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Country specific report: conflict settlement agreement Serbia
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MIRICO: Human and Minority Rights in the Life Cycle of Ethnic Conflicts
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1. The Role of Serbia in the Yugoslav Crisis

1.1. The Role of Serbia in Ethno-Mobilization

The Yugoslav crisis began in the era of the collapse of real-socialist regimes in Eastern Europe. With communist ideology stepping back and giving way to nationalism, further decentralization of an already highly decentralized multinational state was imminent, leading to its transformation into a confederation or to its final disintegration. While other Yugoslav nations were developing their plans to build independent nation-states, the Serbian people were chasing their goal of preserving Yugoslavia. This was presented by the Milošević regime as the only reasonable solution to maintain the Serbian national ideal of all Serbs living together in a single state.

Serbian ethno-nationalism was rooted in unresolved questions regarding the unequal status of the Republic of Serbia within the Yugoslav federation (as Serbia was practically a federation within federation while other republics were highly centralized), as well as the status of the Serbian people in the republics (and provinces) other than Serbia proper. These problems, as well as historical traumas rooted especially among the Serbs outside of Serbia, were systematically abused by the Serbian conservative Communist Party leadership in order to preserve not only Yugoslavia as the only option for Serbs to live in one state, but the Communist system as such.

The beginning of ethnic mobilization in Serbia was largely based on the Kosovo problem and the secessionist aspirations of the Albanian majority. Nevertheless, after completing the constitutional changes at the beginning of the nineties through which the two Serbian provinces lost their autonomy, Serbian authorities turned their eye on other parts of Yugoslavia where a significant portion of the Serb population lived. After constitutional consolidation and the centralization of the “mother-state” had been achieved, the time came for the consolidation of the Serbian people as a whole.

Powerful propaganda, reinforced by strictly controlled media, nationally oriented intellectual elites, the church, and the army made a significant contribution to spreading the fear and aggression that led to the outbreak of the bloody war in the Balkans.

1.2. The Interaction Between the Serbian Government and Serbs Outside Serbia

It is difficult to summarize the nature of the relationship between the Serbian leadership from the Republic of Serbia, the Serbian government and Serb leaders throughout Yugoslavia at the beginning of the nineties. These relationships depended upon many factors. One of the major cohesive elements was the figure of Slobodan Milošević, seen at that time as the primary protector of Serbian interests. His personal authority was built on nationalist rhetoric cloaked in the socialist ideology of a united Serbian population in Yugoslavia that felt threatened by separatist tendencies, especially in Croatia. This fear, grounded in the experience of World War II, was constantly built up by the Serbian state-controlled media.

Nevertheless, Milošević did not build his authority merely upon rhetoric. As the main successor of the Communist Party apparatus, he had significant
instruments of state power in his hand, especially in terms of control over the armed forces and the state secret police machinery. According to the testimony given at the ICTY trial of Milan Babic, one of the leaders of Serbs in Croatia at the beginning of the nineties, Milošević established a parallel state structure in Krajina, “comprised of members of the Ministry of Interior of Serbia, the State Security service of Serbia, the SDS in Croatia and policemen in the Serbian municipalities in Croatia, which ultimately answered directly and exclusively to Slobodan Milošević. The central figures of this parallel structure in Serbia, aside from Milošević himself, were Jovica Stanisic from the Serbian DB and his subordinate Franko ‘Frenki’ Simatovic.” 1 The same pattern emerged with the Bosnian Serb leadership. 2

During the entire initial period of the conflict, the Serbian government, hiding behind the curtain of federal authorities (which were entirely under the control of Milošević’s republican regime), did not even try to conceal its involvement in the military actions against Croatia. Only after the introduction of international sanctions and the start of the Bosnian war did Milošević realize that he must suspend his formal ties with the leaders of Serbs outside Serbia. 3 This did not mean that the ties between the Republic of Serbia and Serbs in Croatia and Bosnia were completely severed. Significant financial and military aid continued to flow into Croatia and Bosnia for the purpose of establishing parallel governments and independent Serbian states in the respective territories.

The other point of debate is whether the Serbian government, and Milošević in particular, had effective control over the leadership of Serbs in Croatia and Bosnia. At the beginning of conflict this was certainly the case. Serbs were highly dependant on economic and military aid from Serbia, and thus had to follow the instructions coming from Milošević, even when they were in conflict with the views of the local leadership. Nevertheless, Milošević’s influence decayed with the prolongation of the conflict. 4 This was mainly the consequence of Milošević’s ambivalent attitude toward peace proposals offered by international actors and of his efforts to stop the war due to the pressure of international sanctions. But it seems that even until the very end of hostilities he preserved sufficient influence to act as the representative of all Serbs in the Dayton peace negotiations, and as the guarantor of its execution.

To conclude, the relationship between the government of the Republic of Serbia and Serbian leaders outside Serbia was based more on influence than on control. Although highly dependant on material aid and the political capacity of Belgrade, the Serbian leaders outside of Serbia retained their autonomy to some extent, and this autonomy increased as the conflict continued.

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1 See ICTY case IT-03-72-I, Prosecutor vs. Milan Babic, Tab 1, Factual Statement, 16.
2 Close ties of Radovan Karadzic and Slobodan Milosevic and other political figures such as Nikola Koljevic, Momcilo Krajinik, Biljana Plavsic and Dobrica Cosic are evident from the intercepted phone calls presented as evidence by the prosecution in the Milosevic trial (ICTY case IT-02-54-T, Prosecutor v. Milosevic).
3 He disbanded military units of the Yugoslav Army that were under the command of the Army of Republika Srpska (but on the payroll of the Yugoslav authorities) and ordered that the Army cease issuing arrest warrants for Serbian deserters from outside Serbia. However, the Yugoslav Army continued to pay “support benefits” to the families of some officers of the Republika Srpska and to give significant military and financial aid to Serbs in Bosnia.
1.3. Serbian Control over the “Rump Presidency”

After the abolition of the Serbian provinces’ autonomy, and bolstered by his close ties with Montenegrin leadership, Milošević succeeded in gaining control over the federal collective presidency. In the words of the prosecution in the ICTY case against Milošević:

From at least March 1991 until 15 June 1992, Slobodan Milosevic exercised control over the four members of the “Serbian Bloc” within the Presidency of the SFRY (later the FRY). These four individuals were Borisav Jovic, the representative of the Republic of Serbia; Branko Kostic, the representative of the Republic of Montenegro; Jugoslav Kostic, the representative of the Autonomous Province of Vojvodina; and Sejdo Bajramovic, the representative of the Autonomous Province of Kosovo and Metohia. Slobodan Milosevic used Borisav Jovic and Branko Kostic as his primary agents in the Presidency, and through them, he directed the actions of the “Serbian Bloc”. From 1 October 1991, in the absence of the representatives of the Presidency from Croatia, Slovenia, Macedonia, and Bosnia and Herzegovina, the four members of the “Serbian Bloc” exercised the powers of the Presidency, including that of collective “Commander-in-Chief” of the JNA. This “Rump Presidency” acted without dissension to execute Slobodan Milosevic’s policies. The Federal Presidency had effective control over the JNA as its “Commander-in-Chief” and the TO units and volunteer units acting in co-ordination and under supervision of the JNA. Generals Veljko Kadijevic and Blagoje Adzic, who directed and supervised the JNA forces in Croatia, were in constant communication and consultation with the accused.5

Nevertheless, it should be noted that this “Serbian camp” in the Yugoslav Presidency was not sufficient to reach the majority necessary for decision-making, at least not while Slovenian and Croatian representatives were still members. Although the Bosnian representative in the Presidency, Bogic Bogicevic, was also a Serb, this fact did not yield a certain majority, as Bogicevic had to act in accordance with the instructions of the three member presidency of Bosnia and Herzegovina, which consisted of Bosniak, Croatian and Serbian representatives. The “Serbian camp’s” inability to gain control over the Bosnian representative was best shown in their attempt to get the Presidency to declare a state of emergency in Yugoslavia and allow the army to impose martial law. Bogicevic voted against that proposition.6 Complete control, was therefore achieved only after Croatian and Slovenian representatives stepped out of the Presidency.

1.4. The Serbian Government and the Army

The Yugoslav People’s Army had a special place in the Second Yugoslavia, ever since it was founded by its predecessor institution - the partisan People’s Liberation Movement. It was considered the symbol of Yugoslav “unity and brotherhood” as well as its strongest pillar - the force protecting against both foreign powers and interior threats. This was clearly stated by Yugoslav officials on numerous occasions, including Tito himself.7 The Army, however, was not merely

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5 Milosevic Case IT-02-54-T, Second Amended Indictment, 30.
7 “Brotherhood and Unity are inseparably linked with our Army... I believe that our Army is still playing such a role today... [it] must not merely watch vigilantly over our borders, but also be present inside the country... There are those who write that one day Yugoslavia will disintegrate. Nothing like that will happen because our Army ensures that we will continue
the protector of Yugoslavia and its unity; it was protector of the communist ideology and socialist orientation of the country. Slobodan Milošević and the Serbian leadership emerged with the illusion of holding the same affiliations. It was only natural that they would recognize each other as natural allies when facing both the disintegration of the Yugoslav state and the decay of communist ideology.

At the beginning, Army leaders were reluctant to use force against separatist movements in Slovenia and Croatia. This was largely due to a concern for the constitutional requirements of the Army leadership, led by Veljko Kadijevic.8 As it was impossible to meet these requirements without the consensus of all members of the Yugoslav Presidency, the Army had to wait for Croatian and Slovenian representatives to step out of the Presidency before acting.

For a long time, the Army had difficulties establishing its place in the conflict. In Slovenia, it acted as the protector of socialism against counter-revolutionaries. This 10-day war ended with the catastrophic defeat of the underprepared and overly self-confident military structures. At the beginning of the Croatian crisis, the Army tried to define its role in the conflict as being a “prevention tool” or “buffer-zone machinery” to prevent the parties from escalating the violence, which had already reached a disastrous magnitude. Soon, the goals were changed, and the protection of Serbian people in Croatia became the Army’s sacred duty. As Stojan Cerovic stated an article, “[T]he Army has defended the communism, then Yugoslavia, then the Serbs in Croatia, then the incomplete Yugoslavia - never forgetting its own interests”.9 And the interest of the Army was inevitably its own preservation and the retention of the privileges it enjoyed under the communist regime. Eventually, it failed to preserve both. With the collapse of Yugoslavia, “Serbianization” of the Army took place. It was transformed into the Yugoslav Army under the nearly complete control of Serbian President Milošević. The leadership of the Army was completely changed. In addition, this provided Milošević with another force to rely upon once the armed conflict had escalated, as it gave him much more flexibility in conducting his actions and achieving his goals.10

The transformation of the JNA into the VJ had another very important political implication. It was a part of a strategy to show the international community that Serbia and the FR Yugoslavia were not involved in the Bosnian conflict. This was, obviously, only partially true. The JNA was actually divided into the Army of Republika Srpska and the Army of Yugoslavia, leaving the latter in the centre of conflict. This was done with the full consent of Milošević. Throughout the conflict, the Yugoslav Army continued to support the Army of Republika Srpska with both personnel and weapons. Even the logistics of the Army of Republika Srpska were highly dependent on Yugoslav Army techniques and information services. This provided a perfect means for Milošević to preserve his control over Bosnian Serbs. Nevertheless, it has been shown that this control was insufficient to be relied upon effectively throughout the entire length of the conflict or to dictate every single action of the Bosnian Serb army and its political leadership.

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8 James Grow, op. cit, p. 55. See also in Miroslav Hadzic, “The Army’s Use of Traumas” in Nebojsa Popov (ed.), The Road to War in Serbia - Trauma and Catharsis, (CEU Press, Budapest, 2000), 509-528.
10 See section 1.5. of this Report.
1.5. The Role of the Secret Police in the Yugoslav Crisis

Milošević relied heavily on the secret police during his rule, both in dealing with internal affairs and in international relations. Taking a rather formalist approach in his public appearances, and during the negotiations and peace talks, he in fact led a parallel policy of extra-legal methods and employed the use of force when necessary.\(^{11}\)

Milošević gained absolute control over the secret police by installing two close associates, Jovica Stanisic and Frenki Simatovic, in key posts in the apparatus. With the support of Mihalj Kertes, later the Director of Customs, he was able to evade legal barricades to supplying Serbian paramilitary forces with weapons and personnel, regardless of the arms embargo imposed by the international community in the earliest stages of the conflict.

The Serbian Secret Police was used for the formation and deployment of Serbian paramilitary units in Croatia and Bosnia. It was also a main tool for evading UN Security Council sanctions through so-called “state smuggling” affairs. By these means, Milošević had a powerful tool to prolong his activities in parts of Yugoslavia that were of interest, without immediately acknowledging Serbian involvement in the conflicts that were taking place.

For the details regarding how the Serbian Secret Police operated during the conflict, it is useful to refer to the testimony of General Aleksandar Vasiljevic in the Milošević case before the ICTY:

>The activities of the Serbian paramilitary forces are today common knowledge. Their involvement in the massacres throughout former Yugoslavia has been well documented in numerous studies and even court cases.\(^{12}\)

2. Domestic Attempts at Conflict-Management

2.1. Negotiations among Domestic Actors

Initial attempts to prevent the conflicts in Croatia and Bosnia were made in 1991. At the beginning, the conflicting parties used the constitutional mechanisms of the federation in their weak efforts to find a solution to the problems. This was done mainly through the regular sessions of the Federal Executive Council (Savezno izvršno veće - SIV) and of the Presidency of the SFRY. Soon it became clear that these meetings did not yield any results. One of the main reasons was that the members of the Yugoslav “collective head of state” were only associates of the much more influential presidents of the six Yugoslav republics. At first, the presidents of the republics took part in the sessions of the Presidency, but they soon took complete control of the negotiations and excluded the Presidency from further efforts to find a solution. This was a logical step forward due to the complete loss of legitimacy and influence of the federal organs in the opening

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months of the crisis. On the other hand, the presidents of the republics derived their great authority from the fact that they were elected in more or less free democratic elections, directly or through the parliaments of the republics.

The meetings of the presidents of the republics were held on weekly basis, but did not bring any significant results. The only formal proposition for the resolution of the crisis was submitted at the last meeting held in Sarajevo by the presidents of Macedonia and Bosnia and Herzegovina, Kiro Gligorov and Alija Izetbegović. This document, known as the Gligorov-Izetbegović Platform, mandated that Yugoslavia be reorganized as some sort of asymmetric federation. While Serbia, Montenegro, Macedonia and Bosnia and Herzegovina would maintain more or less conventional federal relations, Croatia and Slovenia would form some sort of confederation with the rest of the state. Nevertheless, some important competencies would remain on the federal level, including defence, security and certain aspects of monetary policy.

Although this document provided a balanced solution, it was highly unrealistic to expect it to be accepted by all actors. In the words of some of them, it could be regarded only as the “temporal stage in the process of dissolution”. It is very difficult to determine what the true position of the Milošević regime was toward this Platform. According to Momir Bulatović, then President of Montenegro and close associate of Slobodan Milošević, the Serbian (and Montenegrin) regime held that it was acceptable, and at least represented a good starting point for further negotiations. Nevertheless, many characteristics of the Platform were not consistent with Milošević’s primary aspirations. First of all, Croatia would not be part of the federal state. In previous negotiations, the Serbian side had not seen confederation as an adequate solution because of the desire of Serbs in Croatia to live in “one state” with the rest of Yugoslav Serbs. The precariousness of the solution was the second major shortcoming. Nevertheless, Croatian and Slovenian presidents formally rejected the Platform, as they held that leaving matters of defence and security in the competencies of the state union was unacceptable. It should be noted that at the time of the announcement of this document, both Slovenia and Croatia had already had positive results in referendums on independence, and had begun preparations for formal declarations of independence. In addition, armed conflicts had already started in Croatia.

