

# Policy Analysis

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## ***Dubious Anniversary Kosovo One Year Later***

**by Christopher Layne and Benjamin Schwarz**

### **Executive Summary**

One year after NATO ended its bombing campaign against Yugoslavia, the Clinton administration's Kosovo policy is a conspicuous failure. Kosovo is now the scene of a brutal ethnic cleansing campaign carried out by NATO's erstwhile de facto ally, the Kosovo Liberation Army, an organization profoundly inimical to America's interests and professed values. The KLA is also currently fomenting an insurgency elsewhere in Serbia, which promises to destabilize the Balkans even further.

The Clinton administration has embarked on yet another multi-billion-dollar nation-building adventure, which many analysts suggest will entangle the U.S. military for a decade or longer. This situation could have been avoided. Because of its inept diplomacy and strategic miscalculation, the administration bears a large measure of responsibility for both Kosovo's humanitarian crisis a year ago and the KLA's postwar thuggery.

It is now clear that the administration's claims of "horrific slaughter" and attempts at "genocide" by the Serbs were gross exaggerations designed to whip up support for intervention from a skeptical Congress and public.

Confronting Kosovo's depressing prospects, the administration consoles itself that, as President Clinton says, it "did the right thing in the right way" when it intervened. Even granting that doubtful premise, this is not enough to exonerate policymakers from their responsibility for the situation the United States confronts today. In the real world, policymakers are judged by the consequences of their actions, not by their intentions. The Kosovo war has not vindicated the administration's doctrine of "virtuous power." By waging an avoidable war, the Clinton administration has saddled the United States with a host of intractable problems.

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## **Introduction**

One year ago, NATO concluded 78 days of intense bombing against Yugoslavia. The U.S.-led campaign was the most aggressive test to date of the Clinton administration's self-styled doctrine of "virtuous power"—the notion that the United States should intervene in other countries' internal conflicts when American sensibilities are outraged. Although the United States and its allies won a military victory of sorts, Washington's declared objectives of bringing stability to the Balkans and building multiethnic democracy in Kosovo have been conspicuous failures. That result was entirely foreseeable, and now the United States and its allies may well find themselves pulled further into the quagmire as the Kosovo conflict enters a new phase: the United States and NATO are drifting toward armed confrontation with their erstwhile ally, the Kosovo Liberation Army, which is still bent on forging a "Greater Albania."

### **The New Ethnic Cleansing**

The bankruptcy of the Clinton administration's Kosovo policy became obvious in the weeks preceding the one-year anniversary of the commencement of NATO's bombing, but there were earlier signals as well. Foremost among them was the ongoing deadly violence committed by ethnic Albanians trying to expel the remaining non-Albanian populations from the province.<sup>1</sup> In a December 1999 report, the Organization for Security and Cooperation in Europe concluded that the attacks on Serbs and other non-Albanians were orchestrated by the supposedly disbanded KLA. According to the report, which catalogs the human rights violations committed in Kosovo from the time 50,000 heavily armed NATO troops entered Kosovo until October 1999, ethnic violence aimed at Serbs and other non-Albanians included

executions, abductions, torture, cruel, inhuman and degrading treatment,

arbitrary arrests and attempts to restrict freedom of expression. House burnings, blockades restricting freedom of movement, discriminatory treatment in schools, hospitals, humanitarian aid distribution and other public services based on ethnic background, and forced evictions from housing recall some of the worst practices of Kosovo's recent past. . . . In many of the cases . . . there are serious indications that the perpetrators of human rights violations are either members of the former KLA, people passing themselves off as members of the former KLA or members of other armed Albanian groups.<sup>2</sup>

In March 2000 analysts at the Brussels-based International Crisis Group were reporting that, notwithstanding the Clinton administration's claims that the KLA had demilitarized, the KLA

in its various manifestations . . . remains a powerful and active element in almost every element of Kosovo life. . . . The KLA was never rigidly structured, resembling more an association of clans than a hierarchical military force. Some parts of the old KLA operate openly and essentially as before; others have been transformed; some new elements have been added; and much remains underground.<sup>3</sup>

