

The Limits of Non-Military International Intervention: A Case Study of the Kosovo Conflict

By Stefan Wolff

The conflict in Kosovo is an ethnic conflict with strong territorial and cross-border/international dimensions. Its implications reach beyond Kosovo into Serbia, the Federal Republic of Yugoslavia (FRY), and the neighbouring states Albania and Macedonia. The conflict also had (and still has) an impact on the stability of the entire Balkans.

Driven by concerns about the human rights situation in Kosovo and the implications of a further escalation of the latent conflict there, a number of international governmental organizations began to adopt various strategies of intervention since 1990, starting with the European Parliament's first resolution on Kosovo.¹ The intervention strategies adopted prior to NATO's air campaign reached from declarations of concern and the funding of NGO initiatives, to CSCE/OSCE monitoring missions in Kosovo, and to concrete proposals how to address the Kosovo crisis. The organizations involved were on the global level the United Nations and the International Conference on the Former Yugoslavia and its successor organizations, on the transatlantic level NATO, the CSCE/OSCE, and the Contact Group on Bosnia-Herzegovina, and on the European level the EU, the WEU, the European Parliament, and the Parliamentary Assembly of the Council of Europe. Apart from this, there have been a number of bilateral and regional initiatives, such as the Kinkel-Védrine Initiative of November 1997² and the Turkey-inspired initiative to create a

multinational Balkan rapid intervention force which was joint by Albania, Bulgaria, the FYROM, and Romania.³ Individually, the governments of Russia, the United States, and, to a lesser degree, Germany, Italy, and Greece have played a part in the international community's response to the evolving and subsequently escalating conflict in Kosovo.

The difficulties the international community was experiencing in formulating and implementing a consistent and effective policy approach towards the conflict in Kosovo were several and they had their sources within Kosovo, within the Federal Republic of Yugoslavia, within the wider region, and within the complex framework of relations between the main actors in the international arena. Together these factors have, from the outset, limited the range of possible policies, resulting in international governmental actors failing, individually and collectively, to prevent and thus far to settle the conflict.

This broad picture needs to be transformed into a framework of distinct, yet interrelated, categories that allow an analysis of the conflict and the possible management and settlement strategies that were tried. Under the specific circumstances of the Kosovo conflict, such an analysis has to include the inter-ethnic situation in Kosovo, that is the socio-demographic structure of the area, including settlement patterns, and power and numerical balances, the level and nature of inter-group conflict and inter-group alliances, and the nature of cleavages between the various ethnic groups. It is further necessary to extend the analysis to the inside of the ethnic groups concerned in order to determine what the dominant political agendas were and if any intra-group rivalries existed. Beyond Kosovo, the situation in Serbia/FRY and the neighbouring states played a major role in the calculations both of decision makers in the region and of those in the relevant international bodies.

These calculations included an assessment of the likelihood and consequences of conflict spill-over, the impact of the ongoing conflict on regional stability in general, and, in turn, the effect of the situation in other states of the region on the development of the conflict in Kosovo, including the diverse policy agendas of major national and transnational players in relation to the conflict, cross-border ethnic alliances, and the interest structures of the states concerned. Similarly significant were factors that can be located in the international context, such as the geopolitical significance of Kosovo, the existing interest structures and alliances in the international bodies involved, and the availability and commitment of resources by international organizations. The individual factors in each of these five categories are summarized in Table 1.

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The Constraints of Conflict Containment

Various policy initiatives by the international community had sought to prevent the violent escalation of the conflict in Kosovo, which occurred after years of inter-ethnic tensions in February 1998. Thereafter, the major objective of the international community was to prevent a spill-over of the conflict into neighbouring countries, while simultaneously calming the situation in Kosovo and searching for an acceptable settlement. These efforts were frustrated by a variety of factors, which, at the same time, formed the background for subsequent efforts to find an interim solution at the Rambouillet negotiations. I will give a brief overview of these factors before turning to a more detailed analysis of the failure of the Rambouillet process.

The Inter-Ethnic Situation in Kosovo

The relationships between Albanians, Serbs, and members of other ethnic groups in Kosovo have rarely been harmonious. Culturally, the territory was significant for Serbs and Albanians alike, playing an important role in identity-shaping collective myths. With the creation of socialist Yugoslavia after the Second World War, hopes for the continuation of a greater Albania, created under Italian occupation, vanished into thin air. Several constitutional reforms between 1946 and 1974 increased the autonomy of the region, but failed to address the inter-ethnic unease. After 1974, the Serb population found itself to be increasingly victimized by the Albanian majority in the province. Albanians, from about 1980 onwards, pressed ever harder for republican status of Kosovo, which in the Yugoslav constitution brought with it a conditional right to secession. Tensions between Serbs and Albanians in Kosovo and between the ethnic Albanian minority and the central government in Belgrade, increasing simultaneously to the rise of nationalism among all ethnic groups in Yugoslavia, culminated in the abolition of Kosovo's autonomy in 1989. Policies of segregation pursued by Serbs in Kosovo and Belgrade resulted in the creation of two parallel societies – Serb and Albanian. Albanians, after being forced out of the public sector, set up their own institutions, and proclaimed the Republic of Kosovo after a secret referendum and parliamentary and presidential elections in 1991 and 1992.

The marginalization of the Kosovo issue in international politics over the following years facilitated the radicalisation of both Serbs and Albanians, and consequently, inter-ethnic relations deteriorated further.

The Intra-Ethnic Situation in Kosovo

The two major problems which the international community had to confront with respect to the ethnic Albanian population in Kosovo were their demands for an independent state and the fact that otherwise no unified political platform among ethnic Albanians existed, and that all attempts to create one were frustrated by personal and political rivalries.