With the outbreak of hostilities, the Croatian and Slovenian representatives stepped out of the negotiations, but negotiations with and within Bosnia and Herzegovina intensified. The initiators of these talks were Adil Zulfirkapašić and Muhamed Filipović, close associates of the President of Bosnia and Herzegovina, Alija Izetbegović. The negotiations, however, soon lost the support of Izetbegović, and the document known as the “Belgrade Initiative” was adopted.

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13 The Serbian side played a major role in this. By pushing constitutional changes in 1989, by which Serbian provinces lost their autonomy within Serbia, the Milošević regime took control over two additional seats in the Yugoslav Presidency which formally still were held by representatives of Kosovo and Vojvodina. With the support of the Montenegrin representative, Serbia alone held 4 of the 8 votes in the Presidency. This completely paralysed its work.
14 The first meeting was held in Split (Croatia) on 28 March 1991, and the last one in Sarajevo on 6 June 1991. In the meantime, the crisis in Croatia was escalating.
16 Momir Bulatović, ICTY vs. Milošević, The Unspoken Defence (ICTY protiv Miloševića, Neizgovorena odbrana), (Zoograf-Etra, Niš, Podgorica, 2006), 79-81.
17 According to Izetbegović, the agreement represented the instalment of the “incomplete Yugoslavia” with Milošević as its true leader, and Karadžić as the leader of entire BH.
solely by Serbian representatives from Bosnia and Herzegovina, the Government of Serbia and representatives of federal institutions dominated by Serbs.

The main characteristic of the agreement was the preservation of the federal model of the state union of three republics—Serbia, Montenegro and Bosnia and Herzegovina. It was built on the foundation of the earlier Gligorov-Izetbegović Platform, but did not contain the confederal elements, which became unnecessary as Croatia and Slovenia had already gained complete (although not internationally recognized) independence.

The negotiations and subsequent agreement between the representatives of the Muslim and Serbian population of Bosnia and Herzegovina and the Serbian authorities had no chance of success simply because it had excluded Croats in Bosnia and Herzegovina from the negotiation process despite the fact that they constituted the third major party in the crisis. Considering the war that was already raging between Serbs (and Yugoslavia) and Croats, it was only a matter of time before it would spill over to Bosnian territory. Both the Serbian and Croatian governments had decisive influence over the Serbs and Croats in BH, respectively, and clear territorial aspirations toward Bosnia. Serbian territorial ambitions in Bosnia, however, were disguised by the desire to preserve Yugoslavia.

In the early nineties, Kosovo was not the subject of any serious internal negotiations. After the abolition of Kosovo’s autonomy and the instalment of a Kosovo leadership loyal to Milošević, Serbia made it impossible for Albanians to be heard. It is nevertheless worth mentioning the few lonely efforts made by Milan Panić, the then Prime Minister of Federal Republic of Yugoslavia. In circles of foreign political analysts, the year 1992 in Serbia was often referred to as the ‘Panić Interlude’.

Milan Panić was an American businessman of Serbian origin who established himself as the CEO of the ICN Pharmaceuticals Company in the United States. When he returned to Yugoslavia to buy Galenika, Yugoslavia’s biggest pharmaceutical company, he was approached by Slobodan Milošević, then the President of Serbia, who asked him to become the first prime minister of the newly formed FR Yugoslavia. Milošević reasoned that he could use Panić’s connections in the US to lobby in favour of lifting the harsh economic and political sanctions imposed by the UN that Yugoslavia was facing in 1992. Panić accepted this position with the permission of US President George Bush. On 14 July 1992, Panić was elected Prime Minister of Yugoslav Federal Government by members of the Yugoslav Parliament as part of a package including Dobrica Ćosić, who was elected President of the FR Yugoslavia.

Although “initially looked upon as well-meaning amateur who had blundered into a political drama of sordid intrigue, reckless violence and genocidal war”, Panić soon proved to be something more than a mere political puppet in the hands of Milošević, and began to be seen as an opportunity to achieve a breakthrough in the Yugoslav crisis. Panić promised to seek reconciliation among the Yugoslav peoples, and faced the dramatic situation in Bosnia and Croatia by stating his firm resolve for peace since “no idea is worth killing for in the 20th century.” He also did not forget to deal with the Kosovo crisis. When asked to
what extent the Kosovo question appeared on his political radar, Panić replied that “it was obvious - the Kosovo problem was obvious”, which was the first acknowledgment of the Kosovo problem amongst the Serbian political leadership. The main goals of his Kosovo-related policy were to encourage talks between the Serb and Albanian side, and to facilitate the work of international monitors on the ground.

Less then a month after his appointment as prime minister, Panić met with Ibrahim Rugova in August 1992, in London. There Panić promised the restoration of self-rule for the Kosovo Albanians, the re-admittance of Albanians to Priština University, the return of Albanian professors to the University, freedom of the Albanian press and free elections. This meeting created an avalanche of attacks on Prime Minister Panić in the Yugoslav Federal Parliament, which was led by the Serbian Radical Party, whose deputies argued that Panić lacked the political capacity for such negotiations and promises. In September 1992, Serbian Radical Party deputies asked for a parliamentary debate on their confidence in Milan Panić.

On 9 October 1992, Panić brought about the release from prison of Rexhep Osmani, the Minister of Education of Kosovo’s ‘shadow government’. A few days later he made the decision to let the CSCE mission into FR Yugoslavia, thus creating preconditions for future CSCE mediation in the Kosovo crisis. The CSCE was prepared immediately to send unarmed fact-finding and rapporteur missions into Kosovo, Vojvodina, and Sandžak. In October, Panić visited Priština twice, and on one occasion met with Ibrahim Rugova. The two agreed to form joint task forces that would deal with legislation, education, and the provision of information in the Albanian language. Nevertheless, not once during these meetings was the issue of Kosovo’s status on the agenda. The prime minister’s cabinet became a strong opposition voice to Milošević’s Kosovo policies, and Panić’s support among Serbian people grew stronger. When Milošević called for a presidential election, Panić decided to enter the presidential race against him. He even managed temporarily to unite the fragmented Serbian democratic opposition to support him. Nevertheless, the election campaign on state television, the only nationwide media at the time, provided enough air time for the Serbian Radical Party to mark Milan Panić as a CIA figure and a traitor, while the ruling Socialist Party prepared for election fraud, which was later reported by the CSCE international observers. On 20 December 1992, Milan Panić lost the race for president in Serbia by winning roughly 32% of the vote to Milošević’s 52%. Only days after, on 29 December 1992, deputies in the Yugoslav Federal Parliament voted no confidence in Prime Minister Panić, thus terminating the strong opposition to Milošević’s policy in Kosovo, as well as in other regions of the former Yugoslavia.

Another important aspect of the internal Serbian policy toward Kosovo was the idea of the ethnic division of Kosovo propagated by certain nationalistic members of the Serbian intellectual elite. Although the division of Kosovo was a possible solution to the crisis for ten years, neither conflicting party officially proposed this way out, as they were constantly stuck between independence and status quo ultimatums. This does not mean that there were no ideas of such a territorial division of the province.

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24 Ibid.
The first such idea came from Dobrica Čosić on 11 September 1990. While elaborating the issue of the Serbian national question, Čosić came to the conclusion that “Kosovo can not be saved”, so he advised that it is pragmatic and realistic to “accept separation where coal mines and holy places (Gračanica and Gazimestan) are”. He further advised that “such plan should be prepared and kept in secrecy until the appropriate moment when it should be activated”. Čosić’s proposal for the territorial division of Kosovo and the separation of Serbs and Albanians suggested that eastern and central Kosovo would belong to the Albanians, while the northern and western part would remain within Serbia. Taking the river Ibar as a border zone, all later proposals followed more or less the same pattern of territorial division. Čosić’s proposal and the plan itself did not get much attention at the time when it was created. Indeed, most of the plan was not known until 2004, when Čosić’s book Kosovo, which was written in the form of a political diary and advertised as “Čosić’s last Kosovo battle”, was published. Even so, there are important points that could be concluded from this plan that shed a new light on the Serbian political position towards Kosovo in the nineties. In 2004, Čosić claims that he does not propose the ethnic division of the territories, and as an example for such claim he offers idea that Serbian monasteries should keep their self-rule even if they stay on Albanian territory. However, in The Working Notes published in 1992, Čosić states that the “radical solution of the Kosovo crisis by division based on ethnic, cultural, and historic rights should commence” which does not correspond to his later thoughts. Furthermore, he writes that the “Revision of borders is inevitable, democratic, and fruitful for all Yugoslav people, [and that] ... permanent peace requires this revision of borders between republics [of former SFR Yugoslavia] which were inherited from war, and made during Titoist ideology”. This suggests that Čosić accepts the division of Kosovo as inevitable, but also opens such a perspective for other parts of Yugoslavia. This was ultimately confirmed in his notes from 1993, in which he wrote that the “unification of the Albanian people is historically inevitable, but this process should be conditioned by acknowledging the same right for Serbs on the whole territory of former Yugoslavia”. Clearly Čosić’s ratio legis for his proposal for the territorial division of Kosovo from the first half of the nineties lies in his aspiration for restructuring the borders between the republics and provinces in the former Yugoslavia, and presumably creating a greater Serbian ethnic state.

Other members of the Serbian Academy of Sciences and Arts (SANU) later prepared their own proposals for the territorial division of Kosovo. Such a proposal came from Aleksandar Despić, SANU’s president, in 1997. In his address to the SANU members, and in the light of the Dayton Peace Accord, he stated that Serbia was at a historical turning point, so he recommended the partition of Kosovo in order to cut the knot of Kosovo, which was becoming a very heavy burden for Belgrade in the post-Dayton period. Desimir Tošić, member of the Democratic Party, spoke affirmatively on the partition of Kosovo as early as 1996, but in an interview ten years later he remembers how “at the time no one of the Serbian officials was even considering such an idea”. Dušan T. Bataković also suggested the cantonization of Kosovo in early 1998. In his thesis, Bataković proposes that “[t]he model of cantonization is an obvious answer with which, on the one hand,

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28 Ibid.
29 Ibid.
30 N. M. Jovanović, “Kosovo i kako bi uskoro mogla da izgleda karta Balkana”, daily newspaper Blic, 1 November 2005.
the existing ethnic proportions of the province as well as its multiethnic composition will be preserved, but with distinct rights for cantons with a Serbian majority. None of these proposals received notable public attention or political debate. Even so, due to the further militarization of the conflict, all of these initiatives came too late, and the Kosovo crisis was to receive a different solution.

The status quo lasted until the Kosovo Liberation Army (KLA) became increasingly active in 1997. Nevertheless, no attempts were made to resolve the conflict with the KLA since the Serbian authorities denounced it as a terrorist organization and declined any possibility of negotiating with the alleged terrorists. There were, however, attempts made to negotiate with some Kosovo Albanian representatives, but these were untimely or insincere.

By the decision of the Serbian Government, a Negotiating Team for Dialogue with Kosovo Albanians was formed on 11 March 1998. This Team publicly invited Kosovo Albanian representatives to a meeting in Priština, and later on National TV showed that there was no response from the Albanian side.

When, on 15 May 1998, Slobodan Milošević met with Ibrahim Rugova, it was the first time that a Yugoslav president had met with an Albanian leader from Kosovo in nearly a decade. The Milošević-Rugova meeting took place in the aftermath of six months of escalating violence in Kosovo between Serbian police and KLA, and intense US shuttle diplomacy under the auspices of Richard Holbrooke.

By agreeing to meet Rugova and apparently nothing else, Milošević has parried a half-hearted threat by the Contact Group countries - the United States, United Kingdom, France, Italy, Germany, and Russia - to impose new economic sanctions on the Federal Republic of Yugoslavia. These sanctions, depending on how they were engineered and targeted, had the potential to threaten Milošević's hold on power and thereby pressure him to strike an agreement that would define a new modus vivendi for Kosovo's Serbs and Albanians. Now the pressure on Milošević to make a deal has dissipated, and Milošević has worked the Contact Group countries into a position where they could be compelled in the near term to acquiesce to, and perhaps even assist, a Serbian police crackdown on the KLA.

There were three known meetings held between Milošević and Rugova. All of these took place as if Rugova had been discreetly brought into the negotiations, as it was noted in the Serbian weekly magazine Vreme.

It can be observed that the negotiation attempts intensified in the conflict resolution phase, instead of in the conflict prevention phase. Many experts noticed that, even if they acted in good faith, the negotiators were burdened by the nationalist camp back home.

### 2.2. The Reasons for Failure

The outbreak of violent conflicts in Croatia, Bosnia and Kosovo, and the possibility either of preventing them or of achieving a peaceful resolution must be considered...
in the overall context of the Yugoslav crisis. There are essentially two questions that need to be answered. The first one is whether the dissolution of a multinational communist state such as Yugoslavia was inevitable. The second is whether this dissolution had to be conducted in such a violent manner, or more precisely, whether the negotiations for peaceful dissolution were predestined to fail.

The dissolution of Yugoslavia was coupled with the great socio-economic changes sweeping across the entire socialist block in the late eighties. When the Yugoslav version of totalitarianism started to decompose in the early seventies, and when the practical consequences of incompetence, experimentation and aspirations to international grandeur had to be faced, simple, easily understandable statements with identifiable traditional culprits were easily espoused not only by the general public but also by the nomenklatura, who were largely non-intellectual and even anti-intellectual, and were eager to retain power at any cost or on the basis of any claim to legitimacy. Nationalism was the most powerful tool for achieving this goal. The conservative, anti-reformist wing of the Serbian League of Communists was the first to switch to populist nationalism. In sequence, the other parties from other republics followed suit. Communist rule, by destroying the economy, preventing pluralist democracy and stifling civil society, produced social discontent, accustomed social actors to violence and exclusivity and led the population away from making rational choices. The result was typical post-communist nationalism, which could not but spell the doom of the multinational federation.

Yugoslavia as a multinational state and its institutional structures, established to accommodate its six recognized nations by giving each nation its own state (republic), did not have the same meaning to all its nations. The more Yugoslavia ceded its sovereignty and delegated it to the republics, the greater the perceived threat to Serbian national interest. Serbs regarded Yugoslavia as the resolution of the Serbian national issue, and as the achievement of the national programme of unifying all Serbs in the same state. Therefore, Serbs had always held the centralist (and, thus, authoritarian) position and departed from it in their defence of Yugoslavia (i.e. the only way it could be defended as it was not a politically legitimate state), because Yugoslavia had been unstable from its inception due to the national aspirations of specific nations (and minorities, notably the Albanians) to set up their own independent states. This was especially true in the case of Croats and Albanians (as a minority) and later of the Slovenes. Some nations imagined their states within Yugoslavia (Macedonians, Bosnians) but on the condition that the existing “national balance” be preserved (i.e. that all nations stay rallied together to counter the prevalence of Serbs).

While there was an obvious conflict of interest between the Slovenian and Croatian aspirations for secession on one side, and the Serbian and Montenegrin rather centralistic approach on the other, two remaining republics, Bosnia and Herzegovina and Macedonia held much more moderate positions. While these republics supported major constitutional reform and the decentralization of SFR Yugoslavia, they sought a solution within the framework of a state union of sovereign republics or, alternatively, by creating an alliance between sovereign states. Due to the moderate course that these two republics held in the opening months of the crisis, it is natural that the first constructive propositions for the resolution of the conflict came from their side.

At the time of negotiations Serbia strongly relied on the power of the conservative communist Yugoslav People’s Army (JNA). This is probably the main reason that the Serbian leadership took very firm positions in the process of conflict prevention and was not ready to compromise with the other sides. With overwhelming power in his hands, Milošević believed that it would be possible to
hold Yugoslavia together by force, and that any resistance from the other sides could be crushed within days. Milošević’s reliance on the Army was not based on nationalistic grounds, but mostly on shared ideology. The JNA functioned practically as the military wing of the Communist Party, of which only Milošević remained as the autochthonous leader. There was strong and influential Party organization within the Army, and it was only natural that such an organization would support conservative elements if faced with the erosion of the communist system and ideology.

