, 22 July 1998, p. 8.

¹⁰⁷ Grossoffensive gegen die UCK-Guerilla in Kosovo, in: *Neue Zürcher Zeitung*, 27 July 1998, p. 1; Buchan, David: Serbs claims KLA stronghold taken, in: *Financial Times*, 28 July 1998, p. 2; Durchbruch der serbischen Truppen in Kosovo, in: *Neue Zürcher Zeitung*, 28 July 1998, p. 1; Rüb, Matthias: Im Kosovo Zehntausende auf der Flucht vor den serbischen Truppen, in: *Frankfurter Allgemeine Zeitung*, 30 July 1998, pp. 1 and 2.

¹⁰⁸ Rüb, Matthias: Serbische Polizei rückt auf das Hauptquartier der UCK vor, in: *Frankfurter Allgemeine Zeitung*, 4 August 1998, p. 3; Fierce Fighting Reported in Kosovo, in: *International Herald Tribune*, 7 August 1998, p. 5; Serb Forces Overrun Rebels' Former Base, in: *International Herald Tribune*, 8-9 August 1998, p. 2.

¹⁰⁹ Serbs deliver blow to Kosovo guerrillas, in: *Financial Times*, 29 July 1998, p. 3; Vormarsch der Serben in Zentral-Kosovo, in: *Neue Zürcher Zeitung*, 29 July 1998, p. 2.

dary Junik on 15 August.¹¹⁰ By applying a step-by-step approach Belgrade made sure that the campaign did not provoke strong reactions by the international community. According to Western observers, the new Serbian tactics was "A village a day keeps NATO away."¹¹¹ On 17 August, regional UÇK leaders in the Peja area and Serbian forces agreed upon cease-fire mediated by KDOM in order to allow international aid agencies to reach civilians displaced and wounded in recent fighting.¹¹²

Serbian Mop-Up Operations, mid-August to early October

From the Serbian perspective, the July-August offensive had been successful in military as well as in political terms: On the one hand, by crushing all UÇK strongholds and re-occupying the "liberated territories", the military goals were achieved. On the other, among the internally displaced Kosovo Albanians the c. 50,000 "forest people" turned out to be a very effective lever on the West.¹¹³ Permission for international NGOs to deliver humanitarian and medical aid to these refugees had to be "bought" by the West from Milošević by way of political concessions.

The UÇK on the other side had to admit that it had lost Round One of the war. Kosovo's elder statesman Adem Demaçi who on 13 August took over the function of UÇK's political representative declared the strategy of defending "liberated territories" against superior Serbian firepower a "fatal mistake" and announced the re-adoption of "classic guerrilla warfare tactics".¹¹⁴ In fact, the UÇK was in urgent need of a prolonged period in order to streamline its chains of command, to train its many new members and to improve its armaments and equipment in order to effectively counter the Serbian side in the next round of the war.¹¹⁵

During the six weeks from the fall of Junik to the begin of the retreat of Serbian security forces and army into their barracks and garrisons on 3 October, Belgrade carried out a twofold mop-up operation throughout Kosovo. Its first component consisted in further military actions against pockets of UÇK resistance in strategically important locations like the airport near Prishtina as well as the Prishtina-Prizren, Prishtina-Peja, Prizren-Peja and Prishtina-

¹¹⁰ Kein Ende der Kämpfe in Kosovo, in: *Neue Zürcher Zeitung*, 3 August 1998, p. 1; Wichtige UCK-Bastion in Kosovo gefallen, in: *Neue Zürcher Zeitung*, 17 August 1998, p. 3; O'Connor, Miko: In Big Drive, Serbs Send Kosovo Albanians Reeling and Burn Villages, in: *International Herald Tribune*, 17 August 1998, pp. 5 and 8.

¹¹¹ Stelzenmüller, Constanze: Zögernder Falke, in: *Die Zeit*, 15 October 1998, p. 7.

¹¹² Dinmore, Guy: Kosovo rebels and Serbs in partial truce, in: *Financial Times*, 18 August 1998, p. 2; Dinmore, Guy: Ceasefire allows aid for Kosovo refugees, in: *Financial Times*, 19 August 1998, p. 3.

¹¹³ Smith, Jeffrey R.: Kosovo War Spawns A Refugee Disaster, in: *International Herald Tribune*, 3 August 1998, p. 5.

¹¹⁴ ICG, *Kosovo's Long Hot Summer*.

¹¹⁵ For a successful implementation of these ideas cf. Perlez, Jane: Kosovo Rebels Learn From Mistakes, in: *International Herald Tribune*, 12 November 1998, p. 4.