### **NATO's Rationalizations**

During the first two months of 2000, most of the trouble in Kosovo centered on the northern town of Mitrovica—where NATO peacekeepers were caught in the cross-fire between Serbs and ethnic Albanians. Among the incidents were a confrontation between rock-throwing Serbs and U.S. soldiers and an ethnic Albanian-instigated attack that wounded some two dozen Serbs and 16 French peacekeepers.<sup>4</sup> NATO secre-

tary-general George Robertson minimized the relevance of the violence in Mitrovica by blithely pointing out that “the murder rate [in Kosovo] has declined from over 50 per week in June 1999 to around five per week today.”<sup>5</sup> Similarly, NATO commander Gen. Wesley Clark asserted, “The level of violence [in Kosovo] has come down remarkably, and what remains is primarily organized crime and family violence.”<sup>6</sup> Robertson and Clark, however, failed to point out that the murder rate has fallen precisely because Kosovo has been virtually cleansed of non-Albanian murder targets. To put it another way, Robertson and Clark point to Kosovo’s declining murder rate as evidence of NATO’s “success,” when in fact it is evidence of NATO’s failure to stop the ethnic cleansing of Kosovo’s minority populations.

Outside Mitrovica, ethnic Albanian terror attacks on Kosovo’s remaining Serbs have continued in an ongoing pattern of violence that has been orchestrated by the KLA since the NATO bombing ended.<sup>7</sup> On at least two occasions in February, UN authorities warned that violence by ethnic Albanians against Serbs was increasing throughout Kosovo, and in March the UN warned that Kosovo’s new national guard, the Kosovo Protection Corps—composed of former KLA guerrillas—was engaged in illegal activities and human rights abuses.<sup>8</sup>

### **Disorder Spreading outside Kosovo**

Even more troubling than the ongoing attacks on Kosovo’s Serbs is that the KLA is fomenting an insurgency across the provincial border, in Serbia’s predominantly ethnic Albanian-inhabited Presevo valley—which the KLA calls “Eastern Kosovo.” In a disturbing replay of the strategy it used from early 1998 until the NATO bombing campaign commenced, the KLA is attacking Serbian policemen and civilians—and ethnic Albanians loyal to Belgrade—in the hope of provoking Yugoslav authorities into a response that will incite the United States and NATO to resume the war with Yugoslavia. (That ABC’s *World News Tonight*

recently reported the massing of Serbian troops in “Yugoslav-held territory” without a hint about why they were gathering indicates how well such a strategy works.) As a UN official in Kosovo said, the KLA is “hoping that the Serbs will retaliate with excessive force against civilian populations and create a wave of outrage and pressure on KFOR [NATO’s Kosovo Force] to respond.”<sup>9</sup>

Belatedly awakening to the danger posed by the KLA’s cross-border insurgency, U.S. forces on March 16 raided the arms caches and other logistical infrastructure used by the KLA to sustain its operations within Serbia.<sup>10</sup> In mid-April peacekeeping troops in Kosovo arrested 12 ethnic Albanians on charges of illegal possession of arms and other military materiel after the driver of a truck failed to stop when flagged down at a checkpoint. In the truck, peacekeepers found 80 anti-tank mines, 40 hand grenades, and large quantities of guns and ammunition.<sup>11</sup> And in late April NATO peacekeepers arrested four ethnic Albanians after a house search in the town of Sedlare yielded hand grenades, AK-47 assault rifles, and ammunition.<sup>12</sup> Four ethnic Albanians were detained near the town of Djakovica after peacekeepers discovered various weapons, ammunition, and explosives.<sup>13</sup>

## **Hoodwinking Washington**

Notwithstanding the downward spiral of events in Kosovo, and the KLA’s role in fomenting the instability, U.S. officials—notably Secretary of State Madeleine Albright in a March 8 speech in Prague—have labeled Belgrade the chief instigator of violence in Kosovo. Clearly, the regime of Slobodan Milosevic is not an innocent bystander, but the KLA has indisputably been the heavy in Kosovo since NATO ended its bombing campaign. Exemplifying the Clinton administration’s Alice-in-Wonderland version of the situation, in her Prague speech Albright blamed “extremists” on both sides but exempted the KLA, which she

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praised for "having met its commitment to demobilize." She stated that a "spirit of tolerance and inter-ethnic cooperation" will take root in Kosovo as the province's "democratic forces" come to power.<sup>14</sup>

America's chief diplomat should have a better grasp of Kosovo's realities. The KLA leadership is largely made up of disparate and unsavory elements: radical Islamic fundamentalists, communists, drug traffickers, criminals, and ideological heirs of the ethnic Albanians who fought for the Nazis in World War II.<sup>15</sup> The KLA's leaders hold political power among Kosovo's ethnic Albanians, and its membership forms the backbone of the province's de facto governmental structure.<sup>16</sup> Militarily, the notion that the KLA has "demobilized" is a fiction; it has merely gone underground. Contrary to Albright's assertions, its members are certainly extremists: The KLA is committed to taking power in Kosovo, not to practicing democracy (indeed, it has been implicated in attacks against more moderate ethnic Albanian leaders).<sup>17</sup> It hasn't the slightest interest in a multiethnic Kosovo; it wants to purge the province of its non-ethnic-Albanian populations.

