David vs. Goliath: NATO war against Yugoslavia and its implications

Edited by Nebojša Vuković





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INTRODUCTION

The NATO aggression against the Federal Republic of Yugoslavia in 1999 is one of the most tragic episodes in the modern history of the Serbian people. In military terms, this conflict was almost absurd: the largest military coalition in history attacked a small and isolated country with a genuine threat to destroy it utterly. From the political and cultural point of view, this conflict brought to Serbia besides terrible destruction and numerous victims, a profound disappointment because the war was initiated by its former allies from the two great world wars.

During the 20th century, in the First Balkan War and the First and Second World War, Serbia mainly fought against far superior enemies (the Ottoman Empire, the Austro-Hungarian Empire, Imperial Germany and later Nazi Germany) but always with a strong motive of freedom in the foreground. Serbia emerged as a winner and part of the winning alliances from all these conflicts. In so far, the military attack of the nineteen NATO member states on Serbia, i.e., the former FR Yugoslavia (the remaining federation of Serbia and Montenegro after the dissolution of the "Great Yugoslavia"), conducted by an alliance of some major allies from the previous wars (France, United Kingdom, USA), represented an enormous civilizational shock to the Serbian people. It was hard to comprehend and accept the ideological, political and "humanitarian" reasons declared by the Western allies as justification for their warfare. From this perspective, it can be stated that the fallen members of the Yugoslav Army and the Ministry of the Interior of Serbia demonstrated heroism and courage equal to those of their ancestors who fought in the previous wars for freedom and honor of the homeland. On the occasion of two decades of this, for many reasons, a unique war in military history, the Faculty of Security Studies of the University of Belgrade and the Institute of International Politics and Economics from Belgrade decided to publish the international thematic collection of scientific papers.

Besides the authors from Serbia, we included into this project the authors from countries from four continents – Europe, Asia, North America, and South America. The review team consists of distinguished scientists from China, the United States, Brazil, and Poland.

This collection of papers is divided into five thematic units. In the first unit, prominent scientists in the field of international public law perceive the NATO's aggression on the FRY from a legal point of view, problematizing the Alliance's military action from the point of legality and legitimacy. Unambiguous and argumentative facts have backed up the conclusion that the NATO war against the FRY did not have a foothold in international law and that its conduct violated several of its key norms. Simultaneously, it is indicated that the current world order, which relies, albeit formally, on the United Nations Organization, is not functioning for the benefit of smaller and weaker subjects of international relations at all, but unfortunately, the great and powerful forces act according to their own will, finding justifications in human principles and the defense of human rights.

The second unit consists of works which examine the NATO aggression in the regional and continental geopolitical context and analyze the crucial political-geographical, geoeconomic and geostrategic factors which led to the war in 1999. In their works, the authors demonstrate how the interests of big and small actors in the Balkans have crossed, how it has reflected on the intensification of the ethnic crisis in Kosovo and Metohija, and finally - how and why the military action against the FR Yugoslavia took place. Moreover, these works also point to the long-term harmful effects caused by the NATO aggression, not only regarding the territorial integrity and sovereignty of the Republic of Serbia but also in the context of the interethnic and geopolitical relations on the Balkan Peninsula.

In the third unit of this collection of papers, the 1999 war in the FR Yugoslavia is analyzed in an even wider context – from the angle of global relations and world politics. The authors, whose works are represented in this thematic unit, suggest the 1999 aggression on the FRY occurred during a specific period of international relations when only one power (USA) dominated the planetary political scene. It was a unipolar order, which manifested precisely during the transition from the 20th to the 21st century, through a series of US military interventions in the world (FRY, Afghanistan, Iraq, etc.). The papers point to a significant change in power relations in the world, as well as the cooperation of other great powers (China, Russia, etc.) to create more balanced political circumstances in the world and prevent the recurrence of the situation from 1999.

The fourth unit contains works focusing on certain aspects of the modus operandi of NATO and the US armed forces as the leading force within the Alliance. Among other facts, the works display the operational concept of NATO crisis management. Next, they demonstrate the fact that the doctrine of the low-intensity conflict was partially used during the preparation and the aggression itself. Moreover, the works emphasize that the media preparation for the aggression has been carried out through manipulation of the world public opinion. The key importance of the strategic use of US aviation and aviation of other NATO countries during the aggression is also highlighted. Readers will be able to learn many details about the preparation and implementation of the aggression on the FRY in 1999, which have not been widely known or present in scientific works so far.

The fifth unit of the collection of papers relates to the questions of NATO's purpose in this century, its role and goals in changed geopolitical circumstances in the world. Subsequently, it deals with NATO's relations with countries which are not its members. Finally, at the very end of the proceedings, the damage caused by the 1999 aggression to the FR Yugoslavia is presented. The said damage (here we are not referring to the lost lives, which represent an irrecoverable loss) is not only economical (financial) but also ecological and cultural, even civilizational - thus, in overall, a multidimensional one. We thought it was instructive and convenient to conclude the collection with the works that contain the exact data and calculations of damage, and images of the destroyed country.

In closing, from the published works, we can draw some summarised and general conclusions. The 1999 aggression on the FRY did not have legitimacy or legality. The aggression was conditioned *inter alia* by specific geopolitical circumstances in the Balkans, as well as the egoistic interests of the great powers, above all the United States. The war against the FR Yugoslavia or Serbia occurred in a period when the unipolar order was at its pinnacle and the United States, as its leader, did not have an equal rival on the international scene. Finally, it is certain that a similar aggression today would be much more difficult to perform. NATO members, above all the United States, have prepared war operations carefully and have taken a number of measures to provide and support them logistically, informatively and with intelligence data. The damage inflicted on the FRY is enormous, but the future of the Alliance (its further development, functioning and engagement) is not entirely certain. We hope the works published in this international thematic collection of papers will help researchers around the world to understand the tragic events of 1999 more qualitatively and comprehensively, as well as the role of Serbia and all other actors. That was the principal purpose of publishing this collection of papers.

Dean of the Faculty of Security Studies at the University of Belgrade Professor Vladimir N. Cvetković, Ph.D.

Director of the Institute of International Politics and Economics Professor Branislav Đorđević, Ph.D.

SPECIAL CONTRIBUTION

A LETTER FROM BEIJING: HOW CHINA HAS EXPERIENCED THE 1999 BOMBING OF FR YUGOSLAVIA¹

LIU Zuokui, Ph.D.²

On the night of 24 March 1999, at 20 p.m. local time, the violent bombing sound awakened quiet Kosovo. NATO air strikes against Yugoslavia began. This military action represented a sudden and brutal interference in the internal affairs of the Yugoslav Federation. The international community was shocked and worried about the situation in the Balkans. NATO used the so-called "national disaster" in Kosovo as an excuse to attack since the FR Yugoslavia refused its request to send troops to Kosovo to maintain peace. NATO neglected the global public opinion and launched a large-scale military strike against Yugoslavia. Its military intervention on a sovereign state without the authorization of the UN Security Council was a dangerous precedent of naked aggression never seen before in the history of NATO which should have been strongly condemned ("People's Daily", 25 March 1999).

¹ Besides the Federal Republic of Yugoslavia, during the NATO aggression in 1999, another country suffered direct destruction and casualties - the People's Republic of China. On the night of 7 May 1999, the US Air Force with several missiles hit the Chinese embassy, causing the deaths of three Chinese citizens and substantial material damage to the embassy building. By the attack on the Chinese embassy, the sovereignty of the People's Republic of China was severely violated. In memory of victims from friendly China, the publishers of this collection of papers - the Institute of International Politics and Economics and the Faculty of Security Studies - have invited a prominent Chinese scientist in the field of international relations, Mr. LIU Zuokui, to briefly illustrate the attitude and reaction of the PR China to the NATO aggression on the FRY in 1999.

² Senior Research Fellow of Chinese Academy of Social Sciences (CASS) and the Director of the Department of Central and Eastern European Studies, Institute of European Studies, CASS, and the Director of the China-CEEC Think Tanks Exchange and Cooperation Network Office.

Xinhua News Agency, Beijing, 25 March, The Ministry of Foreign Affairs of the People's Republic of China issued a statement regarding NATO's air strike against the Federal Republic of Yugoslavia. The full text of the statement is as follows: On March 25th, the North Atlantic Treaty Organization headed by the United States deployed air military forces to carry out air strikes against the Federal Republic of Yugoslavia, causing serious damage and casualties. The situation in the Balkans has deteriorated drastically. The Chinese government is deeply worried about this. The Kosovo issue is the internal affairs of Yugoslavia and should be resolved by the Yugoslavia parties. All countries should respect the sovereignty and territorial integrity of Yugoslavia. In the recent period, the parties concerned have made active efforts to resolve the crisis politically. The peace talks on the Kosovo issue have made some progress. The Chinese government has consistently advocated the peaceful settlement of disputes through negotiations; it opposes force or threats of force in international affairs, advocates respect for the sovereignty and territorial integrity of all countries, respects the right of countries to choose their own development path and opposes interference in other internal affairs by any excuse or means. More opposed to bypassing the United Nations and each acting in its own way. The Chinese government strongly urges the immediate cessation of military attacks on Yugoslavia and calls on the international community and the Yugoslavia parties to work together to calm and resolve the crisis as soon as possible so as to restore peace in the Balkans at an early date ("People's Daily", 25 March 1999).

On 26 March, Chinese permanent representative to the UN Qin Huasun said in a speech at the Security Council that China strongly opposed NATO military actions against Yugoslavia. He urged NATO to stop immediately this brutal violation of the UN Charter and international law which was challenging the authority of the Security Council. Qin Huasun then suggested that NATO should create conditions for the early restoration of peace in the Balkans (The "People's Daily", 26 March 1999).

However, NATO's air strikes against the Yugoslav Federation were underway, and the smoke of war filled the Balkans. The Kosovo issue has evolved from purely internal affairs of Yugoslavia to a serious international situation. Some Western countries, headed by the United States, ignored the sovereignty and territorial integrity of Yugoslavia and arbitrarily intervened in the internal affairs imposing their will on the people. As an independent sovereign state, Yugoslavia could not accept a foreign invasion on its sovereignty and open military intervention ("People's Daily", April 2, 1999).

The Chinese permanent representative to the United Nations Qin Huasun made a speech to reporters on the 7 May, strongly condemning the NATO attack on the Chinese Embassy in Yugoslavia. Qin Huasun said: "We are told that the Chinese Embassy in Yugoslavia was attacked by NATO and caused a large number of injuries. We strongly condemn and express our indignation. NATO's barbaric acts violate the UN Charter, international law and international relations standards, and the Vienna Convention on Diplomatic Relations. NATO must be responsible for the consequences. We call on NATO to stop immediately military actions and do not cause a greater humanitarian disaster" ("People's Daily", May 8, 1999).

The United State-led NATO military actions against the Yugoslav Federation were constantly escalating. The continuous bombing caused heavy loss of life and property to the people of the Federal Republic of Yugoslavia, and hundreds of thousands of refugees were displaced. When peace was ruthlessly trampled on, we expressed strong indignation and condemnation of NATO's atrocities.

Since March 24, the Chinese people, who have always loved peace and opposed aggression, have expressed their deep concern about the development of the situation and condemned NATO's military actions in various forms. They have also demonstrated sympathy for the Yugoslav people who suffered the loss of life and property, which portrayed a deep sense of justice and compassion of an ancient nation. The Chinese people resolutely supported the Chinese government and President Jiang Zemin's propositions and efforts to oppose the war and find a political settlement of the Kosovo issue.

During his visit to Europe, the President of the People's Republic of China Jiang Zemin repeatedly said that state-to-state relations should adhere to the Five Principles of Peaceful Coexistence. The core issue was not to interfere in other countries' internal affairs. In the current international politics, hegemonism and power politics have re-emerged, and the new "gunboat policy" was raging. Therefore, emphasizing the principle of noninterference had more urgent practical significance.

NATO's military actions against a sovereign state without the authorization of the UN Security Council has violated international law. It was a violation of human morality conducted through the gathering of the world's most powerful military forces and advanced weapons. NATO's actions were essentially anti-humanitarian, but carried out under the guise of "maintaining humanitarianism". It represented the grave interference in the internal affairs and infringement of sovereignty under the pretext of mediating the ethnic conflicts. It was a concentrated expression of hegemonism and power politics. It was a specific action of a new form of "gunboat policy", which was retrograde and fundamentally violated the trend of peace and development ("People's Daily", April 29, 1999).

CHAPTER I

THE NATO AGGRESSION FROM THE PRISM OF INTERNATIONAL LAW

THE NATO BOMBING OF YUGOSLAVIA (1999) 20 YEARS LATER – THE PROBLEMS OF LEGALITY, LEGITIMACY AND CONSEQUENCES

Boris KRIVOKAPIĆ, Ph.D.¹

Abstract: Even during the NATO war against Yugoslavia (1999), the author of these lines pointed to its illegality. This was done in several contributions on the web page of the Yugoslav Internet Society. After that, I analyzed various aspects related to aggression in a book published in the same year, and then in a series of articles in scientific journals and collections of papers. For this reason, the main problem in writing this paper was how to objectively analyze and check evaluations and qualifications given in previous texts in the light of new knowledge. Another important question was whether it is necessary to ensure absolute originality of the paper by writing about something we have never dealt with before or it is better to reconsider the most significant problems, although we have already covered some of them in our previous works. I decided for one type of compromise. That is, to return to the most important topics even if they are not brand new for us, but to try to do so from a new angle. Having in mind a considerable passage of time, finding new facts, the current state of international law and international relations, the role of the UN and NATO in the modern world, etc. the question arises as to whether the assessments and qualifications I made in the previous papers were correct. In other words, has something changed in the meantime, casting a significantly different light on the whole problem? Looking closer, putting things in the wider context and analyzing them from various angles, I will try to answer four basic questions: 1. Has anything changed in terms of the illegality of the NATO intervention - is there any reason to claim that it was still legal? 2. Could the intervention be if it is not lawful, then justified (legitimate)? 3. Was the armed action carried out in accordance with the rules of the law of armed conflict (did NATO commit war crimes?)? 4. What has NATO aggression brought (what are its consequences)?

Key words: NATO intervention, legality, aggression, international law, legitimity.

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THE PROBLEM OF LEGALITY

At the time of the bombing of Yugoslavia and in the following years, a large number of legal authorities from all over the world, including the leading countries of the NATO, pointed to its undoubted legal impermissibility and to the fact that it drastically violated the most important norms and principles of contemporary international law (Henkin, 1999, pp. 824-828; Parenti, 2000; Chomsky, 2001; Johnson, 2002; Котляр, 2007; Chossudovsky, 2003; Chossudovsky, 2016; etc.).

Indeed, not only the NATO intervention was a classic case of aggression, but also with it and what had preceded it (attempting to force the FRY under the threat of force to accept the ultimatum from Rambouillet) there were violated the very foundations of international law (the general principles of that law and the UN Charter), dozens of relevant international treaties and other important international documents, the highest legal acts of NATO itself and even national regulations (constitutions and acts) of the state-aggressors themselves (Krivokapić, 2000a, pp. 207-240).