Mitrovica highways.¹¹⁶ The second part of the operation was characterized by the increasing role of the Serbian judiciary in Kosovo in the oppression of politically active Kosovo Albanians. According to Belgrade, by 4 October, 1,242 ethnic Albanians had been officially charged with "terrorist acts".¹¹⁷

The humanitarian catastrophe in the offing caused by the internal displacement of some 200,000 Kosovo Albanians including 50,000 "forest people" living in woods and hills, the ongoing Serbian military operations and ethnic cleansings as well as the early snowfall on 28 September¹¹⁸, prevented the international community from distracting its attention from Kosovo. The same effect had the news about a massacre at Obri e Epërme (Gornje Obrinje) in the Drenica region where 16 ethnic Albanian civilians had been killed on 25 September.¹¹⁹

Now it was again NATO which on 24 September stepped up outside pressure on Milošević by issuing an Activation Warning (ACTWARN) for both a limited air option and a phased air campaign.¹²⁰ In doing so, the alliance was able to count on the political support by the UN. In its Resolution 1199 of 23 September 1998, the UN Security Council with China abstaining, yet with the vote of the Russian Federation, had obliged Belgrade to implement a cease-

¹¹⁶ Dinmore, Guy: Serbian fire pushes back Kosovo rebels, in: *Financial Times*, 25 August 1998, p. 2; Anhaltende Kämpfe in Kosovo, in: *Neue Zürcher Zeitung*, 26 August 1998, p. 1; Dinmore, 'Guy: Kosovo fighting overshadows progress in talks, in: *Financial Times*, 4 September 1998, p. 3; Serbische Offensive gegen die letzten UCK-Bastionen, in: *Neue Zürcher Zeitung*, 23 September 1998, p. 2; Serbs Attack Again, Ignoring NATO, in: *International Herald Tribune*, 28 September 1998, p. 5.

¹¹⁷ Federal Republic of Yugoslavia: Human Rights Developments, in: *Human Rights Watch World Report 1999*,
<<http://www.hrw.org/hrw/worldreport99/europe/yugoslavia.html>>;
cf. Welle von Verhaftungen in Kosovo, in: *Neue Zürcher Zeitung*, 4 September 1998, p. 7.

¹¹⁸ Perlez, Jane: Living Amid Mud, Kosovo Refugees Fear Winter, in: *International Herald Tribune*, 30 September 1998, p. 5.

¹¹⁹ A KDOM team had "found mutilated bodies of an elderly couple, the man decapitated and the woman's throat slit. A second elderly man had been shot. They found nearby the bodies of five women (one pregnant) and six children apparently killed as they tried to escape. Nearby, the team found the bodies of a 4-year-old boy and a young girl, both shot in the head." Cf. KDOM Daily Report, Released by the Bureau of European and Canadian Affairs, Office of South Central European Affairs, U.S. Department of State, Washington, DC, 28 September 1998,

<http://www.state.gov/www/regions/eur/rpt_980928_kdom.html>;

Dinmore, Guy: Massacre overshadows Serb ceasefire claim, in: *Financial Times*, 30 September 1998, p. 3.

¹²⁰ Statement by the NATO Secretary General following the ACTWARN decision, Press Statement, Vilamoura 24 Sept. 1998,

<<http://www.nato.int/docu/pr/1998/p980924e.htm>>.

Cf. also Myers, Steven Lee: NATO Raises Pressure on Serbs, Dangling Specter of Kosovo Intervention, in: *International Herald Tribune*, 23 September 1998, p. 6; NATO allies warn Milosevic of air strikes over atrocities, in: *Financial Times*, 2 October 1998, p. 1.

fire, withdraw forces deployed in Kosovo during the war and return those already in the province to their garrisons, allow complete access for humanitarian workers to deal with displaced persons and cooperate with the UN tribunal to investigate war crimes in Kosovo.¹²¹ The resolution did not, however, contain a threat of force in case of non-compliance and thus did not provide a clear-cut mandate for NATO air strikes or ground operations in and against the FRY.

IV. Informal Cease-fire, mid-October to December 1998

By 4 October, the Serbian mop-up operations against the UÇK were completed and security forces and army started to retreat into their Kosovo barracks. However, the ongoing humanitarian problem of the "forest people" caused NATO to threaten to turn its ACTWARN into an Activation Order (ACTORD) with a fixed deadline for air strikes. In this situation, the Russian Federation and France reactivated the Contact Group, the UN and the OSCE to counter-balance NATO's lead in the Kosovo Crisis. On 8 October, Contact Group Foreign Ministers met with Holbrooke and OSCE Chairman-in-Office Polish Foreign Minister Bronisław Geremek. According to a statement by UK Foreign Secretary of State Robin Cook they decided upon the following timetable:

"We agreed tonight that Dick Holbrooke should return straight to Belgrade, with the full authority of the Contact Group and the backing of all the nations represented on the Contact Group. We are also clear that compliance with Resolution 1199 must involve 6 clear measures:

- first, an end to offensive operations and hostilities by both sides;
- secondly, the withdrawal of Belgrade's security forces to their positions before March and the withdrawal of heavy weapons;
- thirdly, freedom of access for the humanitarian agencies to get on with their important relief work;
- fourth, full cooperation with the International War Crimes Tribunal to make sure those who have committed atrocities are brought to justice;
- fifth, the facilitation of the return of refugees to their homes without fear;
- and finally, but critically, a start to negotiations on the Hill proposals¹²² which have been endorsed by the Contact Group.

