



Bombs Away

By Tom Barry, Codirector, Foreign Policy in Focus

By calling for air strikes against Serbian targets the Clinton administration made good on its threat to Yugoslavia's president Slobodan Milosevic: either accept NATO peace-keeping forces or face the wrath of the West. On March 24, 1999, "smart" laser-guided bombs began falling over the provinces of Serbia and Kosovo to demonstrate NATO's resolve to assert control over the region.

After nearly two months of the bombing campaign, Serbian forces have managed to continue their own campaign to assert ethnic control over Kosovo by ridding the province of the insurgent Kosovo Liberation Army (KLA) and hundreds of thousands of Kosovar Albanians (who constitute an estimated 90% of the province's population). Failing to achieve a quick fix, NATO has steadily expanded the range of its bombing missions. The high-tech onslaught targets not only military facilities and forces but also Serbia's entire public infrastructure, resulting in the routine loss of civilian lives. In the face of unexpected Serbian resolve, NATO is preparing to introduce Apache attack helicopters, intensified

the bombing campaign, and discussed the introduction of ground troops. Simultaneously, the Clinton administration dismissed as nonstarters peace initiatives and diplomatic openings from UN Secretary General Kofi Annan, the Pope, Germany, Rev. Jesse Jackson, and an ad hoc, bipartisan congressional delegation. Similarly, it has rejected calls by Russia and China for NATO to halt the destructive but unsuccessful bombing campaign as a way to facilitate a UN-sponsored settlement.

The launching of NATO's bombing campaign came on the eve of the alliance's 50th

anniversary. Functioning during the cold war as a U.S.-led defensive alliance to protect Western Europe against Soviet aggression, NATO in the post-cold war years has sought to recreate itself as the main guardian of regional interests and stability. Rather than disbanding with the demise of the Soviet Union, NATO has expanded its membership and mission at the urging of Washington. As predicted by NATO critics, the revived NATO has seriously undermined security relations with Russia and has further degraded the UN's authority. After NATO bombs demolished the Chinese Embassy in Belgrade, U.S.-China relations sharply deteriorated, further reducing the likelihood of a Security Council-endorsed settlement satisfactory to Washington.

Unlike the bombing campaign against Iraq in response to its occupation of Kuwait, the bombing of Yugoslavia was not authorized by the UN. The Serbian forces made no extraterritorial advances but were pursuing within their own

country a counterinsurgency campaign against an emerging guerrilla army. Citing the need to preserve stability in Europe and to protect the Kosovar Albanians against Serbian ethno-fascism, NATO—led by Washington—initiated an offensive operation against a sovereign European state. It is the latest and most aggressive of the U.S.-led "humanitarian interventions" of the post-cold war period.

The dynamics of conflict and intervention in the Balkans embody many of the new peace and security challenges of the post-cold war era. The containment, revolutionary, and rollback strategies that characterized the bipolar security environment of the cold war decades have given way to a situation in which civil wars, ethnic and religious conflicts, humanitarian crises, failed states, and looming environmental problems are the leading challenges to maintaining global peace and stability.

Strutting on the world stage with the arrogance of power (and liberal rhetoric) so typical of the U.S. foreign policy establishment, the Clinton administration decided to demonstrate the U.S. and NATO's determination to rid Europe of its most persistent challenge to stability. Although world opinion (with the prominent exceptions of China and Russia) largely applauded this latest U.S.-led "humanitarian intervention" (earlier cases include Somalia, Haiti, and Bosnia), the bombing campaign raises an array of troubling questions about the action's legal, moral, institutional, military, and political implications. Clearly, the bombing circumvents the authority of the United Nations and thereby violates international law. An argument can be made that when international human rights norms are grossly violated by sovereign nations, the necessity for swift intervention offsets the need to respect international laws and institutions. Yet if one accepts this argument, questions remain about whether the severity of the humanitarian crisis in Kosovo warranted this abrogation of international law and the further degradation of the UN.

Also of concern is Washington's increasing practice, reinforced by its new stature as the world's single superpower, to regard itself as the final arbiter of when and where intervention is needed to enforce international norms. Having NATO—as the world's most powerful military alliance—available to enforce the U.S. vision of international stability heightens this concern.

Aside from these important questions of law and procedure are the more immediate repercussions of the bombing campaign, including the humanitarian crisis of refugees and internally displaced persons resulting from this intervention, signs of regional political and economic destabilization, and the heightening of NATO-Russia and U.S.-China tensions. Despite declared humanitarian intentions and a stated commitment to diplomatic solutions, the U.S.-led NATO command—caught up in its own credibility crisis and lack of strategic mission—has made the Balkans a more volatile, dangerous place.