On the other hand, Croats were ready for the war, too. By establishing the Corps of the National Guard (Zbor narodne garde - ZNG), the Croatian Democratic Union (Hrvatska demokratska zajednica - HDZ) and its leader, President of Croatia Franjo Tuđman, were confident that they would have enough strength to resist pressure and reach their aspirations for independence by force. With the two key actors needed to develop any peaceful solution seeking ways to demonstrate their powers, it was very hard to evade conflict.

For actors in Yugoslavia the decision to resist, support or merely tolerate the country’s hasty dissolution was a matter of political choice, in which ideology and interest played a role. However, awareness of the terrible consequences of hasty disintegration put matters under a different light. People advising caution or transitional arrangements (e.g. a confederate settlement) were considered unrealistic dreamers, protectors of vested interests or as romantic “Yugonostalgics”. In another expression of post-Yugoslav schizophrenia, the latter are now viewed both as harmlessly silly and very dangerous by nationalist establishments in almost all post-Yugoslav states! Nevertheless, they had better, if pessimist, predictions. Their efforts and their admonitions were without political effect. Nationalist propaganda found it easy to diagnose the moderate civic principle as pro-Yugoslav, anational, and unpatriotic. Furthermore, uncompromising nationalists on all sides believed everything would be easy for them: the Serbs had on their side the powerful Yugoslav People’s Army, and Croats and some others thought that they would be forcefully backed by the West as bastions against Communism. All nationalists, including the Albanians, shared the view that in times of great upheaval normally unattainable national goals could be reached. In short, 1989 was believed to be 1918 or 1945.

Negotiations began when ethno-mobilization and preparations for war had already gone too far. National programmes were already formulated and accepted by the general populations due to aggressive nationalist propaganda. At the time of the negotiations, certain parties were already legally obliged to stick to the idea of secession, while the others would lose political legitimacy built upon a firm

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34 Serbia’s society entered political transition and moved towards a pluralist political system only after a tragic delay. Alongside Montenegro, Serbia was the last former Yugoslav republic to call for and hold multi-party republican parliamentary and presidential elections. These elections were held in late 1990 (on 9 and 23 December).

35 It was to be expected that the higher echelons within the Yugoslav People’s Army would be staunchly pro-Yugoslav, Yugoslavia being for them an embodiment of socialism and a source of considerable privileges. The Army’s subsequent alliance with Milošević was based on the belief that the Serbian League of Communists, and Serbs altogether, were the only ones willing to resist the abolition of socialism. In this respect, an examination of the memoirs of the then Minister of Defence, Veljko Kadijević, is very instructive. The conduct of the Army has been generally, and in our view mistakenly, explained by the fact that ethnic Serbs and Montenegrins comprised a majority of officers below the rank of general. No significant defection of Moslem and Macedonian officers was noticed while the army was acting against Slovenia and Croatia. Rather, the officer corps was purged of most non-Serbs and non-Montenegrins only after the reconstruction of Yugoslavia as a Serb-Montenegrin federation in the middle of 1992. Kadijević himself is of mixed Serb and Croat origin.

36 Such as Slovenia, where the referendum on independence had already been held.
resolution for the preservation of Yugoslavia. Therefore, it is hard to believe that under the circumstances the war in Yugoslavia could have been prevented solely by domestic peace efforts.

2.3. Montenegro’s Secession - How Was Conflict Avoided?

Serbian-Montenegrin relations during the early nineties were one of the most important reasons for Milošević’s confidence when he dealt with secessionist attitudes in other republics. Although the Montenegrin government, comprised of close Milošević associates from the Yugoslav League of Communists and allegedly installed by Milošević himself, tested the attitude of the Montenegrin people on the independence of their, by far the smallest and severely underdeveloped, Yugoslav republic, it never had serious intentions of entering into the process of dissolution. There were several reasons for this. At that time, Montenegro was not a self-sufficient republic by any means. It was highly dependent on the Yugoslav, in general, and the Serbian economy, in particular. The other reason was of an ideological nature. The Montenegrin Communist Party was probably the strongest republican party in terms of its legitimacy among Montenegro’s citizens. Consequently, the goal of preserving the existing system of Serbian and Montenegrin political elites was identical. In the end, there was no serious ethnic dispute between Serbs and Montenegrins. Although bearing different names, they were really considered two nations that emerged from one, with the same cultural tradition and Orthodox Christian religious background.

The first problem in Serbian-Montenegrin relations occurred only after the split of the Montenegrin ruling party - the Democratic Party of Socialists. It is not entirely clear what circumstances led to this internal turmoil. Was it the unwillingness of Montenegrin Prime Minister Djukanovic’s faction to accept continuing to follow Milošević’s orders, or was it Montenegrin President Bulatovic’s faction’s decision to stop covering up the alleged criminal activities of the prime minister? Ultimately, it might have been a simple clash between the political mentor and his protégée, which might be seen as part of the Serbian and Montenegrin political culture.

Even before the split in the DPS, Djukanovic heavily criticized Milošević’s policy after the Dayton agreement, in contrast to Bulatovic’s clear support. This led to open animosity between Milošević and Djukanovic, which will be regarded as the primary reason for the worsening of Serbian-Montenegrin relations in the later stages.

Montenegro suffered the consequences of Serbian policy regardless of the fact that it had almost no influence on its formulation and execution. This probably led to the rise of the secessionist attitudes within Montenegrin society. This reached its peak after the Kosovo war and NATO bombing of Serbia and Montenegro, although the territory of Montenegro was largely spared from the air strikes during the campaign. But Montenegrin authorities recognized both Milošević’s threats of a possible aggressive reaction to secession (which was less probable as it could not reach a sufficient level of public approval in Serbia) and

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37 For an in-depth discussion on this issue see, for example: Velizar Brajovic, “Political as Business”, Vreme, No. 155, 12. September 1994.
38 However, it should be noted that Djukanovic distancing himself from Milosevic consequently led to international support for Montenegrin policy and significant international financial aid.
the risks of internal conflict due to the severe division within the Montenegrin public, which was much more probable. These were the main reasons why Djukanovic did not achieve the execution of his goal of Montenegrin independence, although he clearly revealed it on numerous occasions. The Montenegrin leadership’s patience may have been one of the crucial determinants preventing inter-Montenegrin conflict or an aggressive Serbian response.

The second problem was the rapid democratization of Serbia. The win of democratic forces in the 2000 federal elections led to the collapse of the Milošević regime and to the instalment of a new, moderate political elite that was open to negotiations with Montenegro and certainly determined to take a completely different approach in international relations and internal affairs. European integration has become a major Serbian political goal, and the country’s conduct has been largely determined by the persuasiveness of this prospect.

In the end, Serbia certainly lost its capacity to become involved in any kind of conflict, internal or external. After the NATO bombing, military instalments suffered serious loses, economic sanction led the country to the brink of collapse and public attitude was largely against the war after the defeats Serbia suffered in the previous three engagements (or four counting the ten-day war with Slovenia).

The personal connections between the new Serbian leaders and the Montenegrin leadership certainly had some influence, particularly the friendly ties of Montenegrin and Serbian Prime Ministers Djukanovic and Djindjic. However, the strongest support for the normalization of relations between Montenegro and Serbia did not come from internal actors. It was rather the European Union’s influence that brought parties to the negotiating table.

Largely thanks to the efforts of the EU, and of its common foreign policy representative Javier Solana, the Belgrade Agreement and later the Constitutional Charter of Serbia and Montenegro were signed, transforming the federal state into the very loose union of the two states.

The Union had limited competencies. The federal institutions included a president, parliament, council of ministers, and a constitutional court. The union council of ministers included five departments: foreign affairs, defense, international economic relations (including relations with the EU), internal economic relations, and the protection of minority and human rights. However, it should be noted that both member states had their own Ministries for International Economic Relations and Montenegro even had a Ministry of Foreign Affairs.

The declared goals of the State Union were: to ensure respect for the human rights of all persons under its jurisdiction; to preserve and promote human dignity, equality and the rule of law; to join European structures, particularly the EU; to harmonize regulations and practices with European and international standards; to create a market economy based on free enterprise, competition and social justice; and to establish and ensure the smooth operation of the common market on its territory, through coordination and harmonization of the economic

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40. See, for example, his interview in the Danas newspapers: “We are not in a hurry to make a final decision because of our internal divisions. We also believe that...time that will go by will be our ally. A growing number of people in Montenegro understand the essence of the democratic, reform-oriented, and European option offered by the current Montenegrin leadership, and there are less and less impassioned, pro- Milosevic people. That is why we will not pursue a policy of rash moves...but will carefully follow developments in the international and domestic - Montenegrin and Yugoslav - political stages.” Danas, 7 July 2000, cited as in C. J. Dick, op. cit, 3.

41. Solana’s personal involvement during the negotiations even labelled the “new state” as “Solania” in certain circles. See for example Julie Kim, Serbia and Montenegro Union - Background and Pending Dissolution, CRS Report for U.S. Congress, 24 May 2006, O.C. S21568.
systems of the member states in line with the principles and standards of the EU. In practice, none of these aims succeeded on the federal level. Although the Ministry for Human and Minority Rights was very active in its field, the only competent institution to deal with adjudication of the human rights issues, namely the Court of Serbia and Montenegro, never became operative. It should nevertheless be noted that Serbia and Montenegro acceded to the Council of Europe and subsequently to the European Convention of Human Rights, which was probably the main achievement of the state. In terms of European integration, the adoption of a twin-track approach, which presumed separate negotiations with the governments of Serbia and Montenegro, practically diminished the significance of the State Union operations in this field. Unification and synchronization of the internal market had never even represented a serious issue. There was only some cooperation in the field of defense, and to some extent foreign relations.

The Constitutional Charter included the provision on the dissolution of the State Union. It stated that:

Upon the expiry of a 3-year period, member states shall have the right to initiate the proceedings for a change in its state status or for breaking away from the state union of Serbia and Montenegro.

The decision on breaking away from the state union of Serbia and Montenegro shall be taken following a referendum.

The law on the referendum shall be passed by a member state bearing in mind internationally recognized democratic standards.

Should Montenegro break away from the state union of Serbia and Montenegro, the international instruments pertaining to the Federal Republic of Yugoslavia, particularly UN SC Resolution 1244, would concern and apply in their entirety to Serbia as the successor.

A member state that implements this right shall not inherit the right to international personality and all disputable issues shall be separately regulated between the successor state and the newly independent state.

Should both member states vote for a change in their respective state status or for independence in a referendum procedure, all disputable issues shall be regulated in a succession procedure just as was the case with the former Socialist Federal Republic of Yugoslavia.

It was obvious that the State Union was only a temporary solution. The reasons for failure of preservation of the State Union could be summarized as follows:

First, by participating in this demanding but futile task of harmonizing the two completely different and distinct systems of Serbia and Montenegro, that would cost both member states, Serbia in particular, additional time, money and political and social frustrations... Second, only functional states with a well-established system of government and democratically organized institutions can be part of the association process... Third, [...] an analysis of political actions and statements of Montenegro’s political elite over the past several years shows an obvious absence of a will or intention to establish either a confederate or a federal state union... Fourth, in spite of public proclamations, there is neither a genuine political will nor objective interests in Montenegro, or even in Serbia, to preserve the State union. In Serbia, the initial enthusiasm to attain a functional common state [was] losing its momentum, and political parties advocating an independent Serbia [were] becoming more influential. A number of public opinion polls show[ed] that, although still without majority support, the tendency towards Serbia’s independence could soon prevail... Fifth, [...] Serbia and Montenegro, as they [were then], [would] need much more time to complete the process, which
makes the ultimate goal of getting accepted in the European Union extremely uncertain and with a full uncertainty regarding the time horizon. Unlike the uncertain and, in the long run, unfeasible “joint” course to the EU, an individual accession of both states in the Union is possible in a much shorter period of time. Sixth, [...] reforms are being carried out in Serbia and Montenegro separately; they had reached different levels and are essentially incompatible...\(^{42}\)

3. International Attempts at Conflict-Management

3.1. Peacemaking in Former Yugoslavia

3.1.1. Croatia

The international community stepped into the Yugoslav crisis once armed conflict had already erupted. Up until the Slovenian and Croatian proclamations of independence on 25 June 1991, international involvement in the conflict had essentially been limited to strongly worded statements by the European Community (EC) and the administration of US President George Bush that Yugoslavia should retain its territorial integrity and that the republics should resolve their disputes peacefully.\(^{43}\) As early as September 1991, the EC decided to take a more active role in the efforts to stop the violence and bring the parties to the negotiating table. These efforts were embodied in the EC-initiated Peace Conference on Yugoslavia opened in The Hague in early September 1991, which was attended by the Presidents of all six Yugoslav republics. The organizers and Conference Chairman, Lord Carrington (UK), had thus accepted the reality on the ground in the (former) Yugoslavia. Namely, that by the autumn of 1991, SFRY institutions no longer functioned as veritable federal state bodies. Representatives of Slovenia and Croatia had stopped participating in the work of the federal institutions on 25 June 1991, when these two republics declared independence. Soon after, representatives of Bosnia and Herzegovina and Macedonia also stopped attending SFRY Parliament and Presidency sessions. The federal institutions thereafter operated as the “mouthpiece” of the Serbian and Montenegrin republican authorities, which, as a rule, thought and spoke as one. Any attempt to find a solution to the crisis and the war already raging in Croatia evidently had to be sought at a conference in which the leaders of the other republics would directly take part. During the Conference, the mediators offered principles for redefining relations in the Yugoslav community or criteria for the peaceful dissolution of the state. None of the proposals were adopted, in most cases because they were rejected by the Serbian authorities.\(^{44}\)


\(^{44}\) Milan Šahović, Uloga Evropske unije u jugoslovenskoj krizi i odnos prema SR Jugoslaviji (The Role of the European Union in the Yugoslav Crisis and its Policy on the FR of Yugoslavia), (Centre for Anti-War Action, Belgrade, 2000), 9.
The proposed solution (The Draft Declaration on Yugoslavia) was officially presented at the Peace Conference on Yugoslavia, on 18 October 1991. The proposal was based on two chief premises and in principle envisaged the formalization of the sovereignty and independence of the former federal units of Yugoslavia (republics), their international recognition, and the possibility of their free association as sovereign states. Special attention was devoted to human and minority rights guarantees and the development of special mechanisms for their protection. These guarantees focused particularly on the protection of national and ethnic groups that would continue to live in the independent states created after the disintegration of the SFRY. Given the fierce level of conflict at the time, and the prospect of Yugoslavia’s definite disintegration, the Declaration also devoted special attention to special status models for territories in which specific ethnic or national groups accounted for the majority population though constituting a minority within a newly independent state. The Declaration specifically envisaged such a status for parts of Croatia predominantly populated by Serbs.

The model solution in the Draft Declaration on Yugoslavia can be qualified as the first proposal backed by the European Community. It was, however, rejected by the Belgrade authorities. Milošević explicitly rejected the document with the explanation that it dissolved a state “that has existed for seventy years”. Milošević, however, did not insist on the survival of Yugoslavia in his conversations with his closest associates, Serbian bodies and the “rump” SFRY Presidency. His policy and that of the entire Serbian leadership focused on other issues: the Serb population in Croatia, the intervention of the JNA, and on drawing borders with the former republics along ethnic lines in case the SFRY ceased to exist. Borisav Jović, then the Serbian representative in the rump SFRY Presidency, who chronicled the last years of the SFRY, gives the following account of the Serbian leadership’s impressions of the Carrington proposal: “It was obvious even from the original text that the proposal was unacceptable, that it ought to be rejected: it was disintegrating Yugoslavia, leaving Serbs living in different states, leaving Serbs in Croatia.”