We are also agreed that any settlement that offers compliance with 1199 must be irreversible. That is why we agreed tonight that if Mr. Holbrooke is suc-

¹²¹ United Nations: Resolution 1199 (1998), Adopted by the Security Council at its 3930th meeting on 23 September 1998 (S/RES/1199 (1998) 23 September 1998), <<http://www.osceprag.cz/news/unsc1199.htm>>.

¹²² During a Contact Group meeting on Kosovo on 2 October 1998 in London, a revised paper of 1 October by US diplomat Christopher Hill containing the outline for a joint interim administration for Kosovo to be presented to the conflict parties was endorsed. Cf. Kosovo Contact Group, Friday 2 October 12998, <<http://www.mod.uk/news/kosovo/news/fco021098.htm>>. On Hill's mediation efforts see below.

cessful in obtaining agreement from President Milosevic, then that agreement must be open to full and credible verification, and the provision on the ground to verify that agreement must be on a scale and with the freedom necessary for full and credible verification.

Tonight the Chairman in Office of the OSCE was present and we all agreed that there may be a role for the OSCE in any such verification if an agreement is reached. But we also accepted that there is a role for all of us, and also for the UN, if there is a settlement. That is why tonight we also agreed, all of us – including all the Permanent Members of the Security Council around the table, that if there is agreement secured by Mr. Holbrooke, it will be incorporated in a Security Council resolution so that any assurances or agreement offered by President Milosevic will be enshrined in a Security Council resolution which will carry the full authority of the United Nations, and that full authority will be challenged if he were to break any of those assurances.

Lastly, we all recognized the urgency of the present situation. The report of the [UN] Secretary General this week has already spelt out the serious humanitarian crisis in Kosovo, particularly among the refugees. Tonight we would reinforce that message by reminding the world of the urgency of obtaining full compliance with Resolution 1199 before winter sets in and turns a humanitarian crisis into a humanitarian catastrophe."¹²³

The Holbrooke-Milošević Agreement(s) of 12 October 1998

The military threat by NATO on the one hand and the Russian approval for OSCE verification on the ground on the other caused Milošević to accept US mediation and to engage with Holbrooke into serious negotiations on the implementation of the various elements of Resolution 1199. On 12 October, at the peak of a dramatic build-up of pressure by NATO, Milošević orally agreed to an OSCE presence of 2,000 unarmed verifiers in Kosovo combined with unarmed NATO verification in the air plus to an increased degree of internal self-determination for Kosovo.¹²⁴ To allow Milošević to save his face no formal document seems to have been signed by him and Holbrooke – at least none was made public.

In the night of 12 to 13 October, Holbrooke briefed NATO on Milošević's intention to comply with the UN Resolution, and on 13 October the Yugoslav President for the first time since the Dayton Agreement of 1995 appeared on Serbian TV to inform his compatriots in vague terms about the "accords we have reached" and which "eliminate the danger of military intervention against our country."¹²⁵ What precisely he had agreed upon was, however, not

¹²³ Foreign Secretary of State Robin Cook: Contact Group Discussion on Kosovo, Thursday, 8 October 1998, <<http://www.mod.uk/news/kosovo/news/fco081098.htm>>.

¹²⁴ The Holbrooke Agreement, News, background and images on Kosovo from the United Kingdom Ministry of Defence and the Foreign & Commonwealth Office, <<http://www.mod.uk/news/kosovo/agreement/index.htm>>.

¹²⁵ President Milosevic Announces Accord on Peaceful Solution, in: *Yugoslav Daily Survey - Special Issue*, 13 October 1998, <http://www.mfa.gov.yu/Bilteni/Engleski/si131098_1_e.html>.

revealed. Instead Milošević enigmatically spoke about a "political solution" for the "problems in Kosovo and Metohija and in connection with Kosovo and Metohija" by way of "the affirmation of the national equality of all citizens and all national communities in Kosovo and Metohija."¹²⁶

The Yugoslav President left it to the Serbian President Milan Milutinović to make public some of the less popular details of the agreement like "the interest of the international community in full-scale monitoring of the situation in Kosovo-Metohija" and the fact "that this task should be carried out by an OSCE mission as the best way of enabling the international community to verify the positive trends underway."¹²⁷ Unlike Milošević, Milutinović also mentioned agreed upon "principles for a political solution" of "the problems in Serbia's southern Province of Kosovo-Metohija in a peaceful way" including a timetable for their implementation. Among these principles were "respect [for] the territorial integrity and sovereignty and internationally recognized boundaries of the Federal Republic of Yugoslavia" as well as the values of "peace, equality, integration, economic prosperity and free and common life, not [...] ethnic, confessional, cultural or any division and isolation." Of particular interest were two out of the eleven provisions: (1) No. 7 provided that "citizens in Kosovo shall govern themselves democratically through assemblies, executive and judicial organs of Kosovo", and that "within nine months, there will be free and fair elections for Kosovo authorities, including those on the communal level", to be supervised by the OSCE. (2) According to provision no. 9, "in the context of the political settlement for Kosovo, which will devolve many responsibilities to the communal level, police under local-communal direction will be established." This aimed at the (re-)creation of a Kosovo Albanian police force resp. "local police, which will be representative of the local population [...] and coordinated by administrative organs of Kosovo."¹²⁸ The attached timetable provided for "an agreement on the status of the international presence, including verification, OSCE and other elements" by 19 October, "the completion of an agreement containing core elements for a political settlement in Kosovo" by 2 November and "the completion of rules of procedure for elections" by 9 November.¹²⁹