Key Points

- The U.S. has dismissed calls by Russia and China for an immediate bombing halt to hasten a UN-sponsored settlement.
- The dynamics of conflict and intervention in the Balkans embody many of the new peace and security challenges of the post-cold war era.
- The U.S.-led NATO command—caught up in its own credibility crisis and lack of strategic mission—has made the Balkans a more volatile, dangerous place.

The array of problems associated with NATO policy in Kosovo should not be attributed solely to a misdirected U.S. foreign policy. At the core of this crisis stand Slobodan Milosevic and his Serbian forces that have appealed to ethnic identity to construct a sense of nationhood in the political and economic disarray following the end of the cold war. This policy—which has included campaigns of ethnic cleansing—secured Milosevic's political power during the Bosnia conflict and appears to be working in Kosovo.

Given their proximity to the unfolding civil wars and ethnic conflicts in the former Yugoslavia, the European political leaders also bear a major share of the responsibility for addressing the deepening humanitarian crisis in their own backyard. Given its belated and ineffective role in resolving the conflict in Bosnia, the UN as an institution and as a forum for all the world's nations also must share the blame for the continuing humanitarian crisis in the Balkans. It failed to assert itself sooner in Bosnia, didn't develop the intelligence and response capabilities necessary to address this type of internal conflict, and it gave the U.S. and NATO too much latitude in acting independently as its regional enforcement arm in Bosnia.

The conflict in the Balkans, despite its own particular history and complexities, is emblematic of a worldwide problem of humanitarian crises resulting from internal strife. Unconstrained by a security framework shaped by the U.S.-Soviet power balance and spheres of influence, policymakers face the challenge of defining new rules of engagement: why, where, and how to intervene to maintain global stability and uphold international human rights norms. As the world's undisputed military and economic power and as the dominant influence in such multilateral institutions as NATO, the IMF, and the UN, the U.S. plays a key role in shaping these new rules. For the most part—and certainly in the case of the Balkans bombing campaign—the U.S. has not used its power responsibly.

The U.S. has squandered the opportunity presented by the end of the cold war to strengthen multilateral capacities for preventive diplomacy, conflict resolution, and peace enforcement. Instead of working to reform and empower the UN and to strengthen inclusive conflict-resolution entities like the Organization of Security Cooperation in Europe (OSCE), the U.S. has chosen to establish itself as the "globocop" of the new world order. When convenient, the U.S. will exercise its power through the UN, as it did in the Persian Gulf War. But increasingly, as in the current bombing campaigns against Serbia and Iraq, the U.S. has held itself above international law and appropriated the right to define new rules of global engagement. As part of its global policing strategy, the U.S. has decided to relegate the UN to the sidelines and establish NATO as its primary instrument for maintaining regional and perhaps international order.

The folly of this strategy and its adverse consequences are becoming increasingly evident in the Balkans:

International Law: Although the U.S. system of governance is based on a series of checks and balances, Washington has by its actions demonstrated its unwillingness to abide by such a system of global

governance. The main legal check is Article 2 of the UN Charter, which prohibits nondefensive military action without Security Council authorization. By failing to seek UN authorization (fearing a Chinese and Russian veto) for the bombing campaign and asserting the independence of NATO, the Clinton administration has further undermined the credibility of its own global leadership while seriously degrading the authority of the UN. Security Council deliberations over the need to enforce international norms would have likely forced Washington to pursue a judicious strategy of negotiations and international pressure (involving Russia) aimed at halting gross human rights abuses in Kosovo.

Humanitarian Crisis: The bombing campaign has resulted in the largest refugee flow in Europe since World War II. The U.S.-ordered departure of OSCE monitors and the bombing itself gave Milosevic the opening and justification to pursue an ethnic cleansing campaign that will set the stage for the eventual inclusion of Serbian-held, ethnically cleansed areas of Kosovo into the existing province of Serbia. By extending the bombing campaign to nonmilitary targets, the bombing is terrorizing the entire population of Yugoslavia, destroying the basic public infrastructure, undermining the advances of Serbia's democratic opposition, and reinforcing convictions that the U.S. is an imperial bully.

Political/Military Repercussions: The bombing campaign has bolstered the dubious credentials of the KLA (who only a year ago were regarded as terrorists by the international community), defining it as the legitimate representative of the Kosovar Albanians and has brought Albania into the war. By escalating ethnic tensions and increasing refugee flows, the bombing campaign threatens to destabilize neighboring Macedonia, and the province of Montenegro fears that it too will be overcome by the widening war. On the world stage, the NATO air campaign has heightened tensions with Russia and angered China, thereby creating new security concerns for the United States. Meanwhile, the war has also given rise in the U.S. to successful Republican pressure to pad the military war chest.

