
**HE ASSUMED ACCEPTING RAMBOUILLET TERMS
WOULD ENDANGER HIS RULE**

The immediate cause of the NATO decision to bomb the FRY on March 24, 1999, was Milosevic's refusal to sign the Rambouillet Agreement establishing peace and self-government in Kosovo. The escalation of the fighting between Serb and KLA forces in Kosovo during 1998 and the looming humanitarian crisis engendered by the Serb counterinsurgency operations that drove hundreds of thousands of Kosovo Albanians into the hills energized the NATO governments and other members of the international community to seek a restoration of peace in the province. In October 1998, Milosevic, under the threat of NATO bombing, reluctantly agreed to reduce and redeploy elements of the Serb police and military forces stationed in Kosovo and to allow 2000 unarmed Organization for Security and Cooperation in Europe (OSCE) inspectors to enter the province to verify a cessation of hostilities. However, the Serb massacre of 45 Kosovo Albanians on January 15, 1999, together with other evidence that the unarmed verification mission could not ensure compliance with the troop withdrawal agreement or stem the rising tide of violence in Kosovo, prompted the Contact Group seeking to restore peace in the province to intensify its efforts to reach a peaceful solution.¹

¹The Contact Group included representatives from the United States, the United Kingdom, France, Germany, Italy, Russia, the European Union Presidency, and the European Commission.

On January 29, the Contact Group ministers summoned the Serbian and Kosovo Albanian parties to negotiations at Rambouillet, France, to begin on February 6 under the chairmanship of the UK foreign secretary and his French counterpart. The negotiations were to define the terms of an agreement that would provide for a cease-fire, an interim peace settlement and system of self-government for Kosovo, and the deployment of an international force within Kosovo to uphold that settlement.²

To back up the Contact Group's action, NATO warned both the Serb and Kosovo Albanian parties on January 30 that they must respond to the summons to Rambouillet, halt the fighting, and comply with the October agreement or NATO would "take whatever measures were necessary to avert a humanitarian catastrophe."³ Even though both parties were warned, NATO was contemplating military action only against the Serbs. Indeed, the subsequent message delivered to Milosevic was that if the Kosovo Albanians signed the Rambouillet Agreement and he did not, the FRY would be bombed.⁴

MILOSEVIC HAD MAJOR STAKES IN KOSOVO

The notion that he yield Serbia's control of Kosovo even under the duress of a NATO bombing threat was anathema to Milosevic. The FRY president had at least four important reasons for wanting to maintain Serb control and dominance within the province.

First, the vast majority of Serbs had a strong attachment to Kosovo, which they consider "the cradle of Serbia's identity and the mainspring of its ancient culture."⁵ The province holds numerous

²See Memorandum by the Foreign and Commonwealth Office, "Kosovo: History of the Crisis," Select Committee on Foreign Affairs, Fourth Report, Minutes of Evidence, House of Commons, May 23, 2000, <http://www.parliament.the-stationary-off.../pa/cm199900/cmselect/cmfaif/28/9111803.html>.

³Ibid.

⁴Authority to implement the activation order (ACTORD) for air operations against the FRY was given to the NATO Secretary-General. However, it is unlikely that the Secretary General would have exercised this authority to commence the bombing unless he was confident such action had the support of the North Atlantic Council (NAC).

⁵See Dusko Doder and Louise Branson, *Milosevic, Portrait of a Tyrant*, New York: The Free Press, 1999, p. 56. For other accounts of Kosovo's history and relationship to the

shrines of the Serbian Orthodox church and artifacts of the former Serb medieval kingdom and is the site of the famous Field of Blackbirds, where the Turks vanquished the Serbs in 1389. Kosovo had assumed a “mystical importance” for many Serbs, generating memories of vanished glories that have been “kept alive in legends and folk songs on which every Serb child—including Milosevic—has been reared for the past six centuries.”⁶ As a consequence, Serb public opinion strongly opposed any infringement of Serb sovereignty with respect to Kosovo and supported the government’s use of lethal force to suppress the Kosovo Liberation Army (KLA) “terrorists” who were attempting to wrest the province from Serbian control.