Until the mid-1990s, Ibrahim Rugova was the unchallenged leader of the ethnic Albanians' peaceful resistance to Serbia and there seemed to be a widespread determination among the existing political parties of Kosovo Albanians to let party-political differences not come in the way of a joint political agenda. Initially, this aimed at a restoration of the *status quo ante* plus, i.e., the return to the 1974 constitutional regulations with a simultaneous upgrading of Kosovo to a republic and of ethnic Albanians to one of the constituent peoples of the Yugoslav state. Subsequently, however, continued Serbian repression made Rugova and his party demand independence.⁴ Two presidential and parliamentary elections administered by the Kosovo Albanians confirmed his claim to the presidency of the self-proclaimed Republic of Kosovo. While Rugova thus possessed a certain degree of democratic legitimacy, even though the elections were organized under very difficult conditions, he had hardly any real power. At an internal level, this became apparent by the rejection of his authority by the KLA. Externally, in his relations with Serbia and the FRY, Rugova was not able to secure any substantial concessions from Yugoslav President Slobodan Milosevic, apart from a March 1998 agreement to reopen Albanian language schools. Another severe blow to his strategy of non-violent resistance and of engaging the international community for the cause of an independent Kosovo was dealt by the European Union's official recognition of the FRY in 1996 before any resolution of the already obvious conflict in Kosovo.

However, to some extent, blame also rested with Rugova himself. Insisting on the necessity and possibility of achieving Kosovo's independence from Serbia, he raised the hopes of ethnic Albanians even at a time when the international community had long made it clear that it did not support a unilateral change of borders.

The political rivals of Rugova's LDK were mainly four – the Independent Union of Albanian Students, which was the first political organization to defy Rugova openly in 1997; Adem Demaci's Parliamentary Party of Kosovo, who for some time also represented the KLA; the Social Democratic Party of Kosovo, which joined the former two in the boycotts of the March 1998 Kosovo elections; and the Albanian Democratic Movement, which was formed at the end of June 1998 recruiting its members and leadership partly from dissatisfied former Rugova allies. Yet, while Rugova could claim some democratic legitimacy in relation to these political organizations, the major, and eventually successful, challenge to his leadership came from the KLA, who became increasingly popular among Kosovo's Albanian population and were well-funded by the Albanian diaspora in Western Europe and the United States and by 'proceeds' from drugs and weapons trafficking.⁵

To prevent Kosovo's independence at all cost was the foremost objective of a large majority of the ethnic Serb population in the province. In this effort, they had the overall backing of the Serbian government in Belgrade and the protection of the Serbian security forces. However, despite this active endorsement by the central government, ethnic Serbs in Kosovo were not in a particularly easy position. Their number shrunk from just under one-third in 1961 to less than one-tenth in the 1990s.⁶ This decrease had partly to do with emigration motivated by the much lower standard of living in Kosovo compared to any other part of Yugoslavia during the years before the break-up of the state. In addition, the Serbian perception of the post-1974 period

in Kosovo had also been shaped by the experience of the ‘national key’ – a system that ensured proportional representation of ethnic groups in the public sector, which, as Yugoslavia had a more or less completely nationalized economy, included almost all sectors of the job market as well. Consequently, Serbs saw themselves (and indeed occasionally they were) at a disadvantage in Kosovo in a variety of ways, especially in comparison to their pre-1974 position, and chose to emigrate in significant numbers.⁷ From the mid-1980s onwards, ethnic Serbs in Kosovo began to organize themselves in order to lobby the central government in Belgrade. In January 1986, prominent Belgrade intellectuals sent a petition to Serbian and Yugoslav authorities claiming an anti-Serb genocide in Kosovo and demanding decisive constitutional and other steps be taken to reverse the fate of the Slav population in the province.⁸ The Serb Resistance Movement, a political party of Kosovo Serbs, however, began to recognize that the main obstacle for a solution of the conflict was the lack of a democratic political process in Serbia, but its efforts to remedy this situation and promote dialogue between Serbs and Albanians were not very successful, mostly because of the lack of trust between these two groups.

In addition, it must be noted that the Serb population of Kosovo was far from homogeneous, and this affected political developments quite strongly. Several thousand Serbs that had been forced out of Croatia were resettled in Kosovo, many of them against their will. When, in addition to the traditionally desperate economic conditions in the area, the security situation worsened as well (resulting in some 2,000 registered Serb and Montenegrin refugees by mid-July 1998⁹), this section of the Serb population in Kosovo became particularly radicalized providing an electoral stronghold for the Serbian Radical Party and its leader Vojislav Seselj.

The increased KLA targeting of Serbs and the continued instrumentalization of Kosovo in Serbian and Yugoslav politics diminished the chances of moderate forces among Serbs in Kosovo. Serb self-armament, 'retaliation', and co-operation with the security forces, in turn, contributed to the hardening of positions on the Albanian side, thus diminishing the anyway slim chances of an inter-ethnic accord as part of an agreement on the future of Kosovo.

The Situation in Serbia

The importance of Kosovo for Serbia, or more precisely, for the Serbian and Yugoslav governments, was primarily a political one. Then Yugoslav President Milosevic began his advent to become an essential player in the region in 1986/87 on a platform of Serbian nationalism focussing on Kosovo, and since 1998 his grip on power became ever more dependent on his ability to instrumentalize the Kosovo crisis. Throughout the period before NATO's intervention, that is, when a political rather than military solution still seemed possible, Milosevic succeeded in rallying Serbian nationalist support behind him. By incorporating the Serbian Radical Party and the Serbian Renewal Movement into his government, Milosevic managed to make two possible major critics share the responsibility for domestic and international consequences of government policy in Kosovo.¹⁰ Against this background of growing influence of extreme nationalists, Milosevic was also able to present himself as an indispensable guarantor of stability to the international community because of his influence in the region and because of undesirable alternatives after his departure. More importantly, he managed internally to prevent a democratization of the political process in Serbia and the FRY by keeping some one million Albanian voters off the polls and by keeping inner-Serbian and inner-Yugoslav democratic opposition parties

split.¹¹ Ironically, the electoral boycott of ethnic Albanians enabled the Socialist Party of Serbia (SPS) to increase its representation in parliament, as the seats not contested by Albanians went automatically to the SPS.