All in all, in the negotiations with Holbrooke Milošević had succeed in securing the status quo of and in Kosovo. On the one hand, the province was to remain an integral part of the Republic of Serbia, i.e., was not going to become a third republic of the FRY nor gain external self-determination, and on the other, the massive presence of the Serbian security forces and Yugoslav army in Kosovo was to be perpetuated on the high level of the beginning of

¹²⁶ *Ibid.*

¹²⁷ Federal Ministry of Foreign Affairs: Serbian Government Endorses Accord Reached by President Milosevic, Belgrade, 13 October 1998, in: *Yugoslav Daily Survey – Special Issue*, 13 October 1998, <http://www.mfa.gov.yu/Bilteni/Engleski/si131098_e.html>.

¹²⁸ *Ibid.*

¹²⁹ *Ibid.*

the war in spring 1998. While Holbrooke according to Western media reports had been pressing for a maximum of 17,500 police and army permanently stationed in Kosovo, Milošević succeeded in securing a ceiling of 15,000 VJ troops and 10,000 MUP forces.¹³⁰ Finally, the obligation to create a political framework for a direct dialogue with the Kosovo Albanians, *i.e.*, strictly bilateral and without third party involvement, was completely in line with Milošević's policy throughout the 1990s. The only substantial concession he had to make was to swallow the deployment of up to 2,000 unarmed OSCE verifiers for an unlimited amount of time in Kosovo. Yet, in the light of the fact that several hundreds of US, EU, Russian and other KDOM monitors were roaming Kosovo already since July 1998, the provision of a presence of some more observers could be sold to the Yugoslav public as a mere increase in numbers. Internationally as well as internally, Milošević, who according to a Serbian observer was "exactly in the situation where he is most comfortable, a central character in the midst of crisis"¹³¹, emerged once more as a pragmatic statesman, a respected partner of the international community and even as the savior of the Serbian nation against a hostile outside world.

At 4:52 a. m. on 13 October, *i.e.*, a few hours after having been briefed by Holbrooke on the agreement with Milošević and thus being relieved from the obligation to live up to its military threat against Belgrade, the North Atlantic Council decided to turn the ACTWARN of 24 September into ACTORDs for both limited air strikes and a phased air campaign in Yugoslavia.¹³² Meeting a wish of Holbrooke, the 48-hours deadline for the execution of these measures was prolonged to 96 hour.¹³³ On 16 October, NATO extended also this deadline by another 10 days.¹³⁴ The peculiar combination of boasting and patience on behalf of the Northatlantic Alliance was not the least due to the fact that on 15 October, NATO's Supreme Allied Commander in Europe, US General Wesley Clark, and the VJ Chief of Staff, General Momčilo Perišić, had signed in Belgrade an agreement providing for the establishment of a NATO Air Verification Mission over Kosovo (Operation "Eagle Eye"). The Agreement established a Mutual Safety Zone composed of Kosovo and a 25-kilometer corridor extending beyond the contiguous boundaries of Kosovo.

¹³⁰ Serbische Truppen ziehen aus dem Kosovo ab, in: *Frankfurter Allgemeine Zeitung*, 28 October 1998, p. 1; Ungebrochene Gewaltbereitschaft im Kosovo, in: *Neue Zürcher Zeitung*, 14-15 November 1998;

<http://www.nzz.ch/online/02_dossiers/kosovo/kos981114awy.htm>;

Rüb, Matthias: Viele 'Waldmenschen' haben wieder ein Dach über dem Kopf, in: *Frankfurter Allgemeine Zeitung*, 7 November 1998, p. 7.

¹³¹ Political scientist Predrag Simić according to Dinmore, Guy: Milosevic bolsters powers in face of threats from Nato, in: *Financial Times*, 6 October 1998, p. 2.

¹³² Statement to the Press by the Secretary General Following Decision on the ACTORD, NATO HQ, 13 Oct. 1998,

<<http://www.nato.int/docu/speech/1998/s981013a.htm>>.

¹³³ Transcript of the Press Conference by Secretary General, Dr. Javier Solana, NATO HQ, Brussels, 13 Oct 1998, <<http://www.nato.int/docu/speech/1998/s981013b.htm>>.

¹³⁴ Statement by the NATO Spokesman on the NAC of 16 October 1998,

<<http://www.nato.int/docu/speech/1998/s981016a.htm>>.