Since NATO arrived last June, Human Rights Watch estimates that more than 164,000 Serbs and Gypsies have been driven out of or have left Kosovo.<sup>18</sup> In Kosovo's capital, Pristina, only 400 Serbs, of a prewar population of 40,000, remain. Other sources suggest that as many as 240,000 non-Albanians (Serbs, Gypsies, Gorani, Croats, Turks, and Jews) have fled the province, while those who are too old or too poor to leave have steadily moved into NATO-protected enclaves.<sup>19</sup> Moreover, in the 12 months since NATO arrived, 74 Serbian Orthodox churches have been destroyed or vandalized by ethnic Albanian extremists.<sup>20</sup> And, contrary to the policy of the United States and its allies, the KLA wants Kosovo to become an independent state—as the springboard to creating a Greater Albania comprising Kosovo, Albania, and the parts of Serbia and Macedonia that are populated by ethnic Albanians. The KLA's ambitions can't be reconciled with the

administration's declared objectives of bringing stability to the Balkans and multiethnic democracy to Kosovo.

### **The KLA's Empty Promises**

From the very start, the KLA's proclamations that it would disarm and promote multiethnic democracy in Kosovo have been loudly advertised by Clinton administration officials. But those proclamations have consistently turned out to be empty words. In the most outrageous example of this, the Clinton administration pressured Hashim Thaçi, the putative leader of the KLA, to take a public stand against the wave of ethnic violence that swept across Kosovo after NATO arrived in June 1999. Thaçi relented and posted a call for an end the violence on the KLA's Web site. The Clinton administration characterized the move as a great stride in ethnic reconciliation, but because of the war's destruction, very few people in Kosovo actually have Internet access. Thaçi's posting was also in English, a language widely understood by international journalists but not by most people in Kosovo. Meanwhile, Kosova Press, a news agency with ties to the KLA, issued veiled death threats to Veton Surroi and Baton Haxhiu, when their Albanian-language newspaper, *Koha Ditore*, criticized the revenge attacks on Serbs and others.<sup>21</sup>

If that does not raise skepticism about the KLA's commitment to Washington's goal of creating a multiethnic Kosovo, more recent events certainly should. In March a KLA-spawned guerrilla group promised U.S. diplomats that it would end its insurgency in southern Serbia. "We're happy they did it," said one U.S. official. "We gave them a tough message, and they believed it."<sup>22</sup> The head of the U.S. negotiating team, Christopher Dell, welcomed the promise, saying it was "an important first step."<sup>23</sup> The KLA group subsequently took no steps to live up to its pledge. Indeed, according to the *Washington Post*,

Despite the agreement . . . these militiamen have continued to wear uniforms and conduct training exercises

with AK-47 assault rifles in and around the village of Dubrosin, which lies in a neutral zone between U.S. forces in Kosovo and Yugoslav forces in Serbia proper. In addition, some members of the militia group have continued to cross back and forth between the U.S.-patrolled area of Kosovo and the neutral zone, where they undergo military training.<sup>24</sup>

### **The UN Human Rights Commission Report**

Not all diplomats are as gullible as the Clinton administration's, however. Jiri Dienstbier, former foreign minister of the Czech Republic and now a UN special envoy for human rights, recently submitted a 53-page report to the UN Human Rights Commission in which he sharply criticizes NATO's air war against Yugoslavia and the KLA's subsequent actions. According to Dienstbier: "The bombing hasn't solved any problems. It only multiplied the existing problems and created new ones."<sup>25</sup> Dienstbier has called for a crackdown on ethnic Albanian extremists in Kosovo, noting that "historical experience tells us that attempts to compromise with extremist forces lead nowhere and only create conditions for further violations of human rights."<sup>26</sup> He has accused, in particular, extremist leaders of the supposedly dissolved KLA and former Albanian president Sali Berisha of destabilizing the Presevo valley with a view to creating a Greater Albania.<sup>27</sup>

