

What the British Foreign Affairs Select Committee on Kosovo reported

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The following article summarises some of the main findings contained in the report on NATO's war against Yugoslavia issued last week by the British parliamentary Foreign Affairs Select Committee. (*See accompanying article*: "British parliamentary committee admits NATO bombing of Yugoslavia was illegal").

* Role of the KLA in the pre-war conflict in Kosovo

The report of the Foreign Affairs Select Committee (FSC) acknowledges that much of the province's recent crisis was attributable to terrorist activities pursued by extreme Albanian separatists, which were met with brutal counterinsurgency measures by the Milosevic regime.

It states: "The KLA or UCK first publicly announced itself in February 1996 by launching an attack in northern Kosovo on Krajina Serb refugees. There followed several more attacks upon Serb police and civilians". These attacks were fuelled by "the collapse of the Albanian state in March 1997 [which] gave the KLA access to thousands of weapons looted from the Albanian military arsenals, permitting the KLA to intensify their assaults on Serb security forces in Kosovo. Belgrade began to target known KLA activists and sympathisers."

Up until the late 1990s, Western policy had been to avoid a direct conflict with Milosevic, although both President's Bush and Clinton had earlier made threats of military action over Kosovo. These threats became more strident in 1998.

* The Rambouillet talks: a US-orchestrated provocation

At the Rambouillet Conference in February 1999, "NATO was guilty of a serious blunder in allowing a Status of Forces Agreement into the package, which would never have been acceptable to the Yugoslav side, since it was a significant infringement of its sovereignty." This refers to NATO insistence that its forces have free movement throughout the Federal Republic of Yugoslavia, not just in Kosovo.

The report notes the remarks of a former Canadian ambassador to Yugoslavia that "it is now generally accepted by those who have seen the Rambouillet Agreement that no sovereign state could have agreed to its conditions".

The ambassador adds that the "demand that a referendum on autonomy be held within three years guaranteed a Serbian rejection". The report admits that it was necessary to "tilt" the agreement in this way to get the Kosovar Albanians to sign up,

which was crucial in establishing a pretext for military action against Serbia, "because unless Milosevic could be blamed for the collapse of the talks, it would be difficult to justify the use of force against him."

The report also reveals that the US made a separate agreement with the Kosovar Albanian delegation at Rambouillet for a referendum on Kosovan independence to be held in the province within three years. Such "unilateralism harmed progress", as this side agreement, made in a letter from US Secretary of State Madeleine Albright, contradicted the terms under discussion in Rambouillet.

* Exaggerated allegations of "ethnic cleansing"

German politicians claimed that Milosevic had a deliberate plan of ethnic cleansing and cantonisation—"Operation Horseshoe". This was used to illustrate Milosevic's brutality and the need for NATO to take decisive measures. But a former German general is cited in the FSC report alleging that the politicians had "misquoted" an original Bulgarian intelligence source, so as to imply that "the goal of the Serbian military was to expel the entire Kosovo Albanian population, rather than destroying the KLA".

The report states that there is no evidence that the Serbs aimed at ethnic cantonisation prior to NATO's bombing campaign, and that even during it, there was no organised plan to expel Kosovar Albanians. During the NATO bombardment the picture was "one of generalised violence against the Kosovo Albanians, with some elements organised from Belgrade, but much of the violence was not carefully orchestrated."

* NATO's military action and international law

"Operation Allied Force was contrary to the specific terms of what might be termed the basic law of the international community—the UN charter ... at the very least, the doctrine of humanitarian intervention has a tenuous basis in current international customary law, and that this renders NATO action legally questionable". Moreover, "Legal authorities ... agree that the provisions of the UN character were thus not complied with."

The committee found that the use of cluster bombs and depleted uranium munitions during NATO's attack on Yugoslavia could be deemed as deploying "indiscriminate weapons" under the 1977 Protocol to the Geneva Convention,

and might thereby be prohibited. However, neither are “specifically proscribed” by international agreements, the FSC states. The government should “consider” the use of cluster bombs in future engagements and “set out their view of the circumstances in which it will be both acceptable and lawful for depleted uranium munitions to be used by the UK or its allies in conflicts involving British forces”.