The Serbian and Montenegrin leaders seriously disagreed for the first (and only time until the mid-nineties) over the Carrington plan. When the delegations at the Hague Conference declared their views on the Draft Declaration on 19 October 1991, the Montenegrin representative accepted the proposed solutions. Belgrade was infuriated by the move of the Montenegrin delegation, led by Montenegrin President Momir Bulatović and Prime Minister Milo Đukanović. Serbia’s leaders qualified the turnabout as “the most devious stab in the back of Serbia and its leadership”, all the more true as, or so it was claimed, the Montenegrin leadership was simultaneously advocating decisive JNA military actions in Croatia. Jović recounts another interesting and illustrative, albeit unrelated, episode: in a meeting with Montenegrin leaders, the Serbian leadership said it thought it was important “that we succeeded in militarily protecting the territories of the Serb people, that we ought not to seize those of others, that we need to maintain balance on the ground and conduct political talks. What is important is that we succeed in giving the Serb people in Croatia freedom and independence from Croatia.”

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45 Lord Carrington subsequently said he had been “guided by the wish to protect national minorities in all the republics, establish inter-republican financial agreements and explore which institutions would be able to ensure a link with the political centre [...]” daily newspaper Borba, 27 January 1992, 12.

46 Borisav Jović, Poslednji dani SFRJ - Izvodi iz dnevnika (Last Days of the SFRY - Diary Excerpts), (Belgrade, 1995), 400.

47 Ibid.
On 23 October 1991, Lord Carrington offered a modified proposal for the resolution of the Yugoslav crisis. The most significant modifications concerned the status of Serbs in the other republics (Croatia) and specified international control to enforce the special status. In addition, it raised a new issue: restitution of the status of Serbia’s autonomous provinces (Kosovo and Vojvodina), abolished by the 1990 Serbian Constitution.

Two new, amended and elaborated versions of the draft Declaration were put on the table in late October and early November 1991. The fourth draft of the document was presented at the November 5th Hague Conference session. In addition to the principles noted in the previous drafts, this most detailed version included some new solutions, the chief objective of which was to provide real possibilities for the normal functioning of and close economic cooperation amongst the new states and to establish a single market between states that wished to enter into such an arrangement. The document also explicitly envisaged the possibility of creating a common state of republics which wished to enter such a union. This proposal, too, was turned down by officials in Belgrade and the SFRY “puppet” Presidency. As agreed with Slobodan Milošević, Momir Bulatović fielded a proposal on the preservation of the common state and suggested the proposal be treated on equal footing with the one on its international abolition.

The dramatic events during the conclusion of the Hague Conference were accompanied by the application of new levers of influence on the protagonists in the Yugoslav crisis. The European institutions resorted to mechanisms to punish participants who were not cooperative in the talks. To that end, at a meeting in Brussels in late October 1991, EC foreign ministers adopted a Declaration in which they announced that restrictive measures would be taken against parties that continued to block attempts to find a peaceful solution at the Peace Conference on Yugoslavia. The Declaration clearly stated that all agreements on cooperation and trade would be suspended and then renewed only with the parties that contributed to participate in the peace process.

After the Serbian authorities rejected the fourth draft, the EC Council of Ministers agreed at its meeting in Rome on specific measures against parties in the Yugoslav crisis, notably to immediately suspend the application of the Trade and Cooperation Agreement, restore limits on its textile exports to EC countries, remove Yugoslavia from the list of beneficiaries of the General System of Preferences and formally suspend its benefits under the PHARE programme. It also called on the UNSC to ensure the full implementation of the arms embargo and to take steps towards imposing an oil embargo. The ministers, however, left open the possibility of applying “positive compensatory measures” vis-à-vis parties that were cooperative in the process of bringing about peace.

The role of the United Nations was expressed in a variety of ways, both directly and indirectly, but its main and most complex expression was to deploy UN protective forces (UNPROFOR) as a force designed to keep peace in the territory of Croatia. Although the military presence of the United Nations as a peace-keeper was not in itself decisively important and did not lead to the result initially envisaged, it nevertheless affected the military and political developments in Croatia and neighbouring lands. This influence persists to this day.

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48 Milošević qualified the proposal as an ultimatum. The Serbian President would habitually revert to such conduct and rhetoric every time he faced a clear and final proposal from the international factors throughout the crises that ensued, until his regime was toppled in October 2000.

49 The conduct of the republican leaders at the Peace Conference in The Hague was the chief criterion for exempting these republics from sanctions. The EC Council of Ministers subsequently exempted Bosnia and Herzegovina, Macedonia, Slovenia and Croatia from these economic sanctions.
In late 1991, UN Secretary General’s Special Envoy, US diplomat Cyrus Vance, proposed a concept for the deployment of UN peace troops in Yugoslavia. With this document, the international community proposed a model for deploying troops that would end the armed conflicts and enable a peaceful resolution of the crisis. Although the first proposal to engage such troops was voiced by the “rump” SFRY Presidency in early November 1991, the whole UN operation was implemented under the leadership of the leading Western states. The UN Security Council adopted Resolution 721 (on 27 November 1991) establishing the procedure for implementing the plan and deploying peace troops.

The UN peacekeeping operation plan in Yugoslavia was made public on 11 December 1991. The plan had been devised by Cyrus Vance, the personal envoy of the UN Secretary General, and Mark Goulding, Assistant Secretary General for political issues. All the parties to the conflict gave their assent to the plan as it was proposed. UN peace-keeping operations in Yugoslavia were intended as an interim arrangement with the aim of creating conditions for the peace and security essential for the discussion of a definitive overall solution to the crisis. It was stipulated that the UN operation would in no way prejudice the outcome of such discussions. A condition for the implementation of UN operations was “that all sides in the conflict adhere strictly to agreements, especially the agreement on an unconditional cease-fire reached in Geneva on 23 November.” The military forces provided by the governments of member states of the United Nations were required to be absolutely impartial, and would be permitted to use their weapons only for self-defence.

The Belgrade authorities accepted the plan, reassuring the Western decision-makers it would also be upheld by Serb politicians in the Serb-populated parts of Croatia (Krajinas). The four-member (“rump”) SFRY Presidency officially endorsed the plan on 31 December 1991. However, part of the political leadership supporting the then Krajina President Milan Babić, persistently opposed the Vance Plan throughout January 1992.

The adoption and implementation of the Vance Plan in early 1992 succeeded in halting the fighting in Croatia. All parties to the conflict, including Belgrade officials, insisted on the cessation of hostilities. To that end, the Belgrade authorities exerted great pressure on members of the Krajina leadership rallied round Milan Babić. It goes without saying that all parties to the conflict, including the Serbs, had done so bearing in mind the possibility that the acceptance of UN engagement and of other international factors would in the long term help them achieve the goals which they had held when entering into the conflicts. Notwithstanding their motives, there is no doubt that there were no serious conflicts in the territory ravaged by intensive fighting after UNPROFOR was fully deployed in mid-May 1992.

The effects of international engagement after 1992 cannot be analysed in isolation from another conflict that broke out in the former Yugoslavia at the time. The siege of Sarajevo began in early April 1992 and the war soon spread to all of Bosnia and Herzegovina. As far the engagement of Serbia’s protagonists is concerned, the conflict in Croatia, temporarily halted by UNPROFOR’s deployment, no longer warranted much attention.

The Contact Group (USA, UK, France, Germany, Russia and Italy) was assuming an increasingly important role in the later stage of the crisis in Croatia. At the end of 1994, the CG formulated a plan for the reintegration of the territories of the former Republic of Serb Krajina (RSK) into the political and legal order of the Republic of Croatia. The Belgrade regime expressed its readiness to accept the plan, but the RSK structures rejected it.
In late January 1995, the international Contact Group offered representatives of Zagreb and Knin a draft agreement on Slavonia, South Baranja and Western Srem. The document envisaged the establishment of an autonomous region of Serb Krajina comprised of areas populated mostly by Serbs according to the 1991 census. Under the draft plan, the Croatian Constitution and legislation would apply in Krajina, but would have to be endorsed and implemented by the Knin authorities.

The Erdut Agreement (Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Srem) was struck on 12 November 1995 and signed by representatives of the Republic of Croatia and of local Serbs. President Tuđman’s Chief of Staff Hrvoje Šarinić signed on behalf of Croatia, while former Deputy RSK Defence Minister Milan Milanović signed on behalf of the Serbs. Thorvald Stoltenberg and Peter Galbraith attended the signing ceremony on behalf of the international community.

The Agreement envisaged a transitional UN administration in the territory, its reintegration into the Croatian legal system and full demilitarization under conditions set by the international administration. The Agreement set the date for local elections in the area and authorized the Serbs to establish a common Council of Communes.

The UN mission (UNTAES) was established on 15 January 1995. The Mission, initially established for a 12-month period, comprised a military and a civilian component. The military component was to supervise and facilitate the demilitarization of the region, monitor the voluntary and safe return of refugees and displaced persons to their homes of origin in cooperation with the UNHCR, contribute to the maintenance of peace and security in the region, and otherwise assist in the implementation of the Basic Agreement.

The civilian component was to establish a temporary police force, define its structure and size, develop a training programme and oversee its implementation, and monitor the treatment of offenders and the prison system; undertake tasks relating to civil administration and to the functioning of public services; facilitate the return of refugees; organize and help conduct elections, and certify the results. This component was also requested to undertake other activities relevant to the Basic Agreement, including providing assistance in coordinating plans for the development and economic reconstruction of the region, monitoring the parties’ compliance with commitments to respect the highest standards of human rights and fundamental freedoms, promoting an atmosphere of confidence among all local residents irrespective of their ethnic origin, monitoring and facilitating the de-mining of territory within the region, and maintaining an active public affairs role. UNTAES was also to cooperate with the International Criminal Tribunal for the Former Yugoslavia in performing its mandate.

Although the Belgrade authorities did not formally take part in the design of the Erdut Agreement, they influenced the Krajina Serb leadership again in this stage of conflict resolution. For instance, in his testimony at the ICTY trial of Slobodan Milošević, a signatory of the Agreement, Milan Milanović, spoke about the contact he had had with Belgrade officials before the Erdut Agreement was signed. He was one of several who asserted that he had Milošević’s approval for all his actions regarding the Agreement. The influence of the Belgrade regime was also made explicit when Milanović’s testimony mentions the messages he had received from the then chief of Serbia’s State Security, Jovica Stanisić, who interpreted Milanović’s conversations with Milošević while they were attending the Bosnia peace talks in Dayton. According to Milanović, the last message he got from

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50 Knin was both the political centre of the Serbian uprising in Croatia and the administrative centre of the self-proclaimed Republic of Srpska Krajina in Croatia.
Stanišić was: “I’ve tried everything with the president, but we’ve lost Slavonia, Baranja, and Western Srem. God save them.”

3.1.2. Bosnia and Herzegovina

Although Croatia was the focus of the Peace Conference in 1991, international actors recognized the risks that could endanger the fragile peace in Bosnia and immediately began searching for a solution that could prevent a potential conflict. While domestic negotiations were focused on the issues related to the functions of the remaining republics within a future common state, the international negotiators recognized a conflict potential among the diverse ethnic groups within Bosnia itself. The international conference on Bosnia and Herzegovina opened in Sarajevo under EC patronage in mid-February 1992. Negotiations resulted in the Carrington-Cutileiro peace plan (also known as the Lisbon Agreement). It proposed ethnic power-sharing on all administrative levels and the devolution of central government to local ethnic communities. However, all Bosnia and Herzegovina’s districts would be classified as Bosnian, Serbian or Croatian under the plan, even where no ethnic majority was evident. Essentially, the plan proposed a Swiss-type cantonal confederation of Bosnia and Herzegovina. As far as the organization of government was concerned, the plan proposed a bicameral parliament that would initially correspond to the ethnic composition of the country. Decisions were to be made by securing the acceptance from the representatives of all three ethnic groups.

The problem with the cantonization of Bosnia was that none of the three ethnic groups had contiguous territories and that the Muslim cantons were the most scattered. Because of this, the Muslim side was largely dissatisfied with the plan. Although the plan was initially accepted by all three sides (Muslims (Bosniaks), Serbs and Croats), Alija Izetbegović, the Bosniak representative, later withdrew his consent.

It was evident that ethnicity could not be used as the sole criterion for the internal partition of Bosnia. As the United Nations Secretary General stated in his Report on the International Conference on the Former Yugoslavia:

The population of Bosnia and Herzegovina is inextricably intermingled. Thus there appears to be no viable way to create three territorially distinct States based on ethnic of confessional principles. Any plan to do so would involve incorporating a very large number of members of the other ethnic/confessional groups, or consist of a number of separate enclaves of each ethnic/confessional group. Such a plan could achieve homogeneity and coherent boundaries only by a process of enforced population transfer...

52 Radha Kumar, Divide and Fall? Bosnia in the Annals of Partition (Verso, London, 1999), 52. There were several reasons for this. As already mentioned, Bosniak cantons were the most scattered. In addition, Bosnia’s Muslim-led government was plagued by the Carrington-Cutileiro plan’s focus on the decentralization of powers, which would further weaken Bosnia’s already weak central government. See in Radha Kumar, David Pacheco, Bosnia’s Failed Peace Plans, available at http://www.partitionconflicts.com/partitions/regions/balkans/peace_process/05_05_02/.
This is exactly what ensued. By the time the international community took an active role in preventing the Bosnian conflict, the Serbian side had already developed a strategy to seize control of the territories that could be linked directly with Serbia. Just one day after the US recognized Bosnian independence, paramilitary units from Serbia led by Željko Ražnatović Arkan and supported by the JNA shelled Zvornik from inner Serbia, and demanded the surrender of the Muslim population. With this attack, the change of Bosnia’s ethnic geography commenced.

Due to the deteriorating situation in Bosnia, and failing to succeed in his attempts to negotiate a cease-fire agreement, Cutileiro informed the parties that he had decided to call what would later prove to be a permanent adjournment of the EC peace conference.³⁴

It took more than three months to initiate a new round of negotiations. The next attempt was made at the London Conference on Yugoslavia. The basic goals of the UK-sponsored meeting were “to alleviate the humanitarian nightmare in Bosnia; to support the negotiating process; to punish the aggressors [by] tightening the economic and political isolation of Serbia and Montenegro; to quarantine and contain the conflict and prevent its widening; and, ultimately, to bring peace to the peoples of the former Yugoslavia”.⁵⁵ A set of principles was endorsed as the basis for a negotiated settlement of the problems of former Yugoslavia. Thirteen principles were envisaged, among them an immediate cease-fire; the non-recognition of advantages gained by force or fait accompli or of any legal consequences thereof as well as total condemnation of forcible expulsions, illegal detentions and attempts to change the ethnic composition of populations; the need for all parties concerned to engage actively, directly or through intermediaries, in negotiations on the basis of these principles; respect for the highest standards of individual rights and fundamental freedoms in a democratic society and their implementation in the form of constitutional guarantees and the fundamental obligation to respect the independence, sovereignty and territorial integrity of all states in the region.

The main outcome of the London conference was the establishment of the permanent International Conference on the former Yugoslavia based in Geneva, co-chaired by Cyrus Vance (UN) and David Owen (EC). Working groups for the demilitarization of Sarajevo, the ending of hostilities and the drafting of a constitution were established. The principal negotiating parties were representatives of the peoples of Bosnia, but the leadership of the Serbia and Montenegro took an active role in the negotiating process. Its role was to persuade the leadership of Bosnian Serbs to accept the plan.

By the time the Vance-Owen Peace Plan emerged in early January 1993, Serbia was under a strict sanction regime, with a level of hyperinflation unprecedented in contemporary economic history. When it became apparent that the Bosnian Serbs were not going to accept the Plan, the international community put additional pressure on Milošević by threatening a total blockade of Serbia and freezing all Yugoslav assets outside the FRY.⁵⁶ This was probably the breaking point that led to Milošević’s endorsement of the Plan and his significant efforts to convince the Bosnian Serbs to agree to it.