Aggression

Then (1999). International law prohibits not only the use of force, but also the threat of force in international relations. Force is allowed only in two exceptional cases - 1) when it comes to self-defense against an armed attack (Article 51 of the UN Charter) or 2) when it comes to collective coercive measures against the aggressor, pursuant to the Security Council's decision under Chapter VII of the UN Charter.² None of these reasons existed as a cause for the attack on Yugoslavia – no NATO state was attacked by Yugoslavia, nor a mandate from the Security Council was obtained (there was no reason for it because Yugoslavia did not violate or endanger the world peace). Therefore, it was an illegal use of force or in other words – aggression.

After all, such a conclusion stems from the UN General Assembly Resolution 3314 (1974) 'Definition of Aggression' which in Art. 1 specifies that aggression is 'the use of armed forces by a State against the sovereignty,

² The principle of the prohibition of force in international relations has grown into a rule of the general customary international law, which means it is mandatory for everyone, independently of the provisions of the Charter itself.

territorial integrity or political independence of another State, or in any other manner inconsistent with the Charter of the United Nations.³

The Resolution states (Art. 2) that 'the first use of armed force by a State in contravention to the Charter shall constitute *prima facie* evidence of an act of aggression' and then in Art. 3 / a-g lists specific acts that represent acts of aggression. For the qualification of a certain situation as aggression, it is sufficient to find out the existence of only one of these acts.

Although almost all of these acts were present in the case of the NATO attack on Yugoslavia, since NATO actions primarily consisted of a day-today mass bombing,⁴ it is sufficient to refer to Art. 3/b of the Resolution, according to which there is no doubt that there is aggression when there is 'bombardment by the armed forces of a State, against the territory of another State or the use of any weapons by a State against the territory of another State.'

The Resolution underlines that no consideration of whatever nature, whether political, economic, military or otherwise, may serve as a justification for aggression (Art. 5/1) and that 'A war of aggression is a crime against international peace. Aggression gives rise to international responsibility' (Art. 5/2).

According to international law, aggressors were not only countries whose armed forces participated in hostilities against Yugoslavia (13 of them)⁵ but also those NATO members who did not carry out combat operations, but took part in making a decision to undertake an attack and were involved in making other important decisions – on ways of conducting war, selecting targets, etc.⁶ States-aggressors were also those countries that

³ Although resolutions of the General Assembly are generally not legally binding, this one has been of particular importance from the very beginning – It was brought in order to clarify when it comes to aggression, in particular, to facilitate the assessment of the situation by the Security Council. After all, for many reasons, one can argue that its solutions have grown into a general customary international law, which means they have become mandatory for all.

⁴ NATO aircraft flew 10,484 striking sorties during which 23,614 air munitions were released, dropping a total of 6,303 tons of munitions (Fenrick, 2001, p. 489).

⁵ USA, UK, France, Germany, Italy, Turkey, Canada, Spain, Portugal, Netherlands, Norway, Belgium and Denmark.

⁶ Iceland, Czech Republic, Poland, Hungary, Luxembourg and Greece. Some of them, in addition, allowed their territory to be used for carrying out the aggression.

were not NATO members, but made available their territory for attacks on Yugoslavia.⁷

Now (2018). From a distance of 20 years, the question arises as to whether anything has changed in the meantime? It is clear that the legality of the NATO bombing of Yugoslavia should be appreciated under international law in force in 1999, but it is logical to ask would any reasons make such an action legitimate today.

They are no such reasons. They cannot exist at all as long as international law rests on the prohibition of force and the threat of force, insists on the peaceful resolution of international disputes and, in particular, contains the institution of aggression and the crime of aggression.

It should be noted in particular that the initiative failed to introduce into international law some kind of right (according to someeven duty) of the so-called 'humanitarian intervention'. It has not been accepted for principle reasons, but also because the practice has shown that no such action is 'humanitarian'and serves only as a cover for achieving other, hidden interests (Krivokapić, 2011, pp. 571-619).

The only important novelty is the fact that, in the meantime, a new definition of aggression emerged.

Namely, at the 2010 Kampala conference, the Assembly of the Member States of the Rome Statute (1998)⁸ which established the International Criminal Court, adopted a new Art. 8bis of the Statute providing the definition of the crime of aggression. It almost literally repeats the definition of UN General Assembly Resolution 3314 (1974). Starting from it, the NATO attack on Yugoslavia can not be qualified in any way other than as aggression.

This means that the NATO intervention was and remains an act of gross violation of international law, which entails the responsibility of state-aggressors and at the same time, a serious international criminal offense, the crime of aggression, which opens the issue of individual criminal responsibility of persons responsible.

⁷ Macedonia, Croatia, Bulgaria, Romania, Bosnia and Herzegovina, Slovenia and Slovakia. They are aggressors under Art. 3/f of Resolution 3314 (1974) according to which the act of aggression is 'the act of a State in allowing its territory, which it has placed at the disposal of another State, to be used by that another State, for perpetrating an act of aggression against a third State'.

⁸ Parties to the Rome Statute are123 states, i.e. about 2/3 of the UN members. The States Parties to the RomeStatute, https://asp.icc-cpi.int/en_menus/asp/states%20parties/pages/the%20statute.asp.

Violation of the Foundations of International Law

Then (1999). By aggression and events that had preceded, in particular by an attempt to persuade Yugoslavia using the threat of force to accept the ultimatum from Rambouillet, there were violated the very foundations of contemporary international law. Here we refer to the general principles of international law and the UN Charter (Krivokapić, 2000b, pp. 113-126).

In particular, there were severely violated generally recognized principles which constituted the pillars of the entire international legal order, such as: the prohibition of the threat of force and the use of force; prohibition of aggression; ban of interference in the internal affairs of states; compulsory peaceful resolution of all international disputes; the obligation of conscientious fulfillment of international legal obligations; etc. Although as part of the universal customary international law, they are mandatory for all, even irrespective of this (Krivokapić, 2012, pp. 35-81), these principles are confirmed by Art. 2 of the UN Charter and a series of international treaties and other documents. Nevertheless, by grossly interfering in the internal affairs of the FR of Yugoslavia, by threatening the use of force against it, by aggression and by attacking the territorial integrity of Yugoslavia, these principles were violated in the worst way.

Their violation also automatically violated the UN Charter, since the most important of these principles was confirmed in its Art. 2. Thus, Art. 2/2 (duty of states to fulfill in good faith the obligations assumed by them in accordance with the Charter), Art. 2/3 (obligation of states to resolve all their international disputes by peaceful means) and in particular to Art. 2/4 (obligation of states to refrain in international relations from the threat or the use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purposes of the UN).

Also, other important provisions of the Charter were violated as well. Among them those of Art. 33/1 (obligation of peaceful settlement of disputes), Art. 36/3 (obligation to bring a legal dispute before the International Court of Justice), Art. 37/1 (obligation of the parties to a dispute which is likely to endanger the maintenance of international peace and security, to refer it to the Security Council if they fail to settle it peacefully by other means); Art. 53/1 (prohibition of enforcement actions under regional arrangements or by regional agencies without the authorization of the Security Council), etc. (Krivokapić, 1999a, pp. 47-57). *Now* (2018). Nothing has changed until now. The general principles of international law and the UN Charter remain as they were at the time of the aggression.

Violation of Other Norms of International Law

Then (1999). The aggression meant a violation of a whole range of concrete international treaties, including those which represent codifications of certain areas of international law.

The fact that Yugoslavia was threatened with force if it did not sign the 'Rambouillet Agreement' represented a violation of the Vienna Convention on the Law of Treaties (1969). In its very introduction, the Vienna Convention states that the principle of free consent is universally recognized and recalls the prohibition of the threat or use of force and then in Art. 52 stipulates that treaty whose conclusion is reached by threat or use of force is void.

The Vienna Convention on Diplomatic Relations (1961) was also violated. In particular Art. 22/1 which establishes that 'the premises of the mission shall be inviolable'.⁹ Even if it is accepted that damaging other foreign diplomatic missions to Belgrade was 'collateral damage',¹⁰ the fact is that the embassy of China was deliberately targeted.¹¹ By taking over the Yugoslav embassy and residency in Washington and throwing out the technical staff left there, US authorities violated the Art. 45 of the Convention which explicitly states that when diplomatic relations are broken off between two States, 'the receiving State must, even in case of armed conflict, respect and protect the premises of the mission, together with its property and archives.'

⁹ This provision primarily refers to the inviolability of a diplomatic mission by the authorities of the territorial state and persons under its jurisdiction, but there is no doubt that its purpose is broader and implies the complete inviolability of diplomatic missions.

¹⁰ The Embassy of Iraq and the residences of the ambassadors of India, Switzerland, Norway, Italy, Sweden, Pakistan, Israel, Hungary and Spain.

¹¹ This is confirmed by two facts: 1) the building of the Embassy was in the residential area, far from the military facilities, and 2) it was not damaged by astray bomb, but on May 7, 1999, it was shot by a strategic bomber specially sent for this mission, which fired projectiles from two different directions (killing 3 and wounding several people). Later, NATO officials themselves admitted that the Embassy of China was on the list of priority targets, although they could not explain why it was so (except for the frivolous allegations that they had old maps).

The bombing was also a violation of a large number of international treaties in the matter of human rights; agreements protecting the environment and cultural and historical monuments; agreements guaranteeing undisturbed international road, river, rail and other traffic; various bilateral agreements of Yugoslavia with certain states-aggressors, but also bilateral agreements that at first glance have nothing to do with Yugoslavia;¹² violation of the so-called 'soft law'¹³ and even violation of the most important legal acts of NATO itself!¹⁴

Space does not allow me to deal here with this more profoundly. Besides, I have already addressed these issues in detail in another work (Krivokapić, 2000c, pp. 85-112).

Now (2018). Nothing has changed in the past 20 years.

Violation of National Law of the Aggressor-States

Then (1999). By preparing, planning, starting and waging the war against Yugoslavia, the aggressor states (including countries that participated in the aggression only indirectly) have violated the relevant provisions of their

¹² NATO's agreement with Russia (1997), whose one of the principles was the obligation not to use force in Europe; The 'Two Plus Four' agreement (1990) on German unification, which specified that 'united Germany will never use weapons if it is contrary to the UN Charter and its Constitution' (Germany was among the most active participants in the aggression); The Dayton Agreement (1995), which provided for the end of the war in Bosnia and Herzegovina (it was breached by the fact that NATO used the territory of Bosnia and Herzegovina without the approval of its authorities for deployment of airplanes, flights and overflights, interruption of connection in Yugoslavia, etc.)

¹³ The acts of the UN General Assembly, such as the Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of Their Independence and Sovereignty (1965), the UN Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the UN Charter (1970), the Declaration on the Strengthening of International Security (1970), the Declaration on the Inadmissibility of Intervention and Interference in the Internal Affairs of States (1981), etc.; the Helsinki Final Act (1975); the Charter of Paris for a New Europe (1990); etc.

¹⁴ The North Atlantic Treaty (1949), which created NATO, obliged it members (Ar. 1) 'to settle any international dispute in which they may be involved by peaceful means in such a manner that international peace, security and justice are not endangered and to refrain in their international relations from the threat or use of force in any manner inconsistent with the purposes of the United Nations'.

own constitutions and acts. Since we have dealt with this issue in detail in an earlier work where we have precisely stated which provisions of which constitution were violated (Krivokapić, 1999b, pp. 93-115),¹⁵ we will only mention the most important moments here.

Participating in the aggression, the states in question violated *inter alia* the provisions of their constitutions which explicitly:

- prohibit and condemn a war of aggression;
- clarify that a war, i.e. the state of war can be declared only in case of external aggression;
- proclaim that all international disputes will be settled only by peaceful means;
- define foreign policy guidelines, strictly stressing commitment of the state to peaceful cooperation with other states, non-interference into internal affairs of other states, good neighborly relations, etc.;
- provide for obedience in good faith of international obligations of the state concerned;
- regulate competence to declare war (state of war);
- regulate the manner of undertaking international obligations;
- define the function of armed forces;
- deal with care for compatriots in other countries;
- deal with the protection of the environment; etc.

The aggression was also a violation of the important acts of the aggressor-states. This certainly applies to the criminal codes of these countries, in particular, those provisions that determine the criminal responsibility for preparing and commencing aggression, as well as the provisions relating to war crimes,¹⁶ but also a number of other laws.¹⁷

¹⁵ There we have precisely cited the relevant articles of the constitution of the USA, Germany, France, Italy, the Netherlands, Belgium, Portugal, Spain, Poland, Hungary, etc.

¹⁶ So, for example, Sections 80 ('Preparation of a war of aggression') and 80a ('Incitement to a war of aggression') of the German Criminal Code (1998). German Criminal Code, Federal Ministry of Justice, https://ec.europa.eu/anti-trafficking/sites/anti trafficking /files/criminal_code_germany_en_1.pdf.

¹⁷ Of particular interest is the *War Powers Resolution* (1973), by which the US Congress restricted the capability of the President to engage in wars, establishing the conditions for sending the troops to combat. Not only these conditions were not met, but the

According to the exhibited, the bombing of Yugoslavia was undoubtedly illegal and punishable according to the national law of the aggressor-states themselves.

Now (2018). As far as we know, nothing has changed to this day.

PROBLEM OF LEGITIMITY

Therefore, the NATO intervention was certainly unlawful. Was it at least legitimate, i.e. justified?¹⁸

Although at that time other reasons advocating the bombarding could have been heard – achievement of democratization of Yugoslavia, weakening its military power, preserving the credibility of NATO, etc.(Krivokapić 1999a, p. 22-45; Fenrick, 2001, p. 490) - the main argument of the aggressor was reduced to the need to 'prevent the Serbian genocide against the Albanian population' (in another version, 'prevention of the ethnic cleansing of the Albanians by the Serbs') or on the 'need to compel Yugoslavia to accept the peace settlement'.

After all, we could hear this rhetoric quite recently from the NATO Secretary General Anders Fogh Rasmussen, who at the beginning of May 2014 stated that the NATO intervention was necessary to 'prevent genocide' (Tanjug, 2014).

Here is an opportunity to recall how it really was 20 years ago and at the same time to point out some completely new facts and knowledge.

Genocide over Albanians?

Then (1999). It was clear already in 1999 that there was neither genocide nor ethnic cleansing by the Serbs over the Kosovo Albanians. The then FR Yugoslavia has long and patiently cooperated in the search for a peaceful

Congress in May 1999 voted 427 to 2 against the declaration of war to Yugoslavia. Because of this, in the United States, various prominent individuals and groups filed a lawsuit against President Clinton with the claims that he was waging an unconstitutional war (Yoo, 2000, pp. 1673-1731; Corn, 2001, pp. 1149-1190; Grimmett, 2012, pp. 4-6).