With Milosevic gaining politically on several fronts from an ongoing conflict in Kosovo, initiatives aimed at a permanent settlement were unlikely to succeed without stronger international pressure. Without it, the odds were that Milosevic would pursue a policy of moderate de-escalation (to avoid the risk of international intervention) and continuing tension in Kosovo (to maintain the conflict at a low-intensity and manageable level).

Beyond Kosovo: The Regional Context of the Conflict

Historically, the Balkans have been a region of great instability for over a century. The demise of the Ottoman and Habsburg empires and the withdrawal of Russia from the region for most of the inter-war period left a power vacuum behind that was filled only insufficiently by the new states that emerged on the ruins of these empires. The territorial arrangements adopted after the First and Second Balkan Wars and after World Wars I and II did not resolve many of the historical border and nationality disputes. These disputes, merely suppressed by the realities of the Cold War, came again to the forefront of international politics after 1989.

One of the central problems was the so-called Albanian question, i.e., the presence of large Albanian minorities in Macedonia, Montenegro, Greece, and Kosovo and some smaller areas of southern Serbia. In the 1990s, the worsening situation in Kosovo had its most direct impact on Albania, Macedonia, and Montenegro, where domestic developments and responses to the crisis in turn had consequences for Kosovo.

In Albania, communism began to crumble at the beginning of the 1990s. Multi-party elections in 1992 and 1996 resulted in Sali Berisha's Democratic Party winning overwhelming victories. As early as 1990, this party had re-introduced the issue of Kosovo into the emerging democratic political process in Albania. In 1992 the Kosovo Albanian shadow state was *de facto* recognized by a decision of the Albanian parliament asking the Democratic Party government of the day to recognize the Republic of Kosovo. Although the government did not act upon this resolution of the parliament,¹² it still remodelled the concept of Albanian citizenship along *jus sanguinis* lines to include all ethnic Albanians regardless of their country of residence.¹³ Official support for Kosovo's independence from the Albanian government, however, did not extend far beyond verbal declarations, and even these stopped after the government recognized the existing borders with the FRY in the wake of the escalating war in the neighbouring country in 1994. In early 1997, Albanian society was at the brink of collapse and only narrowly escaped civil war when pyramid investment schemes collapsed taking with them the savings of a majority of the anyway poor Albanian population. The situation was blamed largely on the government-in-office, which was defeated in early elections in 1997.

The incoming government of Albania, preoccupied with the country's internal problems of a collapsed economy and increasing crime rates, tried not to get involved too deeply in the ongoing Kosovo conflict and, above all, not to lose critical western support in the rebuilding of Albanian society. Facing an increasing influx of refugees, it pursued a policy of de-escalation and of recognition of the existing borders of the FRY, favouring a solution within Yugoslavia giving Kosovo equal status with Serbia and Montenegro. This seemingly prudent approach taken by the new government in 1997 did not coincidentally fall together with the radicalization of the political

spectrum in Kosovo and the increasing influence of forces determined to realize the goal of independence by all means possible, including the use of violence. Statements by government officials in Tirana accusing the KLA of terrorism and rejecting the idea of an independent Kosovo were not popular among any of the ethnic Albanian political factions in Kosovo.¹⁴

Albania's internal weakness, and in particular its almost complete lack of an effective defence force, increased the country's dependence on western military support. The Partnership for Peace agreement between NATO and Albania provided the Albanian government with some assistance in handling the evolving crisis in Kosovo.¹⁵ However, even if NATO or the UN had been planning a border control mission in Albania similar to the one in Macedonia, the lack of infrastructure in Albania would have seriously delayed any such operation, probably beyond the point of its usefulness in conflict prevention policy.¹⁶ The inability to protect effectively its northern borders together with the ongoing feud among Albania's political parties and the response to it from the ethnic Albanian parties in Kosovo once more increased the potential of a spill-over of the conflict into Albania.

Similar to Albania, Macedonia was among the countries most affected by the Kosovo conflict, and at the same time also had a significant impact on the development of the conflict and its future solution. Although Macedonia's independence from Yugoslavia was peaceful, the country has experienced serious ethnic tensions. In particular, the government's relationship with the Albanian national minority remains difficult.¹⁷

Albanians in Macedonia are politically split between two important ethnic Albanian parties, whose demands, however, are not fundamentally different. An unofficial referendum organized in 1992 showed that, at a turnout of 90 per cent of

the ethnic Albanian electorate in Macedonia, roughly three-quarters supported the idea of their own political and territorial autonomous structures.¹⁸ On this basis, ethnic Albanian parties argued for changes in Macedonia's constitution to elevate the ethnic Albanian population to the status of a constituent people of Macedonia, for improvements of the Albanian language situation, the establishment of an Albanian university, and the inclusion of ethnic Albanians in the administration.¹⁹

In addition to this internal dimension, the complex nature of the relationships between Macedonia and Albania and Greece further added to the danger of Macedonia turning into a source of grave instability in an anyway volatile region, especially in the light of existing ties between Kosovo and western Macedonia, which were already being used for the smuggling of weapons, the provision of support bases and funds, and the recruitment of militarily experienced fighters for the KLA.²⁰

The impact of and on Montenegro had to be considered primarily from a Yugoslav perspective. At the same time when Milosevic was able to rally nationalist support behind him in Serbia, he did not manage to secure a victory for his candidate for the Montenegrin presidency, Bulatovic. The fear that pursuing a confrontational course *vis-à-vis* Montenegro and its president-elect Djukanovic could trigger the secession of Montenegro, and thus the end of the FRY, led Milosevic to acknowledge Djukanovic's victory. Although the Montenegrin president had to concede earlier than planned parliamentary elections, Milosevic could not capitalize on this, as Bulatovic's Socialist People's Party won only 29 out of 78 seats in the Montenegrin parliament, being defeated into second place by a three party coalition of Djukanovic supporters who won an absolute majority.

By September 1998, Montenegro had accommodated around 40,000 refugees from Kosovo. Its resources to attend even to their most basic needs being stretched to

the limits, the Montenegrin government decided to seal off the border to Kosovo and to turn away any further refugees. Moreover, the sheer number of refugees in Montenegro and their provisional accommodation relatively close to the border was likely to draw Montenegro directly into the conflict once KLA fighters established bases in the republic.