Second, Milosevic’s own political persona was closely associated with the Serb ascendancy in Kosovo. Milosevic had become famous overnight in 1987, when he “legitimized the venting of Serb ethnic grievances against the Albanian majority” by promising a mob of Kosovo Serbs who had been complaining about their mistreatment by Kosovo Albanian police that “no one should dare to beat you!”⁷ Milosevic clearly owed his initial rise to power in the Serbian communist party and the FRY to his exploitation of Serbian nationalist sentiments and the promotion of Serbian hegemony in Kosovo—a task he consummated in 1989 when he abolished the broad autonomy the province had enjoyed under the 1974 constitution.⁸

Third, Kosovo, from the early 1990s onward, had provided Milosevic’s ruling Socialist Party with sufficient additional seats in the Serbian parliament to give it a near parliamentary majority.⁹

Serbs, see Julie A. Mertus, *Kosovo: How Myths and Truths Started a War*, Berkeley and Los Angeles: University of California Press, 1999, and Noel Malcolm, *Kosovo: A Short History*, New York: Harper Perennial, 1999.

⁶Doder and Branson, 1999, pp. 51–56.

⁷For accounts of Milosevic’s April 24, 1987, meeting with Kosovo Serb demonstrators in the Pristina suburb of Kosovo Polje, see Tim Judah, *Kosovo: War and Revenge*, New Haven, CT: Yale University Press, 2000, pp. 52–53, and Doder and Branson, 1999, p. 3.

⁸*RFE/RL Balkan Report*, Vol. 2, No. 48, December 9, 1998.

⁹In the 1993 elections, which were boycotted by the Kosovo Albanians, the Socialist Party won 21 of its 123 parliamentary seats in Kosovo, leaving it just three seats short of a majority. See Eric D. Gordy, “Why Milosevic Still?” *Current History*, March 2000, p. 102.

During the 1997 parliamentary elections, the Socialist Party had again been able to pick up more than 20 seats by “stuffing ballot boxes” in Kosovo, a fraud facilitated by the Kosovo Albanian majority’s continued boycott of the polls. Had the Kosovo seats been denied them, the Socialists would have held fewer seats in the Serbian parliament than the extreme nationalist Serbian Radical Party led by Vojislav Seselj.¹⁰

Finally, Milosevic had continued to rely on Kosovo as a means to bolster his sagging political position within Serbia, exploiting the Kosovo issue to raise nationalist passions, mobilize public support, and distract people from the other serious problems facing Serbia.¹¹

While Milosevic’s manner of rule was authoritarian, depending heavily on his control of the police, media, and patronage, his power was less than absolute. He could be made to back down when faced with widespread public opposition such as that which occurred in 1997, when repeated mass protests forced him to allow the opposition parties that had won control of city governments in the 1996 elections to take office.

Milosevic had to rely on elections to extend his rule, and even though his Socialist Party had failed to receive a majority of votes in any of the elections held since 1990, it managed to maintain a majority in the Serbian parliament “through creative districting, manipulation of election returns, and a revolving cast of coalition partners.”¹² For electoral support, Milosevic relied primarily on a diminishing political base of older, rural, less educated citizens, blue-collar workers, and persons with a strongly nationalist bent.¹³ Polls consistently showed him “to be both the most admired and the most despised political figure in Serbia, with results at either extreme

¹⁰Michael Dobbs, “Despairing Serbs Struggle for Survival,” *Washington Post*, reprinted in *Manchester Guardian Weekly*, June 27, 1999, p. 15.

¹¹See Obrad Kesic, “Serbian Roulette,” *Current History*, March 1998, pp. 98–101.

¹²Gordy, March 2000, p. 99.

¹³For a discussion of Milosevic’s electoral base, see Gordy, March 2000, pp. 99–102; Eric D. Gordy, *The Culture of Power in Serbia*, University Park, PA: Pennsylvania State University Press, 1999, pp. 19–60, and Robert Thomas, *The Politics of Serbia in the 1990s*, New York: Columbia University Press, 1999, pp. 69–79.

fluctuating between 20 and 25 percent.”¹⁴ With such a minimal base of support, Milosevic greatly benefited from the absence of an effective, unified opposition in the FRY.

Milosevic’s continued hold on power also stemmed from his ability to manipulate events—particularly nationalist confrontations—to his own ends. Indeed, behind every conflict Milosevic had masterminded, there has “been a parallel struggle against his opponents in Serbia itself”:

[Milosevic] was a politician who had been shaped by the events he appeared to master. There was no hard center to his rule; no strategy. He lived from day to day. The only discernible pattern was perpetual mayhem. Like a high priest of chaos, he caused mischief to exploit for his own purposes. Oblivious to misery and suffering, he promoted conflicts—in Slovenia, in Croatia, in Bosnia, in Serbia itself—to enlarge his power and to keep his own people distracted.¹⁵

During the 1997 elections, Milosevic’s political supporters made heavy and effective use of the Kosovo issue in their election campaigns.¹⁶ To rally popular support in his growing diplomatic confrontations over Kosovo, Milosevic repeatedly played the nationalist card during 1998—most conspicuously in April of that year, when he organized a “referendum on whether there should be international involvement in the Kosovo issue.” The vote, which was preceded by a major government media blitz opposing any foreign involvement, was an overwhelming “no” (95 percent against on a 75 percent turnout), which served to further entrench Milosevic’s hard-line position on the Kosovo issue.¹⁷

¹⁴Gordy, March 2000, p. 99.