Unarmed NATO aircraft were allowed free reign over Kosovo.¹³⁵

On 16 October, OSCE Chairman-in-Office Geremek went to Belgrade to sign an "Agreement on the OSCE Kosovo Verification Mission". On behalf of the FRY, Foreign Minister Živadin Jovanović acted as co-signatory. The mission's aim was defined as being "to verify compliance by all parties in Kosovo with UN Security Council Resolution 1199, and report instances of progress and/or non-compliance to the OSCE Permanent Council, the United Nations Security Council and other organizations."¹³⁶ In order to do so, the mission was given the possibility to "travel throughout Kosovo to verify the maintenance of the cease-fire by all elements. It will investigate reports of cease-fire violations. Mission personnel will have full freedom of movement and access throughout Kosovo at all times."¹³⁷ The mission was to consist of "unarmed verifiers from OSCE member states" and could "be augmented with technical experts provided by OSCE".¹³⁸ Its headquarters were to be set up in Pristina, a "small liaison office" in Belgrade.¹³⁹ Outside Pristina, the mission was entitled to establish coordination centers in the capitals of each municipality as well as sub-stations in other towns and villages.¹⁴⁰ On 17 October, Geremek appointed as Head of the OSCE KVM US diplomat William G. Walker, a former head of the UN Transitional Administration for Eastern Slavonia.¹⁴¹

Endorsement for the OSCE KVM was given by the UN Security Council on 24 October through Resolution 1203. It demanded that the FRY abide by its agreements and commitments concerning the OSCE presence in Kosovo as well as NATO verification over Kosovo and reminded the FRY of its "primary responsibility for the safety and security of all diplomatic personnel accredited to the Federal Republic of Yugoslavia, including members of the OSCE Verification Mission."¹⁴² On the same day, the KDOM had reported

"the withdrawal from Kosovo of over 90% Serbian Interior Ministry (MUP) reinforcements. KDOM counted 4,126 police personnel moving out of Kosovo or into established garrisons late yesterday and today.[...] KDOM is unaware of any Serbian Army (VJ) forces currently deployed out of garrison

¹³⁵ Press Points by Secretary General, Dr. Javier Solana, Belgrade, 15 Oct. 1998, <<http://www.nato.int/docu/speech/1998/s981015a.htm>>;

The U. S. Mission to NATO, Defense Spokesman Outlines Kosovo Verification Regime, Washington, 15 Oct. 1998, <<http://www.nato.int/usa/dod/s981015a.htm>>.

¹³⁶ Agreement on the Kosovo Verification Mission, Belgrade, 16 October 1998, pt. II, art. 1, <<http://www.osceprag.cz/news/kosovo.htm>>.

¹³⁷ *Ibid.*, pt. III, art. 1.

¹³⁸ *Ibid.*, pt. IV, art. 2.

¹³⁹ *Ibid.*, pt. IV, art. 3 and 5.

¹⁴⁰ *Ibid.*, pt. V, art. 1 and 2.

¹⁴¹ OSCE Appoints Head of Kosovo Verification Mission, in: *OSCE Secretariat Press Release*, No. 64/98, Warsaw, 17 October 1998, <<http://www.osceprag.cz/inst/secret/presrel/pr64-98.htm>>.

¹⁴² United Nations, Resolution 1203 (1998), Adopted by the Security Council at its 3937th meeting, on 24 October 1998 (S/RES/1203 (1998), 24 October 1998), <<http://www.osceprag.cz/news/unscl203.htm>>.

other than three company-sized units (approximately 360 troops), and the normal border guard units patrolling the frontier. KDOM also reported the withdrawal of tanks and armored personnel carriers by VJ and MUP forces."¹⁴³

According to the US Department of State, by 29 October a decrease of VJ troops in Kosovo from 16,000 to 17,000 down to 13,000 had taken place¹⁴⁴, whereas the British Ministry of Defense estimated a presence of 15-16,000 VJ troops and 9,000 MUP forces.¹⁴⁵

On 27 October, NATO Secretary General Javier Solana declared that it was the alliance's "credible threat to use force" which

"changed the situation in Kosovo for the better. NATO's unity and resolve have forced the Yugoslav Special Police and military units to exercise restraint and reduce their intimidating presence in Kosovo. We have been able to reduce the level of violence significantly and to achieve a cease-fire which has held, despite some sporadic incidents."¹⁴⁶

However, the two ACTORDs for limited air operations as well as for the phased air campaign remained into force without time limits, since according to Solana "the crisis is far from over".¹⁴⁷ On the same day, US Secretary of State Madeleine K. Albright announced NATO's plans "for a reaction force with forward elements in [...] Macedonia, if Skopje agrees. Its purpose will be to ensure that Alliance forces are on call to respond if needed."¹⁴⁸

On 26 November, NATO inaugurated a Kosovo Verification Coordination Center (KVCC) in the Macedonian town of Kumanovo on the border to the FRY. Its purpose was to coordinate the activities of the NATO Air Verification Mission for Kosovo with the OSCE KVM in Prishtina and with the new NATO Extraction Force (XFOR, Operation "Joint Guarantor").¹⁴⁹ On 2 December, the Macedonian government approved stationing this French-led force of 1,500 to 1,700 personnel from several NATO countries in Kumanovo and on 5 December the ACTORD for XFOR was issued. Its mandate was to "extract" individual or all members of the OSCE KVM or other designated

¹⁴³ Kosovo Progress Report, Released by the Bureau of European and Canadian Affairs, U. S. Department of State, Washington, DC., 27 October 1998, <<http://www.state.gov/www/WHATEVER/>>.