The International Context: United Nations, NATO, and Russia

Another major problem that inhibited the international community's ability to devise and implement effective conflict prevention, management, and resolution policies resulted from the fact that there was no unified approach to the Kosovo crisis. Not only was there a multitude of individual and collective players on the scene, with different mandates and capabilities, but there was also the problem of different allegiances, degrees of influence on the adversaries, and strategic interests. The rift between the western powers and Russia in the contact group was the most obvious example of this. Since the idea of a potential NATO military intervention to restore peace in Kosovo had been born, Russia had fundamentally opposed it and constantly reiterated its conviction that there could be no military, but only a political solution to the conflict. Russia's refusal to support a NATO strike in Kosovo in the UN Security Council was also accompanied by the implicit threat that such a move would be to the detriment of other strategic western interests, as it would alienate Russia from NATO and other western-dominated international organizations. On the other hand, Russia also feared that it was losing even more influence on the developments in the Balkans²¹ and therefore sought to remain involved in the international mediation efforts in Kosovo.

Russia's policy towards the Kosovo conflict included both the refusal to recognize the KLA as a partner in negotiations over a settlement and a Russian engagement to broker a peaceful solution. After a meeting between President Milosevic and President Yeltsin on 16 June 1998 Milosevic agreed to begin talks with ethnic Albanians led by Ibrahim Rugova, who the Russians saw as the only legitimate representative of Kosovo Albanians, and to allow a Diplomatic Observer Mission unrestricted access to Kosovo. Russia also closely co-operated with the United States and other Contact Group members in the Diplomatic Observer Mission. In a joint statement in September 1998, President Yeltsin and President Clinton demanded an end of violence, the withdrawal of Serbian forces to their permanent locations, the immediate beginning of negotiations, possibilities for refugees to return to their homes, and increased international monitoring of the situation in Kosovo. Russia also participated in the NATO Partnership for Peace exercise in Albania in August 1998 and supported an extension of the UNPREDEP mandate in the Macedonia. However, while Russia's involvement in international efforts to resolve the Kosovo crisis may have increased the international community's leverage over Serbia/FRY, it also made it more difficult to find consensus within the international community because of the increased diversity of interest structures.

Further difficulties arose for NATO from the pending admission of three new members – Hungary, Poland and the Czech Republic. Hungary, in particular, had its own specific national interests in the conflict because of the large Hungarian minority in the northern Serbian province of Vojvodina. During 1998, Hungary intervened several times on behalf of its kin-group, achieving, among other things, that ethnic Hungarians were not drafted for military service in Kosovo.²² In addition, public opinion in most NATO member countries was severely divided over the threat and

use of force, and even the alliance's political leaders were far from united over this issue.

In September and October 1998, NATO leaders made it clear that a military strike had not been completely ruled out.²³ The willingness to deploy up to 50,000 troops for the enforcing of a negotiated cease-fire had been indicated, and a three-stage engagement programme had been made public to express a clear warning to President Milosevic. Stage one of this programme – underpinning of neighbouring countries – was already under way in summer 1998 with NATO Partnership for Peace agreements and exercises in Albania and the Macedonia. Stage two was described as a phased escalation programme to punish continuous offensive actions, and stage three was described as full commitment of troops.²⁴ With the deteriorating refugee situation and no sign of an end to the violence in the conflict, international impatience grew. A letter sent by the UN Secretary-General to President Milosevic on 1 September 1998, although it stopped short of threatening military action, demanded immediate steps to end violence and destruction in Kosovo, and could, in its directness, have been taken as an indication that the international community was edging towards action.

Eventually, the UN Security Council passed a resolution on 23 September 1998. Reaffirming its commitment to support a peaceful resolution of the Kosovo problem by means of an enhanced status for the province within the existing borders of the FRY, the security council also expressed that the situation in Kosovo was a threat to peace and security in the region and would therefore require the action of the international community according to Chapter VII of the UN Charter.²⁵ In the resolution, the Security Council demanded from both warring parties to put an end to violence and to engage in a constructive dialogue. More specifically, the authorities of the FRY were asked, among other things, to stop all actions against the civilian

population in Kosovo; to allow international monitoring, the return of refugees, and humanitarian assistance; and to commit to a timetable for negotiations and confidence building. Kosovo Albanians were requested to pursue their political goals exclusively by peaceful means, and their leadership was urged to condemn all terrorist acts. Most significantly, however, the Security Council reserved for itself the right ‘to consider further action and additional measures to maintain or restore peace and stability in the region’ in case either one or both parties should not comply with the demands of the two resolutions.²⁶ This was a much tougher stance than the one adopted in the previous resolution on Kosovo, where the Security Council merely emphasized ‘that failure to make constructive progress towards the peaceful resolution of the situation in Kosovo will lead to the consideration of additional measures’.²⁷ Eventually, NATO’s obvious determination to act even without UN approval and despite Russian objections was the essential catalyst to force Serbia to back down for the time being and agree to withdrawing its troops from Kosovo.

Settling for an Interim Arrangement

The complexity of a situation involving such a variety of local, regional, and global actors with distinct interest structures, competing goals, and different motivations for their involvement made it a foremost challenge for the international community to initiate an inclusive, meaningful negotiation process that would have been likely to result in a settlement. The difficulties with this were two. First, it had to be made clear to all parties involved that, in the absence of easy solutions, a preparedness to compromise and a willingness to settle for less than their maximum demands was the essential pre-requisite for any stable long-term solution not only of the Kosovo conflict, but also of some of the region’s other political problems. Second, it was

necessary to bring the representatives of Kosovo Albanians and the Serbian/Yugoslav government together. With the Rambouillet talks, an environment for such a negotiation process was created.