As long as the bombing campaign continues, these and other problems (such as the economic and environmental damage) will likely worsen, making a negotiated solution ever more difficult and post-war reconstruction more expensive. Especially worrisome is the belief of many U.S. policymakers and military strategists that the U.S. and NATO must now persist and prevail—whatever the cost and no matter how reckless the decision to intervene was—because our credibility is at stake. Such sentiment echoes that of U.S. officials in the 1960s while they unconsciously led the country into the deepening Vietnam quagmire.

Key Problems

- The U.S. has held itself above international law and appropriated the right to define new rules of global engagement.
 - The bombing campaign has resulted in the largest refugee flow in Europe since World War II, something NATO failed to publicly predict or prepare for.
 - The U.S. believes NATO must persist and prevail—whatever the cost and no matter how reckless the decision to bomb was—because our credibility is at stake.
-

The NATO bombing should stop. The campaign has failed to meet its strategic objectives of preventing a humanitarian crisis, forcing Milosevic to negotiate a settlement, and building a more stable security environment in Europe. Instead, the bombing has proved counterproductive on all three counts. The humanitarian crisis has deepened, the resolve of the Serbs to resist NATO has increased, and the credibility of NATO as an instrument to ensure European stability (without threatening Russia) has been irrevocably dashed.

Key Recommendations

- The halt to the bombing should be immediate and unconditional.
- The U.S. should support a truly international peacekeeping force.
- The U.S. bears a heavy responsibility to ensure the well-being and resettlement of the refugees and internally displaced population.

Continuing the war against Serbia by other means—either through a ground invasion or by support of the KLA as a U.S. surrogate—would likely have the same counterproductive results and should not be considered as viable options.

Continued NATO reliance on superior military might to resolve the Kosovo crisis is certainly misguided. The air attacks contravene international law and set a dangerous

precedent of the alliance injecting itself militarily into civil wars. Furthermore, NATO has failed to demonstrate that it has the capability and commitment to implement a military solution that will not destroy the country in order to save it. Similarly, the NATO command and the U.S. have failed to articulate a vision of a military solution that is just and equitable—the conditions necessary for an enduring peace. There are, of course, no guarantees that diplomatic pressure and negotiations would establish the conditions that would foster a permanent peace. But such diplomatic activity, unencumbered by an ill-considered bombing campaign, would likely enjoy broad international support and avoid the considerable human, material, and economic cost of the military approach.

The halt to the bombing should be immediate and unconditional. Such an opening would defuse tensions with Russia, increase the opportunities for UN involvement, and likely open Serbia to the presence of foreign journalists, relief agencies, and other nongovernmental organizations. It would also increase the burden on the international diplomatic community to intensify pressure on Serbia. Empowered by the Security Council and with the concurrence of the U.S., Russia would be in a promising position to engineer the terms under which Kosovo could be demilitarized and the Albanian Kosovars could return home.

The end of the bombing and the resumption of negotiations would not untie the Kosovo knot. However, sev-

eral basic accords could restore a degree of stability necessary for any enduring solution:

- Serbia must agree to stop its campaign of ethnic cleansing and to withdraw its forces from Kosovo.
- International peacekeepers (not NATO forces as the U.S. had insisted at Rambouillet but an international team, including Russians, under joint UN-OSCE supervision) should be stationed in Kosovo to monitor any transgressions by either Serbian or KLA forces.
- Kosovar Albanians should be allowed to return to their homes.
- Upon completion of an initial settlement, international economic sanctions against Yugoslavia should be terminated and a generous package of reconstruction aid should be authorized by the UN, with NATO countries providing most of the funding.

International diplomacy under the auspices of the UN would maintain pressure on Serbia to address the likely demands of Kosovar Albanians for autonomy (rescinded by Milosevic in 1989), the establishment of a UN protectorate, or eventual independence. In the event that Serbia failed to halt its ethnic cleansing operations, the U.S. and other concerned countries could seek UN authorization for a military solution.

As NATO's leading member, the U.S. bears a heavy moral and financial responsibility to ensure the well-being and permanent resettlement of the refugees and internally displaced people in Kosovo. The administration and Congress didn't let budgetary constraints limit the expense of their "humanitarian intervention" against Serbia. They should be just as generous in addressing the humanitarian crisis in its wake.

The Clinton administration is right that gross transgressions of international norms should not be tolerated by the world community. But Washington should not establish either itself or NATO as the arbiter and enforcer of international law. The one positive development that may emerge from Washington's misguided response to the Kosovo crisis is the realization that the United Nations must be reformed (overhaul the voting structure and composition of the Security Council and General Assembly), sustained (with adequate financing), and empowered (with its own standing volunteer army and rapid deployment and intelligence capabilities) to make it a more credible and effective institution. Combined with a new commitment on the part of the U.S. to preventive diplomacy and peacekeeping, the world community could respond to humanitarian crises with smart conflict-resolution strategies—not with smart bombs.