During the negotiations Milošević tried not to be involved in the most sensitive part of the Plan - drawing up the map. He insisted that he could use his

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⁵⁶ UNSC resolution 820.
influence over the Bosnian Serb leadership only in matters of principle and not in reference to details.\footnote{This was constantly pointed out by Milošević at his meetings with international negotiators. See, for example, transcript of the eight session of Supreme Council of Defence, 12 March 1993, SPOV. no. 2-6, 48, as presented in Momir Bulatović, op. cit., 158.} The only concern Milošević had about the map was that too many Serbs fell outside of the Serbian territories.\footnote{Some 400,000 - 650,000 Serbs fell on the territories which were to be controlled by Bosniaks or Croats in accordance with the Plan. See transcript of the eight session of Supreme Council of Defence, 12 March 1993, SPOV. no. 2-6, 48, as presented in Momir Bulatović, op. cit., 159.} However, he was convinced that it would be possible to exchange territory for territory, and that the proportional division of Bosnia could reach 50:50.

The Bosnian Serbs held a very firm position insofar as the map was concerned. They effectively controlled almost 70% of the territory of Bosnia and Herzegovina at the time of the Vance-Owen Plan, which offered some 43% of the territory to the Serbian side. Even more problematic for the Serbian side was the fact that three provinces in which Serbs would have had the majority in accordance with the plan were not merged into one contiguous territory. That was in direct conflict with their overall goal to form a “state within a state” which would operate as independently as possible from the central government.

It seems that Milošević was not so eager to unite all Serbian provinces in the future Bosnia into a contiguous territory. He was very well aware that the international community would never agree to give more than 50% of the Bosnian territory to the Serbian side, simply because Serbs accounted for only 30% of the overall Bosnian population. According to Lord Owen, it seems that after his acceptance of the Vance-Owen Plan, Milošević ceased pursuing his goal of a “Greater Serbia”\footnote{During his testimony at Milošević’s Trial before the ICTY on 3 November 2003, Owen said: “I think it was the 23rd of April or […] that I formed the view that Milošević was now ready to accept that there would not necessarily be a link between Republika Srpska and Serbia, but that he could get for the Serbs what they needed, in his judgement, through the Vance-Owen Peace Plan and then through the EU the union of three republics, the EU action plan and like that, which was all basically all part of the same family. The Vance-Owen Peace Plan was a unified Bosnia and Herzegovina, and that was in a way surprising that he was still prepared to accept that. Of course with the provision that he thought that they would gradually merge and get more territory and that sort of thing. But I believe that he did thereafter, as far as Bosnia is concerned, accept that world opinion was not going to probably ever accept that it came into Serbia and Montenegro. He still intended to keep Kosovo firmly part of Serbia, and I think he perhaps at that stage had not yet accepted that the Croatian Serbs would have to live in Croatia. I think that was more something he came to accept towards 1994, although you could argue that his agreement to the Vance initial proposals, he knew that it would eventually happen but it would just take time. And this is a person who has obviously thought through all of this carefully, President Milošević, but I think that there was a period when he was a Greater Serbia supporter and believed he could get away with it. Then he became aware of the pressures of the international community. On Bosnia, I think in April 1993 he began to accept that he wouldn’t get that full picture.” See Transcript from Milošević Trial, 28434-28435.}. Nevertheless, he did continue to represent himself as a defender of that idea, in order to influence the Bosnian Serb leadership to accept the proposed plan.\footnote{In a speech to the Republika Srpska Parliament on 9 May 1993, Milošević continued to talk about the common economic area of Serbian people, monetary union, etc. See Expert opinion of Dr. Robert J. Donia, Parliament of Republika Srpska, Important Moments and Fragments, Milošević Trial, 29 July 2003.}

Maps were not the only element of the Vance-Owen Plan that was unacceptable to the Bosnian Serb side. An additional major obstacle was that the delegation of Bosnian Serbs openly stated that as far as they were concerned an
independent state of Bosnia and Herzegovina never existed. “It did not disguise the fact that it considers that it (Republika Srpska) is being forced by the international community to live within Bosnia and Herzegovina against its wishes.” 61 Using this argument, the Serbian side asserted that it wished to retain as much of its “Republika Srpska” as possible, and to reduce the functions of the central governmental institutions of Bosnia and Herzegovina to a minimum. They also had objections to the institution of the President or Presidency of Bosnia and Herzegovina (Agreement on Interim Arrangements), and even objected to the existence of any form of central government. 62 Their proposal was to establish of some sort of central coordinating body with as few functions as possible. They also objected to the existence of an interim Ministry for Foreign Affairs.

It was clear from all of the objections that the Serbian side put forward that it had no intention of trying to resolve the conflict within the previously agreed upon Constitutional Framework that had established Bosnia and Herzegovina as an independent state. Based on all the proposed amendments, the conclusion could be drawn that the Bosnian Serb side would have obstructed further negotiations until it reached its final goal - secession from Bosnia and Herzegovina, and possibly a merge with Serbia. 63

Bosnian Serb Parliament’s rejection of the Vance-Owen Plan and the personal humiliation Milošević experienced after his speech at a session of the Republika Srpska’s Parliament on 9 May 1993 marked the moment after which it became obvious that Milošević was losing control over the Bosnian Serb leadership. The last attempt to find a solution to the Bosnian war before the final Dayton Peace Accords was made jointly by the great powers united in the formal coordinating Contact Group comprised of Great Britain, France, Germany, Russia and the United States. As joint UN-EU peace efforts failed one after another, the international community recognized the necessity of actively involving the US government, the major force in international relations. A need for Russian assistance was also identified in order to secure the appearance of impartiality. The Bosnian Serbs strongly relied on friendly ties with Russia, and showed significant distrust toward Westerners. At the bottom-line, by involving great powers in the peace process, the threat of military intervention against any party that refused to cooperate properly in the peace efforts became more possible and predictable.

The Contact Group peace plan inaugurated the 49:51 proportional partition of Bosnia, leaving 49% of territory to the Serbian side and 51% to Bosniaks and Croats. The maps contained in the plan did not correspond to what either the Serbian or the Bosniak sides expected. While Bosniaks were dissatisfied that several formerly Muslim towns would be under future Serbian control, Karadžić opposed the plan because the map divided the territory held by Serbs into four dislocated

62 Ibid., para. 19.  
63 In the meantime, there was yet another peace plan known also as the “Invincible plan”.

In late July 1993, representatives of Bosnia’s three warring factions entered into a new round of negotiations. On 20 August, the UN mediators Thorvald Stoltenberg and David Owen unveiled a map that would partition Bosnia into three ethnic mini-states, in which Bosnian Serb forces would be given 52 percent of Bosnia’s territory, Muslims would be allotted 30 percent and Bosnian Croats would receive 18 percent. The proposed Serb territory flanked Serbia and swung across to connect up with Serb-held parts of Croatia. At the same time, Croatian territories in Bosnia were merged with Croatia. Although Bosnia and Herzegovina existed in theory, the Plan actually legalized the Greater Serbia and Greater Croatia projects. On 29 August 1993, Bosniaks rejected the Plan.
parts, and denied them important cities, economic resources, and access to the sea.\textsuperscript{64} It became clear that Bosnian Serbs, confident in their military power, would not agree to cede any part of their territories. In a late August 1994 plebiscite, the Bosnian Serbs voted with an over 95% majority to reject the peace plan.

This led to the final break between Bosnian Serbs and Milošević. Immediately after the Serbian plebiscite in Bosnia, Milošević decided to freeze all relations with the leadership of the Republika Srpska, and to cut off military aid. He set up a blockade on the river Drina, and support to Serbian people in Bosnia was limited to humanitarian aid.\textsuperscript{65} Milošević had several reasons to do this. The first reason was highly politically pragmatic. By establishing the embargo, he showed international partners that he was distancing himself from his protégées in Bosnia and gave internationals space to lift the sanctions against Serbia, which had already had a devastating effect not only on the Serbian economy, but also on the stability of the Milošević regime in Serbia. The second reason was the need to stop the war and prevent a NATO military intervention, which would possibly involve targeting certain legitimate targets in Serbia proper.\textsuperscript{66} The third reason was the personal rivalry that Milošević felt toward the leadership of the Bosnian Serbs, as he considered them a major threat to his position as the unquestioned leader of all Serbs.

The falling out between Milošević and Karadžić was probably the most important outcome of the work of the Contact Group. Breaking the ties between Serbia and Republika Srpska, seriously harmed the military capacities of Bosnian Serbs. Conversely, the US-backed alliance between Bosnian Croats and Muslims increased its military capacity. Due to these circumstances, the situation on the ground regarding the percentage of the territories that each side had under its control began increasingly to resemble the proportions contained in the peace plans’ maps. Eventually, after a few rushed Bosnian Serb military actions, namely the siege of Srebrenica, Goražde and Bihać, the international community, led by the US, decided to stop threatening and to start using military force. It began launching air strikes on Serbian positions in mid 1995. Threatening to unilaterally lift the arms embargo against Bosniaks in November, the US made it clear that Serbs could lose much more than 50% of the Bosnian territory if they did not agree to proposed plans. The last move of the US-led diplomatic effort was to recognize Milošević as the only negotiator on the Serbian side.

By the time of the Dayton negotiations, UN sanctions had devastated the Serbian economy. The terrible socio-economic conditions in the country had become Milošević’s primary concern, as they threatened his own grip on power. US diplomats, led by Richard Holbrooke, offered a slight change in the American position toward Serbia. Sanctions would be suspended once an agreement was initiated, instead of waiting for its formal signature.\textsuperscript{67} Milošević had only one choice if he was to stay in power in Serbia - to reach an agreement at any cost.

\textsuperscript{64} Elinor C. Sloan, \textit{op. cit.}, 60.
\textsuperscript{65} These sanctions lasted until the end of February 1996.
\textsuperscript{66} Milošević’s awareness of the possibility of such military intervention can be seen from one of the transcripts from the sessions of the Supreme Council of Defence. At one of such meetings Milošević said: “First danger that we faced was drawing Federal Republic of Yugoslavia into the war. For us it was not the secret that the NATO plans consisted these conclusions: that the radar systems and systems of communication of Federal Republic of Yugoslavia and Republika Srpska are integrated and undivided and that it is necessary to destroy such facilities on the territory of FR Yugoslavia from the air - communications, bridges, energy facilities etc...”. See transcript of 25th session of Supreme Council of Defence, SPOV no. 9-3, 30 August 1994. Translated in accordance with the transcript contained in Momir Bulatović, \textit{op. cit.}, 180.
\textsuperscript{67} Richard Holbrook, \textit{To End a War} (Random House, New York, 1998), 236.
On the other hand, US diplomats accepted the reality that the division of Bosnia based on ethnic lines was imperative in order to secure peace as quickly as possible. They recognized the necessity of merging Serbian territories and allowing special ties between future entities and neighbouring countries, i.e. Serbia on one side, and Croatia on the other. Although of questionable moral value (as it legitimized the ethnic cleansing performed primarily by the Serbian side), this approach addressed the reality on the ground and ensured that a pragmatic solution could be reached. Maps were not of primary concern to the Serbian side, since in the last months of 1995 they suffered severe losses in territory due to the Muslim-Croatian coalition’s offensive, which had been supported by the NATO air strikes. Additionally, one of the Serbian side’s major requests was fulfilled - the creation of a connected Serbian territory within Bosnia. Nevertheless, the Croatian and Bosniak side considered maps to be overwhelmingly important, and it took much persuasion by international mediators to make them agree on the final solution. This solution was ultimately reached on 21 November 1995, after 21 days of intense negotiation.68

3.1.3. Kosovo

While the war in Yugoslavia raged and spilled over from one republic to another, Kosovo was regarded as an internal issue of Serbia in the opening months of the crisis. Until 1997, only a few weak efforts were made to bring Kosovo onto the agenda of the main international actors. While the Badinter commission “gave a green light” for the secession and subsequent recognition of the Yugoslav republics as independent states, Kosovo was regarded as part of Serbia, regardless of the “quasi-republican autonomy” that had lasted until Milošević illegally abolished it in 1989. As the entire negotiating process on finding a peaceful solution for the Yugoslav conflict was conducted under the framework of the principles envisaged in the Badinter Commission report, the position of Kosovo was at best marginal. While the international community put significant efforts into finding a solution where there was open conflict between two sides (Serbian-Croatian, Serbian-Bosnian, Bosnian-Croatian), a humanitarian crisis involving massive violations of human rights perpetrated by only one side, as was the case in Kosovo, seems to have been much less interesting. During the entire peace negotiations process, which lasted until the Dayton Peace Accords (1995), it seems that Kosovo became a sort of bargaining trump card both for the internationals and the Serbian side.

The first serious attempt to internationalize the Kosovo question was made at the London Conference, where the key issue was the ongoing war in Bosnia. The attempt came from the Serbian side, more precisely from the then Yugoslav Prime Minister Panić. He tried to raise the issue of Kosovo as a means to overthrow Milošević and weaken his position in the international community. Panić openly condemned Serbia’s repression in Kosovo and, in his own words, did “not speak for Greater Serbia but for greater peace”. Nevertheless, his words did not reach the Western partners, and Milošević knew how to deal with Panić. He immediately blocked him and soon, Panić was subjected to a vote of no confidence in the Federal Parliament. The vote centered on the fact that he had exceeded his authority at the previous London Conference meetings, in which he made his

willingness to discuss issues involving Kosovo clear to Lord Carrington and Cyrus Vance.69 He survived this first attempt as well as the second one in November of the same year, but was later dismissed due because he lost the presidential elections to Milošević.