¹⁴⁴ U. S. Department of State: Off-Camera Daily Press-Briefing, DPB # 119, Thursday, October 29, 1998, 1:12 p. m., <<http://www.fas.org/man/dod-101/ops/docs/981029db.html>>.

¹⁴⁵ Yugoslav Army (Vojaska Jugoslavije, VJ). Facts and Figures, <<http://www.mod.uk/news/kosovo/backgrnd/vj-facts.htm>>.

¹⁴⁶ Statement to the Press by NATO Secretary General Dr. Javier Solana Following the Meeting of the North Atlantic Council, 27 Oct. 1998, <<http://www.nato.int/docu/speech/1998/s981027a.htm>>.

¹⁴⁷ *Ibid.*

¹⁴⁸ Secretary of State Madeleine K. Albright: Remarks on Kosovo, Washington, DC, 27 October 1998, <<http://secretary.state.gov/www/statements/1998>>.

¹⁴⁹ Remarks by Dr. Javier Solana, Secretary General of NATO, at the Inauguration of the Kosovo Verification Coordination Centre (KVCC), 26 Nov. 1998, <<http://www.nato.int/docu/speech/s981126a.htm>>.

persons from Kosovo in an emergency.¹⁵⁰

The Kosovo Albanians who had not been participating in the Holbrooke–Milošević negotiations resulting in the conclusion of all these bilateral and multilateral agreements and decisions were utterly frustrated. By them, any international intervention short of the deployment of NATO ground forces in Kosovo was considered as insufficient and thus perceived as a disappointment.¹⁵¹ The complicated construction of unarmed OSCE verifiers inside Kosovo, a heavily armed NATO protection force outside Kosovo and again unarmed NATO air surveillance over Kosovo was depicted as being too little and too volatile in case of renewed warfare.¹⁵² Rugova and the LDK were particularly dissatisfied with the content and the wording of the OSCE–FRY Agreement of 16 October. They criticized the fact that the Kosovo Albanian side was not included amongst the signatories, that the preambular language had been couched in typical Belgrade terminology and that even the English text of the agreement used specifically Serbian administrative terms.¹⁵³

US Efforts to Negotiate an Interim Agreement, October to December

Equally critical was the reaction of the Kosovo Albanians to the mediation activities by US Special Envoy for Kosovo and ambassador to Macedonia Christopher Hill. Since July 1998, Hill was trying to have the political élite of the Kosovo Albanians as well as the government in Belgrade to accept the draft on an interim agreement on Kosovo he had started to write in the form of a work in progress, first together with Lloyd Cutler, a former US Presidential Counsel and author of the Dayton Agreement, then with the help of James O'Brien, Senior Adviser to the US Secretary of State. A first draft settlement of 1 October was endorsed by the Contact Group during its London meeting the following day and consequently accepted by Milošević in the agreement with Holbrooke of 12 October as the starting point for bilateral negotiations with the Kosovo Albanians.¹⁵⁴ Due to strong disapproval by key Kosovo Al-

¹⁵⁰ NATO Press Statement., Press Release, (98)139, 5 Dec. 1998, <<http://www.nato.int/docu/pr/1998/p98-139e.htm>>.

Cf. also Frankreich will Nato-Einsatz führen, in: *Frankfurter Allgemeine Zeitung*, 6 November 1998, p. 8.

¹⁵¹ Rüb, Matthias: Milošević erklärt sich zum Einlenken bereit. Die NATO hält an ihrer Drohung fest, in: *Frankfurter Allgemeine Zeitung*, 14 October 1998, pp. 1-2; Rathfelder, Erich: Die Albaner im Kosovo sind enttäuscht, in: *Die Tageszeitung*, 15 October 1998, p. 10.

¹⁵² Rüb, Matthias: Viele 'Waldmenschen' haben wieder ein Dach über dem Kopf, in: *Frankfurter Allgemeine Zeitung*, 7 November 1998, p. 7.

¹⁵³ Serbian Texture of Draft Document for OSCE Kosova Verification Mission, in: *Kosova Daily Report*, #1582, 98-10-14, <<http://www.hri.org/news/balkans/kosova/1998/98-10-14.ksv.html>>.

This criticism was not without substance: Wording like "the Province of Kosovo and Metohija" as well as the use of the Serbian word *opština* instead of the English term *municipality* clearly betrayed Belgrade's handwriting.