Voicing similar concerns, Gen. Klaus Reinhardt, the former commander of NATO's peacekeeping KFOR, has warned that tensions between Serbs and Albanians could result in new fighting, this time outside the province of Kosovo. One of Reinhardt's main concerns is the Presevo valley, where former KLA rebels have been increasingly active. Reinhardt has expressed skepticism that the group is dedicated to peace. "Frankly, when we see them training with mortars . . . I do not believe them," Reinhardt told reporters on

April 17.<sup>28</sup> Reinhardt's concerns were underscored by reports the same day of a grenade attack on a Serbian police checkpoint on the other side of the Kosovo boundary with the rest of Serbia.<sup>29</sup>

### **Washington's Dilemma**

Predictably, the Clinton administration's policy has trapped the United States and NATO in a political quagmire. Washington has hesitated to crack down on the KLA, because U.S. leaders know that the KLA could retaliate against the NATO troops deployed in Kosovo. The March and April arms seizures by KFOR may prove to be the opening round of the next conflict in Kosovo—a conflict pitting peacekeepers against the KLA. As a senior NATO officer said after the raids: "We have now fired the first shot at the Albanian insurgents, and insurgents have a tendency to carry a grudge. If they come to see us as an enemy, then today was a turning point."<sup>30</sup> Even if the raids don't trigger a conflict between peacekeepers and the KLA, the KLA may turn against KFOR anyway, unless the UN and NATO grant its demand for an independent Kosovo, which they are loath to do, since such an outcome would spark a new round of Balkan warfare. If NATO simply decided to cut its losses and leave the province, the outcome would be similarly bleak: Serbia and the KLA would be back at each other's throats. The Clinton administration has painted the United States and its allies into a dangerous corner.

At the same time, the administration has saddled the United States with another open-ended and expensive nation-building mission in the Balkans. Joseph Collins, a retired Army colonel and coauthor of an extensive study on the state of today's military, estimates that NATO ground forces will be in Kosovo for a decade "at a minimum."<sup>31</sup> Ivo Daalder, a former foreign policy adviser to President Clinton and now an analyst with the Brookings Institution, is not so optimistic: "If you ask me 25 years from now if I'm surprised that troops are still in Kosovo, I'll have to say

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'no.'"<sup>32</sup> At a cost to the United States of from \$2 billion to \$2.5 billion per year, according to defense analysts, Clinton's Kosovo policy could end up costing American taxpayers more than \$60 billion on top of the \$2 billion to \$3 billion the United States spent bombing Yugoslavia for 11 weeks.<sup>33</sup>

## **An Avoidable War**

Had the United States avoided last year's war, the present situation could have been averted. Because of its inept diplomacy and strategic miscalculation, the administration bears a large measure of responsibility for Kosovo's humanitarian crisis a year ago and for the KLA's postwar emergence as the dominant political force in Kosovo. That is the Kosovo war's dirty little secret.

Although the background of the Kosovo crisis is complex, its immediate cause is readily identifiable: the irreconcilable aims of the Serbian leadership and the province's ethnic Albanian nationalists. As the overwhelming majority of the province's population, most of Kosovo's ethnic Albanians have invoked the principle of national self-determination and seek complete independence from Serbia. The Serbs, calling on the principle of national sovereignty, reject independence because the province has deep historical and cultural significance to them. The obvious solution would have been to partition the province at the Rambouillet talks that preceded the war.

In Kosovo, neither the ethnic Albanians nor the Serbs have ever shown any inclination to realize the Clinton administration's vision of a society shaped by the values of democracy, diversity, and tolerance. As they are elsewhere in the Balkans, ethnic fragmentation, competition for power, and the intermingling of populations are a combustible mix. Ethnic identities are so hardened that there is little room for cross-ethnic compromise: each group can be secure only by attaining physical control over the territory in dispute. Thus, although Secretary Albright claims that

Bosnia is becoming a multiethnic state, the truth is that the war there ended with Bosnia's de facto partition into separate Serbian, Muslim, and Croatian entities, and an uneasy peace prevails only because the three groups continue to live apart. Similarly, the conflict between Serbia and Croatia ended in 1995 only when the Croatian army (with the tacit blessing of the United States) succeeded in expelling Croatia's Serbian minority.