Although the Kosovo question was initially sidelined during the London Conference in the fall of 1992, the ICFY Working Group on Ethnic and National Communities and Minorities, headed by German Ambassador Geert Ahrens, set up a Special Group on Kosovo and by means of silent diplomacy tried to mediate between Belgrade and Priština.70 Nevertheless, it was impossible to tackle serious political issues, including grave human rights violations in these talks. Negotiations were primarily focused on educational issues, the reopening of schools and universities, and adjusting school programmes to meet Albanian national needs.71

Although vague, these early CSCE attempts to recognize problems in Kosovo and to prevent violence should be noted. A decision at the 15th Meeting of the Committee of Senior Officials of the CSCE, held in Prague on 14 August 1992, established three Missions of Long Duration in Kosovo, Sandžak and Vojvodina. According to this decision, the missions had the mandate of: promoting dialogue between the authorities concerned and representatives of the populations and communities in the three regions; collecting information on all aspects relevant to violations of human rights and fundamental freedoms and promoting solutions to such problems; establishing contact points to solve any problems identified; and to help provide information on legislation relating to human rights, minority protection, media freedom and democratic elections. The mission for Kosovo was based in Priština and included offices in Peć and Prizren. It was of limited duration, and therefore had a very limited influence on the overall crisis that developed. The mandate of the three Missions of Long Duration was intended to last for a relatively short period of time and it was not renewed after it expired at the end of June 1993. This occurred because the Federal Republic of Yugoslavia, which had been suspended from the CSCE in 1992, announced that it would co-operate only if it were given equal status with the other participating states.72

It is interesting to note that the first serious threat of unilateral US military intervention in Serbia arose because of the situation in Kosovo. Partially in response to intelligence information that Milošević was planning to escalate the conflict in Kosovo, the Bush administration warned Milošević (on 29 December 1992) that the United States was prepared to take unilateral military action, without European cooperation, if the Serbs were to spark a conflict in Kosovo or Macedonia, or if they were to use the JNA to escalate and extend the Bosnian conflict into neighbouring areas. Believing, after the events of 1991-1992, that Milošević had the desire and the capability to expand the war, this sudden threat was meant as a deterrent to contain the conflict within existing lines. The threat,

71 Detailed description of the negotiations on educational issues among Priština and Belgrade can be found in Stefan Troebst, op. cit., 11-27.
The idea of a UN protectorate over Kosovo emerged for the first time in April 1993, when the US Commission on Security and Cooperation in Europe sent a high-level delegation to the former Yugoslavia to conduct direct talks with both Albanian and Serbian leaders. As it was envisaged in its final report:

[T]he delegation heard that the situation in Kosovo was getting worse, and that there was a need to establish Kosovo as a UN protectorate and to deploy peacekeeping troops. [...] The delegation responded by stressing that its primary concern is the poor human rights situation, noting the limited international support for Kosovo’s independence. Asked whether the restoration of autonomy and a dramatic improvement in the human rights would be sufficient, at least in the short term, the Albanian leadership acknowledged that it would be a positive step since Kosovo is at the edge of war.74

Unfortunately, international community had made no sincere determination to enter into the Kosovo problem. Except for few vague statements in the concluding documents of several meetings, summits and conferences, no pressure whatsoever was put on the Belgrade authorities.75 When peace negotiations took place in Dayton, Ohio in November 1995, Kosovo was deliberately sidelined by US mediators. Holbrooke considered that this issue was too divisive and would only stall the negotiations if included.76 While searching for a quick peace settlement in Bosnia, the international community accepted Belgrade’s game of maintaining the status quo in Kosovo. Although the simplification and issue-subtraction strategy was necessary to reach a final solution to the Bosnian crisis, many feel that not mentioning Kosovo, at least in the final document of the Dayton Accords, was a big mistake and that it gave a green light to violence conducted by both Serbian authorities and Albanians in Kosovo.77 It is highly possible that Kosovo Albanians lost their faith in employing peaceful methods to reach their goals after the Dayton process. As Garton Ash explains, Albanians drew two lessons from Dayton. The first was that non-violence does not function. The second was that the Dayton peace process recognized the facts on the ground, and therefore, violence pays off.78 The Kosovo Liberation Army (KLA) was established immediately after the Dayton Agreement, and the increase in the attacks on Serbian police forces continued, ultimately reaching a full escalation after the “Drenica massacre” in February 1998.79

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76 Adriana Camisar et al, op. cit., 18.
International NGOs made many more efforts to mediate negotiations between Albanians and Serbs. The Catholic Laymen Organization _Comunità di Sant’Egidio_ of Rome actively contributed to the negotiations on educational issues, while the Princeton-based Project on Ethnic Relations tried to organize Serbian-Albanian round tables in New York in early 1997. However, Serbian representatives came exclusively from opposition parties (with the exception of the president of the junior ruling coalition partner, the Nova Demokratija Party), while Albanian representatives from LDK were not supported by the presence of their leader Ibrahim Rugova. As described by Allen H. Kassof, the President of the PER:

The depth of the differences over Kosovo between Serbs and Albanians is reflected in the almost total absence of any face-to-face discussions or negotiations between their leaders during the many years since the dispute began [...] To be sure, the international community, including the United States, has for the time being taken the position that the Kosovo problem ought to be resolved by means of some formula (various forms of autonomy have been suggested) that would not lead to changes in the external borders of Yugoslavia. However, the Albanians have repeatedly rejected this position, and did so again in the New York meeting, appealing rather to the principle of self-determination, which they claim had been applied to others when the former Yugoslavia disintegrated. The seeming impasse grows out of the entrenched attitudes of both sides, but it is exacerbated by genuine confusion in the international community and the inconsistency of past practice in the application of these principles.

The round table was more a stage then a real commencement of direct negotiations between the parties. On one side, opposition leaders from Serbia insisted that they did not have the capacity to negotiate with the Albanians. On the other, Albanian leaders insisted on the independence of Kosovo, the one request that was simply not acceptable to the Serbian side. The outcome of the roundtable was a joint declaration emphasizing the importance of democratization in both Serbia and Kosovo. The conclusions were:

1. That Kosovo constitutes a serious problem that requires an urgent solution and that without international encouragement and assistance the current lack of confidence between the sides cannot be overcome nor can a lasting settlement be reached.
2. The problem can only be resolved by mutual accord reached through dialogue that parties enter into with no preconditions or prejudgment of possible outcomes.
3. The agreement must be based on the principles of democratization, mutual respect between the sides, respect for human rights, both individual and collective, and the promotion of regional stability through respect for the...
Helsinki principles concerning borders. An interim solution requires a democratic Kosovo and a democratic Serbia.\textsuperscript{83} Military conflict escalated after the “Drenica massacre” in the end of February. By that time, the international community decided to take a much more active role. Based on their previous experience with Bosnia, internationals took a much more aggressive position toward Serbia than before. Initial plans were made at the Contact Group meeting in early March 1998, where the leaders of the six great powers tried to find an answer to Milošević’s offensive.\textsuperscript{84} The US and UK were standing by the position that a swift and harsh reaction was necessary, with opposition coming from France, Italy and Russia, who refused to consider military intervention. Germany acted as a “mediator” between the groups. In the end, the parties agreed to measures consisting of:

[A] comprehensive arms embargo against the FRY, including Kosovo, a refusal to supply equipment to the FRY which might be used for internal repression or for terrorism, the denial of visas for senior FRY and Serbian representatives responsible for repressive action by FRY security forces in Kosovo, and a moratorium on government-financed credit support for trade and investment, including government financing for privatisation, in Serbia.

Russia refused to deny visas or impose a moratorium on credit support. As Milošević did not comply with the demands of the Contact Group members, the UN Security Council passed Resolution 1160 imposing an arms embargo on Yugoslavia and calling for autonomy and “meaningful self-administration” for Kosovo. The Security Council warned that “additional measures” were possible if no progress was made towards reaching a peaceful solution. This vague statement was later used to legitimize NATO action one year later.\textsuperscript{85} As a response, Milošević called for a referendum, held on 23 April 1998, in which Serbian voters decided by a 94.7% majority to ban any kind of foreign interference in matters concerning Kosovo, which they viewed as an internal Serbian affair.

Despite clear threats from the West, Milošević used the summer to completely overrun the KLA. By September, the KLA was practically ousted as a serious military force.\textsuperscript{86} The answer from the West was severe. On 13 October 1998, NATO authorized air strikes if Serbian security forces did withdraw from Kosovo within 96 hours. After a period of intense negotiations, US Special Envoy Richard Holbrooke, representing the Contact Group, and Serbian President Slobodan Milošević, under threat of the NATO activation order, reached an agreement based on the demands made in Resolution 1199. While the agreement was never published, its major points addressed the reduction of forces and the deployment of monitors.\textsuperscript{87} This brought a cease fire and a major withdrawal of Serbian forces from Kosovo, giving thereby the KLA the opportunity to regroup and reorganize itself. They continued to cause provocations, and with new weapon and ammunition supplies were in a much better position to attack weakened Serbian forces. The armed conflict again escalated in December 1998. It was reported that the number of Yugoslav forces deployed in Kosovo might have exceeded the

\textsuperscript{84} Many think that the clumsy statement of the US Special Envoy to the Balkans, Robert Gelbard, about the terrorist nature of the KLA gave a green light for Milošević’s offensive.
\textsuperscript{86} Ibid., 75.
\textsuperscript{87} The Holbrooke-Milošević Agreement was verified by the UN SC Resolution 1203. Ibid., 76.
number specified in the Holbrooke-Milošević Agreement. While the reliability of Milošević’s commitments to this October arrangement can certainly be questioned, may saw an evident contradiction between Holbrooke’s supposed assurances and KLA actions. This provided the FRY with substantial grounds to doubt the sincerity of “the West”. KLA actions undoubtedly exerted strong internal security pressure on Belgrade to renew full-scale counter-insurgency efforts.

The event triggering the renewal of the negotiating process was the killing of 45 Albanian civilians during an operation led by Serbian police forces in the village of Račak on 15 January.

On 29 January 1998, ministers representing the Contact Group, gathered in London and demanded that representatives of Yugoslavia and the Kosovo Albanians come together under international auspices for face-to-face talks in Rambouillet, France. Furthermore, on 30 January, the North Atlantic Council issued a statement lending its support to the Contact Group initiative and threatening a forceful response in the event of non-compliance. It also granted NATO Secretary-General full authority to approve air strikes against targets within the Federal Republic of Yugoslavia if events so merited.

The Rambouillet peace plan was created by the Contact Group, and it was modelled to resemble the Dayton accord. It consisted of a political and a military component. The political part of the Rambouillet accord called for an immediate cessation of hostilities; the partial withdrawal and demilitarization of all armed forces inside Kosovo; guarantees of civil rights; and a peace settlement that would grant Kosovo expanded autonomy within Yugoslavia in the short term and allow for a binding referendum on the province’s final status after 3 years. The military part of the agreement (security annex B) provided for the province’s occupation by a NATO-led international force, with a right of access to the entire territory of the Federal Republic of Yugoslavia.

It was highly unrealistic to expect that the Serbian government would accept a peace plan that provided for the possibility of Kosovo’s future secession from Serbia through a referendum and unlimited NATO access to all of Yugoslavia (NATO was seen as an enemy force in Serbia ever since it launched air strikes against Bosnian Serbs in 1995). It was in fact seen as an ultimatum for unconditional surrender and capitulation. Since the majority of its provisions were non-negotiable, the Rambouillet peace plan could indeed be interpreted as a sort of ultimatum. Nevertheless, it came at a time when nearly half a million of Albanians had already been displaced from their homes, and when it had become clear that Milošević would have to be stopped by force.

While the negotiations were focused on political, institutional, and economic issues, it was clear that the presence of NATO troops in Kosovo posed the biggest obstacle for the Yugoslav delegation. Milošević met with US envoy Christopher Hill in Belgrade. After this meeting he made it clear that the presence of NATO troops would be unacceptable to the Yugoslav political leadership, to the National Parliament regardless of the political affiliation of its members, and to all Yugoslav citizens. In other words, by accepting the terms of the Rambouillet accord, the Yugoslav delegation would be seen as accepting a loss of sovereignty over part of its territory. Vojislav Kostunica, president of the opposition Democratic Party of Serbia shared this stand by saying that the accord foresaw

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Kosovo as a state with many aspects of international recognition, while the interim period only served to hide the fact that Kosovo was longer part of Yugoslavia.\(^9^0\)

The reality was that neither the Yugoslav Government, nor the people in Yugoslavia took the threats of bombing seriously. Such surprising indifference stemmed from the fact that no one in the Government saw bombardment as a real alternative, the explanation being that someone would stop the bombardment at the last minute.\(^9^1\)

The Albanian delegation at Rambouillet was composed of members of Rugova’s LDK and representatives of the KLA. The Albanian delegation refused to sign any document acknowledging the territorial integrity and sovereignty of Yugoslavia. The Albanian side’s refusal to sign the agreement worked in favour of Milošević, because NATO military threats towards the FRY could not be perceived as legitimate without an Albanian signature. For this reason, a new round of talks was scheduled for 15 March in the Kleber Centre in Paris. The Kosovo Albanians delivered the promised signature, while the Yugoslav delegation called this agreement ‘false’ and asked for continued dialogue. The Yugoslav delegation denounced the terms of the accord as an ultimatum in violation of international law.

Although the Rambouillet talks failed to produce a negotiated accord, they could be seen as successful in creating a pretext for military action.\(^9^2\) Based on this pretext, the Kosovo Verification Mission was withdrawn from Kosovo on 19 March, Milošević refused to receive Holbrooke in last attempt to avoid bombardment, and Javier Solana ordered the beginning of the air operations against Yugoslavia on 23 March 1999.

On 24 March 1999, NATO air strikes against military installations in Serbia and Montenegro began. Renewed efforts to find a political solution to the Kosovo crisis recommenced after only the second month of the campaign. The negotiators were former Russian Prime Minister Viktor Chernomyrdin, Scott Talbot representing NATO, and Finnish President Martti Ahtisaari. A series of meetings between the three main negotiators became the forum within which a coordinated peace initiative was created. This initiative took into account a political declaration made by foreign ministers of the G8 calling for a solution balancing “substantial autonomy for Kosovo in respect of the Rambouillet accord and the principle of the sovereignty of the FR Yugoslavia”.\(^9^3\)

The Yugoslav political leadership was trying to stop the bombing campaign, and was looking for a way out of the crisis, but it still viewed the idea of placing the territory under NATO control as unacceptable. It was necessary to find a way to place NATO soldiers under a UN umbrella. The bookMilitary Secret\(^9^4\) described how internal negotiations unfolded in Belgrade between Milošević and Ambassador Nebojša Vujović, who was empowered to negotiate on behalf of the Yugoslav side. Milošević, explaining the importance of KFOR having a UNSC mandate, is quoted as saying that “he has explained to Ahtisaari and asked him to explain as a politician to generals that this issue has tremendous political weight because he promised to the Yugoslav people, and would not like to be called a liar and a traitor”.\(^9^5\) It was very clear that Milošević was trying to avoid signing any agreement with NATO, and thus accepting military defeat, not that he actually wanted the UN to end the

\(^{90}\) Roksanda Ninčić, “Ultimatum kontakt grupe”, Vreme, No. 433, 6 February 1999.

\(^{91}\) Dragan Popović, “Pretnje niko ne shvata ozbiljno”, Danas, 18 February 1999, 2.

\(^{92}\) See Ugo Caruso, Interplay between the Council of Europe, OSCE, EU and NATO, 79, at http://www.eurac.edu/Org/Minorities/MIRICO/Mirico+project+results.htm.

\(^{93}\) Ibid., 81.

\(^{94}\) Vladan Vlajković, Vojna Tajna (Military Secret), (Helsinški odbor za ljudska prava, Beograd, 2004).

\(^{95}\) Ibid., 56.
conflict. As a precondition for UN action he was forced to sign the Military Technical Agreement in Kumanovo, on 9 June 1999. Milošević agreed to the Military Technical “paper” as he called it, only after he was convinced that the UN would soon follow it with a resolution on Kosovo.

It is interesting to observe the differences between the Ahtisaari-Chernomyrdin agenda and the Rambouillet peace plan. First, and most important for the Yugoslav party, the entire process of conflict management was brought back under the auspices of the UN. Second, the plan eliminated Rambouillet’s implicit call for a referendum on independence after three years, whereas any determination of Kosovo’s final status would now have to be approved by the UN Security Council in accordance with the will of the people of Kosovo. NATO forces did not receive the right to operate throughout the entire territory of the Federal Republic of Yugoslavia, but solely within Kosovo. An element that can be viewed as negative for the Yugoslav party was that after military intervention it was forced to agree to completely withdraw all the military, police, and paramilitary forces from Kosovo. The deployment of the international security presence would be synchronized with this withdrawal. All of these elements were part of the 1244 UNSC Resolution adopted on 10 June 1999. The UN peacekeeping mission, comprising NATO troops, moved into Kosovo, while back home Milošević was eager to present these events as a victory for his wise politics. He tried to explain that after refusing all previous initiatives he reached the best possible bargain, which was a UN guarantee of the territorial sovereignty and integrity of the FR Yugoslavia.

3.2. Peacekeeping and Monitoring in the Former Yugoslavia

3.2.1. Peacekeeping troops in Croatia

The “rump” SFRY Presidency submitted an official request to the UN Security Council to send peacekeeping troops to war-torn parts of Croatia on 9 November 1991. The official request included a proposal to deploy the troops along the borders of territories inhabited mostly by ethnic Serbs in Croatia. The Presidency explained that its proposal was motivated by a need to “propose to the Security Council the undertaking of specific measures with the aim of halting the armed conflicts and creating conditions for a peaceful resolution of the Yugoslav crisis”.96 In this formal letter to the UNSC, Presidency Chairman Dr. Branko Kostić reiterated the Serbian leadership’s main political thesis that the conflict in Croatia was caused by the Croatian authorities’ attempt to secede by force from Yugoslavia despite the opposition of the Serb population living in Croatia. In a subsequent elaboration of the Presidency initiative and of the steps the Yugoslav leadership might take in case the Croatian authorities rejected the deployment of peace troops along the division lines, Kostić said that “Yugoslavia would in that case be left only with the following option: to declare a state of war, declare general mobilisation and employ military force to defeat the Croatian military formations and then sit down at the table and look for political solutions to the Yugoslav crisis”.97

In principle, the opposition parties in Serbia welcomed the initiative to deploy UN forces in Croatia to halt the conflict. The then strongest opposition party, the Serbian Renewal Movement (SPO) welcomed the request. One of its deputy leaders said that the party supported “any initiative, notwithstanding who

96 Politika, 10 November 1991, 1.
97 Branko Kostić interview to daily newspaper Večernje novosti, 12 November 1991.
launched it, if it brings a ray of hope that it will end the madness that has needlessly resulted in the deaths of so many young people”.