¹⁸ Even the chief architect of the NATO aggression, then US Secretary of State Madeleine Albright, recently admitted that the NATO intervention was illegal, although according to her it was justified: 'What we did there was not legal but it was right' (Higgins, 2013).

solution to the problem in Kosovo. It agreed to recognize the new higher rights of that province (whose inhabitants have already enjoyed territorial autonomy and the degree of minority rights that at that time did not have any national minority in the world).¹⁹ This, among other things, also implied the highest level of territorial political autonomy for Kosovo, according to any model that existed in the world.

However, the goal of the Albanians was not autonomy. They wanted only the secession of Kosovo. Therefore, all negotiations were premeditated in advance.

However, secession could be carried out only by violence.

Although they committed, from time to time, horrible crimes against the Serbs and other non-Albanians (to force them from Kosovo), the Kosovo Albanians turned to terrorist acts shortly after the death of President Tito. That is almost 20 years before the NATO aggression.²⁰ These were mostly sporadic attacks until the Kosovo Liberation Army (KLA) was formed in 1994 as the militant wing of the Albanian separatist movement. It strengthened and at the beginning of 1998 it had about 2,000 armed and well-equipped fighters who have undergone military training in polygons in Albania.²¹

By the beginning of 1998, the KLA members killed a large number of policemen and civilians (Serbs, but also others), kidnapped many citizens, carried out a number of bomb attacks on police stations and vehicles, but also on civilian objects (private houses, markets, restaurants, cafes, etc.). Because of this, a number of states put the KLA on their list of terrorist organizations. Also, the KLA terrorist acts were expressly condemned by the UN Security Council (Resolution 1160 of March 31, 1998).²²

¹⁹ Among other matters, within the state education system, it was possible to obtain education from the elementary school up to a Ph.D. degree - in the Albanian language; the official use of Albanian and other minority languages was provided; one-year mandate (from May 15, 1986 to May 15, 1987), the head of the state (President of the SFRY Presidency) was Albanian Sinan Hasani; etc. On the position of members of ethnic minorities in the then Yugoslavia and Serbia, see: Krivokapić, 1994, pp. 63-71: Krivokapić, 1995, pp. 3-21.

²⁰ Tito died on May 4, 1980, and the first terrorist attack by Albanians occurred in April 1981.

²¹ They were trained on several polygons in Albania by Albanian, British, US and Turkish military instructors.

²² On the genesis of Albanian terrorism see: *Terorizam na Kosovu i Metohiji i Albanija*, 1998; *Dijalog ne - separatizam i terorizam*, 1998, pp. 16-45; Gaćinović, 2008, pp. 21-51;

Initially, the US government also qualified these actions as terrorism and the KLA itself as a terrorist organization. However, in the first half of 1998, the position changed. The KLA was removed from the list of terrorist organizations and started enjoying the assistance and support from the USA and some other states.

During 1998, the KLA members carried out 1,017 attacks and killed 329 people (117 police officers, 37 soldiers and 175 citizens), wounded over 600 people (about 400 policemen, 106 soldiers and 162 citizens) and kidnapped 230 people. The victims were of different nationalities - attacks were carried out not only on the Serbs, but also on members of other ethnic communities, including the Albanians who did not support the KLA (Izveštaj VJ o zločinima..., 2001).

From the beginning of 1999 to the middle of March of the same year (practically until the beginning of the NATO aggression), the KLA terrorists committed 559 attacks, of which 322 on police and 237 on civilians. They killed 124 (104 civilians), wounded 253 (156 civilians) and kidnapped 57 people (Blic, 1999, p. 9).

By a well-planned and successfully carried out anti-terrorist action of police forces, at the end of 1998 and particularly at the beginning of 1999, the KLA was practically destroyed. However, then it got help from the sky, from NATO aviation. On March 24, 1999, the aggression started.

Let us get back to the question - was there a genocide or other systematic persecution of the Albanian population in Kosovo? The answer is: No. There was no such thing.

The police force actions were only the appropriate response to the KLA attacks on the police and civilians and legitimate counter-offensive measures targeted solely against terrorists.

The best evidence in this direction was provided by the state organs of one of the main advocates and participants in the bombing of Yugoslavia -Germany. There are documents - reports from the German Ministry of Foreign Affairs (MFA)²³, which they sent to German courts in the critical period (October 1998 - March 1999). The last of them was written just a few days before the start of the aggression.

Stevanović, 2015, pp. 143-165. For the review of the most horrific crimes of Albanian terrorists since 1982, see: Ristić, 2017; Cvijić, 2017a.

²³ These reports became available due to the German section of the International Association of Lawyers Against Nuclear Arms (IALANA).

In these documents,²⁴ which were submitted to the courts at their request and were used as the main evidence in various court proceedings (primarily when deciding on the status of Albanian immigrants in Germany), were not mentioned the alleged persecution of the Kosovo Albanians, ethnic cleansing, genocide against the Albanian population, humanitarian catastrophe, etc. On the contrary, these reports clearly stated that the measures taken by the security forces in Kosovo were directed against terrorists only, and not against the Albanian population. We will give just a few examples.²⁵

In the Ministry of Foreign Affairs Report of January 12, 1999, (only 2 months prior to the NATO aggression) addressed to the Administrative Court of Trier (Az: 514-516.80 / 32426), it is stated: 'Even in Kosovo an explicit political persecution linked to Albanian ethnicity is not verifiable. ... Public life in cities like Pristina, Urosevac, Gnjilan, etc. has, in the entire conflict period, continued on a relatively normal basis. The actions of the security forces were not directed against the Kosovo-Albanians as an ethnically defined group, but against the military opponent and its actual or alleged supporters.'

The Ministry Report of March 15, 1999 (only 9 days before the start of the NATO aggression!), sent to the Administrative Court and Mainz (Az: 514-516.80 / 33841) contains this conclusion: 'As laid out in the status report of November 18, 1998, the KLA has resumed its positions after the partial withdrawal of the (Serbian) security forces in October 1998, so it once again controls broad areas in the zone of conflict. Before the beginning of spring 1999, there were still clashes between the KLA and the security forces, although these have not until now reached the intensity of the battles of spring and summer 1998.'

Based on these and similar reports and referring to them, the German courts have decided a number of cases, finding that there is no evidence about the persecution of the Albanian population either in Kosovo or in Yugoslavia as a whole.²⁶

²⁴ These documents were published in the German daily newspaper *Junge Welt* on April 24, 1999. They are available in English translation as *German Government Report*, https://iraqwar.org/germanreport.htm. Accessed 12 November 2018.

²⁵ On Germany's participation in developments in Kosovo, including the assessment of events by German state authorities and the scientific and professional public: Mitić, 2005.

²⁶ For example, Bavarian Administrative Court, explaining its judgment of October 29, 1998 (A: 22 BA 94.34252) found it necessary to point out that, relying on the reports

In this way, it was clear that, by their own nature very precise Germans, through their diplomats and intelligence officers knew with certainty and in the official documents noted that in 1998 and early 1999, there was only fight of the security forces against the KLA fighters, without any persecution of the Albanian population. Therefore, any further discussion on this is unnecessary.

The aggression was not the 'last' solution, coming from a dramatic situation on the ground (Zunes, 2011). It was planned much earlier, which, among other things, was evident from the fact that at the beginning of 1998, NATO forces established several hundred primary, secondary and tertiary targets for bombing, all over the territory of Yugoslavia.

All these plans were waiting to find a cause.²⁷ It was found in an alleged massacre of Albanian civilians in the village of Racak and the refusal of Yugoslavia to accept the so-called 'Rambouillet Peace Agreement'. The significance of these events requires special attention.

In the village of Racak on January 15, 1999, there was a clash between Albanian insurgents and the security forces in which 45 Albanians were killed.²⁸ According to the testimony of the investigative Judge Danica Marinković who conducted the investigation, it was clear that these were terrorists by the fact that they had military tags, uniforms and boots on them,

of the German Ministry of Foreign Affairs, it is estimated that: 'The violent actions of the Yugoslav military and police since February 1998 were aimed at separatist activities and are no proof of a persecution of the whole Albanian ethnic group in Kosovo or in a part of it. What was involved in the Yugoslav violent actions and excesses since February 1998 was a selective forcible action against the military underground movement (especially the KLA) and people in immediate contact with it in its areas of operation. ... A state program of persecution aimed at the whole ethnic group of Albanians exists neither now not earlier.'

Other German court came to similar conclusions. For example, Upper Administrative Court at Münster (judgment A: 13 A 3894/94.A of 11 March 1999) pointed out: 'Events since February and March 1998 do not evidence a persecution program based on Albanian ethnicity. The measures taken by the armed Serbian forces are in the first instance directed toward combating the KLA and its supposed adherents and supporters.'

²⁷ Many objective observers were aware that the KLA 'openly south to provoke excessive attacks by security forces to enlist outside intervention' (Fulton, 2010, p. 131).

²⁸ According to Goran Radosavljević Guri, who led the action in the village, there were about 140 members of the KLA, and KLA commander Shukri Buja also admitted that in the village in the moment of the attack, there were 47 of his fighters.

with a large quantity of weapons and military equipment (2 machine guns, 36 automatic rifles, 2 sniper rifles, 5 RPGs, 12 hand grenades, etc.).²⁹ The village, in which was located the headquarters of the KLA, was surrounded by trenches (about 3 km) and bunkers (Vujović, 2004; Simić, 2006).

By the evening the security forces withdrew and then the members of the KLA entered the village. They dressed a part of dead KLA members in civilian clothes and also left few bodies of their fellow soldiers who died in fighting at other locations. The next day, the head of the OSCE monitoring mission an American William Walker came to the village. He said he was horrified by what he had seen and that it was a cold-blooded massacre of peaceful villagers by the Serb forces. When the world's public was so agitated, the event was served as a pretext for the attack on Yugoslavia.

However, it was already clear that this case was only well-planned and conducted antiterrorist action strictly against the KLA fighters. From the beginning to the end, it was monitored by 3 groups of the OSCE verifiers. Moreover, a French TV crew was also present. All of them were invited by the police forces to observe the event. This very fact (that the impartial witnesses were brought to the spot) was enough to be sure that no crime was planned. Moreover, Yugoslavia accepted examination of the bodies of the dead by the team of Finnish pathologists. After some time this team delivered its report which was insufficiently precise regarding the main question – whether the persons were killed in the fighting or they were victims of execution. And it was enough for Western warmongers to urge for prompt military action against 'savage Serbs', to stop the 'genocide against Albanians' and the like.

For advocating the aggression, another clash between the police and the KLA was used. It took place on January 29, 1999, in the town of Rugovo. When a police unit searching for a terrorist group entered the village, it was attacked and a policeman was killed. In the clash that developed, 26 KLA members were killed. The Serbian side immediately urged the verifiers of the OSCE monitoring mission to verify what had happened. Nevertheless, 3 months later (!) at a press conference, German Defense Minister Rudolf Scharping, showed footages made by German verifiers and accused the Serbs of the massacre of unarmed Albanian civilians.

²⁹ Telegraf, 2017; Dokumentarni film Slavena Kranjca 'Račak – laži i istine', www.youtube.com/watch?v=eS7scYW6el4. The film also shows the testimonies of Western journalists who were witnesses of the events.

Now (2018). Since the events in Racak and Rugovo served as triggers or an alibi for the NATO aggression, the question arises what do we know about them today, from a distance of 20 years? What we know merely confirms what we knew back in 1999.

When it comes to Racak, if it were indeed a war crime against civilians, the commander of the operation which led it on the ground, Goran Radosavljević Guri, would be sentenced by the Hague Tribunal to a lengthy prison sentence. Did this happen? No! Having learned the facts, the Hague Tribunal dropped the Indictment for Racak. Moreover, after the end of the NATO aggression, Radosavljević, as a representative of the Serbian interior agencies, cooperated with the US and NATO armed forces. Even more, he was decorated by NATO with the Medal for Services in Strengthening Security! (Grujić, 2003). Ten years after the Racak event, Radosavljević testified that the action of the Serbian forces was so professionally planned and derived that it entered the textbooks of the NATO special forces (Uskoković, 2009).

This should already be enough. However, some new evidence has emerged. After some years, Helena Rante, the head of the Finnish team of pathologists who conducted the autopsy of those killed in Racak, acknowledged in her autobiographical book that the controversial report was written under great pressure by the head of the OSCE monitoring team, Walker. Among other things, she stated that Walker, unhappy with the first version of the report, in which, according to him, she 'did not use a sufficiently convincing language,' shouted at her and was so angry that even at one point he threw a pencil on her. She also said that some other officials carried out pressure on her by e-mail and that she was still keeping these emails (Jokanović, 2008; Tanjug 2017).

That is not all. The same Walker, in 2010 elections in Kosovo publicly supported the extremists among the Albanians (Guardian, 2010). Even more, today he is openly lobbying for the unification of Kosovo with Albania (B92, 2017). Such steps are hardly compatible with his previous diplomatic service, but they give another evidence that Walker, in fact, has never been impartial and objective.

Today, it is generally no longer disputable, even among researchers and analysts from the West, that the Racak case was a hoax that should have provided a basis for the use of force against the Serbs (Worthington, 2001; Gil-White, 2005; Wilcoxson, 2006; Wolfgram, 2008, pp. 153-171).

Thirteen years after Rugova event, Hening Hens, a German police verifier who made his on-site footage together with his colleague, could no longer endure the pressure of conscience. He spoke in January 2012 in a German TV show on NDR network, testifying that there was no massacre. He explained that it was obvious that the Albanians died in battle and that he was shocked when he learned that Minister Scharping had abused his photographs.³⁰

The new light shed at these two incidents sufficiently testifies that from the very beginning, it was a manipulation, conceived as the first step towards the already planned aggression.

Subsequently, the last step towards the aggression was false negotiations at Rambouillet.

'Rambouillet Agreement'

Then (1999). Determined to find a compromise solution, as long as it meant preserving its sovereignty and territorial integrity, Yugoslavia agreed to international mediation and, as part of that, participated in the Rambouillet conference. There were, however, no negotiations or an agreement that would come out of them. Not only they did not negotiate anything, but the organizers tried to make sure that the Yugoslav and Albanian sides never met directly, face to face. The text given to the two parties to sign was drafted by the United States and submitted as the ultimate claim, not as a result of the agreement reached.

What is especially important here - this text (in particular, Annex B) was deliberately made in that way to be unacceptable for Yugoslavia! It provided for not autonomous but the quasi-state status of Kosovo, as the first step towards its secession. Even worse, it envisioned the occupation by NATO, not only of Kosovo, but of whole Yugoslavia as well. Namely, according to it, the NATO forces would have full freedom of movement throughout the territory of Yugoslavia and would enjoy full immunity from the jurisdiction of Yugoslavia; they would not be liable for any damage they would cause

³⁰ Hens's testimony, together with video material and part of the photographs that the German Minister did not show (as on them one can see weapons, ammunition, shells, uniforms and KLA insignia on the dead) and revealing other lies of the Minister, can be seen on the Internet at: 'Dveri: Nemci su priznali zašto su bombardovali Jugoslaviju!',www.youtube.com/watch?v=D2qB6P0_ryA.

to public or private property; they would have the right to undertake all the actions they found suitable, including the use of armed force; etc. (Krivokapić, 1999a, pp. 9-20; Herring, 2000, pp. 224-228; Perazić, 2001).