Intrinsic Problems with an Interim Arrangement

Obviously, the prospects for a solution of the Kosovo conflict in the short term were not too good and there was no guarantee that a political settlement would be achieved in Rambouillet and subsequently successfully implemented. Yet, with the cease-fire established in mid-October and the presence of international observers, there was an obvious need for an interim arrangement to provide for conditions in which the cease-fire could stabilize and a foundation be built upon which a permanent settlement for Kosovo could have been agreed. Such an interim settlement would have required the fulfilment of essential conditions, including an end of ethnic cleansing, the safe return of all refugees and displaced persons, and Serbian/FRY permission for international humanitarian relief efforts and monitoring of the situation to commence. A pre-condition of such an interim settlement, therefore, would have been a rather pragmatic approach of both sides based on the realization that neither continuing violence nor insisting on maximum demands would benefit anyone. Even if the political élites, or parts of them, had taken such an approach, the decades-long cultivation of inter-ethnic mistrust and hatred would have made it difficult for them to find the necessary popular support to endorse such a change in strategy.

However, an interim arrangement, even if it had been found in Rambouillet, would have been far from an ideal solution. Among the most important disadvantages is the fact that there is no long-term security for either party, as the problem of negotiating and accommodating key demands remains. At the same time, a temporary

solution establishes a false sense of calm, especially if a (permanent) cease-fire is part of it, when actually the danger of re-escalating violence remains if negotiations (with or without a timeframe) do not result in a substantial improvement of the situation for both parties. The threat of violence by extremists on either side gives the negotiating élites only very limited space for manoeuvre and to make concessions. A hardening of their positions in the negotiation process can very well prevent any constructive outcome, thus leading to a breakdown of the temporary settlement and a violent re-escalation of the conflict, probably on an even more intense level.

Another difficulty arises from the extent of an interim settlement. On the one hand, it must go beyond a cease-fire and the opening of negotiations. On the other hand, the more comprehensive an agreement is sought to be established in order to satisfy both sides, the more complicated and time-consuming is the process of reaching it.

Lack of Ripeness: The Failure of the Rambouillet Talks

Like any other conflict, an ethnic conflict requires for its settlement the presence of a number of conditions. In the specific context of the Kosovo conflict, these conditions existed in each of the five dimensions initially established as a conceptual framework to guide this analysis. They are summarized in Table 2.

<<TABLE 2 HERE>>

On a general level, it is important to note that, individually, these conditions were necessary to make the settlement of the Kosovo conflict possible, yet only in their entirety they would have been sufficient to do so. Their joint presence would

have indicated that the conflict was ripe for a settlement, that is, that a window of opportunity existed for decision makers to achieve a settlement. In general, the simultaneous presence of these conditions does not say anything about whether this opportunity will be taken, what kind of settlement will be agreed, or whether an adopted settlement will be stable, it merely points to the fact that the strategies of the conflict parties towards the conflict are no longer incompatible. Once this has been recognized, and there is no guarantee that every such opportunity will be recognized, the overall success of the settlement process depends upon the flexibility, determination, and skill of those involved to design an institutional framework that fits the variety of contextual circumstances of their particular conflict situation so as to provide for opportunities to resolve differences by peaceful and democratic means.²⁸

The previous analysis of the various context factors has already indicated the severe difficulties encountered by the international community in the search for a political rather than military solution of the Kosovo conflict. In this final section, I will now examine what factors accounted for the failure of the Rambouillet negotiations and the follow-on conference in Paris.

With regard to the inter-ethnic situation in Kosovo, by the time the negotiations in Rambouillet began, the conflict was very much one between the central government in Belgrade and the KLA and ethnic Albanian population in Kosovo. Although the Serbian security forces used local Serbs as auxiliary forces, the conflict was primarily not an ethnic conflict between two local populations. All other ethnic groups in the area had been sidelined a long time ago and suffered the consequences of the conflict, rather than being active players in it. As a token gesture, the Serbian delegation in Rambouillet initially included representatives from other

ethnic groups in Kosovo (to emphasize that the Albanian delegation did not represent Kosovo as a whole), but the more the Serbian delegation engaged with sincerity in the negotiations, the more these became replaced by specialists.²⁹ This meant that the influence of the situation in Serbia as well as the political constellations within the Albanian population in Kosovo became more significant for the course of the negotiations.

Before the negotiations began, the main point of contact for the international community had been Kosovo's elected government and president. Since the escalation of the conflict in February 1998, their influence on the ground in Kosovo had dwindled in favour of the KLA and a broad coalition of political parties opposed to President Rugova. This and international pressure resulted in a Kosovo delegation in Rambouillet that consisted in equal parts of these three groupings, with the KLA playing a dominant role, which was reflected in one of its members being elected head of the tripartite presidency of the negotiation team.³⁰ This made the position of the international community more difficult, as the KLA's commitment eventually to achieve independent statehood for Kosovo clashed with the international determination to preserve existing borders and to find a solution within them.³¹ The compromise found in Rambouillet that brought the KLA on board was one of far-reaching self-government for ethnic Albanians in Kosovo with a mechanism for a final settlement (considering, among other things, the will of the people) to be adopted after further international discussions. While this reflected the changed situation in Kosovo more than anything else, international pressure as well as some concessions to the Kosovo negotiation team ensured that the delegation eventually agreed to sign the interim agreement.

While the international community thus possessed at least some leverage over the Kosovo delegation, this was not the case with the Serbian delegation. There were several reasons for this. Even though President Milosevic had retained, if not increased, his political strength, there were very few incentives for him to utilize this strength for securing a successful outcome of the negotiations. Taking an accommodative stance in Rambouillet and Paris and negotiating within the parameters set by the international community could have easily cost him and his party their dominant position in Yugoslav and Serbian politics. A political radicalization in Serbia and a shift of power to the extreme nationalists in the Serb Radical Party, would have, together with the perceived weakness of the institution of the Yugoslav President, led almost certainly to renewed pressure for independence from Montenegro, and thus to the likely end of the FRY. Similarly, it was quite obvious that Milosevic was playing for time to prepare a final assault on Kosovo, including massive troop deployments and forced population displacements in the border zones with Macedonia and Albania.³² This would have enabled Milosevic to claim a national victory, while the acceptance of the Rambouillet Agreement, with its mechanism for a final settlement after three years, would, in all likelihood, have led to the secession of Kosovo. In addition, Milosevic made his own judgement of the ability and willingness of NATO to act unilaterally against the will of Russia and for long enough to bring Serbia, which would rely on Russian support, to its knees.³³ In the same vein, Milosevic was apparently calculating that consensus within NATO would break apart over civilian casualties and that there would be no majority to engage in a ground war.