¹⁵Doder and Branson, 1999, p. 237.

¹⁶See Kesic, March 1998, p. 100.

¹⁷See Memorandum by the Foreign and Commonwealth Office, May 23, 2000.

SOME RAMBOUILLET TERMS WOULD HAVE BEEN UNACCEPTABLE TO THE SERB PUBLIC

Given his long public commitment to the defense of Serb sovereignty and hegemony in Kosovo, Milosevic undoubtedly realized that he would run a serious risk of a massive popular backlash if he were to backpedal on this issue. This was probably the principal reason Milosevic never seriously attempted to negotiate a comprehensive settlement at Rambouillet. While the FRY/Serb delegates at Rambouillet did negotiate about the political arrangement proposed in the agreement, they refused to participate in talks about the security arrangements.¹⁸ Throughout the meetings leading up to the drafting of a final text at Rambouillet, the FRY/Serb delegates frequently played a game of delay and obstruction and sometimes abstained entirely from any constructive participation in the negotiating process.¹⁹ For a time, they apparently hoped that the Kosovo Albanian delegates would refuse to sign the agreement, which would have obviated Belgrade's need to sign as well.

When at the end of the Rambouillet meetings a majority of the Kosovo Albanian delegation voted to accept the text of the agreement, the FRY/Serb delegation demurred but offered to participate in a further round of negotiations. At the Paris follow-on talks, however, the FRY/Serb delegates sought to undo virtually the entire package of agreements negotiated at Rambouillet.²⁰ The Kosovo Albanian delegation signed the Rambouillet Agreement on March 18, but the FRY/Serb delegates refused, dismissing the Rambouillet text as a "non-agreement" and a Western diktat.²¹

¹⁸See Madeleine K. Albright (secretary of state), press conference following meetings on Kosovo, Rambouillet, France, February 23, 1999, as released by the Office of the Spokesman, Paris, France, U.S. Department of State, <http://www.secretary.state.gov/statement/1999/990223.html>.

¹⁹See Marc Weller, "The Rambouillet Conference on Kosovo," *International Affairs*, Vol. 75, No. 2, April 1999, pp. 228–236. For another account of the Rambouillet deliberations, see Ivo H. Daalder and Michael E. O'Hanlon, *Winning Ugly: NATO's War to Save Kosovo*, Washington, D.C.: Brookings Institution Press, 2000, pp. 77–91.

²⁰See Memorandum by the Foreign and Commonwealth Office, May 23, 2000.

²¹See Address by Ratko Markovic, Serbian Deputy Prime Minister and head of the Serbian delegation at the Rambouillet and Paris negotiations on Kosovo, in the Serbian parliament on March 23, 1999, as reported on Belgrade Radio, March 23, 1999, *FBIS* translated text, FTS19990323001225.

The Rambouillet provisions that Milosevic and other Serbs found most objectionable were the terms relating to the implementation of the agreement and the mechanism for a final settlement for Kosovo. The Kosovo Albanian delegates, before agreeing to the terms requiring a cease-fire and the disarmament of their forces, demanded that the Rambouillet text also include provisions “for a binding referendum on independence after a three-year interim period, and for a NATO ground force in the meantime. Unsurprisingly, these were also the most difficult points for the Belgrade delegation.”²²

The Kosovo Albanian demand for a NATO ground force was satisfied. The final draft of the agreement empowered NATO to “constitute and lead a military force to help ensure compliance” with the agreement. In addition, the agreement specified that the implementation force would operate under the authority and be “subject to the direction and the political control of the North Atlantic Council [NAC] through the NATO chain of command.”²³ While not so specified in the agreement, the size of this NATO-led force was expected to number around 38,000.

In conjunction with the introduction of this foreign implementation force, the FRY military and police presence in Kosovo was eventually to be reduced to no more than 75 border police and 2500 Yugoslav Army (VJ) border guard and support troops, whose operational area was to be restricted to a 5-km zone along Kosovo’s international borders.²⁴ Taken together, these provisions would have ceded the control of Kosovo to foreign troops, which was a prospect that was anathema both to Milosevic and to most Serbs.