When the image of the vulnerability of the Albanians and the unwillingness of the Yugoslav leadership to accept a 'peaceful solution to the crisis' was created in the world public, the aggression followed.³¹

However, it was clear at that time that the real reasons for armed intervention were completely different (Krivokapić, 1999a, pp. 35-42). With the aim of striping from power the current regime in Belgrade,³² the goals were to prepare the secession of Kosovo from Serbia, to form a strong NATO base in this region, to bring NATO closer to Russia in this part of Europe as well,etc.

Now (2018). Nothing that happened after 1999, including a fall from power of Slobodan Milosevic on October 5, 2000 (whose repression allegedly was the reason for the rebellion of Kosovo Albanians)³³ did not

³¹ Many have wondered why it was so important for NATO to intervene in that civil war. At the same time, while in 1998 the clashes in Kosovo were leading headlines in the newspaper, Turkey killed thousands of Kurdish rebels, in the conflict that in the previous 6 years cost 34,000 Kurdish lives. But since Turkey was its member, NATO did not want to intervene, as it also did not intervene in the civil wars in Northern Ireland, Palestine, Algeria, Afghanistan, Chechnya, Somalia and elsewhere (Bock, 1999).

We would add that NATO did not intervene also when in 1995 Croatia carried out the largest ethnic cleansing in modern Europe by expelling about 250,000 Serbs and killing 742 soldiers and 1,196 civilians in Operation *Storm*. On the contrary, this action was carried out with the support and assistance of leading Western countries.

³² Long before the start of the NATO intervention, a British diplomat to the USA explained that Yugoslavia was part of an unfinished business left behind after the end of the Cold War, a place where the transition to democracy and the free market is slowly taking place, and the return to nationalism of the 19th century is present (Bock, 1999).

³³ In fact, it was not a matter of resistance to some kind of harsh regime, but the realization of a plan which was prepared long ago and whose realization started immediately after the death of President Tito. He died on May 4, 1980, and already on March 11, 1981, violent demonstrations of Albanians (12 dead) that affected the whole of Kosovo took place. They demanded the status of a republic for this Serbian autonomous province (as a first step towards the planned secession). This happened long before Slobodan Milosevic came to power. At that time he was completely unknown – he came out on the political scene in 1986, becoming the president of Serbia in 1989 and the president of FR Yugoslavia in 1997.

prevent the realization of the plan for Kosovo independence. On the contrary. First, the FR Yugoslavia was crushed (by the exit of Montenegro on May 21, 2006) and then independence was proclaimed by Kosovo (February 17, 2008), which in the meantime was largely ethnically cleansed of all non-Albanians. It is only naïve to believe that all this happened spontaneously. It should be added that as planned, a large NATO base (*Bondsteel*) was established in Kosovo.

CRIMES COMMITTED BY NATO FORCES

Then (1999). Not only the NATO action was illegal in the sense of international law and was a crime of aggression, but the responsible persons of the NATO and its member states committed a large number of serious violations of the international law of armed conflict. In other words, war crimes and crimes against humanity.

These are acts such as: the deliberate killing of civilians and attacks on civilians and civilian objects (deliberately rocketing residential districts, civilian buildings, hotels, passenger trains, buses, etc.); the use of prohibited weapons (cluster bombs, radioactive projectiles, the indirect use of chemical weapons);³⁴ the use of flammable weapons against civilians and civilian objects; indiscriminate bombing; intimidation of civilians; destruction of facilities necessary for the survival of the civilian population (destruction of thermal power plants, transformer stations and transmission lines, causing the breakdown of the electric power by graphite bombs); attacks on hospitals and ambulances; preventing or interrupting the delivery of humanitarian aid; the deliberate bombing of a foreign diplomatic mission (the Embassy of China); large destruction of property unjustified by military necessity (mass destruction of bridges, schools, post office, TV transmitters, factories, etc.); extensive destruction of nature; destruction of cultural and historical monuments; the deliberate attacks on journalists, etc.³⁵ There are precise lists of war crimes and crimes against humanity committed by the

³⁴ Due to the bombing of the chemical and petrochemical industry and similar facilities, which led to large discharges into air and water of highly toxic substances, such as chlorine, ammonia, etc.

³⁵ In particular, an attack on the Radio Television Serbia building and journalists in it, when 12 people were killed.

NATO forces, with the exact description, place, date, the number of victims, etc. (Lopičić (1999), pp. 104-108; Krivokapić, 2000d, pp. 5-33).

By these acts of NATO, its commanders, planners and direct perpetrators have violated the rules of the customary international law of armed conflict, but also a number of treaties which represent codification of this matter, in particular the Geneva Convention relative to the Protection of Civilians Persons in Time of War (1949), Additional Protocol I to the Geneva Conventions (1977), the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict (1954), and others.

On the other hand, the KLA fighters, who essentially represented NATO infantry on the ground, killed a large number of civilians, including children. They also committed torture, rape, the abduction of people and their transfer to Albania where their organs were removed and then sold in the West, etc. (T. M. S., 2017; Cvijić, 2017b; Cvijić 2017c). Crimes were committed not only against the Serbs, but also against the members of other ethnic communities including the Albanians who did not support the KLA or were witnesses which should be removed.

Now (2018). The crimes of the commanders and members of the KLA are undisputed and very well documented. Nevertheless, the Hague Tribunal did nothing to punish the culprits. Therefore, under the pressure of the international community, an international criminal court has been set up to prosecute senior members of the KLA for crimes committed in 1998-99 and shortly after. This, however, is going very slowly. In the meantime, prospective witnesses of the prosecution disappear one by one (Plesch, 2017; Surk 2018). Consequently, the big question is whether and when the justice will reach at least the worst of these criminals.

When it comes to the crimes committed directly by the NATO forces, it seems that no one will be prosecuted for them.³⁶ It is a sad political reality. However, this does not change the fact that members of the NATO forces committed a large number of war crimes and crimes against humanity.

³⁶ Although the Hague Tribunal had jurisdiction in respect of these cases as well, thethen Prosecutor, Carla Del Ponte, 'decided not to open a criminal investigation into any aspect of NATO's 1999 air campaign against the Federal Republic of Yugoslavia' (Prosecutor's Report on the NATO Bombing Campaign, 2000).

CONSEQUENCES

State of 1999

Instead of the alleged, the aggression created a real humanitarian catastrophe. It brought death, suffering and destruction to all the citizens of Yugoslavia, including the Kosovo Albanians. NATO bombs killed about 2,500 people (1,500 civilians), and injured more than 12,500 of them, including 7,000 civilians (RTS, 2015), caused a large number of refugees and internally displaced persons, left a huge number of people out of work, etc.³⁷

Although it was not militarily defeated,³⁸ faced with growing civilian casualties, the Yugoslav government agreed to a peace settlement that was unfavorable (because it envisaged the temporary withdrawal of military and police forces from Kosovo) but was far better than that imposed at Rambouillet.

This solution was better for a number of reasons: 1) an important part of the solution was the Security Council Resolution 1244 (1999), which confirmed the Yugoslav (Serbian) sovereignty over Kosovo and foresaw the return of Yugoslav security forces to Kosovo; 2) the jurisdiction of the UN Interim Administration for Kosovo (UNMIK), rather than the NATO alliance or Albanian insurgents, has been established over that territory; 3) although the backbone of foreign troops in Kosovo (KFOR) was formed from NATO forces, they came here as UN forces, that is, under the control and general command of the UN and not NATO; 4) foreign troops were deployed only in Kosovo (not in the territory of the whole country); 5) Russian troops were also part of KFOR; 6) there were guaranteed security for all in Kosovo and the return of expelled (especially important for Serbian and other non-Albanian inhabitants).

³⁷ It was rightly noticed: 'At the beginning of the air campaign, if NATO governments had known that it would have to last 11 weeks, would involve so many difficult issues and incidents, and would require a serious prospect of land war, it is far from certain that they would have embarked on it.' (Roberts, 1999, p. 118).

³⁸ Due to the extraordinary masking and great mobility, the Yugoslav units suffered minimal losses. The Special Commission of the US Army, which immediately visited Kosovo after the end of the conflict, and spent three weeks investigating by helicopter and by foot, unknowingly noted that NATO's claims on the losses of the Yugoslav Army were increased more than 10 times, and that NATO had not 774 'confirmed', but only 58 strikes, that it destroyed 14, not 120 tanks, 18 and not 220 armored personnel carriers and 20, and not 450 artillery pieces (Barry, 2000).

State of 2018

The situation since the break-up of hostilities in 1999, to date, has been marked by several important moments. Some of them happened in previous years, but their consequences are still felt, while others are still strongly present. It is characteristic that they are all interlinked (Herring, 2000, pp. 228-243; Krivokapić, 2014, pp. 353-371; Кривокапич, 2016, pp. 232-255).

The abduction of Kosovo. KFOR forces (NATO) have not fulfilled their obligations established by the Military Technical Agreement on the cessation of hostilities³⁹ and the Security Council Resolution 1244.⁴⁰ This primarily refers to the obligations related to guaranteeing security and protection of the entire population in Kosovo, to ensuring safe conditions for the return of Serbs and others during the aggression of displaced citizens in Kosovo, to the complete demilitarization and disarmament of the KLA,⁴¹ and to the return of members of the Yugoslav Army and the police to Kosovo.

Resolution 1244 was violated, the Russian contingent was withdrawn and Kosovo came under the full authority of NATO states and local Albanians. Finally, in 2008 the Kosovo Albanians declared independence from Serbia, proclaiming their own state of Kosovo. This was done contrary to the Constitution of Serbia, but also to the principles and rules of international law which, on the one hand, guaranteed the territorial integrity of all states, and on the other, recognized the right to self-determination, only to the peoples, but not to the national minorities (Krivokapić, 2017, pp. 505-516). Nevertheless, the USA and its allies not only acknowledged the self-proclaimed state but also put pressure on other countries to increase the number of those UN members who granted such recognition, with the aim of ensuring Kosovo's admission to the UN.

Those who had intended to pull Kosovo out of Serbia have achieved their goal. At least for now. It remains to be seen what will happen in the future. Because international relations are deceptive and historical crafts are sudden. The Jews have been waiting for more than 2,000 years to regain their country; Poland was deleted three times from the world map and yet

³⁹ Military Technical Agreement between the International Security Force (KFOR) and the Governments of the Federal Republic of Yugoslavia and the Republic of Serbia, UN Peacemaker, https://peacemaker.un.org/kosovoserbia-militarytechnicalagreement99.

⁴⁰ Security Council Resolution 1244, UN Peacemaker, https://peacemaker.un.org/ kosovo-resolution1244.

today it is an important European state; Germany has been divided for half a century and now it is the most powerful European country, China has waited patiently to see the return of Hong Kong and Macao ... After all, the Serbs have been under the Turks for more than 300 years and finally have liberated themselves and returned to Kosovo.

That nothing has been finished yet is proven by the fact that today both Kosovo Albanians and their foreign patrons realize that without the consent of Serbia, Kosovo will never enter the UN. Moreover, an increasing number of states that recognized Kosovo have recently been reviewing their decision. The great success of Serbian diplomacy and the victory of law and justice is represented by the fact that up to mid-November 2018, as many as 10 UN members withdrew that recognition (Tanjug, 2018).

Plunder of Kosovo. Now, after 20 years, we have to notice that many of those Western officials who were most eager about the bombing of Yugoslavia and the secession of Kosovo found in that their own personal economic interest.

The fact is that some of the prominent US politicians and military commanders who were directly involved in the NATO intervention, today are owners of companies that exploit mining or otherwise gain huge profits from Kosovo. This, among others, refers to Madeleine K. Albright (Secretary of State at the time of aggression), James W. Pardew (Clinton-era special envoy to the Balkans), Wesley K. Clark (the Supreme Allied Commander of NATO forces in Europe who ran the bombing campaign against Yugoslavia), Mark Tavlarides (the legislative director of the National Security Council in 1999), etc. (Brunwasser, 2012).

Did they obtain those lucrative businesses as a reward for the services provided 20 years ago? It does not even matter now. What is important is the fact that part of the territory of Serbia is exploited contrary to its will by those who took part in the abduction of the same territory.

Occupation, organized crime. Is Kosovo a sovereign state? Any objective analysis will show that it is a territory under foreign occupation.⁴²

⁴¹ Contrary to the letter and the spirit of Resolution 1244, under the auspices of the Western powers, the transformation of the KLA into the 'Protective Forces of Kosovo' has been carried out in practice, with the intention, as we can see now, to ultimately form the armed forces of Kosovo.

⁴² Among other things, the NATO base of *Bondsteel* was built on the land of expelled the Serbs, who cannot reimburse their property and for which no compensation has been paid (Telegraf, 2013).

Today's Kosovo is a kingdom of corruption and organized crime - in particular for trafficking human beings, human organs, drugs and weapons (Cilluffo, Salmoiraghi, 1999, pp. 21-25; White Paper, 2003; Mijalković, Đinović, 2008, pp. 163-192; Ćirić, 2008, pp. 193-215.). It is clear to everyone that if there were not for foreign military forces, the war between the opposing gangs and clans would break out immediately.

This is not surprising considering the fact that there has always been a close connection between the leaders of the KLA and Albanian organized crime. Although in some countries of the West they prefer not to talk about these things, many have realized it (Pascali, 2001, pp. 24-28; Rusche 2006; Burghardt, 2010; McAllester, 2011; Chossudovsky, 2017.). After all, the State Department even now, after 20 years of presence of NATO forces in that area, urges US citizens that Kosovo is a 'high-risk location' for crime, terrorist activity and political violence (Kosovo 2018 Crime & Safety Report, 2018).

Murders, ethnic cleansing and other crimes committed by Albanian extremists. Immediately after the arrival of international military forces in Kosovo (KFOR, dominated by soldiers from the NATO countries), Albanian extremists used severe violence against the Serbs, other non-Albanians, and their compatriots (Albanians) who did not support the KLA (Human Rights Watch, 1999).

From June 10, 1999, to the end of 2005, they carried out 7,757 attacks, killed 1,252, wounded 2,237 and kidnapped 1,150 people; destroyed or damaged 150 Serbian churches and monasteries, demolished over 5,100 Serbian tombstones, burned down 30,000 and seized by force 77,000 houses and apartments owned by the Serbs or Montenegrins (Gaćinović, 2008, pp. 46-47). All this in the presence of massive NATO troops which should have guaranteed peace, order and security.

At the same time, about 250,000 inhabitants, primarily the Serbs, as well as the Montenegrins, Roma and others were expelled from Kosovo. To recall: the NATO's attack on Yugoslavia was justified by alleged genocide or at least by ethnic cleansing of the Kosovo Albanians by the Serbs, which were accusations without foundation and evidence. On the contrary, after the occupation of Kosovo by the NATO forces and coming to power of the KLA commanders, ethnic cleansing occurred but against the Serbs and other non-Albanians. All this happened after the aggression as one of its direct consequences.