Compared to the problems generated from the situation in Serbia, the regional context was far less troublesome. Obviously, the international community could not

encourage developments in Kosovo that would pose an immediate threat to the precarious stability of the Balkans. From this perspective, the outlining of the non-negotiable principles of a framework within which Serbs and Albanians had to find a mutually acceptable interim settlement was as much a result of taking the positions of the conflict parties on board as it was a sign of international awareness of the wider implications of the Kosovo conflict.³⁴ The two most difficult challenges faced by the international community were the refugee problem and the situation in Bosnia. Data collected by the UNHCR indicated as early as September 1998 that the Serbian military campaign and policy of ethnic cleansing had led to more than one quarter of a million Kosovo Albanians being internally displaced or seeking refuge in Albania, Macedonia, Montenegro, and Serbia.³⁵ This number increased to over 300,000 by the beginning of March 1999, before the start of the NATO air campaign.³⁶ The largest amount of those uprooted, about 250,000, was internally displaced in Kosovo, many of them trying to survive in the open. Another 55,000 have been displaced within in Montenegro and Serbia. About 10,000 people fled to each Albania and Macedonia. In connection with the policy of Serbs to destroy systematically the homes of ethnic Albanians, the international community saw it as its primary objective not only to put a stop to ethnic cleansing, but also to establish conditions that would allow the displaced to return to their towns and villages as quickly as possible. Given the experience of ethnic Albanians with Serbia over the past decade, this meant in reality the deployment of an armed peace-keeping force under NATO control to instil those that had been forced to flee from their homes with enough confidence to return. The Bosnian dimension, on the other hand, was again much more closely related to the situation in Serbia. Milosevic had been instrumental in reaching the Dayton Accords, and it was not inconceivable that he could use the growing dissatisfaction and

radicalization among the population in the Republika Srpska to increase his leverage over the international community.³⁷ In addition, the implementation process of the Dayton agreement tied up considerable international resources and, for a significant period before the beginning of the Rambouillet negotiations, seemed to take priority in international strategic considerations. This, however, changed rapidly with the deterioration of the humanitarian situation in Kosovo. Ironically, it could be argued that the focus on Bosnia brought home to the international community its own tragic failure to prevent war crimes on a scale not seen in Europe since the Second World War, and facilitated the determination to prevent the same in Kosovo by taking decisive actions early enough.

Beyond a general commitment to humanitarian goals, consensus within the international community was thin. The Contact Group had agreed to seek a temporary settlement without territorial revisions, but had to concede to the Kosovo Albanians that some mechanism would be put in place after three years of operating an expected interim agreement that would also reflect the wish of the population in Kosovo.³⁸ The fact that such a mechanism was to be found at another international conference particularly served the interests of Russia as it assured the country's continued influence in the Balkans. It also relieved the western members of the contact group to reconcile, at the time, the fundamental difference between Serbs and Albanians on the status of Kosovo. The major problem, however, that remained for the international community was the issue of the threat, and actual use, of force to obtain the consent of Serbia on the Rambouillet Agreement. While Russia was opposed to such action in principle, consensus within NATO was for humanitarian intervention, yet the strength with which each alliance member backed this differed. In the end, Serbia's refusal to

sign must also be seen in the light of the open international disagreement about what to do in the event of a failure of the negotiations.

In conclusion, it can be argued that conditions of ripeness were not fulfilled at two levels – within Serbia and within the international community. The overall interpretation by Serbia of the conflict made it seem more beneficial for the Serbian and Yugoslav leadership to seek its continuation, rather than to settle for an accommodation along the lines proposed in Rambouillet. It is important to realize that the Serbian delegation until the last minute of the reconvened conference tried to renegotiate the entire agreement in its favour,³⁹ and that their refusal to sign was not a matter of the ‘mysterious’ Appendix B on the deployment of the NATO-led implementation force.⁴⁰ However, it must also be noted that the increasingly obvious rift between members of the Contact Group strengthened the Serbian/Yugoslav perspective on the costs and benefits of agreeing (or not) to the proposed settlement.

At the same time, the international community overestimated its leverage over the Serbian delegation in Rambouillet and Paris and over President Milosevic in Belgrade. The Serbian delegation in Rambouillet was not susceptible to an offer by the European Union to lift all sanctions and allow the FRY to be reintegrated into European and international structures within two years in exchange for a greater preparedness to compromise at the negotiation table.⁴¹ Likewise, increasingly credible threats of the use of force left Milosevic and his negotiators unimpressed.

On the other hand, an extension of the negotiations in Rambouillet/Paris may have changed things in the short term. Yet, further concessions to the Serbian delegation would then have been necessary, effectively meaning a re-negotiation of the agreement to which the Albanian delegation had already given its consent. Given the Serbian demands in the final stages of the Paris follow-on talks,⁴² such a re-

opening of the negotiations was neither in the international community's interest, nor was there much of a chance of the Kosovo Albanians making any concessions of the magnitude demanded by the Serbian delegation. Even if Milosevic had agreed to a proposal made (unilaterally) by the Russian chief negotiator Majorski to reopen talks on all aspects of the Rambouillet Agreement,⁴³ and if some time could have been bought through this, it is doubtful whether this would have made any difference in the long term, as a fundamental change of the situation in Serbia/FRY or in the interest structure of its leadership were most unlikely to occur.