### **Washington's Myopia about the Kosovo Struggle**

At Rambouillet, instead of considering partition and seeking serious negotiations with Belgrade, the Clinton administration presented the Serbs with an ultimatum they were certain to reject. Among other things, Belgrade would have been required to allow NATO forces, not only into Kosovo, but into the rest of Yugoslavia and to accept the near certainty that a KLA-led Kosovo would become an independent state after a three-year transition period. Washington then used Belgrade's refusal as a pretext to justify bombing.<sup>34</sup> Instead of dealing with the Kosovo question within its own historical and political context, Albright and other U.S. officials saw the conflict there through the prism of the 1930s. Milosevic was like Hitler, an insatiable dictator with whom negotiation was tantamount to appeasement. Notwithstanding that Yugoslavia was engaged in a counterinsurgency against secessionist KLA rebels on its sovereign territory, the administration held that Belgrade was wholly responsible for the conflict and that the KLA was blameless.

Committed to gaining independence for Kosovo by waging a guerrilla war against Serbia, the KLA had emerged in early 1998—attacking Serbian police, waging an assassination campaign against Serbian officials in Kosovo, and targeting various government buildings and installations.<sup>35</sup> The Serbian reprisal—a harsh military crackdown on KLA strongholds in rural Kosovo—exacerbated the spiral of violence. There were several notorious massacres of

ethnic Albanians in KLA-controlled areas. Thus, the war in Kosovo before the NATO bombing was a particularly brutal form of modern conflict, a counterinsurgency by a sovereign government against a guerrilla force. In counterinsurgencies, civilians inescapably become targets because the guerrillas draw their manpower, material sustenance, and political support from the friendly population in whose name they fight.

Although both parties in this struggle acted savagely, and clearly the Yugoslav security forces committed war crimes, they did not constitute genocide. It's widely agreed that from the beginning of 1998 until March 24, 1999—a period of 15 months—approximately 1,800 civilians, overwhelmingly ethnic Albanians but also Serbs, died in Kosovo as a result of the fighting and of deliberate massacres. On March 20, 1999—four days before the start of the NATO bombing—the *New York Times* reported that there were 20,000 ethnic Albanian refugees in Kosovo, but they were attempting to flee the fighting between the KLA and the Yugoslav army and were not targets of systematic ethnic cleansing.<sup>36</sup> Before the start of the NATO bombing campaign on March 24, the Yugoslav army's operations were directed at rooting out the KLA from its strongholds, not at forcibly expelling ethnic Albanians from the province.<sup>37</sup>

The Clinton administration portrayed Yugoslavia's actions in Kosovo as almost unprecedentedly brutal, but to put the unquestionable brutality of the Yugoslav government's counterinsurgency campaign into perspective, it's helpful to recall another attempt to root out guerrillas. Military analyst Jeffrey Record describes U.S. tactics in Vietnam: "Firepower was deliberately employed to depopulate—by death or abandonment—entire rural areas of Vietnam. During the war, at least 50 percent of South Vietnam's peasantry was involuntarily urbanized by combat in the countryside . . . and by 1968 refugees alone accounted for 5 million of South Vietnam's total population of 17 million."<sup>38</sup>

Moreover, as the recent PBS *Frontline* series and the BBC documentary on the Kosovo war make clear—and as the U.S. intelligence community warned the Clinton administration in early 1999—the KLA was waging its insurgency for the calculated purpose of provoking Serbian reprisals. The KLA knew it could not defeat Belgrade on its own, so, to advance the cause of independence for Kosovo, it needed to bring into play the military might of the United States and NATO. Dugi Gorani, a Kosovo Albanian negotiator interviewed in the BBC documentary, bluntly pointed out, "The more civilians killed, the chances of international intervention became bigger, and the KLA of course realized that."<sup>39</sup> "Any action we undertook would bring [Serbian] retaliation against civilians," admitted Thaçi. "We knew we were endangering a great number of civilian lives."<sup>40</sup>

#### **Truth: The First Casualty of War**

The Clinton administration, of course, allowed itself to be manipulated by such tactics. The administration based its decision to bomb Yugoslavia following the failure at Rambouillet on a serious miscalculation that had catastrophic consequences for both Yugoslavian civilians and Kosovo's ethnic Albanian population. President Clinton and his advisers continue to justify intervention, asserting that if the United States had not stepped in, the Serbs would have gotten away with massive ethnic cleansing. Or, as Albright put it, if America hadn't acted, "hundreds of thousands of refugees would still be huddled in camps throughout southeast Europe."<sup>41</sup> Such declarations fundamentally distort the factual record.

Weeks after the bombing began, the Clinton administration claimed that Belgrade apparently had a contingency plan—Operation Horseshoe—designed to drive the ethnic Albanians out of Kosovo. But planning is one thing, implementation another. The massive forced expulsion of ethnic Albanians, and the consequent humanitarian disaster, began only after NATO started bombing. Both the Pentagon and the U.S.