Some other opposition parties, including the Democratic Party (DS), qualified the proposal as belated and doubted its effectiveness.

The Serbian authorities and pro-regime experts and analysts immediately began insisting that the deployment of troops along ethnic (i.e. front) lines in Croatia represented the only acceptable solution. Their incessant repetition of the mantra about the international community’s bias (particularly Western countries) was a clear warning that specific countries might back a deployment of troops to Croatia’s republican borders.

3.2.2. Missions of Long Duration in Kosovo, Sandžak and Vojvodina

The decision to establish these missions was adopted on 14 August 1992. The OSCE and the FRY Government signed a Memorandum of Understanding regulating the missions’ deployment in the FRY on 28 October 1992.

The missions’ mandate was to promote dialogue between the authorities and representatives of the populations and communities in Kosovo, Sandžak and Vojvodina, to collect information on human rights violations and promote solutions to such problems, and to assist in providing information on legislation relating to human rights, the minority protection, media freedom, and democratic elections.

In June 1993, the FRY government decided not to extend its hospitality to the Missions of Long Duration in Kosovo, Sandžak and Vojvodina. Although numerous officials, beyond those working for the OSCE, persistently and repeatedly called on the Yugoslav authorities to reconsider and allow the redeployment of the Missions over the following years, the FRY government conditioned the extension of their mandate on the reinstatement of FRY’s membership status in the OSCE. The Missions were therefore unable to continue their mandates.

After the Mission was closed, the OSCE set up a special group to monitor the situation in Yugoslavia. The group met on a weekly basis and, inter alia, examined the member states' reports.

In 1997, the OSCE Chairman appointed Max van der Stoel his personal representative for Kosovo and charged him with examining ways to reduce tensions in Kosovo. The FRY authorities, however, refused to issue Max van der Stoel an entry visa.

The Missions of Long Duration maintained decent relations with the FRY authorities while they were deployed. The presence of the mission members definitely gave the local communities a feeling of security. Unfortunately, the FRY authorities decided not to extend the MoU for the Missions, conditioning their redeployment on the FRY’s membership status in the OSCE. They alleged that Yugoslavia was not treated on an equal footing in the OSCE due to the suspension of its membership. The authorities established a link between these two issues only after the fact, as the Missions were established and began working after the decision on Yugoslavia’s suspension had already been reached. The regime obviously wanted to use this argument in its conflict with the international community to help improve the country’s international standing.

The Missions could be criticised for formally equating the problems faced by minorities in Kosovo, Sandžak and Vojvodina. Such an approach is questionable in view of the fact that relations between the authorities and the majority populations e.g. the Hungarian minority in Vojvodina, the Moslem minority in Sandžak and the Albanian minority in Kosovo were not equally tense and that the

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status of the minorities in the three regions and their existential problems differed, particularly in light of the armed clashes in the former SFRY.

3.2.3. The Kosovo Verification Mission (KVM)

The Kosovo Verification Mission (KVM) was established on 25 October 1998, in accordance with UNSC Resolution 1199. It was tasked to monitoring whether all parties were abiding with the international community’s requirements with respect to the resolution of the crisis in Kosovo. The OSCE concluded the agreement on the KVM with the then FRY Minister of Foreign Affairs, Živadin Jovanović. The Agreement laid out the tasks of the Mission: to monitor all parties’ compliance with Resolution 1199 and report to the OSCE Permanent Council, the UN Security Council, other organisations, and the FRY authorities; to maintain close contact with the authorities of the FRY, Serbia and Kosovo, the political parties and other organisations in Kosovo and accredited international and non-governmental organizations; to monitor elections in Kosovo and report to the OSCE Permanent Council, the UNSC and other organisations; and to make recommendations on issues falling within the framework of UNSC Resolution 1199.\(^\text{100}\)

The KVM was the most extensive mission the OSCE had ever established and numbered 1,500 staff by February 1999. Due to the increasing deterioration of the security situation in Kosovo, the then Chair of the OSCE, Norwegian Minister Knut Vollebeck, withdrew the KVM from Kosovo on 20 March 1999, only a few days before NATO began launching air strikes.

The KVM was not greeted with open arms by the Serbs in Kosovo or by Serbia. Serbs perceived it as an interfering and hostile mission that was already supporting the other side. It can thus be presumed that the KVM contributed to the homogenisation of Serbs and aggravation of their relations with the Kosovo Albanians. The Kosovo Serbs perceived the KVM as being prejudiced and partial to the Kosovo Liberation Army (KLA), and the Serbian Government stoked these feelings. Serb enmity and distrust towards the KVM culminated after bodies were discovered following a Serbian police action in the village of Račak in January 1999 and KVM representatives accused the Serbs of massacring the civilians.

3.3. The role of International Sanctions in Crisis Management

The European Community introduced the first sanctions against the then SFRY in July 1991, when it embargoed arms sales to the SFRY. In early November 1991, the EU imposed an economic embargo on the SFRY. Although this embargo initially applied to the whole state, which was in the process of breaking up into five independent states, the EU soon began successively lifting the sanctions against some of the states that emerged in the territory of the former SFRY. The EU called off the Trade Agreement with the SFRY as well as other special regimes that had afforded the SFRY privileges in its relations with the EU. Nevertheless it simultaneously allowed the republics showing a willingness to work actively and constructively on finding a compromise solution to regain these benefits. The main criterion it assessed was the conduct of the leadership of the respective republics during the Peace Conference in The Hague. Hence, the Council of Ministers excluded Bosnia and Herzegovina, Macedonia, Slovenia and Croatia from the economic sanctions introduced on 8 November 1991. The sanctions regime still applied, but only with respect to Serbia and Montenegro. After 10 January 1993,

\(^\text{100}\) See Kosovo Verification Mission presentation at http://www.osce.org/item/22063.html and Annual Report 1998 on OSCE Activities, chapter 2.2.4.
when sanctions against Montenegro were temporarily suspended, they applied only to Serbia.

Before the eruption of the Bosnia and Herzegovina conflict, the EU used sanctions against Serbia as a tool to ensure Serbia’s “good behaviour” and thus to avoid war in this former central SFRY republic. A possibility arose to suspend the trade embargo on 6 April 1992, when Bosnia’s independence was recognised. Nevertheless, the outbreak of war in Bosnia, the clear role that the Belgrade authorities and the JNA played in this event, and Belgrade’s evident control over the Bosnian Serb political institutions, resulted in the reintroduction of the old sanctions and the imposition of additional sanctions against Serbia and the newly created FR of Yugoslavia.

On 20 May 1992, the EC Commission submitted a list of sanctions that could be adopted against the FRY. The Council of Ministers imposed a trade embargo on the FRY on 27 May 1992. The FRY’s trade with the EC was blocked, scientific and technological cooperation was frozen, and export credits were halted. The Council advocated global sanctions against the FRY and called on the UN to impose a total embargo on the FRY, comprising a ban on exports of petrol to the FRY and freezing of its assets in foreign banks. The Council of Ministers passed a package of measures with common rules to implement a coordinated and comprehensive trade embargo and to halt air traffic with the FRY. Issues related to credit, financial transactions, the blocking of accounts and the appropriate level of diplomatic relations were left to the discretion of the member states. In early June 1992, the Council of Ministers met in Luxembourg and adopted a set of operational regulations ensuring the full implementation of the trade embargo and the suspension of all flights to the FRY. 101

The UN took a similar and parallel approach to the EC sanctions policy. The UN Security Council adopted its first measure to restore peace in the former Yugoslavia by introducing Resolution 713 (1991) imposing an arms embargo on all warring parties in the former SFYR. Although all of the parties to the conflict found the embargo an acceptable solution that could bring the interested parties to the negotiating table, it was clear that only the Serbs (i.e. Serbia and Montenegro) benefited from it. The Serbs were overwhelmingly superior to the other warring parties in military terms102 and the embargo helped them maintain their advantage. Under UNSC Resolution 724, passed in December 1991, a UN Security Council Committee was set up to monitor the implementation of the embargo. The Committee would later play an important role in coordinating the implementation of comprehensive economic sanctions against Serbia and Montenegro, generally considered the most effective sanctions in history.103

101 EU institutions forwarded their initiatives to other international institutions as well. EC foreign ministers, for instance, called for the FRY’s exclusion from the UN in September 1992.
The embargo initially did prove somewhat effective, but it was wholly unsuitable for restoring peace once Bosnia and Herzegovina became embroiled in the conflict. This prompted the UNSC to pass Resolution 752 (1992) in mid-May 1992, demanding that the FRY withdraw the JNA from the territory of Bosnia and Herzegovina, subject them to the authority of the government of Bosnia and Herzegovina, or disband those units and place their weapons under international monitoring. The Resolution invoked the UN Secretary General’s Report of 12 May 1992 (para. 24), which mentioned an announcement made by the Belgrade authorities on 4 May 1992 stating that they would withdraw the JNA forces and that those that remained would be deprived of authority. When this attempt also failed, the UNSC introduced comprehensive sanctions against Serbia and Montenegro under Resolution 757, adopted on 30 May 1992. They included a ban on imports and exports, cultural exchange, flights and maintenance of airplanes, participation in sports events, and they lowered the level of diplomatic relations. These sanctions would remain in force until the Dayton/Paris Peace Agreement was signed in November 1995. The UN never imposed such comprehensive sanctions on Serbia again, not even during the Kosovo conflict.

The sanctions proved to be somewhat useful, but did not prove to be as effective a tool as has been expected. While they certainly played a decisive role in bringing Serbian President Slobodan Milošević to the negotiating table in Dayton, and forcing him to take a moderate position during that process, it took more than four years of effective implementation to achieve this goal. There are several reasons for this.

As Serbia’s agriculture was more or less self-sufficient, Milošević could count on the sanctions (if limited in time) not producing effects as disastrous as those witnessed when sanctions were imposed on Iraq just one year earlier. Milošević also had reason to believe that the sanctions would not last long, above all because their consistent implementation required a major international effort and seriously undermined the economic stability of the other countries in the region. Nevertheless, it became clear that these assessments were wrong when Sanctions Assistance Missions (SAMs) were set up to help implement the sanctions and when nearly all regional organisations joined in the implementation of the UNSC measures (OSCE, NATO, Danube Commission, the EC (EU)).

By modifying the sanctions regime in response to Milošević’s concessions in the negotiation process, the international community wisely used the only measure at their disposal against the Serbian authorities. The burden of sanctions (and the prospect of their reduction) even made Milošević introduce the embargo on the

104 “The culmination was the implementing accord of 2 January 1992, which implemented a previous tentative cease-fire agreement and that effectively ended the war, brought about a cessation of hostilities in Croatia.” See transcript of the testimony by Herbert Okun at the Milošević Trial in the ICTY on 26 February 2003, 16888.
105 A study of the Stockholm International Peace Research Institute (SIPRI) estimated that the forces of the government of Bosnia and Herzegovina were outgunned nine-to-one by Serbian units. David Cortright et al, supra nota 1, 65.
106 The JNA declared it was withdrawing from Bosnia and Herzegovina on 17 May 1992. Yugoslav authorities, however, alleged 80% of the troops deployed in Bosnia were citizens of Bosnia and the JNA left large quantities of military materials behind after it withdrew. These forces continued fighting in Bosnia under the name “Army of the Serbian Republic of Bosnia and Herzegovina”. See the Human Rights Watch 1992 report available at http://www.hrw.org/reports/1993/WR93/Hsw-10.htm#P671_238252.
107 Sanctions were suspended indefinitely by UNSC Resolution 1022 on 22 November 1995, and then terminated in October 1996 by UNSC Resolution 1074. They were modified on several occasions (UNSC Resolutions 787 (1992), 820 (1993) and 943 (1994)).
Drina River and curb political ties with the Pale Government when it renounced the Contact Group Plan.

Having been proven rather slow in achieving their goals, sanctions were not as widely used during the Kosovo conflict. They were regarded as a highly inadequate measure for resolving the rapidly developing humanitarian crisis. For this reason, the international community implemented only an arms embargo and economic sanctions directed exclusively against high Serbian officials and authorities. The primary threat for Serbia did not come from the economic blockade, but from Western powers’ resolution to use their military capacities against Milošević.

3.3.1. Side-effects of the Sanctions - Strengthening Milošević’s Power

Milošević’s regime made the most of the sanctions to rally nationalist forces. Several factors played into his hands. First of all, it is highly likely that any foreign intervention in the internal affairs of a sovereign state will have the effect of unifying the people against “the common enemy”, in this case, the international community. Moreover, the absence of independent media in Serbia, especially TV and radio stations, provided the regime with an additional guarantee that only the information it wanted the public to know would actually be disseminated. The lack of production materials and rampant inflation precluded the widespread dissemination of print media. Therefore, the general public was constantly hearing the “official view” on how the “unjust” sanctions were part of a global conspiracy against Serbia and the Serbian nation.109

The Milošević regime used the hardships caused by sanctions to mobilize popular support and generate a rally ‘round the flag effect. Sanctions became the convenient justification for every misfortune in Serbian society, a way of deflecting attention from Belgrade’s own misguided war policies and economic mismanagement. Everything could be blamed on the Western powers and UN sanctions. Milošević used the sanctions to appeal to the traditional Serbian sense of victimization and to rally support for his government. Hard-line nationalist opponents of Milošević also used the sanctions to stir popular resentment and win support for their more extreme policies.110

The sanctions also restricted the manoeuvring space of Milošević’s opposition. The mostly pro-Western opposition had to stave off constant accusations that it was supporting an “external enemy” who had introduced the sanctions with the purpose of imposing a New World Order, American hegemony and neo-Imperialism on Serbia. It was especially difficult to explain why sanctions were introduced only against Serbia (and Montenegro) as on a number of occasions international factors highlighted Croatia’s major role in stoking and waging the war in Bosnia. Although the opposition invoked the sanctions as proof of Milošević’s unsuccessful foreign policy and pointed to the deep economic crisis as the main reason his regime had to be toppled, the results of the early 1992 general elections Milošević was coerced into calling clearly indicated that these arguments had not swayed the electorate very much. True, Milošević’s support fell by some 7% compared to the result he scored in the 1990 presidential elections, but he still reigned supreme and bested his rival, the then Federal PM Milan Panić, in the first round. The dramatically


110 David Cortright et al, op. cit, 76
lower number of seats Milošević’s SPS won in the Serbian and Federal Assemblies also does not indicate that the sanctions led to an ebbing of nationalistic sentiment. On the contrary, the excellent results of the ultra-nationalist Serbian Radical Party (SRS) led by Vojislav Šešelj, which won 73 (out of 250) seats, showed that Serbia was making an even sharper turn to the right. The opposition improved their standing in parliament by winning 21 seats more than in the previous election; this success cannot be ascribed to a change in views of the Serbian electorate but to the change in the election system, which benefited the opposition more.\textsuperscript{111} The Serbian parliamentary elections in 1993 also indicate the extremely strong support voters gave to nationalist ideas. Namely, nearly all political parties, save the Serbian Renewal Movement (SPO) and the small Civic Alliance of Serbia (GSS), began turning towards militant nationalism, supporting belligerent Serb leaders outside Serbia, expressing mistrust of foreigners and subjecting their political activities to the supreme “Serbian national interest”.\textsuperscript{112}

### 3.4. Military Intervention

Although some actors (mainly Austria and Germany), proposed military intervention in the early stages of the Yugoslav crisis, it was used only twice in the late stages of the conflict (in Bosnia and in Kosovo).