Trafficking in human organs. The first allegations of trafficking in human organs in Kosovo were made in 2008 by former Hague Tribunal Chief

Prosecutor Carla Del Ponte. In her book *The Hunt: Me and War Criminals* (Del Ponte, 2008; Traynor, 2008) she testified that as late as 1999, she learned that about 300 people, mostly the Serbs, were abducted and taken to Albania where their organs were taken outand then sent to various clinics across Europe.

Following this accusation, the Special Rapporteur of the Parliamentary Assembly of the Council of Europe, Dick Marty, after a two-year investigation, found that this was accurate information. In a report he submitted in 2010 (the so-called Marty's report), he confirmed that during the NATO aggression and in the first months after its end, people, primarily the Serbs, were abducted and transferred to Albania, where their organs were taken to be sold. Poor victims of this horrible crime were, of course, dying or were killed (Marty, 2010).

As the leader of the criminal group which committed these crimes, Marty marked the then Prime Minister and the current (2018) President of Kosovo Hasim Thaçi (Tanjug, 2010). On January 25, 2011, the Parliamentary Assembly of the Council of Europe adopted Marty's report (PACE Resolution 1782 (2011)) and about the scandal was written in the world press (Lewis, 2010; Lewis, 2011; Sudetic, 2011).

Destruction of the environment, diseases. The NATO aggression has had a lasting impact on human health and nature. This, among other things, is due to the use of depleted uranium ammunition (at about 30 sites, NATO fired between 31,000 and 50,000 missiles, or between 9 and 15 tons of depleted uranium), and the use of other poisonous or extremely harmful means and methods of warfare. The half-life of the uranium is 4.5 billion years (!) which means that it practically permanently retains its radioactive properties and permanently contaminates nature and the entire food chain.⁴³ It is necessary to add cancer and other serious diseases that are the result of exposure to this element.

Although there are opinions that depleted uranium is not harmful (Depleted Uranium in Serbia and Montenegro, 2002, pp. 32-35), it should be recalled that the population of Iraq and Kuwait, whose territories in the conflicts of 1991 and 2003 were hit with more than 1.2 million missiles with this ammunition, faces a huge increase in the number of stillbirths, children

⁴³ On ecological consequences of the use of depleted uranium ammunition in the case of the bombing of Yugoslavia 1999: Milačić & Simić, 2004; Vujić & Antić, 2015; Bataveljić, 2017, pp. 483-499.

born with anomalies, leukemia, carcinogens, etc. (Al-Azzawi, 2008; Eley, 2010). Moreover, about 250,000 American veterans (almost 30% of participants in the war against Iraq) suffered from 'Gulf War Syndrome', whose symptoms are characteristic of excessive irradiation - chronic fatigue, muscle and joint pain, tumor appearance, damage to the immune system, neurological problems, kidney damage, defects in descendants (the birth of children without eyes, ears, fingers, etc.) and others. Until 2001, more than 25,000 US Gulf War veterans died, and in 2002 as many as 29% of those who fought in Iraq were declared disabled (Duraković, 2001, pp. 130-134; Brower, 2003, pp. 551-553; Bertell, 2006, 503-520). Military veterans who participated in the Persian Gulf and Bosnia and Herzegovina, where depleted uranium missiles were used, have 14 times more chromosomal abnormalities in their genomes (Tanjug, 2009).

Such medical problems are also experienced by members of the NATO forces who were stationed in Kosovo in 1999 and later. Thus, according to the Italian Ministry of Defense, until 2009 more than 2,600 Italian soldiers who were in Kosovo were ill from lymphoma (a type of cancer) and leukemia. The Italian Government established a special fund for the compensation of these soldiers (ICBUW, 2009). A new term - 'Balkan Syndrome' - appeared.

Knowing this, it is clear that the health of people who were in the respective areas at the time of using the said ammunition or continued to live there (among other things using water and food from that area) can only get worse.⁴⁴ A report of Bakari Kante, head of the UN Program for the Human Environment (UNEP), written in 1999, whose publication was prevented by the UN (the content of the report still leaked to the public), was categorical in the assessment that the next generations living in the bombed area would suffer from carcinogenic diseases and leukemia and the number of spontaneous miscarriages and deformities of the newborn would increase (Persons, 2012.). The practice has already confirmed this. This is documented by the results of various studies (Rajković, 2001, pp. 295-308; Pejanović, 2015, pp. 33-53; Račić, 2017.), including studies of the UN and their specialized agencies (e.g. *Depleted Uranium in Serbia and Montenegro*, 2002).

⁴⁴ Radioactive dust spreads through the air, penetrates the soil and water, and then into plants and animals.

According to Dr. Slobodan Cikarić, the president of the Serbian Society for the Fight against Cancer, in Serbia the number of cancer patients grows by 2% each year and the number of deaths by 2.5%, which is a direct consequence of NATO bombing with depleted uranium. According to the data of the Institute of Public Health 'Dr. Milan Jovanović Batut' in 1999, there were 19,625 cases of cancer and 12,312 people died of cancer, and in 2012 there were as much as 36,408 cases of cancer and 21,269 people died, which is almost twice more in comparison with the situation before the NATO aggression. Finally, the Report of the Public Health Institute of Pristina (the capital of Kosovo) that relates to 2013 and 2014 showed an increase in the number of malignant tumors in Kosovo by 57% (Telegrad, 2015).

International relations. The NATO aggression in 1999 was the first armed intervention taken by the Western states without the authorization from the UN Security Council.

It has caused great consequences internationally. The credibility of NATO and the leading Western countries has fallen. There has been distrust towards the USA as a country which was seeking excellence in international relations in the sense that it has right to the role of the world leader, prosecutor, judge and policeman. At the same time, the rules of international law applicable to others were not applicable to the United States. After all, the later developments (the military engagement of the US and its allies in Afghanistan, the attack on Iraq, the overthrow of Colonel Gaddafi in Libya, the attack on Syria and other events witnessed by us) confirmed what was clear in 1999, i.e. that Kosovo was just a phase of a project that began with the breakup of the SFR of Yugoslavia, which itself was an episode in the global strategy of building a 'new world order'.

After the aggression against Yugoslavia, international relations have rapidly become too complicated. The world stepped towards a new Cold War, the role of the UN has been weakened, a new nuclear and other arms race were launched and the relations between the US and the USSR reached the lowest point.

There are opinions that the Americans won the battle for Kosovo, but lost the war for Europe and Russia (Ильченко, А., Коротков, Д., Строгинов, К., Швайка, И., 2009).

International Law. The NATO aggression was an attack on the very foundations of international law for many reasons. Open aggression against a sovereign state was carried out in the heart of Europe. The most important principles of international law, concrete provisions of the UN Charter and

dozens of multilateral and bilateral international agreements were violated. Responsible executives and perpetrators of aggression and war crimes still remain unpunished.

At the same time, an attempt was made to create a precedent for future similar cases, to introduce a new exemption from the prohibition of force in international relations in the form of the so-called humanitarian interventions, to impose a new role of NATO in international relations and international law, etc. Fortunately, this mostly did not happen.

International terrorism. Providing the open support to the Albanian separatists, NATO has encouraged separatist movements and terrorists all around the globe (Escobar, 2008; Bhat, 2009; Fulton, 2010, pp. 130-141), showing them that if they are persistent, unscrupulous and have a powerful ally, they can achieve their goals. But this only leads to infinite conflicts.

Regarding terrorism, many of those who were ordinary the KLA fighters in 1999 are now ISIL officers in Syria and Iraq, and some have even become prominent commanders (Qafmolla, 2016, pp. 6-24). More than 300 Kosovo Albanian volunteers filled ISIL ranks, which, according to American analysts, is 'significant number for such a small country' (Morelli, 2018, p. 6).

CONCLUSION

The aggression on Yugoslavia will remain one of the saddest episodes in modern history. As can be seen from this brief review, it brought along with death and destruction more evil, not only to the people of Yugoslavia and Serbia but to the whole world. Even after 20 years, there is no reason to legitimize or otherwise justify that action.

In fact, if anything related to it can be assessed as positive, it is a fact that it was a warning to everyone. It has once again been confirmed that the solutions of international law are the only acceptable way of overcoming similar crises; another proof was given that the use of force in international relations should not be allowed; it became clear that the concept of the socalled humanitarian intervention is not only incompatible with international law but is, in principle, unacceptable due to the persistence of the dangers of abuse and other reasons (Kuperman, 2008, pp. 49-75; Cunliffe, 2011; Rechia, 2017, pp. 50-72); the world became aware of the risks of violent secession, terrorism, organized crime, and so on. Would those who bring decisions that affect the fate of all of us for these reasons stick to exclusively peaceful politics, humanism and other universal values in the future? Unfortunately, there is not much room for optimism.

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THE NATO WAR OF 1999 AND THE IMPOTENCE OF INTERNATIONAL LAW

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Abstract: The unilateral use of force by NATO member states against the Federal Republic of Yugoslavia in 1999 has made obvious the flaws of the United Nations system of collective security and has demonstrated the unenforceability of the ban on the use of force in contemporary international law. The concept of "humanitarian intervention" has been proven to be legally invalid, essentially serving as an ideological tool to justify acts for which it is impossible to obtain the Security Council authorization. The dysfunctionality of the Council in the Yugoslavia/Kosovo conflict was further aggravated by a systemic flaw in the UN Charter, namely the provisions of Article 27(3) allowing a permanent member to act as *judex in causa sua/ "judge in his own* cause," and to block any collective enforcement action against its own acts of aggression. In terms of international criminal law, the NATO war of 1999 has further exposed the problems of judicial procedures based on Chapter VII resolutions of the Security Council. The (legally invalid) creation of an *ad hoc* court by virtue of a coercive measure of the Council has meant the politicization of proceedings and a practice of double standards, effectively determined by the most powerful states in the Council at the time. No investigation was ever opened over the war crimes committed by NATO forces in the course of the 1999 war (over which the Yugoslavia Tribunal of the Security Council clearly had jurisdiction). In regard to (state) accountability for acts of aggression as well as (personal) responsibility for the commission of international crimes, the lesson from the NATO war of 1999 is twofold: (a) that international law under the UN system of collective security is *impotent*, and (b) a unipolar power constellation frequently invites acts of self-help and encourages a policy of faits accomplis. This can only be challenged if a credible balance of power emerges at the global level.

Key words: use of force, collective security, international rule of law, humanitarian intervention, power politics, United Nations, Security Council

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INTRODUCTION

What distinguishes a *legal* from a *moral* norm is the former's enforceability. According to Kelsen, law is a coercive normative order (Kelsen, 2017, p. 94) where violations are sanctioned by virtue of the state's monopoly of force (on the notion of the monopoly of force see: Max Weber, 2009). Only the latter, practiced in the framework of an elaborate separation of powers, ensures the "rule of law" and subsequently the stability of the political order. It makes the difference between a legitimate state, deserving international recognition on the basis of sovereign equality (UN Charter, 1945, Article 2[1]) and a "failed" state.

Since the establishment of the system of rules and regulations referred to as "international law," the status of these norms has been in question. Unlike norms at the domestic level, international legal norms lack unified enforcement mechanisms, the distinguishing criterion between law and mere morality. This is particularly serious in regard to the fundamental principle governing relations between sovereign states, namely the prohibition of the use of force (UN Charter, 1945, Article 2[4]). Tantamount to the abrogation of the jus ad bellum - that was traditionally considered as a prerogative of sovereign rule, the prohibition was first enshrined in a normative framework in the Briand-Kellogg Pact of 1928² and has subsequently become an integral part of the United Nations Charter.³ It is this norm, however, that in the history of the United Nations Organization has often proved unenforceable, and especially in cases that involved those countries, which, according to the UN Charter, have a "primary responsibility for the maintenance of international peace and security" (UN Charter, 1945, Article 24[1]). The NATO war of 1999 against the Federal Republic of Yugoslavia is a case in point. In order to understand the gravity of this unilateral use of force and its implications for the international rule of law in general, one must be aware of the global constellation and the discourse on the world order at the time.

² Treaty between the United States and other Powers providing for the renunciation of war as an instrument of national policy. Signed at Paris, 27 August 1928, entered into force on 24 July 1929.

³ "All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state ..." (Article 2[4]).

When the Cold War between the United States and the Soviet Union, with the unavoidable proxy wars in its wake, had come to a close with the disintegration of the Socialist bloc, hopes were raised by the self-declared winner of that power struggle of a new golden era of peace - "where the rule of law, not the law of the jungle, governs the conduct of nations" (Bush, 1991, p. 44). Following the UN Security Council's authorization of coercive measures against the Iragi invasion of Kuwait in 1990/1991 (that resulted in the restoration of Kuwaiti sovereignty), international commentators saw the world organization's role as guarantor of collective security suddenly restored after decades of paralysis due to the superpower veto. The newfound unanimity and co-operation among the Council's permanent members were praised as a foundation of a stable and just "New World Order" (for details see: Köchler, 1993). However, the expectations were rather quickly proven illusory since unanimity among the permanent members was the result of the dominant position of only one member state. In the absence of a balance of power, only a few states did dare to object or resist the Security Council's most powerful member.⁴ Unavoidably, the unipolar constellation invited abuses of power and – where the Security Council authorization could not be obtained - unilateral action. The perpetuation of the punitive sanctions against Iraq that amounted to collective punishment and a gross violation of the human rights of almost the entire population (for general assessment see: Wallensteen, Staibano & Eriksson, 2005), was one such abuse made possible because of the veto provision of Article 27(3) of the UN Charter.⁵ The series of unilateral, arbitrary military actions by the United States, alone or with her allies, in the years after the Cold War (for details see: Blechman & Cofman, 2000) is proof of the subversive, namely "self-serving," effect of the veto, and particularly so in a unipolar constellation: no coercive measures can ever be undertaken against a permanent member if that state violates the norm of the non-use of force. According to the wording of the last sentence of Article 27, Paragraph 3, a party to a dispute is not obliged to abstain from voting

⁴ Concerning the Gulf War resolutions of 1990/1991 see the testimony of Erskine Childers, a former United Nations senior civil servant, who spoke of the "use of bribery and extortion to silence" by Western powers with the purpose to induce certain decisions in the Security Council (Childers, 1995, p. 32).

⁵ The sanctions initially imposed in 1990 to force Iraq to withdraw from Kuwait could not be lifted because of the veto. They were only lifted after the United States had invaded and occupied the country in 2003.

on that very dispute. Consequently, a permanent member can veto any coercive action or condemnation of its own acts of aggression (For details, see: Köchler, 1991, p. 29). It is no surprise that this statutory provision has been an effective guarantee of impunity and, thus, an invitation to arbitrary uses of force that are solely determined by considerations of national interest and not by respect for international legality.