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intelligence community had warned the Clinton foreign policy team that Belgrade would respond to NATO air strikes by undertaking such an ejection of Kosovo's ethnic Albanians and that the bombing campaign would not be able to stop it.<sup>42</sup>

The administration's claims to the contrary notwithstanding, the record is clear: not until NATO began its bombing did Belgrade's objective in Kosovo change from counterinsurgency to a deliberate campaign to expel the province's ethnic Albanians.<sup>43</sup> Indeed, the State Department has conceded that point. As its report on the brutality in Kosovo acknowledges:

*In late March 1999, Serbian forces dramatically increased the scope and pace of their efforts, moving away from selective targeting of towns and regions suspected of KLA sympathies towards a sustained and systematic effort to ethnically cleanse the entire province of Kosovo.*<sup>44</sup>

Similarly, a December 1999 report issued by the OSCE makes it clear that NATO's bombing triggered the humanitarian catastrophe military intervention was ostensibly designed to avert. Indeed, according to the report, "Summary and arbitrary killing became a generalized phenomenon throughout Kosovo with the beginning of the NATO air campaign against the Federal Republic of Yugoslavia on the night of March 24–25."<sup>45</sup>

On March 25 President Clinton declared: "Our purpose is to prevent a humanitarian catastrophe or a wider war."<sup>46</sup> But NATO's air campaign triggered the very debacle it was said to be preventing. The Clinton administration had been told that expulsion of ethnic Albanians would be the likely result of air strikes, and it thus bears a major share of the blame for the humanitarian crisis that ensued.<sup>47</sup>

Moreover, there is increasing reason to question the credibility of the Operation Horseshoe account. The existence of the operation was originally publicized by

Joschka Fischer, the German foreign minister, on April 6, 1999, almost two weeks after NATO started bombing Serbia and at a time when German public opinion about the *Luftwaffe's* participation in the air strikes was divided. Horseshoe—or *Potkova*, as the German authorities said it was known in Belgrade—thereafter became a staple of NATO briefings and was presented as proof that Milosevic had planned to expel Kosovo's ethnic Albanians all along. State Department spokesman James Rubin cited Operation Horseshoe as recently as March 2000 to justify NATO's bombardment. However, Heinz Loquai, a retired brigadier general in the German army who now works for the OSCE, claims that the Horseshoe "plan" was fabricated from run-of-the-mill Bulgarian intelligence reports.<sup>48</sup> Loquai has accused Rudolf Scharping, the German defense minister, of obscuring the questionable origins of Operation Horseshoe, and he claims that the German Defense Ministry turned a Bulgarian intelligence agency analysis of Serbian wartime behavior into a "plan," and even coined the name "Horseshoe." Loquai points to a fundamental flaw in the German account: it named the operation *Potkova*, which is the Croatian word for horseshoe. The Serbian word for horseshoe is *Potkovic*. "A state prosecutor would never think of going to trial with the amount of evidence available to the German defense ministry," says Loquai. "The facts to support its existence are at best terribly meager," he contends. "I have come to the conclusion that no such operation ever existed."<sup>49</sup>

Disregard for the truth was the hallmark of the Clinton administration's Kosovo policy. To whip up support for the war from a doubtful Congress and public, the administration made exaggerated claims about Serbian brutality. Once the bombing campaign was under way, U.S. officials alleged that the Serbs were perpetuating, as Defense Secretary William Cohen described it, a "horrific slaughter" in Kosovo. Administration and NATO officials repeatedly invoked the specter of the Holocaust and averred that



Kosovo's ethnic Albanians were the victims of genocide. The administration repeated, as if they were indisputably true, unconfirmed refugee reports of mass murders and other outrages—even though those reports were filtered through the hardly unbiased KLA. During the war, NATO officials declared that Serbian forces had killed 100,000 ethnic Albanians. Even after the war, in June 1999, Clinton claimed that “NATO stopped deliberate, systematic efforts at . . . genocide.”<sup>50</sup>

That is exaggeration. Once NATO began bombing, the Yugoslav army's offensive in Kosovo had two objectives, neither of which involved genocide. First, by expelling ethnic Albanians from the province, Serbian forces aimed to restrict the guerrillas' base of support and cover. By controlling the borders and the devastated corridors along the major highways, the Yugoslav army sought to isolate the KLA in and then eradicate it from the forests and mountains.<sup>51</sup> Second, Serbian forces pursued the broader political objective of reversing the demographic trend in Kosovo that, largely because of differential birthrates, had seen ethnic Albanians come to compose 90 percent of the province's pre-war population. In stepping up action against Kosovo's ethnic Albanians, Serbian forces were, as the *New York Times* stated, “seeking to defuse a potential demographic time bomb,” but their goal was “depopulation rather than extermination.”<sup>52</sup>