Notes

1. The involvement of non-governmental organizations in Kosovo goes back to the 1980s, when Amnesty International and other human rights organizations began to monitor, and report on, the situation in Kosovo. Cf., for example, Amnesty International, *Yugoslavia: Recent Events in the Autonomous Province of Kosovo* (1989).
2. This initiative is summarized in a letter by the two foreign ministers to Slobodan Milosevic, dated 19 November 1997. The official German and French versions are reprinted in Stefan Troebst, *Conflict in Kosovo: Failure of Prevention? An Analytical Documentation, 1992-1998*, ECMI Working Paper no. 1 (Flensburg: ECMI, 1998).
3. On details regarding the latter cf. Defence Committee of the Western European Union, *Europe and the Evolving Situation in the Balkans*, WEU Document 1608 (13 May 1998) (Paris: Assembly of the Western European Union, 1998).
4. For the early political platform of the LDK, see the Political Declaration of 5 May 1991, reprinted (in a German translation) in The President of Schleswig-Holstein

Parliament (ed.) *Minorities in Europe* (Kiel, 1991), pp. 119-120. On the future of Yugoslavia, the declaration states: 'A Yugoslavia constituted without the approval of the Albanians can not be their state. In this case, Albanians would be forced to seek their independence and equality outside of it and in accordance with the principles of self-determination of peoples and in the spirit of the CSCE documents.'

5. Cf. United Nations Economic and Social Council, Commission on Crime Prevention and Criminal Justice, Fifth Session, 21-31 May 1996 (Doc. E/CN.15/1996/2) and U.S. Department of Justice, Drug Enforcement Administration, *NNICC Report 1996*, at <http://www.usdoj.gov/dea/pubs/intel/nnicc97.htm> (July 1998), and U.S. Department of Justice, Drug Enforcement Administration, *NNICC Report 1997*, at <http://www.usdoj.gov/dea/pubs/intel/nnicc98.pdf>, (July 2000), p.72.
6. For the years 1961, 1971, and 1981, there are more or less reliable Yugoslav census data. As ethnic Albanians boycotted the 1991 census, all figures for the 1990s are estimates, but there seems to be consensus that there is about a 10% non-Albanian population in Kosovo, of which Serbs are the most numerous. See for example, Herbert Büschenfeld, 'Ergebnisse der Volkszählung 1991 in Jugoslawien', *Osteuropa* vol. 42, no. 12 (December 1992), pp. 1095-1101.
7. As early as 1993, there have also been reports by independent human rights organizations that Serbs were subjected to intense ethnic discrimination and intimidation on the part of Albanians in Kosovo. Cf., for example, International Helsinki Federation for Human Rights, *From Autonomy to Colonization: Human Rights in Kosovo, 1989-1993* (Helsinki: IHFHR, 1993).

8. An English translation of the petition is reprinted in Branka Magas, *The Destruction of Yugoslavia* (London, New York: Verso, 1993), p. 49.
9. Yugoslav Helsinki Committee, *Report on Refugees from Kosovo Situated in Montenegro* (Belgrade, 1998).
10. International Crisis Group, *Again, the Visible Hand: Slobodan Milosevic's Manipulation of the Kosovo Dispute* (Brussels: ICG, 1998).
11. Cf. United States Institute of Peace, *Serbia – Democratic Alternatives*, Special Report, June 1998, at <http://www.usip.org/oc/sr/SerbiaDemocratic.html> (July 1998).
12. Fabian Schmidt, 'Generationskonflikte in Albaniens großen Parteien', *Südosteuropa* 1-2 (2000), pp. 32-52, here p. 37f.
13. Cf. International Crisis Group, *The View from Tirana: The Albanian Dimension of the Kosovo Crisis* (Brussels: ICG, 1998).
14. Cf. for example, ATA News Agency, 10 September 1998, *AFP*, 11 September 1998.
15. On details of the PfP with Albania see NATO Press Release (98)69 (29 May 1998) and George Katsirdakis, 'Albania: A Case Study in the Practical Implementation of Partnership for Peace', *NATO Review* web edition vol. 46, no. 2 (Summer 1998), at <http://www.nato.int/docu/review/1998/9802-07.htm> (September 1998).
16. Cf. International Crisis Group, *The View form Tirana*.
17. One of the most contentious issues at the time was that of an Albanian language university in Tetovo. The handling of this dispute has also led to disagreement among ethnic Albanians in the country: in May, more than 3,000 of them publicly protested against plans to establish a multilingual (rather than monolingual

Albanian) university in the town and branded the Albanian Democratic Party (PDSH), a member of the government coalition, as collaborators, accusing them to side with ethnic Macedonian parties in attempts to replace the currently private Albanian university. Cf. Zeljko Bajic, 'Macedonian Language Dispute', *IWPR Crisis Report* no. 142 (23 May 2000).

18. International Crisis Group, *The Albanian Question in Macedonia: Implications of the Kosovo Conflict on Inter-Ethnic Relations in Macedonia* (Brussels: ICG, 1998).
19. Cf. Anthony Georgieff, 'Macedonia: Local Albanian Leader Complains of Discrimination', *RFE/RL Feature*, 23 February 1998.
20. International Crisis Group, *The Albanian Question in Macedonia*.
21. One example for this trend was the formation of the South-eastern European Defence Ministerial on 26 September 1998, consisting of three NATO members (Italy, Greece and Turkey) and Albania, Bulgaria, Macedonia and Romania, with the United States and Slovenia acting as observers.
22. For an overview of the impact of the Kosovo conflict on Hungary, see Gusztav Kosztolanyi, 'Hungary, NATO and the Kosovo Crisis', *Central Europe Review* vol. 0, nos. 28-34 and no. 37, all accessible via http://www.central-europe-review.org/authorarchives/csardas_archive/csardas37old.html, July 2000.
23. US Department of Defence, Bosnia Task Force, Briefing, 9 September 1998, and Pentagon Briefing, 10 September 1998.
24. US Department of Defence, Bosnia Task Force, Briefing, 9 September 1998.
25. Chapter VII is entitled 'Action With Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression' and details the mandate of the UN in such cases.