NATO INTERVENTION AND INTERNATIONAL LAW

In the new constellation that resulted from the collapse of the bipolar balance of power, the war against Yugoslavia (over the Kosovo issue) in 1999 has been the decisive event that laid bare the weakness of the UN system of collective security and structurally related to it and the impotence of international law in the existing statutory framework. The unprecedented unilateral use of force by the member states of the North Atlantic Treaty Organization has demonstrated that under the present statutory conditions the most serious violations of international law, namely acts of aggression, can be carried out with impunity if backed by at least one permanent member of the Security Council. However, the non-enforceability of the ban on the use of force does not make a war of aggression legal. The procedural impossibility to restrain a permanent member in the use of military force (or, for that matter, also in the application of other coercive measures such as sanctions) has been a predicament of the United Nations Organization since the very beginning, but has become more consequential in the absence of a balance of power, i.e. in a situation where there is no effective deterrence from the part of other major players (on the dilemma of power politics in the UN system see: Köchler, 2006).

The Kosovo intervention of NATO was blatantly illegal (1) in its very *fact* and (2) in its *conduct*. As the Security Council did not authorize the use of force, the war of 1999 constituted an *act of aggression*, i.e. a serious breach of a peremptory norm of general international law (for details see: Sayapin, 2014, p. 98). In terms of its conduct, the war involved numerous violations of international humanitarian law, which also raises the issue of personal criminal responsibility. Even the "Independent International Commission on Kosovo," established by the government of Sweden in August 1999 and consisting of experts mainly from NATO countries, could not deny, in its final report, that the massive use of force against the Federal Republic of Yugoslavia "was illegal because it did not receive prior approval from the United Nations Security Council" (Independent International Commission on Kosovo, 2000, p. 4). In

view of the intrinsic illegality in terms of general international law, the Commission felt the need to make the point of morality, stating that "the NATO military intervention was illegal but legitimate" (Independent International Commission on Kosovo, 2000, p. 4). This was also the approach of those who – under pressure to justify, or "legitimize" post festum, a blatantly illegal act - developed a doctrine of "humanitarian intervention." However, unlike the seemingly more cautious Commission, the advocates of humanitarian intervention in most cases would also insist on the "legality," under contemporary international law, of such an undertaking (on "humanitarian intervention" see: Köchler, 2001, and also: Hehir, 2009). In this regard, the Commission regretted the "growing gap between legality and legitimacy that always arises in cases of humanitarian intervention" (Independent International Commission on Kosovo, 2000, p. 291), suggesting so-called "threshold" and "contextual principles" on which to base a decision on whether to militarily intervene or not if the Security Council does not endorse the use of force in a particular case of humanitarian emergency (Independent International Commission on Kosovo, 2000, pp. 292-294).

In the decision to launch "Operation Allied Force" against the Federal Republic of Yugoslavia, on 24 March 1999, NATO did not only breach Article 2(4) of the United Nations Charter, but violate basic provisions of its own charter, the North Atlantic Treaty of 1949. Ignoring the Treaty's - explicit and unambiguous – provisions regarding collective security and the use of force, the organization placed itself *above* the authority of the UN Security Council. The Treaty clearly sets out the mandate of NATO in subordination to the United Nations' system of collective security. While the Preamble "reaffirms" the "faith" of NATO members "in the purposes and principles of the Charter of the United Nations," and Article 1 explicitly uses the wording of Article 2(4) of the UN Charter, Article 7 of the Treaty specifically affirms "the primary responsibility of the Security Council for the maintenance of international peace and security." Article 5 explicitly defines the mission of NATO within the framework of individual and collective self-defence according to Article 51 of the UN Charter. The Treaty does not contemplate any other use of armed force outside the scope of self-defence and further obliges the organization to report all measures taken on the basis of collective self-defence "immediately" to the Security Council (Article 5, second paragraph), emulating the wording of Article 51 of the UN Charter also in this regard. It is evident that the offensive action against Yugoslavia in 1999 stands in sharp contrast to the *defensive* statutory mission of the organization; it can in no way be legitimized by reference to the North Atlantic Treaty.

NATO, thus, had to find a way to "circumvent" its own statute though this could do nothing to "legalize" patently illegal conduct. One month into the bombing campaign, the NATO member states met in the framework of the North Atlantic Council in Washington, D.C. to commemorate the 50th anniversary of the North Atlantic Treaty. They adopted a new "Strategic Concept" by which they effectively broke with the defence doctrine of the North Atlantic Treaty. Solemnly invoking "common values of democracy, human rights and the rule of law" (NATO, 1999a, Paragraph 6) the member states proclaim "a broad approach to security (...) in addition to the indispensable defense dimension" (Paragraph 25) and subsequently introduce the notion of "non-Article 5 crisis response operations" (Paragraph 31). They make clear that this "broad approach" includes armed action not only in cases of an attack on any of its members, but also to deal with or avert "other risks." (Paragraph 24). The "management of crises through military operations," (Paragraph 49) as the post-Cold War NATO-parlance goes, may also be carried out "beyond the Allies' territory" (Paragraph 52). Nothing could be farther away from the doctrine of collective self-defence on which NATO was established, including the prohibition of the unilateral use of force. The self-righteous attitude, indeed an almost imperial claim to power by NATO states as arbiters of global standards, apart from and above the United Nations, is also obvious in the Washington Declaration of 23 April 1999, adopted by the Heads of State and Government (NATO, 1999b). In Paragraph 7 of their Declaration, they emphatically state: "We remain determined to stand firm against those who violate human rights, wage war and conquer territory." The Statement on their ongoing military operations in Yugoslavia (NATO, 1999c) issued on the same date, is an even blunter testimony of NATO's patronizing approach vis-à-vis the international community and of the organization's tendency to bend international law to serve an agenda of power politics. In Paragraph 1, the Heads of State and Government assert: "The crisis in Kosovo represents a fundamental challenge to the values for which NATO has stood since its foundation: democracy, human rights and the rule of law." Trying to circumvent the illegality of their military action, they further state that the "NATO's military action against the Federal Republic of Yugoslavia (FRY) supports the aims of the international community (...): a peaceful, multi-ethnic and democratic Kosovo where all its people can live in security and enjoy universal human rights and freedoms on an equal basis" (Paragraph 2). In view of the violence the NATO intervention actually triggered on the ground,⁶ and of the repeated serious and systematic violations of international humanitarian law by NATO forces, the cynicism of this Statement could not have been greater.

Neither the eulogies of human rights and the rule of law nor the euphemism of "crisis response operations" in the organization's new Strategic Concept could do away with the outright contradiction of this approach and the military action justified by reference to it, to the norms of international law as they are presently in force – and underlie the NATO's very constitution. In the words of Bruno Simma: "If the Washington Treaty [North Atlantic Treaty] has a hard legal core which even the most dynamic and innovative (re-)interpretation cannot erode, it is NATO's subordination to the principles of the UN Charter" (Simma, 1999, p. 1).

Similarly, the theories advanced to make "humanitarian intervention" a legally sound concept have led nowhere (for details see: Köchler, 2001). The later redrafting of the notion under the label of "Responsibility to Protect" (International Commission on Intervention and State Sovereignty, 2001) could not change either the predicament of an approach that confuses the levels of *legality* and *morality* and cannot explain on what basis the fundamental human right to life can be sacrificed for an "ideal" the definition of which may depend on the ideological worldview of the intervening state(s) (for a critical assessment of the notion see: O'Connell, 2010). This dilemma has been particularly obvious in the Kosovo war of 1999 where the humanitarian paradigm was not only used by NATO, but formed the basis of arguments of many activists and scholars who saw in this military operation the "most important precedent supporting the legitimacy of unilateral humanitarian intervention" (Tesón, 2009). Some even hinted at a development towards a customary rule of humanitarian intervention (Cassese, 1999). The debate was legally rather imprecise, often ignoring procedural requirements of the law (under the UN Charter) in favor of vague commitments to not precisely defined values (whose perception - particularly in terms of democracy - may to a considerable extent depend on the *ideological* position of an actor or commentator). However, avoiding the technicalities of the law and resorting to "pure" morality in a military confrontation that was shaped by power politics and national interests on all sides was ultimately a (naïve) denial of reality. In his

⁶ Cf. the assessment by Lord Carrington, former Secretary-General of NATO: The bombing "made things very much worse. (...) I think what NATO did by bombing Serbia actually precipitated the exodus of the Kosovo Albanians into Macedonia and Montenegro. I think the bombing did cause ethnic cleansing." *The Guardian*, 27 August 1999.

plea for a humanitarian justification of the 1999 war, Fernando R. Tesón even speaks of the "relative *purity*" of the intervention, meaning the NATO's bombing campaign to which he refers as "the Kosovo incident" (Tesón, 2009, p. 43). Similarly, Vaclav Havel, then President of the Czech Republic, embarked on the road to the moral idealization of the force of arms, avoiding sober legal scrutiny and ignoring the facts of realpolitik: "This is probably the first war ever fought that is not being fought in the name of interests, but in the name of certain principles and values. If it is possible to say about a war that it is ethical, or that it is fought for ethical reasons, it is true of this war" (Havel, 1999). In a more sober assessment, Adam Roberts, however, observed that "Operation Allied Force will contribute to a trend towards seeing certain humanitarian and legal norms inescapably bound up with conceptions of national interest" (Roberts, 1999, p. 120).

An imprecise humanitarian approach as in the case of the Kosovo war, confusing law and (power) politics, indeed risks – under the disguise of a just war doctrine – the undoing of a major achievement of modern international law, namely the abrogation of the *jus ad bellum* (Köchler, 2001). So far, the debates and controversies over the NATO intervention against Yugoslavia have not produced any sound and legally consistent arguments for replacing the United Nations' doctrine of non-intervention, which has been the cornerstone of peaceful co-existence among states since the end of World War II (for an early critical assessment of the notion of humanitarian intervention see: Fairley, 1980).

Apart from the intrinsic illegality of the NATO intervention – as a war of aggression, the actual conduct involved a series of grave breaches of international humanitarian law that, in many instances, may amount to war crimes. This particularly relates to deliberate attacks on civilians or civilian installations such as infrastructure and industrial plants, or the use of cluster bombs and depleted uranium ammunition (for details of the civilian toll see: Human Rights Watch, 2000). These acts did indeed give rise to questions as to personal responsibility under the norms of international criminal law. Again, as in the case of general international law, those provisions have proven unenforceable under the existing conditions within the United Nations. Although the "International Criminal Tribunal for the former Yugoslavia" (ICTY), established by the Security Council in 1993⁷ (for

⁷ Resolution 827 (1993), adopted on 25 May 1993. We do not address here the question of the legality of the Tribunal.

details of the Security Council practice of establishing ad hoc tribunals see: Köchler, 2003) had territorial as well as the temporal jurisdiction in the case, no formal investigation was ever undertaken by the Prosecutor. In her memoir, the then Prosecutor, Carla del Ponte, writes that she intended to open an investigation regarding the NATO campaign in 1999 (del Ponte & Sudetic, 2009, p. 58). She admits, however, and in no uncertain terms, that her efforts were "ultimately overshadowed by a sense of futility," and confesses: "I understood that I had collided with the edge of the political universe in which the tribunal was allowed to function. (...) And my advisors warned me that investigating NATO would be impossible" (del Ponte & Sudetic, 2009, p. 60). In spite of the statutory independence of the Prosecutor in the conduct of his/her mandate⁸ and the undisputed statutory jurisdiction of the Court in this case, the international crimes allegedly committed in the course of the NATO campaign were never even formally investigated by the very Court the United Nations Security Council had set up for that purpose (see author's analysis: Köchler, 2011). Again, also at the level of criminal justice, the NATO war against Yugoslavia has proven the impotence of international law. As in the case of impunity for aggressive war, if conducted by a permanent member of the Security Council, it is the absence of a balance of power within the United Nations that has paralyzed a supposedly independent court and subverted the very idea of justice.

CONCLUSION

The illegal use of force by NATO, not restrained by UN mechanisms of "collective security," resulted in a reversal of political order in the Province of Kosovo and Metohija. Security Council Resolution 1244 (1999) served as a kind of "legalization," *post festum*, of the "régime change" brought about by aggressive war. The so-called "Rambouillet Agreement" (U.S. Department of State, 1999) that preceded the military attack amounted to an ultimatum, i.e. a threat of the use of force in violation of the UN Charter (U.S. Department of State, 1999). As Christopher Layne succinctly put it: "At Rambouillet, the Yugoslavians were 'negotiating' with a gun to their head" (Layne, 2000, p. 16). Drafted by NATO states, but never ratified by the

⁸ Article 16 of the Statute of the ICTY, Paragraph 2: "The Prosecutor shall act independently as a separate organ of the International Tribunal. He or she shall not seek or receive instructions from any Government or from any other source."

Federal Republic of Yugoslavia or Serbia, it was meant to introduce new constitutional arrangements for Kosovo. This "agreement" was, in fact, a colonial diktat by which NATO put itself above the authority of the United Nations. This is obvious in the arrogant wording of Chapter 7, Article I/1/a: "The United Nations Security Council is invited to pass a resolution under Chapter VII of the Charter endorsing and adopting the arrangements set forth in this Chapter, including the establishment of a multinational military implementation force in Kosovo. The Parties invite NATO to constitute and lead a military force to help ensure compliance with the provisions of this Chapter." It is obvious that this was also a *diktat upon the United Nations*, which again has made clear that the Security Council can only exercise its mandate if there is a balance of power among its permanent members. In this context, Resolution 1244 (1999) was a capitulation of the Security Council vis-à-vis NATO as an offensive military alliance - an outright declaration of bankruptcy of the UN system of collective security under Chapter VII of the Charter. The subsequent secession of the territory of Kosovo and Metohija from Serbia in 20089 was not only in violation of the Constitution of the Republic of Serbia (for details see: Köchler, 2018), but a clear breach of international law - since it was proclaimed by functionaries (members of the "Assembly of Kosovo") who had come to power as a result of an illegal foreign intervention. The right to self-determination is indeed of dubious nature when it is exercised "on the bayonets" of an aggressor force.

After the collapse of the bipolar balance of power at the beginning of the 1990s, the intervention of NATO had not only a destabilizing impact on international order, but it effectively undermined the United Nations Organization in the exercise of its mandate of collective security. This unilateral use of force – not challenged or reigned in by the international community – was followed by a series of similar actions by the United States and her allies, as in the case of the invasion and occupation of Iraq in 2003 or the intervention in the Syrian civil war in the years after 2011. These actions have further undermined the authority of the UN Security Council, which also became apparent when the US with other NATO countries overstepped the mandate under Resolution 1973 (2011) of the Security

⁹ "Declaration of Independence" of 17 February 2008, proclaimed by the "Assembly of Kosovo, the parliamentary body established as part of the United Nations Interim Administration that came into being after NATO had succeeded in forcefully removing the existing governmental authority in Kosovo.

Council to bring about régime change in the Libyan Arab Jamahiriya (for details see: UN Memorandum on Security Council Resolution 1973, 2011).