¹⁵⁴ Federal Ministry of Foreign Affairs: Serbian Government Endorses Accord Reached by President Milosevic, Belgrade, 13 October 1998,

banian politicians, on 1 November Hill presented a new version reworked in a pro-Albanian way. On 18 November, the Prishtina daily *KOHA Ditore* published an Albanian translation according to which Kosovo should *de facto* become a constituent part of the Yugoslav federation whereas its ties to the Republic of Serbia would be significantly loosened. While leading Kosovo Albanians described the plan as a step in the right direction, reactions in Belgrade were dismissive.¹⁵⁵ On 20 November, Serbian President Milutinović presented Belgrade's own "Joint Proposal of the Agreement on the Political Framework of Self-Governance in Kosovo and Metohija" modeled after the eleven principles proclaimed on 13 October.¹⁵⁶ This draft agreement focused on the multi-ethnic and multi-confessional character of what was called *Kosmet* and was said to be the result of talks and consultations with pro-régime parties as well as with some minority organizations in Kosovo. According to a governmental "Memorandum on the Situation in the Autonomous Province of Kosovo and Metohija, Republic of Serbia, Federal Republic of Yugoslavia" of 1 December, the draft agreement

"has received the support of all ethnic and national communities, including some parties of citizens of the Albanian national minority – who taken together represent 600,000-800,000 citizens of all nationalities and confessions in Kosmet."¹⁵⁷

Of course, the Kosovo Albanian leadership declined to accept this draft agreement as a basis for negotiations. On 2 December, Hill came up with another version of his proposal which incorporated parts of the Serbian criticism of his previous plan. Now, however, not only reactions in Belgrade but

<http://www.mfa.gov.yu/Bilteni/Engleski/si131098_e.htm>.

All three Hill plans will be published in the forthcoming collection of documents *The Crisis in Kosovo 1990-1999* (Keesings Worldwide Analysis and Documents, vol. 1), ed. Marc Weller (London: Keesing's, 1999).

¹⁵⁵ *Statement on Fundamental Principles for a Settlement of the Kosova Question, Issued by the Government of the Republic of Kosova on 3 November 1998*, Prishtina, 3 November 1998; Anbindung an jugoslawische Institutionen, in: *Frankfurter Allgemeine Zeitung*, 19 November 1998, p. 7; Rüb, Matthias: Ägypter und Albaner auf dem Amselfeld, in: *Frankfurter Allgemeine Zeitung*, 1 December 1998, p. 3.

¹⁵⁶ Joint Proposal of the Agreement on the Political Framework of Self-Governance in Kosovo and Metohija, Belgrade, 20 November 1998, in: *Yugoslav Daily Survey - Special Issue*, 22 November 1998,

<http://www.mfa.gov.yu/Bilteni/Engleski/si221198_e.html>.

¹⁵⁷ Memorandum on the Situation in the Autonomous Province of Kosovo and Metohija, Republic of Serbia, Federal Republic of Yugoslavia, Belgrade, 01 December 1998, in: *Yugoslav Daily Survey - Special Issue*, 1 December 1998,

<http://www.mfa.gov.yu/Bilteni/Engleski/si011298_e.html>.

Among these "600,000-800,000 citizens" were said to be "around 250,000 Serbs and Montenegrins, 150,000 Muslims, 150,000 Romanies and more than 100,000 members of other national communities – Turkish, Goranians, Croat, Egyptian and others". These figures are incompatible with the results of the 1991 census taken in Serbia and with the migration movements of the 1990s. Cf. above, Introduction.

also in Prishtina were vehemently negative.¹⁵⁸ On 3 December, the federal parliament issued a declaration labelling Hill's mediation efforts as "instruments of pressure, threats and flagrant interference of USA in the internal affairs of the FRY". US facilitation in the Kosovo conflict was described as an attempt to "dislocate Kosovo and Metohija from Serbia" and to "detach and annex it to some 'Greater Albania'".¹⁵⁹

Violations of the Cease-Fire, mid-December to Christmas

Throughout the duration of these US mediation efforts, the informal cease-fire of 12 October held despite some 170 incidents resulting in the death of some 200 persons.¹⁶⁰ On 14 December, however, a serious clash between Yugoslav border guards and UÇK fighters trying to cross into Kosovo from Albania near Prizren resulted in the killing of 37 Kosovo Albanians. On the same day, in what resembled a revenge attack with automatic weapons six juvenile Serbian visitors of a café in downtown Peja were assassinated.¹⁶¹ The already tense situation escalated further when a VJ exercise was scheduled for 21 December in Eastern Kosovo. According to official Serbian information, on the same day a policeman was killed in the town of Podujeva (Podujevo) – an event which triggered off an artillery attack on the town by the Yugoslav army.¹⁶² On 24 December, the worst fighting since the cease-fire broke out in the Llap region near Podujeva. The Serbian side deployed up to 100 tanks and killed 14 Kosovo Albanians¹⁶³, and more than 5,000 people were said to have been internally displaced.¹⁶⁴ On 26 December, NATO Commander Clark commented that "we are seeing the emergence of a new round of a possible significant escalation in the scope and intensity of the violence by the Serb

¹⁵⁸ Rüb, Mathias: Holbrooke vermittelt wieder zwischen Serben und Albanern, in: *Frankfurter Allgemeine Zeitung*, 16 December 1998, p. 6.; Ambassador Hill Comments on Kosovo Negotiations, Prishtina, 10 December 1998, <<http://www.usia.gov/regional/eur/balkans/kosovo/heading/1210hill.htm>>.