Foreign Policy in Focus is a joint project of the Interhemispheric Resource Center (IRC) and the Institute for Policy Studies (IPS). The project depends on sales and subscription income, individual donors, and grants from The John D. and Catherine T. MacArthur Foundation, General Service Foundation, and various church organizations. *In Focus* internships are available. ISSN 1524-1939

Editors
Tom Barry (IRC)
Martha Honey (IPS)

Production
Grant Moser (IRC)

Communications Director
Tim McGivern (IRC)

Orders and subscription information:

Mail: PO Box 4506
Albuquerque, New Mexico 87196-4506
Voice: (505) 842-8288
Fax: (505) 246-1601
Email: resourcectr@igc.apc.org

Editorial inquiries and information:

IRC Editor	IPS Editor
Voice: (505) 388-0208	Voice: (202) 234-9382/3 ext. 232
Fax: (505) 388-0619	Fax: (202) 387-7915
Email: resourcectr@igc.apc.org	Email: ipsps@igc.apc.org

Website: <http://www.foreignpolicy-infocus.org>

Sources for More Information

British American Security Information Council (BASIC)
 1900 L Street NW, Suite 401
 Washington, DC 20036
 Voice: (202) 785-1256
 Fax: (202) 387-6298
 Email: basicus@basicint.org
 Website: <http://www.basicint.org>

Center for Constitutional Rights
 666 Broadway, 7th Floor
 New York, New York 10012
 Voice: (212) 614-6464
 Fax: (212) 614 6499

Center for Defense Information
 1779 Massachusetts Ave, NW, Ste. 615
 Washington, DC 20036
 Voice: (202) 332-0600
 Fax: (202) 462-4559
 Email: tvalasek@cdi.org

Websites

Center for Defense Information NATO Page
<http://www.cdi.org/issues/europe/nato.html>

Destroying Kosovo
<http://www.thenation.com>

Foreign Policy In Focus Kosovo Crisis Page
<http://www.foreignpolicy-infocus.org>

International Action Center
<http://www.iacenter.org>

John Albee's directory of links on the Balkans
<http://home.revealed.net/albee/pages/Balkans.html>

Legal Guide to the Kosovo Conflict
<http://jurist.law.pitt.edu/kosovo.htm>

NATO at Fifty (maintained by USIA)
<http://www.nato50.gov/>

Nonviolent Activist
<http://www.nonviolence.org>

Organization for Security and Cooperation in Europe (OSCE)
<http://www.osceprag.cz/>

Z Magazine
<http://www.zmag.org/ZMag/kosovo.htm>

Related FPIF Briefs

NATO at 50
 (vol. 4, no 11)

Macedonia
 (vol. 3, no. 7)

Albania
 (vol. 2, no. 33)

U.S.-UN Relations
 (vol. 1, no. 19)

Costs and Dangers of NATO Expansion
 (vol. 1, no. 16)



Visit the Internet Gateway to Foreign Policy Information
<http://www.foreignpolicy-infocus.org>



Subscription Information

You can subscribe to *In Focus* at one of three levels, receive *In Focus* in one of five ways, and choose which categories of *In Focus* you want to receive. Mark the level of subscription you want, how you want *In Focus* delivered, and the topic categories you want. No extra charge for email delivery to mail and fax subscribers. (Individual copies of *In Focus* are \$2.50, postpaid; bulk orders of *In Focus* are \$12.00 for 10 copies of the same issue, postpaid; orders for delivery outside the US are double the listed prices. Subscriptions do not include back issues. Contact the IRC for a list of available back issues.) Make checks payable to the Interhemispheric Resource Center. We also accept VISA and MasterCard.

U.S. Subscription Level

- \$15 10 briefs
- \$30 20 briefs
- \$60 50 briefs

Foreign Subscription Level

- \$30 10 briefs
- \$60 20 briefs
- \$120 50 briefs

Delivery

- Regular mail
- Fax only
- Email only
- Regular mail & email
- Fax and email

Topic Categories

- All (receive all briefs)
- Drug Control
- Environment
- Financial Flows & Investment
- Food and Farm
- Foreign Policy Overview
- Global Governance/UN
- Government Agencies
- Human Rights and Democracy
- Int'l Financial Institutions and Debt
- Labor
- Military and Peace
- Trade
- Africa
- Asia/Pacific
- Central and Eastern Europe
- Former Soviet Union
- Latin America & Caribbean
- Middle East
- Western Europe

Name Institution

Street Address

City State Zip Code

VISA/MasterCard Number Expiration Date

Signature Daytime Phone Fax Number Email Address

Send subscription to:

Interhemispheric Resource Center ♦ Box 4506 ♦ Albuquerque, NM 87196-4506

Voice: (505) 842-8288 ♦ Fax: (505) 246-1601 ♦ Email: resourcectr@igc.apc.org ♦ Website: <http://www.foreignpolicy-infocus.org>