Equally unacceptable to the Serb side was a clause added at the insistence of the Kosovo Albanian delegation that stipulated that

²²Memorandum by the Foreign and Commonwealth Office, May 23, 2000.

²³The force was to be “composed of ground, air, and maritime units from NATO and non-NATO nations.” See Rambouillet Agreement, *Interim Agreement for Peace and Self-Government in Kosovo*, Chapter 7, Implementation II, Article I: General Obligations, 1 (a and b).

²⁴See Rambouillet Agreement, Chapter 2, Article VI (2, a), and Chapter 7, Article IV: VJ Forces.

after three years the final status of Kosovo would be determined, *inter alia*, by “the will of the people”:

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.²⁵

While the wording of this provision fell far short of the “binding referendum” the Kosovo Albanians had demanded, their delegation obtained a written assurance (albeit in draft form) from the United States that this formula confirmed “a right for the people of Kosovo to hold a referendum on the final status of Kosovo after three years.” The assurance was conveyed in a draft letter that the Kosovo Albanian delegates were told Secretary of State Albright would sign if their delegation signed the Rambouillet Agreement by a set deadline.²⁶

Realizing that such a referendum would almost certainly produce a majority vote for independence, Milosevic must have viewed this

²⁵Rambouillet Agreement, Chapter 8, Amendment, Comprehensive, Assessment, and Final Clauses, Article I: Amendment and Comprehensive Assessment, (3).

²⁶The text of the letter read as follows:

Rambouillet, 22 February 1999

This letter concerns the formulation (attached) proposed for Chapter 8, Article I (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

See Judah, 2000, p. 215. It should be noted that the United States was guaranteeing the Kosovars a referendum no matter how Chapter 8, Article I (3) actually read. Furthermore, as Weller has noted, the assurance established a “legal right to hold a referendum of the people of Kosovo (as opposed, say, to the people of the FRY or the Serb Republic).” See Weller, April 1999, pp. 232 and 245.

provision as tantamount to guaranteeing Kosovo's eventual separation from the FRY. Even if the "will of the people" was only one of the several factors that were to determine a mechanism for a final settlement, it would have been "difficult," as a House of Commons report on the war put it, "to envisage a situation where a referendum would be held and then disregarded by the international community."²⁷

A final provision of the Rambouillet Agreement that would have proven unacceptable to FRY/Serb delegates had they been interested in actually negotiating a settlement concerned the status of NATO forces in the FRY. Chapter 7, Appendix B, gave NATO personnel, "together with their vehicles, vessels, aircraft, and equipment, free and unrestricted passage and unimpeded access throughout the FRY including associated air space and territorial waters. This shall include, but not be limited to, the right to bivouac, maneuver, billet, and utilization of any areas or facilities as required for support, training, and operations."²⁸ Among other rights, it also authorized NATO, as needed in the conduct of its operations, "to make improvements or modifications to certain infrastructure in the FRY, such as roads, bridges, tunnels, buildings, and utility systems."²⁹

Needless to say, such sweeping authority to infringe on FRY sovereignty was unacceptable to the FRY/Serb delegates, even if they did not cite it at the time as a principal reason for their refusal to accept the Rambouillet Agreement.³⁰ However, the Serbs would

²⁷See "The Kosovo Crisis After May 1997," Select Committee on Foreign Affairs, Fourth Report, House of Commons, May 23, 2000, <http://www.parliament.the.stationary.off.../pa/cm/199900/cmselect/cmcaff/28/2808/html>.

²⁸Rambouillet Agreement, Chapter 7, Appendix B: Status of Multi-National Military Implementation Force, (8).

²⁹Rambouillet Agreement, Chapter 7, Appendix B: Status of Multi-National Military Implementation Force, (22).

³⁰It is likely the Contact Group negotiators would have agreed to revise Chapter 7, Appendix B, and limit the status-of-forces rights only to the territory of Kosovo had this been necessary to secure the FRY/Serb delegation's signature on the Rambouillet Agreement. Western officials interviewed in the course of this research were unanimous in the view that the members of the Contact Group were ready to show significant flexibility in softening the terms of Chapter 7, Appendix B, of the Rambouillet Agreement. As it was, no changes were made in these terms because the FRY/Serb delegates refused to engage.

later make much of the fact that no such rights were accorded NATO or other foreign forces in the June 1999 war termination agreement.