The FSC recommends that “the Government examine whether any new legal instrument is necessary to allow NATO to take action in future in the same manner as it did in Kosovo”.

*** Kosovo after the war**

The FSC report states bluntly that “there is little likelihood in the short to medium term of a multi-ethnic Serb and Albanian society being secured”. It notes that more than half of the 200,000 Serbs who lived in Kosovo prior to the conflict have now fled and some 15,000 former KLA fighters have registered for membership in the UN-backed Kosovo Protection Corps (KPC). Those not accepted are given priority for other public posts.

The KPC appears to “the outside observer to be more akin to a paramilitary force than a civilian force”. The KLA is widely perceived as a criminal, mafia-type organisation involved in drugs and prostitution, and has little support outside of former activists and rural people from the Drenica heartlands. The FSC states, “It was clear from our discussions with Kosovo Albanian political leaders that the political groupings in Kosovo are based around personal and family allegiances and not ideology”.

There is currently no possibility of fair trials being held for “inter-ethnic crimes” and “mono-ethnic crimes” in Kosovo. The province has the highest unemployment rate in Europe and welfare benefit payments are currently only being made to 4,000 families, i.e., those aged 70 and over, single parents and disabled. They received, on average, just £30 per month.

Northern Ireland's Royal Ulster Constabulary—notorious for its role in oppressing the Catholic minority—has made an important contribution in Kosovo and more of its officers could be sent to the Balkans, the report concludes.

There is no efficient tax system in Kosovo and “armed men ... evade[d] their tax dues.” It recommends that NATO forces should “deal vigorously with those accused of evading taxes”.

Regarding the tensions around the Presevo Valley, part of Serbia proper but described by Albanian nationalists as “Eastern Kosovo”, Britain's Foreign Secretary Robin Cook has said that the principal cause of trouble is the “activity of Albanian hardliners”, aiming to provoke Milosevic into repression so as to engage NATO in further military action against Yugoslavia.

*** Future plans for the Balkans**

The FSC recommends that the “ambiguity about the future [of Kosovo's status] may well be the best course of action to follow”. Consequently, “the present interim status for Kosovo

is likely to remain in place for an indeterminate period”.

The committee advises the British government to continue utilising tensions between Yugoslavia and Montenegro to undermine Milosevic. It praises Montenegrin President Milo Djukanovic's free market reforms, including efforts made to privatise former state-run industries. Djukanovic has repeatedly sought to loosen ties with the Yugoslav confederation—despite widespread public opposition—and recently unilaterally adopted the German mark as a parallel currency to the Yugoslav dinar.

Having made explicit the dangers of civil war inherent in this situation, the FSC recommends “the government continue to encourage the maximum degree of autonomy for Montenegro without endangering regional stability”.

The FSC complains that the West is technically prevented from giving direct financial aid to Montenegro as it is only a province of Yugoslavia, and World Bank rules stipulate that only a sovereign country can receive help. But noting that the World Bank has found “an imaginative way around” this problem by establishing a “Trust Fund for Montenegro”, it recommends that the European Union seek a similar solution.

As to Serbia, the report says it should be made clear that any renewed dealings “will be necessarily tough and must include the ousting of Milosevic.... [A]ssistance should not be forthcoming unless and until there is a new government committed to the market system.”

The FSC recommends that the British government give direct assistance to the Serbian opposition so as to achieve “Milosevic's removal as well as ensuring that any government which replaces him is well-disposed to the west”. The UK government has established a £3 million fund to support the Serbian opposition and EU funds are also being channelled through the Stability Pact.

Finally, the FSC “strongly” recommends that NATO build up the concentration of Western troops in the region and make clear its intention to offer all support to “protect the democratic government of Montenegro”.



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