In mid July 1992, Austria had already proposed that the Security Council adopt a resolution to commence military intervention in Bosnia. Nevertheless, this proposal was rejected by the members of the Security Council. As noted above, at the end of the same year the US administration sent Milošević the so-called “Christmas warning” threatening unilateral military intervention in response to grave violations of human rights in Kosovo.

It seems that the mere threat of air strikes against military installations on the territory of the FRY produced sufficient cautiousness in Milošević, that he was willing to make certain concessions during the war in Bosnia. Under the pressure of economic sanctions and possible bombing he was willing to adopt every proposed peace plan since the emergence of the Vance-Owen plan in 1993. With this example in mind, could be argued that the threat itself, combined with economic sanctions was a reasonable tool of Western diplomacy.

It became clear rather quickly that threatening Milošević with force could not yield any significant result, as he had already lost control over Bosnian Serbs. After the fall of the eastern Bosnian safe areas, in mid 1995, and the continuation of attacks on several other safe areas (Sarajevo, Žepa and Goražde), NATO launched Operation Deliberate Force, an air strike campaign against Bosnian Serb forces. Although air strikes on Bosnian Serb positions functioned as a tool to protect the peacekeeping units deployed in Bosnia, they had much more political weight. On one hand, they managed to reduce the percentage of the territory held by Serbs to levels near the figures prescribed in the peace plans. On the other, it became clear to the Bosnian Serbs that this was the last chance to make a deal, as any continuation of the bombing combined with the Croatian and Muslim offensive would soon jeopardize the mere existence of the future “Serbian state within a state”.

Military intervention in Kosovo was much more problematic. While the mere threat of military intervention was used as a final resort during the Bosnian war,

\textsuperscript{111} The majority system was in the meantime replaced by the proportional election system.

\textsuperscript{112} Vojin Dimitrijević, Jelena Pejić “The Effects of UN Sanctions Against the Federal Republic of Yugoslavia” in: Milan Šahović, Međunarodno pravo i jugoslovenska kriza (International Law and the Yugoslav Crisis), Belgrade, 1996, 262
serious negotiations to tackle the Kosovo problem began with such a threat flying in the air from the very beginning. All the compromises that Milosevic accepted to make (such as the Kosovo Verification Mission presence in October 1998), were the result of the direct and serious threat of military intervention. As noted above, the Rambouillet peace talks were held under the shadow of NATO’s preparations for an air strike campaign.

The question is whether Milosevic would have agreed to establish an international protectorate over Kosovo without a bombing campaign. Answering this question requires examining several related issues. The first concerns differences between the Rambouillet plan and the plan to which Milosevic eventually agreed. The second issue involves trying to establish which concessions Milosevic was prepared to make during the Rambouillet negotiations. The third issue, largely championed by opponents of the intervention, is more complex as it cannot be empirically proven. It concerns the actual desire of NATO countries, and particularly the US administration, to sabotage the negotiations and use force in any scenario. One must also take into consideration previous peace efforts in which Milosevic and his collaborators participated, as well as the fact that Kosovo was, for the first time, not only a matter of some future project for a “Greater Serbia”, but a challenge to the sovereignty of Serbia proper. This involved not only the emotions of the Serbian people, but also the high political and personal stakes of an autocratic regime.

The differences between the Ahtisaari-Chernomyrdin plan and the proposed Rambouillet peace accords have already been highlighted in the chapter dealing with international peace efforts in Kosovo. In essence, what Milosevic succeeded in achieving after more than 70 days of bombing was to put the peacekeeping forces under the formal control of the UN Security Council as well as the civil administration in Kosovo and to restrict international military presence to the soil of Kosovo, excluding their presence on the territory of Serbia proper. In addition, he managed to replace the provision that alluded to a future referendum on the independence of Kosovo with a vague statement referring to the determination of the future status of Kosovo.

The first achievement was not a huge step forward for Milosevic.113 It is clear that it was unacceptable for the Serbian side to let NATO peacekeeping forces onto the entire territory of FRY.114 Nevertheless, it cannot be said that these terms were non-negotiable. There were serious concerns in the West about Russian involvement in the peace keeping efforts, due a threat of the province eventually being divided into Albanian Kosovo (where the peacekeepers from NATO countries would be deployed) and Serbian Kosovo (where Russia would have a control).115 Nevertheless, it is hard to believe that NATO would not have allowed the entire operation to be authorized by the UN and to be conducted under its auspices, on the condition that it remained significantly under the control of NATO headquarters.116 That is exactly what Milosevic agreed to after the bombing.

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113 However, it should be taken into consideration that he probably thought at the time of the Rambouillet negotiations that NATO will not act without previous permission from the Security Council, and there he relied on Russian and possibly Chinese support.
115 This could be seen from the negotiations between Russia and NATO after the bombing stopped and 200 Russian paratroopers came unexpectedly into Kosovo. See Phil Reeves, “Liberation of Kosovo: Talks fail to end Russian deadlock”, The Independent, London, 17 June 1999.
116 Even if it is accepted that NATO wanted to show its new role in the “New World Order” on its 50th anniversary, it could have done so even better if it had been backed by UNSC. The Russian side never really opposed NATO involvement, they only did not support it. With
It is true, however, that unlike in the Rambouillet peace accords, the international military presence was limited to the territory of Kosovo. Those who wish to interpret the Rambouillet peace talks as a staged performance consider the clause granting NATO troops unlimited access to entire territory of FRY as the “killer clause”, inserted only to ensure Serbian refusal. Nevertheless, according to then British Foreign Secretary Robert Cook: “If that particular technical annex was something that bothered them, we would have been very happy to have considered constructive amendments from them. They never even raised it.”117 It is indeed highly possible that this issue was not raised formally during the talks. The Rambouillet agreement tried to preserve the idea of the territorial integrity of the Federal Republic of Yugoslavia and Kosovo's continuing status as part of it, which was in the best interest of the Serbian delegation. Indeed it was for this reason that it had not formally included any territorial limitations on the application of Status of Forces Agreement.118 This may also be the reason that the Serbian delegation never disputed these provisions during the negotiations, as they were afraid of any formal trace of division of the unitary Serbian territory. But publicly, the Serbian government did use these provisions of Status of Forces Agreement as a propaganda weapon. They wanted to present NATO efforts as stemming from the desire to occupy a sovereign state. It is very possible that the limitation of international military presence could have been achieved through the negotiations in Rambouillet.

The second achievement is even more problematic. The Rambouillet peace accords actually did not contain a provision on a future binding referendum, at least not an explicit one. The provision reads:

Three years after the entry into force of this agreement, an international meeting shall be convened to determine a mechanism for a final settlement for Kosovo, on the basis of the will of the people, opinions of relevant authorities, each Party's efforts regarding the implementation of this Agreement, and the Helsinki Final Act, and to undertake a comprehensive assessment of the implementation of this Agreement and to consider proposals by any Party for additional measures.

It would be useful to refer to the Fourteenth Report of the UK parliamentary Committee on Foreign Affairs to clarify the wording and assess the travaux préparatoires on the provision:

The language was carefully chosen to leave open the possibility of a referendum without committing the international community to one. Marc Weller records that at the very end of the conference the Kosovo Albanian delegation came close to extracting a further concession, referring to the “expressed will of the people” [emphasis added], although this was subsequently rejected by the Contact Group. The reference in Article 1 (3) to the Helsinki Final Act is a reference to the principle of the inviolability of frontiers except by agreement. It is therefore clear that there was no commitment made by the United Kingdom-French co-chairs to a binding referendum on independence for Kosovo.

60. However, according to the FCO, “the US sent a letter to the Kosovo Albanian delegation, noting that the US regarded the agreement as confirming the right of the people of Kosovo to hold a referendum, consistent

giving Russians their share of the stake (similar to the solution found after the bombing), Russia would almost certainly not have used its veto at the Security Council.

with the provisions of the Rambouillet agreement, on Kosovo's final status.”
Tim Judah reproduced the text of this letter as follows:

"Rambouillet, 22 February 1999

This letter concerns the formulation (attached) proposed for Chapter 8, Article 1 (3) of the interim Framework Agreement. We will regard this proposal, or any other formulation, of that Article that may be agreed at Rambouillet, as confirming a right for the people of Kosovo to hold a referendum on the final status of Kosovo after three years.

Sincerely,

Madeleine Albright, Secretary of State."

This letter offers a different interpretation from that provided by the FCO: it appears that the US Secretary of State was offering US support for a referendum regardless of what was agreed at Rambouillet, rather than “consistent with the provisions of ... Rambouillet”. It is difficult to envisage a situation where a referendum would be held and then disregarded by the international community. Thus even if the words of the agreement did not specifically provide for a binding referendum on independence, there was a ground for suspicion for the Serb side on this point. Certainly, the Albanian side continues to believe that the Albright letter represents a commitment by the USA to a binding referendum. Overall, it is clear that consistency among the allies would have helped the negotiations, and that there were occasions where unilateralism harmed progress.119

Nevertheless, Milošević did not get anything more out of the provisions of Resolution 1244, which actually explicitly refer to the Rambouillet peace accords. In this Resolution, the Security Council:

Decides that the main responsibilities of the international civil presence will include:

... Facilitating a political process designed to determine Kosovo's future status, taking into account the Rambouillet accords (S/1999/648).120

It is obvious that the factual consequences of the agreement were not of primary concern to the Milošević regime. Nevertheless, even if Milošević had raised the question of NATO presence on the entire territory of the FRY, or managed to put some blue helmets on the heads of the NATO soldiers, and even if he had somehow managed to put the future status of Kosovo in the hands of the Security Council, it is unlikely that he would have agreed to the Rambouillet accords. At the time, he had no momentum in Serbian public opinion to allow Kosovo to slip from Serbian sovereignty. Serbs would see this as his final defeat and a supreme betrayal of Serbian expectations upon which he had built his entire career and authority.121 He needed to use something as an excuse, and that something proved to be military intervention - but not just any military intervention. It had to be contrary to

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120 UN SC Resolution 1244 (1999), para. 11, p. e.

international law and it had to be led by an “enemy force” (and NATO appeared to be just that to a large number of Serbs).

This does not mean that Milošević necessarily wanted the intervention to happen. He did not even believe that it was possible for such an intervention to take place. Nevertheless, when NATO began its military campaign, Milošević swiftly changed the objectives of his war with the West. It was not preserving Kosovo, it was now turning the Kosovo problem back to the auspices of the United Nations. This gave him an opportunity to present the end of the bombing as a personal victory, despite the complete withdrawal of Serbian forces from the province and a wave of internally displaced persons entering Serbia proper as NATO troops advanced.

It is possible that NATO representatives and the US administration were aware of the fact that Milošević would not agree to give up Kosovo without a war with the West. It is even possible that they sabotaged negotiations on purpose by putting higher demands than would be acceptable to the Serbian side. Nevertheless, resolving the Kosovo problem demanded an international military presence, and the situation on the ground suggested that it needed to happen as quickly as possible. Unfortunately, it remains true that there was no political will to try seriously to conduct the entire operation through legal channels, possibly because NATO wanted to use the UN as the final argument if even force failed.

Conclusion

Serbia played a major role in the Yugoslav crisis by evoking nationalist sentiments among the Serbian people in Yugoslavia, supporting their military actions and even controlling their military activities to a large extent. Due to the dependence of Serbian forces outside the Republic of Serbia on the state’s materials and military support, Serbia also played an important role in bringing the war to end. This occurred, however, after the aggressive atrocities had already happened.

Without needing to count precisely the words used in the present report, one will likely observe that the words “Milošević” or “the Milošević regime” were invoked more frequently than, for example, “the Serbian Government” or “the Republic of Serbia”. There are many possible reasons for this. From the perspective of a Serbian scholar, or a more ordinary Serbian citizen, Milošević himself was the Serbian Government and the Republic of Serbia during the nineties. His authority and control over the state structures on both the republican and federal level were indisputable. Unfortunately, the international community recognized this fact only after four years of bloodshed in former Yugoslavia. Even then, Milošević was accepted as the only negotiator from Serbian side for purely practical reasons, despite his refusal to admit his direct involvement in the conflicts. Milošević was certainly the main Serbian actor in the crisis, and probably the major one in general. Nevertheless, the entire apparatus he installed, the public opinion he managed to form, and the entire stage he put in place, were not the products of one “dangerous mind”. Circumstances related to the end of the Cold War, the changes in global politics that took place in the late eighties and early nineties, the failure to recognize new developments and the evident collapse of communist ideology, the international community’s inability to adapt its conduct (insofar as is possible for such an abstract and broad crowd), and the interaction of nationalisms in Yugoslavia must be taken in consideration as well.
Some additional facts should be noted. Serbian (or Milošević’s) policy toward Yugoslav territories and peoples was not as simple as some theoreticians would like to present it, namely as the quest for a Greater Serbia in an ethnically homogenized state. Serbia remained as ethnically heterogeneous as it was before the wars. On the other hand, territories that were held by Serbian paramilitary forces in Croatia during the conflicts were almost completely cleansed of their Serbian populations. While this was partially the consequence of military defeat, it is clear that Milošević had a largely ambivalent attitude toward these developments. Although he secured a Serbian ‘state’ within the state of Bosnia and Herzegovina that bordered on Serbia proper, Milošević abandoned plans to unify the two Serbian entities into one state and even acted as a guarantor to the arrangement of Bosnia and Herzegovina as it stands today.

Greater Serbia was surely something that Milošević saw as the logical conclusion of the Serbian question. It was probably one of the starting goals that he pushed as long as it was pragmatic to do so. On numerous occasions:

Milošević has demonstrated that he is not concerned with the loss of territory, even Serb inhabited, per se. He has acquiesced in the loss of not only Slovenia and Macedonia but also of Slavonia, Krajina, Bosnia and (de facto) Kosovo. He would probably accept the defection of Montenegro too, even if it did mean loss of access to the sea, if it would serve his political end. His sole concern is retention of personal political power in Serbia – a determination reinforced by his international indictment as a war criminal.122

The main reason for the international community’s numerous failures to achieve a peaceful resolution of the conflict was their acceptance of Milošević’s rules of the game, and of Milošević as the key actor. The failure to recognize in the figure of Milan Panić a rare opportunity to find another negotiator on the Serbian side in the opening days of the conflict, and the lack of support for his policies, certainly contributed to the prolongation of the crisis. The significance of Milošević’s presence, his insensitivity toward the European integration process and his personal lust for power can easily be seen in the peaceful resolution of the Serbian-Montenegrin conflict that occurred almost immediately after his fall.

122 C.J. Dick, op.cit, 4.
Acronyms:

CSCE - Conference on Security and Cooperation in Europe
FRY - Federal Republic of Yugoslavia
GSS - Civic Alliance of Serbia (Gradanski savez Srbije)
HDZ - Croatian Democratic Union (Hrvatska demokratska zajednica)
ICFY - International Conference on the Former Yugoslavia
ICJ - International Court of Justice
ICTY - International Criminal Tribunal for Former Yugoslavia
JNA - Yugoslav Peoples Army (Jugoslovenska narodna armija)
KFOR - Kosovo Force
KLA - Kosovo Liberation Army
KVM - Kosovo Verification Mission
LDK - League of Democrats of Kosovo
RSK - Republic of Srpska Krajina
SANU - Serbian Academy of Science and Art
SDS - Serbian Democratic Party
SFRY - Socialist Federative Republic of Yugoslavia
SIV - Federal Executive Council
SPO - Serbian Renewal Movement
SPS - Socialist Party of Serbia
SRS - Serbian Radical Party
TO - Territorial Defence
UNSC - United Nations Security Council
VJ - Yugoslav Army
ZNG - Council of the National Guard (Zbor narodne garde)
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