NATO's claims during the war about the number of ethnic Albanians killed by the Yugoslav forces and President Clinton's post-war assertion that the Serbs had slaughtered “tens of thousands” have proved false.<sup>53</sup> Indeed, it appears that even NATO's revised postwar estimate of 10,000 ethnic Albanians killed is significantly exaggerated. To date, forensic specialists working under UN auspices have exhumed 2,108 bodies.<sup>54</sup> It is far from certain that all of the victims perished as a result of Serbian atrocities; some bodies may be those of combatants, or civilians caught in crossfire between the Yugoslav army and the KLA or killed by NATO bombs. Moreover, many of the alleged gravesites have

yielded no evidence of mass murder. Whatever the final determination with respect to the number of civilian deaths inflicted by the Yugoslav army in Kosovo, it is certain to be far smaller than the Clinton administration and NATO claimed—and not on a scale remotely close to genocide.<sup>55</sup>

## A Conspicuous Policy Failure

Washington stumbled into a war it could have avoided and thereby precipitated a humanitarian crisis. The war's only beneficiary has been the KLA, which has skillfully manipulated the Clinton administration into acting as its de facto agent, even though the KLA's goals and values are profoundly antithetical to America's interests and professed values.

The fallout from Kosovo has also inflicted incalculable damage on America's relations with Russia and China. To be sure, Washington's ties to Moscow and Beijing were troubled even before the war, but the intervention in Kosovo severely exacerbated those tensions. Moscow and Beijing found the administration's Kosovo policy worrisome on two, interconnected, levels. First, Washington's decision to intervene in the Balkans underscored the extent to which the United States is preponderant in world politics and illustrated the scope of America's hegemonic ambitions. Second, as states that confront their own vexing internal issues, Russia and China were unsettled by the precedent Kosovo appeared to establish: that the United States would intervene forcibly in the internal affairs of sovereign states. In both countries, American actions in Kosovo turned popular and elite opinion against the United States and engendered strong nationalist sentiment. In both countries, the political and military leaderships seem to have drawn the same lesson: through alliances, and the buildup of their respective military capabilities, Russia and China must act, for their own security, to counterbalance America's hegemonic power.

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**The Kosovo war probably will be viewed as the geopolitical turning point that caused Europe to emancipate itself from American tutelage—and thereby shattered NATO.**

Moscow and Beijing have moved toward a strategic partnership aimed at countering American power and restoring a multipolar world.<sup>56</sup> Russia now supplies China with advanced fighter aircraft, sophisticated anti-ship missiles, and modern guided-missile destroyers to thwart U.S. ambitions in East Asia.<sup>57</sup> Moscow and Beijing also have jointly declared their opposition to the “use of pretexts such as human rights and humanitarian intervention to harm the independence of sovereign states.”<sup>58</sup>

The Kosovo precedent also has troubling implications for the UN Charter’s role as a safeguard against war. Indeed, there is a reason the UN Charter has a general prohibition against military intervention and accords certain countries permanent veto power on the Security Council. Any legitimization of armed intervention not sanctioned by the UN enlarges the number of global matters over which countries can disagree. That not only increases the potential for dispute; it also runs the risk of triggering an unforeseen military escalation and confrontation, especially dangerous prospects in an era of nuclear weapons. As legal scholar B. V. A. Röling has succinctly pointed out: The UN Charter’s prohibition against armed intervention

is the fundamental premise on which the United Nations is built. It is not a mere expression of peace euphoria at the end of a devastating [world] war. It is not just some kind of luxury designed to make life more pleasant. It is not an illusion indulged in by ivory-tower legalists to feed their own complacency and self-importance. It is the pre-condition of life itself in the atomic era.<sup>59</sup>

Bypassing the Security Council to avoid a probable veto (as the NATO countries did during the Kosovo conflict) only procedurally avoids the veto of other major powers. Their objections may remain intact, and they may choose to then exercise another kind of veto—countering the intervention with force.

It is precisely this sort of confrontation and escalation that the UN Charter’s ban on intervention is designed to prevent.