26. United Nations Security Council resolution 1199 (1998).
27. United Nations Security Council resolution 1160 (1998).
28. For a more detailed exploration, cf. Stefan Wolff, *Managing External Minorities, Disputed Territories, and the Stability of Conflict Settlements*, Ph.D. Dissertation (London: London School of Economics, 1999).
29. Cf. Marc Weller, 'The Rambouillet Conference on Kosovo', *International Affairs* 75, 2 (1999), pp. 163-203, here, p. 178f. Petritsch et al. note this, too, but also refer to the fact that, in a last minute attempt to delay the negotiation process in Paris, the Serbian delegation demanded extra time so that representatives of other ethnic groups in Kosovo could review the agreement, which, by then, had already been approved by the Kosovo Albanian delegation. Cf. Wolfgang Petritsch et al., *Kosovo/Kosova. Mythen, Daten, Fakten* (Klagenfurt: Wieser Verlag, 1999), pp. 279 and 341.
30. Weller, p. 179.
31. Cf., for example, European Council, *Policy Paper on Former Yugoslavia* (EU Bulletin 10-96), at <http://europa.eu.int/abc/doc/off/bull/en/9610/p203001.htm>; European Parliament, 'Resolution on the Situation in Kosovo of 12 March 1998', *Official Journal of the European Communities* C 104, 6 April 1998, pp. 216-217.
32. Contact Group Statements on Kosovo of 24 September 1997, 8 January 1998, 25 February 1998, 9 March 1998, 25 March 1998, and 8 July 1998; NATO Press Releases M-NAC-1(98)61 (28 May 1998 Ministerial Meeting of the North Atlantic Council), M-NAC-D 1(98)77 (11 June 1998 Meeting of the Defence Ministers of the North Atlantic Council); US Department of State, 'Press Statement on Meeting between Secretary Albright and Ibrahim Rugova' (30 May 1998); and UN Security Council resolution 1160 (1998) of 31 March 1998.

33. Cf. Petritsch et al., pp. 325 and 344.
34. Marko notes in this context that there is a possibility that the ‘implicit pro-Serbian bias of all the Hill-papers’ led Milosevic to believe that ‘NATO threats ... were not to be taken seriously’. Joseph Marko, ‘Kosovo/a – A Gordian Knot?’, in *Gordischer Knoten Kosovo/a: Durchschlagen oder entwirren?*, edited by Joseph Marko (Baden-Baden: Nomos Verlagsgesellschaft 1999), pp. 261-280, here pp. 274-275.
35. For a list of the non-negotiable principles, see Weller, p. 177f.
36. The UNHCR reported 241,700 refugees by 1 September 1998. See UN Inter-Agency Report no. 59, YUGBE/MS/HC/1341. The UN Secretary-General’s Report of 3 October 1998 gives the number of refugees and displaced persons at 280,000 people. Cf. UN Secretary-General, ‘Report of the Secretary-General Prepared Pursuant to Resolutions 1160 (1998) and 1199 (1998) of the Security Council’.
37. UNHCR, ‘Kosovo Update’, 18 March 1999.
38. After some considerable delay, the OSCE had to concede in September 1998 that the radical Nikola Poplasen had defeated the OSCE-backed ‘moderate’ candidate for the Republika Srpska presidency, Plavsic, who was prepared to co-operate with the OSCE. Poplasen was dismissed by the OHR in March 1999.
39. Cf. Weller, p. 197
40. Cf. Weller, pp. 186-188, and Petritsch et al., pp. 333 and 337.
41. This was all the more the case as Milosevic had once already agreed to the free movement of NATO troops across the territory of the FRY and to their immunity from prosecution, namely in the 1995 Dayton Accords. Cf. Petritsch et al., pp. 316-317.

42. Cf. Petritsch et al., p. 298.

43. These included, among others, the formal subordination of Kosovo to Serbia, unrestricted exercise of federal functions in the province, and an abolition of the office of the President of Kosovo. Cf. Weller, p. 186f. See also Petritsch et al., pp. 333-334.

44. Petritsch et al., p. 349.

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Table 1: Factors influencing the development of the Kosovo conflict

Kosovo's Inter-Ethnic Situation	Kosovo's Intra-Ethnic Situation	Situation in Serbia	Regional Context	International Context
<ul style="list-style-type: none"> • Socio-demographic structure • Level and nature of inter-group conflict and alliances • Nature of cleavages • Power and numerical balance 	<ul style="list-style-type: none"> • Dominant policy agenda • Strength of leadership • Existence of factions • Availability of resources 	<ul style="list-style-type: none"> • Political and economic importance of the conflict and the territory of Kosovo • Policy agendas of major parties in relation to the conflict • Availability and commitment of resources • Perceived impact of the conflict on potential or actual other conflicts 	<ul style="list-style-type: none"> • Impact of the conflict: <ul style="list-style-type: none"> ◦ Stability of democratic institutions and ethnic balances ◦ Spill-over potential ◦ Refugee movement • Impact on the conflict: <ul style="list-style-type: none"> ◦ Policy agendas of major players in relation to the conflict ◦ Regional interest structures ◦ Cross-border ethnic alliances 	<ul style="list-style-type: none"> • Geopolitical significance of the territory • Interest structures and alliances • Availability and commitment of resources by international organizations

Table 2: 'Ripeness' conditions for the settlement of the Kosovo conflict

Inter-Ethnic Situation	Intra-Ethnic Situation	Situation in Serbia	Regional Context	International Context
<ul style="list-style-type: none"> • Ability and preparedness of political élites to compromise on central issues 	<ul style="list-style-type: none"> • Strong leadership with a broad popular mandate to end the conflict • Marginalisation of extremist elements 	<ul style="list-style-type: none"> • Strong leadership with a broad popular mandate to end the conflict • Limited chance of out-flanking by anti-settlement parties • Greater political benefits from settlement compared to continuation of conflict 	<ul style="list-style-type: none"> • Limited chance of domestic instrumentalization of the conflict 	<ul style="list-style-type: none"> • Joint and flexible policy with sufficient room for manoeuvre and leverage on each of the parties • Availability and commitment of resources to facilitate negotiation and implementation/operation of settlement