In conclusion, the 1999 NATO bombing campaign has highlighted the ineffectiveness, in fact, the impotence of international law in the absence of a balance of power. This gives rise to the question as to the nature of the international legal order within the framework of the United Nations Organization. How can arbitrariness and unilateral action be avoided in a system that lacks basic checks and balances, which are indispensable for the rule of law? How can the norm prohibiting the international use of force be upheld when the "enforcers" of the law are de facto exempt from its application? The impunity with which NATO states were able to act against the Federal Republic of Yugoslavia has laid open a structural problem in the makeup of the United Nations Organization: namely a normative inconsistency in the Charter (see: Köchler, 2017). The norms of the non-use of force (Article 2[4]) and those regulating the decision-making procedures in the Security Council (Article 27[3]) are incompatible. The privilege of any permanent member to veto coercive measures against illegal use of force by itself or one of its allies (Köchler, 2017, p. 180), has opened the door to self-serving interventions of the great powers whenever they feel strong enough.

The lesson learned from the NATO war of 1999 is that "international law" lacks the quality of law as long as there exist no uniform procedures of enforcement under the UN Charter. As a reform of the Charter cannot realistically be expected (because of the very veto of the privileged members),¹⁰ only a *balance of power* – where major players deter each other from violating the law – may guarantee respect of the basic norms of general international law, first and foremost the prohibition of the unilateral use of force. As long as these conditions of realpolitik are not in place, interested parties may always see the NATO war of 1999 as a precedent for future unilateral action.

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¹⁰ According to Article 108 of the Charter, any amendment requires the consent of the permanent members.

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THE CASE CONCERNING LEGALITY OF USE OF FORCE BEFORE THE INTERNATIONAL COURT OF JUSTICE - 20 YEARS AFTER THE NATO INTERVENTION IN YUGOSLAVIA

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Abstract: The Federal Republic of Yugoslavia filed on 29 April 1999 Applications before the International Court of Justice (ICI) against ten NATO member States: the United States of America, the United Kingdom of Great Britain, France, Germany, Italy, Belgium, the Netherlands, Canada, Portugal and Spain. These Applications required the determination of the responsibility of these States for the wrongful acts committed during the armed intervention in connection with violations of the principle of the prohibition of the use of force against sovereignty, territorial integrity and independence of States (crimes against peace), then violations of the rules and principles of war and humanitarian law (war crimes), and obligations established by the Genocide Convention (crimes against humanity and international law). In the following study, the legal arguments of the parties presented in the proceedings were analyzed. Also, the study provides an analysis of the legal bases offered for the establishment of the ICJ jurisdiction, as well as the decisions made by the ICJ on that occasion with which it declared the lack of its jurisdiction. However, irrespective of this fact and circumstances that it had not decided on the merits of the dispute, the ICJ did not exclude the responsibility of the NATO member States for violating the general international law. In that sense, its conclusion is consistent because it confirms the rule that the States have remained "in all cases responsible for acts attributable to them that violate the rights of other State". Therefore, the re-examination of the case concerning legality of use of

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force before the ICJ twenty years after the armed attack on Yugoslavia is in line with the efforts of the Republic of Serbia (as the legal successor of the SFR Yugoslavia, Federal Republic of Yugoslavia and State Union of Serbia and Montenegro) to resolve all outstanding issues from the past, which is a prerequisite for building a new and more peaceful world.

Key words: Yugoslavia, Serbia and Montenegro, UN, Security Council, NATO's unilateral intervention, legality of use of force dispute, ICJ, international law.

INTRODUCTION

Twenty years after the NATO's unilateral intervention against the Federal Republic of Yugoslavia (Yugoslavia), it can rightly be argued that this case represented a deviation from the principle of the prohibition of the use of force in international relations, which put into question the functioning of the United Nations (UN) collective security system established after the Second World War. This conclusion arises primarily from the fact that the Security Council did not respond adequately and in a timely manner to the open issue of resolving the regional crisis in the territory of Yugoslavia in accordance with its authority and obligations under Chapter VII of the UN Charter, for which the control is permanently in charge. Despite the fact that the Security Council before the NATO's intervention in Yugoslavia, brought a series of resolutions reaffirming certain agreements reached to mitigate the crisis in the southern Serbian province - Kosovo and Metohija (e.g. Resolutions 855 of August 1993, 1160 of March 1998, 1199 of September 1998, 1203 of October 1998 and 1207 of November 1998), none of these resolutions identified the threat to international peace and security *intra vires* the UN Charter. It should be noted, however, that in some of these resolutions adopted with reference to Chapter VII of the Charter, the Security Council confirmed that the continuous deterioration of the situation in Kosovo and Metohija represented a threat to regional peace and security. Although it indicated the possibility of introducing "additional measures" if the parties to the dispute did not meet its requirements, the Security Council did not foresee the establishment of a contingent of international military forces in accordance with the UN Charter or the undertaking of a peacekeeping operation. On the contrary, in a situation where the violation of human rights of the population in Kosovo and Metohija was more than obvious (not only in relation to the Albanian minority, but also in relation to the Serbian and other ethnic communities who found themselves on the "line of fire" between the regular government troops and terrorist groups of the Kosovo Albanians and foreign mercenaries who were assisted and encouraged by Albania and other hostile States in an attempt to violently destroy the Yugoslav constitutional order and enforce secession of the Serbian southern province), the Security Council left the solution to NATO, based on the voluntaristic analysis of its previous resolutions and an extensive and legally inappropriate interpretation of Article 51 of the UN Charter which provides the inherent right to individual or collective selfdefence in the event of an armed attack on a member of the UN (Paunović, 1999, p. 149, etc.). It cannot, therefore, be disputed that the Security Council, in this way, actually neglected its primary obligations under Chapter VI and VII of the UN Charter. Also, it is clear that this omission opened the possibility for NATO opportunistic behavior, which, on the basis of its own assessment of the political situation in Yugoslavia, which was not its member State, considered it appropriate to undertake a unilateral armed intervention, without the explicit authorization of the Security Council. From the aspect of general international law, this Operation Allied Force, which NATO undertook sponte sua against Yugoslavia, was contrary to the rule of jus cogens contained in Article 2(4) of the UN Charter and in customary international law on the prohibition of the use of force or threat of force (Šahović, 2000, p. 139; Trindade, 2013, pp. 93-97). Moreover, this precedent indicates that NATO has grown from an organization for collective self-defence to an organization that, when it is found appropriate, will participate in the implementation of the United Nations collective security system, which is contrary not only to the UN Charter but to the provisions of Article 5 of its founding act (North Atlantic Treaty) (Račić, 1999; Krivokapić, 1999; Weckel, 2000; Gazzini, 2003).² Finally, this unilateral approach led first to the dismantling and suspension, and then to the deformation of the universal collective security system established within the UN after the end of the Second World War (Lillich, 1993, p. 557; Marie Dupuy, 2000, pp. 19, etc.; Chesterman, 2002; Franck, 2003, pp. 607, etc.; Kreća, 2007; Račić, 2010).

² In the Final Communiqué from the NATO session held in Oslo on 4 June 1992, it was concluded that NATO should act outside its area. This conclusion further indicated the "Yugoslav precedent", which proved very useful in future cases in which NATO expanded its area of military activities based on implied authorizations or authorizations *ex post facto* by the Security Council, which in effect manifested a distortion of the UN's collective security system.

INSTITUTIONALIZATION OF PROCEEDINGS BEFORE THE ICJ AGAINST THE NATO MEMBER STATES

On 29 April 1999, Yugoslavia filed in the Registry of the Court Applications instituting proceedings against ten NATO member States - the United States of America, the United Kingdom of Great Britain, France, Germany, Italy, the Netherlands, Belgium, Canada, Portugal and Spain (Yearbook of ICJ, 2000). In the Applications, Yugoslavia requested the ICJ to adjudicate and prosecute the respondent States for alleged violations of their obligation not to use force against another State. In explaining the reasons for submitting the Applications, Yugoslavia stated the following facts:

The governments of the respondent States, together with the governments of the other NATO member States, by applying force against Yugoslavia - by bombing military and civilian targets on its territory, caused numerous damages. Namely, it was noted that the NATO bombing caused about a thousand civilian victims, including nineteen children, about 4.5 thousand seriously injured, numerous destroyed and damaged residential buildings, schools, hospitals, radio and television facilities, cultural monuments and churches, bridges, roads and railways, and then refineries and chemical plants. With the use of prohibited weapons and weapons containing depleted uranium, it contributed to the serious deterioration of the health of the population and the enormous damage to the environment.³ In addition, the governments of the respondent States participated in the training, arming, financing, equipping and supplying of the "Kosovo Liberation Army", and providing all kinds of assistance to terrorist groups and the secessionist movement on the territory of Yugoslavia. By participating in the bombardment of Yugoslavia and by providing various forms of assistance to terrorist groups and the secessionist movement, the respondent States have committed numerous violations of international law, in particular regarding the prohibition on the use of force against other States and the non-interference in their internal affairs. With subsequent amendments, these bases were extended to leakage and non-

³ Afterwards, it was reported that the NATO *Operation Allied Force* caused the death of about 2,5 thousand civilians and 12, 5 thousand wounded, and that material damage is estimated at up to 100 billion dollars. The number of people who died as a result of using prohibited weapons during the NATO armed intervention has been multiplied in the last two decades and is measured in tens of thousands. However, exact data on this has not yet been published.

implementation of preventive measures in the territory of Kosovo and Metohija, which resulted in the killing, wounding and ethnic cleansing of the Serbian and non-Albanian population, whereby the respondent States violated international obligations to ensure public order and peace in the territory under their administration. In addition to these claims, there are also legal grounds for direct liability for violations of the provisions of multilateral conventions, such as the Convention on the Prevention and Punishment of the Crime of Genocide of 1948 (Genocide Convention), the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 1949 with additional Protocol I of 1977, the Convention concerning the Regime of Navigation on the Danube of 1948, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, both from 1966. In addition to the aforementioned violations, the Applications also include the violation of Article 53(1) within Chapter VIII of the UN Charter regulating the relationship of the UN with regional organizations. Under this provision, the Security Council may, when it deems appropriate, use regional organizations for the purpose of enforcing coercive measures but under its leadership.⁴ Also, the same Article stipulates that without the approval of the Security Council, regional organizations (regional agreements and agencies) cannot take any coercive action except the measures against each "hostile States" which are, pursuant to paragraph 2 of Article 53 in conjunction with Article 107, defined as States that were the enemies of any signatory States of the UN Charter during the Second World War. Based on the above factual basis, it follows that the use of regional organizations in the case of Yugoslavia was not possible because regional organizations could be used exclusively to take measures against former hostile States in cases of renewing the aggressive policy of any of these States against the UN member States until the UN has assumed, on the request of interested States, the responsibility for suppressing the new aggression. The ICJ was then required to adjudicate and prosecute the respondent States for violating the international legal obligations.

⁴ The Russian Federation, China, India, Cuba and a significant number of other States criticized NATO armed intervention in the UN as contrary not only to Article 2(4) but also to Article 53(1) of the UN Charter.

THE INCIDENTAL PROCEEDING BEFORE THE ICJ

In order to prevent further harmful consequences for the lives and health of people, their property and the environment, on 29 April 1999, Yugoslavia submitted, in each case, an Application for the indication of provisional measures. The basis for this request is contained in the provision of Article 73 of the Rules of Court. Yugoslavia requested that the ICJ issue an order to urgently stop the violence and to ensure that the respondent State concerned cease immediately its acts of use of force and refrain from any act of threat or use of force against Yugoslavia which lead to the total or partial physical destruction of its population. Yugoslavia has also stated that in the event that the proposed provisional measures are not adopted, it would certainly lead to further loss of life, further material and non-material damage to its population and further destruction and pollution, which ultimately leads to the destruction of the people. In addition to the aforementioned claims, Yugoslavia retained the right to amend the same, with the possibility that after the decision was made, the Court determined the scope and nature of the compensation that the NATO member States would have to provide to Yugoslav legal and natural persons (ICJ Reports, 2000. pp. 7, etc.).⁵ After hearings on the provisional measures from 10 to 12 May 1999, the ICI delivered its decision in each of the cases on 2 June 1999. In two of them (against Spain and the United States of America), the ICJ, rejecting the request for the indication of provisional measures, concluded that it manifestly lacked jurisdiction and consequently ordered that the cases be removed from the General List. In the eight other cases (against Belgium, Canada, France, Germany, Italy, the Netherlands, Portugal, the United Kingdom of Great Britain), the ICI declared that it lacked the prima facie jurisdiction and that it therefore could not indicate such measures (ICJ Reports, 1999, pp. 124, etc.).

THE CONTENTIOUS PROCEEDING BEFORE THE ICJ

After the requests for provisional measures against the NATO member States were rejected in June 1999, the incidental proceeding before the ICJ

⁵ The compensation claim is presented in the Memorial from 5 January 2000. It refers to the Submissions defined in the claim for compensation for war damage whose form and amount should be determined by the Court in the event of a lack of agreement between the parties. Yugoslavia as the Applicant retained the right regarding this procedure for the award of a court decision.

were finalized. In the contentious proceedings, Yugoslavia filed a Memorial on 5 January 2000, with a written justification of its Applications (ICJ Reports, 1999, pp. 988, etc.). For technical and formal reasons, the text of the Memorial was identical in all eight cases before the Court (against Belgium, Canada, France, Germany, Italy, the Netherlands, Portugal, the United Kingdom of Great Britain). The explanation of the Applications contains extensive clarifications with facts, legal qualification of unlawful acts, the justification of jurisdiction, final conclusions and proposals that, in the opinion of Yugoslavia, should be adopted by the Court. In the meantime, since the filing date of the Applications, there has been deterioration in the political situation which has called into question the international legal obligations of the respondent States. As previously mentioned, Yugoslavia has called for violations of the obligations of the Genocide Convention. A large number of cases related to the expulsion of the Serbs and non-Albanian population from Kosovo and Metohija after 10 June 1999 were in violation of the obligations accepted in the Security Council resolution 1244 on the establishment of an international UN security mission in the southern Serbian province. These facts according to the Yugoslav standpoint were not controversial even for the respondent States themselves who gave precise information at public press conferences, which per se, represented an important source of evidence that could be used in the proceedings. In addition to the mentioned differences related to the establishment of the ICI jurisdiction, Yugoslavia has explained that in this particular case there was jurisdiction also in relation to acts committed since the commencement of the bombing on 24 March, until the signing of the Declaration on 25 April 1999 but also afterwards, and that the legal assessment of these "new constituent elements" should be given in the light of new circumstances (UN doc., 1999). The ICJ left the respondent States a deadline by 5 July 2000 to submit a Counter-Memorial with the preliminary objections to jurisdiction and admissibility of the Applications. All eight respondent States have complied with this deadline, submitting their preliminary objections to this justification (ICJ Reports, 2000, pp. 7, 352, etc). This initiated a new phase of the procedure in which it was not necessary to decide specifically on the existence of the judicial jurisdiction, and in particular the lawfulness of the Applications, since the complaints as incidental matters were included in a single procedure in which the ICJ, as a rule, decides on its own. In accordance with the Order of the Court of 20 March 2002, Yugoslavia submitted its written statement within the time-limit on previous objections on 20 December 2002. In it, Yugoslavia called for "newly

discovered facts" that existed before the initiation of the proceedings, which the ICI should have considered in the light of the circumstances that followed the admission of Yugoslavia to the UN on 1 November 2000. According to the perceived Yugoslav position, which differed significantly from the earlier standpoint of international legal continuity with the SFR Yugoslavia, prior to the mentioned date of admission to the UN, Yugoslavia was not a party to the Statute.⁶ Mutatis mutandis, it became bound by the provisions of the Genocide Convention only after it accessed it on 12 March 2001. The declarative acceptance of the obligations under Article IX of the Genocide Convention with the reservation of explicit consent for Yugoslavia meant a significant restriction of the jurisdiction of the Court in relation to the facts set out in the Applications (UN Treaty Collection, 2001). However, according to its point of view, the ICJ can always declare the jurisdiction ratione materiae. This view stems from the opinion given by the ICI at the previous stage of the proceedings, in which it did not deny that certain unlawful acts were indeed committed against the people and the State of Yugoslavia, but that issue of determining possible liability on the basis of legal rules should be left for a special procedure in which discuss in meritum.