The Kosovo war probably will also be viewed several decades hence as the geopolitical turning point that caused Europe to emancipate itself from American tutelage—and thereby shattered NATO—by moving concretely toward becoming an independent actor in international security affairs and deliberately setting out to constitute itself as a geopolitical counterweight to American hegemony. The Kosovo war has underscored for the West Europeans, who were already alarmed by their military inferiority to the United States and resentful of their continued dependence on Washington, the enormous disparity between their collective military capabilities and those of the United States, especially U.S. superiority at the high end of military technology, and reminded the West Europeans that they remain dependent on Washington for maintenance of stability and security on the Continent. They now recognize that they need to give substance to the concept of a common European defense and security policy by developing their own advanced military capabilities (including satellite reconnaissance; command, control, and communication; precision-guided munitions; and power projection).<sup>60</sup>

To be sure, the European Union has rhetorically invoked the time-tested formula that the “European security and defense identity” is intended to make Western Europe an equal partner in the Atlantic Alliance, but the reality is different. A NATO with two truly equal “twin pillars” is unlikely to endure. A Europe with defense capabilities equivalent to America’s no longer would need Washington’s protection, or the tutelage that goes with it. And, by the same token, if Europe demonstrates that it is capable of standing on its own military feet, the domestic U.S. consensus in favor of the American military presence in Europe probably will ebb. The major irony of Clinton’s “victory” in Kosovo—a war that Washington fought primarily to establish the credibility of the new, post-Cold War NATO—

is that the conflict's aftermath may well accelerate the drifting apart of America and Western Europe in security affairs.

What is more, U.S. strong-arming before and during the Kosovo conflict and subsequent transatlantic wrangling have alienated many of America's West European allies. Indeed, during the U.S.-engineered talks between Serbs and ethnic Albanians in Rambouillet, France, French foreign minister Hubert Vedrine described the United States as a "hyperpower" and said that the United States must stop unilaterally imposing its will on the rest of the world.<sup>61</sup> And many West European officials are now concerned that the U.S. State Department's orchestration of events in Kosovo may be destabilizing the peacekeeping operation there.<sup>62</sup>

Confronting Kosovo's depressing prospects, the administration consoles itself that, as the president says, it "did the right thing in the right way" when it intervened. Even granting that doubtful premise, this is not enough to exonerate policymakers from their responsibility for the situation the United States confronts today. In the real world, policymakers are judged by the consequences of their actions, not by their intentions. The Kosovo war has not vindicated the administration's doctrine of "virtuous power." By waging an avoidable war, Clinton and his advisers only stuck the United States with a host of intractable problems they should have foreseen.

## Notes

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2. Organization for Security and Cooperation in Europe, "Kosovo/Kosova: As Seen, As Told, Part II, June to October 1999," December 6, 1999, <http://www.osce.org/indexe-se.htm>.

3. International Crisis Group, "What Happened to the KLA?" March 3, 2000, pp. 1-2, <http://www.crisisweb.org/projects/sbalkans/reports/kos33rep.htm>.

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9. Quoted in Steven Erlanger, "Kosovo Rebels Regrouping Nearby in Serbia," *New York Times*, March 2, 2000 (online ed.). Lt. Col. James Shufelt, who commands the U.S. Army outpost on the border between Kosovo and Serbia in the affected region, reached the same conclusion: "The concern here isn't that the Serbian police will come across, but that Albanian attacks on Serb police and army will inspire a response great enough to cause public clamor for a KFOR response." Quoted in *ibid.* See also R. Jeffrey Smith, "Kosovo Rebels' Serbian Designs Concern NATO," *Washington Post*, February 28, 2000, p. A9.

**In the real world, policymakers are judged by the consequences of their actions, not by their intentions.**

10. Philip Shenon, "U.S. Troops Seize Weapons from Albanians in Kosovo," *New York Times*, March 16, 2000 (online ed.); and Robert Suro, "GIs Raid Militias in Kosovo," *Washington Post*, March 16, 2000, p. A1.
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12. "NATO Seizes Arms, Holds Eight Kosovo Albanians," Reuters, April 26, 2000.
13. Ibid.
14. Madeleine K. Albright, "Building a Europe Whole and Free," Remarks at event sponsored by the Bohemia Foundation, Prague, Czech Republic, March 7, 2000, <http://secretary.state.gov/www/statements/2000/000307.html>.
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33. Anne Swardson, "Europe Wants Lead in Rebuilding Effort; Aim to Integrate Balkans into Continent Motivates Funding of Restorations," *Washington Post*, June 13, 1999, p. A23.
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