ACCEPTING RAMBOUILLET WOULD HAVE BEEN DANGEROUS FOR MILOSEVIC

Milosevic probably calculated that accepting Rambouillet's terms without a fight or a consensus to yield on them among the Serbian populace would have endangered his continued hold on power. Milosevic had, after all, promised that Kosovo would "forever" be firmly tied to Serbia and that he would force the Kosovo Albanians to respect the Serbian authorities. Should he now accept the almost complete withdrawal of Serb army and police forces from Kosovo and the deployment of NATO troops in the province, he would undermine the foundation on which he had built his political career.³¹

Furthermore, it was clear that a large majority of the Serbian public opposed allowing foreign troops to enter Kosovo. Surveys conducted in February and March 1999 showed that the number of Serbian respondents opposing NATO troops in Kosovo had grown from about 78 percent at the time of the Rambouillet talks to more than 91 percent by the time of the final Paris meeting.³² No less than 69 percent of the respondents in a March telephone poll conducted by the Belgrade weekly *Nin* expressed the belief that Kosovo should be defended "at any cost" and said they stood ready to take part in its defense.³³

Milosevic almost certainly knew that a majority of the population would identify the arrival of foreign troops in Kosovo as "aggression." The instant Kosovo was no longer under Serbian military and police control, the Serbian voters would consider the province to be "lost" and "surrendered" to Albanian governance. As a consequence,

³¹See "The Kosovo Talks: Holbrooke as Last Chance," BETA, March 11, 1999, BETA Commentary, *FBIS* translated text, FTS19990311000225.

³²See *V.I.P. Daily News Report 1467*, March 23, 1999, p. 5.

³³The telephone opinion poll was based on a sample of 200 randomly selected Serbian citizens. See "Opinion Poll: 78.5% of Citizens Do Not Expect Air Strikes," BETA, March 18, 1999, *FBIS* translated excerpt, FTS19990318001456.

Milosevic would face tremendous voter opposition in the new elections that would become unavoidable if the Rambouillet Agreement were fully implemented.³⁴ Milosevic also knew that a decision to accept foreign troops would strengthen the influence and electoral prospects of the ultranationalist Serbian Radical Party, which would strongly oppose such a concession.³⁵

Milosevic was apparently being told by some of his VJ and other senior advisers that he would be “better off with NATO air strikes than with NATO ground troops in Kosovo.” Indeed, those hawkish advisers apparently asserted that the rally-around-the-flag effects of air strikes would serve to strengthen Milosevic’s political hand and that his position in Yugoslavia would “wax stronger with each new bomb dropped.”³⁶

Other advisers were reportedly counseling another course of action, cautioning that bombing “could prove dangerous” for the regime, but their advice was not being heeded. In the end, Milosevic came down on the side of rejecting Rambouillet. His decision to do so apparently reflected the judgment that he could be ousted from office if NATO troops entered Kosovo but that “air strikes would not bring about his overthrow.”³⁷

The calculations of some allied leaders that Milosevic would come to heel and accept the terms of the Rambouillet Agreement after a few days of bombing seem to have been predicated on a misestimate of how Milosevic would view his options. Their miscalculations seem to have been influenced at least in part by the effectiveness of limited NATO bombing in bringing the conflict in Bosnia-Herzegovina to a close in 1995 and by the Dayton negotiation experience, where

³⁴The elections in Kosovo to select new delegates for the Serbian legislature and the FRY parliament mandated by the Rambouillet Agreement would almost certainly have required new elections in Serbia and Montenegro as well. See “BETA Examines Milosevic’s Kosovo Options, BETA, March 4, 1999, *FBIS* translated text, FTS19990304000223, and “BETA Sees Belgrade Profiting from Strikes,” BETA, March 18, 1999, *FBIS* translated text, FTS19990318000546.

³⁵See “The Kosovo Talks: Holbrooke as Last Chance,” March 11, 1999.

³⁶See *V.I.P. Daily News Report 1465*, March 19, 1999, p. 2, and *1471*, March 27, 1999, p. 4.

³⁷See *V.I.P. Daily News Report 1465*, March 19, 1999, p. 2, and *1471*, March 27, 1999, p. 4.

Milosevic conceded on most of the demands being made of the Bosnian Serbs. The NATO leaders may also have been misled by Milosevic's apparent readiness to yield under a NATO bombing threat in October 1998. But this time the stakes were different, for as the authors of one study put it, Milosevic "could not relinquish Kosovo—which Serbs regarded as the heart of Serbia itself—and hope to survive."³⁸

³⁸See Doder and Branson, 1999, p. 8.