¹⁵⁹ Declaration by the Federal Assembly of the Federal Republic of Yugoslavia, Belgrade, 03 December 1998, in: *Yugoslav Daily Survey – Special Issue*, 3 December 1998, <http://www.mfa.gov.yu/Bilteni/Engleski/si031298_1_e.html>.

¹⁶⁰ Dieterich, Johannes: Ihr müsst nett sein, in: *Die Woche*, 24 December 1998, p. 22; cf. also KDOM Progress Report, Prishtina, 8 December 1998, <<http://www.usia.gov/regional/eur/balkans/kosovo/heading/1208prog.html>>.

¹⁶¹ Rüb, loc. cit.

¹⁶² Ogata besorgt über Lage im Kosovo, in: *Frankfurter Allgemeine Zeitung*, 22 December 1998, p. 10; OSZE mit Belgrad nicht zufrieden, in: *Frankfurter Allgemeine Zeitung*, 23 December 1998, p. 2.

¹⁶³ Four Days of Clashes in Kosova, in: *Radio Free Europe/Radio Liberty NewsLine, Southeastern Europe*, 28 December 1998, <<http://www.rferl.org/newsline/4-see.html>>;

Rüb, Matthias: Waffenstillstand im Kosov faktisch zusammengebrochen, in: *Frankfurter Allgemeine Zeitung*, 28 December 1998, p. 4.

¹⁶⁴ UNHCR Looks for Displaced Persons, in: *Radio Free Europe/Radio Liberty News Line, Southeastern Europe*, 29 December 1998, <<http://www.rferl.org/newsline/4-see.html>>.

side. The Yugoslav Army has broken its promises to NATO."¹⁶⁵ And on 28 December, outgoing OSCE Chairman-in-Office Geremek announced that if the fighting would go on "the OSCE would have to reconsider the forms of its activities" in Kosovo by withdrawing its by now 600 verifiers.¹⁶⁶ On 27 December, however, the head of the OSCE KVM succeeded in mediating a cease-fire in the Podujeva region which lasted into the new year.¹⁶⁷

On 31 December 1998, the Yugoslav president delivered an angry and aggressive New Year Message to the citizens of the FRY: Milošević took a fierce stand against "pressures, which [...] are being exerted with the aim of ensuring such a level of self-governance for Kosovo and Metohija, so that its full secession from Serbia, *i.e.*, from Yugoslavia be easy and logical" and demanded that "the year 1999 should be devoted to the preservation of the sovereignty of Yugoslavia" as well as to the "affirmation of the truth about our history and present"¹⁶⁸ – not very promising statements with regard to the prevention of a flare-up of inter-ethnic warfare in the country's troubled Southwest nor to a lasting solution of the Kosovo problem.

There is no conclusion to this account of round one of the Kosovo War. Already in January 1999, there were massive signs for the beginning of round two. In military terms, this second round will be much fiercer than the first one. The UÇK is better trained and equipped, and the Serbian forces have accumulated considerable experience in counter-guerrilla warfare. The unarmed OSCE verifiers are not taken serious neither by the Serbian authorities nor by the Kosovo Albanians. In early 1999, even moderates on both sides are far from finding a compromise solution for the conflict in whatever form. And by refusing to even discuss the topic of a deployment of ground forces in Kosovo, NATO and with it the international community have painted themselves into the corner. It seems as if it will take another one or more rounds in the Kosovo War for bringing about an international protectorate in this core region of Europe.

¹⁶⁵ NATO's Clark Speaks of 'New Phase', in: *Radio Free Europe/Radio Liberty News Line, Southeastern Europe*, 28 December 1998, <<http://www.rferl.org/newsline/4-see.html>>.

¹⁶⁶ Future of Monitoring in Doubt, *ibid.* However, the press officer of OSCE KVM in Pristina Jørgen Grunnet contradicted Geremek's statement on 29 December by denying any intention of leaving Kosovo. Cf. Nato zu Intervention im Kosovo bereit, in: *Frankfurter Allgemeine Zeitung*, 30 December 1998, p. 1.

¹⁶⁷ Yugoslavia: OSCE Monitors Say Truce Restored in Kosovo, in: *Radio Free Europe/Radio Liberty Features*, 28 December 1998, <<http://www.rferl.org/nca/features/1998/12/F.RU.981228163834.html>>.

¹⁶⁸ Yugoslav President Milosevic's New Year Message to the Nation, Belgrade, 31 December 1998, in: *Yugoslav Daily Survey – Special Issue*, 31 December 1998, <http://www.mfa.gov.yu/Bilteni/Engleski/si311298_e.html>.