During January and February 2003, the eight respondent States expressed their views concerning the written statement of Yugoslavia (Serbia and Montenegro).⁷ In reply, by a letter of 28 February 2003, Serbia and Montenegro informed the ICJ that its written observations filed on 20 December 2002 represented, in fact, one request filed to the ICJ to decide on its own jurisdiction on the basis of the "new constituent elements" to which the Court's attention had been drawn.

In the oral part of the proceeding before the ICJ from 19 to 23 April 2004, the respondent States put forward arguments in support of the rejection of

⁶ With the presentation of "newly discovered facts" to preliminary objections by the NATO member States, the question of the importance of the Declaration of 25 April 1999 was raised. It is important to note that the other successor States of the SFR Yugoslavia did not accept the Yugoslav Declaration *ab inito*, because according to them, the FR Yugoslavia was not a member of the UN at the time of its signing. Hence, it could not be either the parties to the Statute. In a notice sent to the Secretary-General dated 28 May 1999, the Governments of these States pointed out that the presentation of "Yugoslavia" as the original UN Member State authorized pursuant to Article 35(1) of the Statute and Article 93(1) of the Charter may relate exclusively to the predecessor State (SFR Yugoslavia).

⁷ On 4 February 2003, the FR Yugoslavia changed its name to the State Union of Serbia and Montenegro. The name change was registered in the UN.

the Yugoslav Applications and declaring the lack of jurisdiction of the Court. In general, respondent States have justified their operations against Yugoslavia with a humanitarian catastrophe in Kosovo and Metohija. The military actions undertaken were justified by the "state of necessity" and were not directed against the people of Yugoslavia, but against the Yugoslav "military machinery" and "military-industrial complex". According to them, the Yugoslav demands did not correctly manifest fulfilment of all the prescribed conditions from the Genocide Convention, which was necessary for the constitution of the prima facie jurisdiction of the Court. In the statements of the respondent States, the following requests were also stated: *Belgium* requested that the "Yugoslav case" be removed from the General List, or alternatively the ICJ to declare the lack of its jurisdiction and reject the Yugoslav Application. The reasoning lies in the lack of the prima facie evidence which, in accordance with the jurisprudence of the Court and the general principles of international law, could justify its merits. Canada demanded the ICI to declare a lack of its jurisdiction, since Yugoslavia, by imposing new facts, allegedly denied the compulsory jurisdiction of the optional clause adopted by the Declaration of 25 April 1999. Alternatively, Canada sought the same solution, only this time because of the nonapplication of Article IX of the Genocide Convention. In relation to the requirement based on "new constituent elements" related to the factual situation after 10 June 1999, Canada considered it to be a modification of the Application. As the Application did not cover all parties to the dispute, Canada considered that the Application should be rejected. France firstly explained its reasons against the Yugoslav Application by requesting the removal of the case from the Court Register or from the General List, and then declaring that the Court did not have jurisdiction. Consequently, the proclamation of the Yugoslav Application was not allowed. Italy requested the ICJ to confirm that the Yugoslav Application for alleged violation of the obligation to prohibit the use of force against another State, in relation to Italy, has become out of date. Alternatively, Italy requested the ICJ to declare the absence of jurisdiction ratione personae, given the "newly discovered facts" that indicate that Yugoslavia was not a party to the Statute at the time of submission of the Application, and neither the "treaties in force", as strictly interpreting, nor the rule of Article 35(2) of the Statute could no longer be applied to Yugoslavia. Italy also requested the ICJ to declare a lack of the jurisdiction *ratione materiae* from the moment that Yugoslavia confirmed that Article IX was not related to the interpretation, application and enforcement of the provisions of the Genocide Convention. In the end, it asked the ICJ to reject the Yugoslav Application because it was not covered by all the parties to the dispute and, as a result of the Application, the *de facto* revised original claim. Other respondent States have raised similar reasons in their preliminary objections. *Germany* and the *United Kingdom of Great Britain* thus demanded the dissolving of the Court, the deletion of the case from the Court Registry and the proclamation of the Yugoslav Applications not admissible. The same was repeated by the *Netherlands*, with the emphasis on the lack of an active legitimacy of Yugoslavia, while *Portugal* requested that this circumstance in a particular case should be explained by a court decision.

On the other side, Yugoslavia asked the ICJ to issue a decision declaring the existence of its jurisdiction *ratione personae*. According to the position of Yugoslavia, the ICJ could reject all preliminary objections of the respondent States and order the further continuation of the proceedings. Yugoslavia has rejected the claims of some of the respondent States because its notification constitutes a request to suspend proceedings pursuant to Article 89 of the Rules of Court (Press Release ICJ, 2004, pp. 1-4).

Since the Court could not simply decide to dismiss the case *in limine litis* without making a decision on the preliminary legal issues raised in the objections of the respondent States and the objections of Yugoslavia, which, *inter alia*, related to its jurisdiction, the ICJ did not decide on the merits but terminated the proceedings in accordance with Article 79 of the Rules of Court. At a public session of 15 December 2004, the ICJ adopted the preliminary objections of the respondent States with regard to the "newly discovered facts" that Yugoslavia was not a member of the UN, and therefore the Statute of the Court also did not have jurisdiction to decide on Yugoslavia's Applications against the NATO member States (ICJ Reports, 2004; Olesson, 2005).

THE PROBLEM OF ESTABLISHING THE JURISDICTION OF THE ICJ

Attempt to establish compulsory jurisdiction

Considering the Applications submitted by Yugoslavia to the ICJ against the NATO member States, it appears that it has accepted its compulsory jurisdiction on the basis of the unilateral Declaration of 25 April 1999. Yugoslavia recognized *ipso facto* compulsory jurisdiction in respect of any

other State which, subject to reciprocity, would accept the jurisdiction of the ICJ in respect of disputes arising after the signature of this Declaration. The Declaration accepts the so-called optional clause of Article 36(2) of the Statute of the ICI which provides that States may at any time declare admissible ipso facto and without special agreement to any other State that receives the same obligation, the jurisdiction of the Court in all legal disputes concerning the case: a) the interpretation of a treaty; b) any question of international law; c) the existence of any fact which, if established, would constitute a breach of an international obligation; d) the nature or extent of the reparation to be made for the breach of an international obligation (Lillich & White, 1976; Merrils, 1979, p. 87; Shaw, 1997, pp. 219, etc.). However, in relation to cases where there is agreement on possible different ways of peaceful resolution of the dispute, the Declaration has no effect. It also excludes disputes relating to issues within the domain of domestic law or which are exclusively within the internal jurisdiction of Yugoslavia, such as territorial disputes. The fact is that the effect of the Declaration is timelimited until the issuance of a notice of termination of compulsory jurisdiction. On the other side, the respondent States, Belgium, the Netherlands, Portugal, the United Kingdom of Great Britain and Canada, accepted in the earlier periods an optional clause from Article 36(2) of the Statute of the ICJ. Their acceptance of the optional clause was largely limited, and those restrictions in relation to its application in the present case had to remain within the preliminary examination of the ICJ. Therefore, it is considered that it would be rational to present the views of the respondent States in order to provide appropriate conclusions in the course of the analysis.

With its own Declaration, *Belgium* limited the jurisdiction of the Court to events after 13 July 1948, except for events in respect of which there was consent to the application of peaceful means of dispute settlement. Since this Declaration is subject to ratification, it has effect from the date of the deposit of the instrument of ratification for a period of five years. After the expiration of this period, the Declaration shall have effect until the moment of giving notice of the termination of its validity. For the *Netherlands*, compulsory jurisdiction became effective from 6 August 1956, for all disputes arising after 5 August 1921. The exception was made only in relation to dispute for which the parties reached an agreement on a peaceful settlement of the dispute. This commitment was accepted for five years and, in the meantime, it was renewed by a tacit agreement of the fact that another Declaration was made

and whether it was done on condition that the Netherlands expressed its desire to renew it six months before the expiration of those periods. The declaration of 5 August 1946 ceased to be valid on 6 August 1956. Portugal has also accepted the compulsory jurisdiction of the Court. However, Portugal imposed that jurisdiction on events that occurred before and after the Declaration of 16 December 1920. Following the deposit of the Declaration with the Secretary-General of the UN, it became effective for a period of one year, with the Declaration retaining its effectiveness even after that period by sending a notification to the Secretary-General. Portugal has also reserved the right to limit the application of the Declaration to a particular category of disputes. The United Kingdom of Great Britain accepted the ipso facto compulsory jurisdiction of the Court. It conditioned this with reciprocity without concluding special agreements. The Declaration applies to all disputes arising after 24 October 1945, except for disputes for which there is an agreement on the settlement of peaceful means or through arbitration. An exception applies to disputes between the member States of the Commonwealth for situations arising prior to 1 January 1969, for specific disputes in which the other party accepts compulsory jurisdiction or disputes in which the other party gives or confirms the Declaration within a period of not less than 12 months before filing an Application (which, in the case of a dispute with Yugoslavia, was pointed out as one of the main arguments against the constitution of compulsory jurisdiction). In any case, the United Kingdom retained the right to amend or withdraw any of the listed reserves at any time by notification addressed to the Secretary-General. It is very interesting that Canada issued a notice ending the compulsory jurisdiction of the Court adopted on the basis of the Declaration of 10 September 1985. On the other hand, Canada has accepted the compulsory jurisdiction of the Court under the condition of reciprocity, in relation to disputes arising after the Declaration, with the exception of disputes for which there is an agreement on peaceful settlement, then for disputes for which the Government of any other the member States of the Commonwealth have reached an agreement, as well as for disputes arising from protective and enforcement measures in relation to fishing vessels in a particular zone, in accordance with the Convention on future multilateral cooperation in the Northwest Atlantic fisheries of 1978. By giving notification to the Secretary-General of the UN, Canada reserves the right to amend or withdraw the above-mentioned reserves or any other reserves that might subsequently result. With this fact, the governments of other States that accepted the optional clause, as well as the Register of the ICJ, should have been informed.

After the continuation of the proceedings, the ICI has concluded that the Declaration of Yugoslavia of 25 April 1999 may constitute the basis for the establishment of compulsory jurisdiction only for disputes already arising and disputes that might arise after its signing (in relation to Belgium, the Netherlands, Portugal and Canada). In line with the facts established in the proceedings, the ICI insisted that such a conclusion could have referred to situations or facts that arose after 25 April 1999. Given that the ICI found itself in a dilemma to accept the argument, it had to decide first on the nature of the *prima facie* jurisdiction, in relation to which it stated the following: "Considering that, on the one hand, Yugoslavia expected that the Court accept the ratione temporis jurisdiction for existing disputes or disputes that can only arise after the Declaration is signed, on the other hand, and in relation to the facts and situations that arise after this signing, in order to assessing whether the Court has jurisdiction in the present case, it would be sufficient to determine, in the context of its content, whether the dispute was raised before or after 25 April 1999, as the date on which the Declaration was signed" (ICJ Reports, 1960, p. 34). Consequently, the ICJ concluded that the bombing began on 24 March 1999 and carried on continuously until and after 25 April 1999, and since there was no mutual consent, the declarative statements of the parties did not constitute a legal title for judicial jurisdiction prima facie (ICJ Reports, 1952, pp. 102. etc.; Publications of PCIJ, 1938, p. 23). Hence, in eight cases (against Belgium, Canada, France, Germany, Italy, the Netherlands, Portugal, the United Kingdom of Great Britain), the ICJ delivered Orders on 2 June 1999 in which found that it lacked the prima facie jurisdiction, which was a prerequisite for the issue of provisional measures. But, despite this lack of the prima facie jurisdiction, the ICI could continue proceedings on the subject matter of the dispute and admissibility of Applications filed against eight NATO member States (Publications of PCIJ, Series A, 1925, pp. 24-25, 1926, pp. 5, etc.; ICJ Reports, 1947-1948, p. 26; 1963, p. 28; 1984, p. 428; 1996, p. 614, para. 26; 1999, pp. 124, 259, 363, 422, 481, 542, 656, 761, 826, 916; 2008, pp. 30, etc.).⁸

⁸ This position of the ICJ was formally in line with the Rules of Court. However, in some other cases, the ICJ showed much more flexibility in establishing jurisdiction on the basis of the tacit acceptance of jurisdiction by the parties initially opposed to the establishment of the Court's jurisdiction. In the jurisprudence of the ICJ (and its legal predecessor - the Permanent Court of International Justice), these cases were covered by a decision on the prorogation of jurisdiction (*forum prorogatum*).

Attempt to establish jurisdiction under the Genocide Convention and the Rules of Court

Another, certainly important legal basis for the establishment of judicial jurisdiction invoked by Yugoslavia in the proceedings before the ICJ relates to Article IX of the Genocide Convention. Yugoslavia has highlighted this legal basis in relation to Belgium, the Netherlands, Canada, Portugal, Spain and the United Kingdom of Great Britain, while in relation to France, Germany, Italy and the United States of America, Yugoslavia also provided an additional legal basis contained in Article 38(5) of the Rules of Court which provides that: "When the applicant State proposes to found the jurisdiction of the Court upon a consent thereto yet to be given or manifested by the State against which such application is made, the application shall be transmitted to that State. It shall not, however, be entered in the General List, nor any action be taken in the proceedings, unless and until the State against which such application is made consents to the Court's jurisdiction for the purposes of the case."

By analyzing the individual approaches of the respondent States, different conclusions can be drawn regarding the possibility or the inability to establish the jurisdiction of the ICI that the other party to the dispute recognizes and accepts its jurisdiction within a period which cannot be shorter than a year before the initiation of the proceedings. Considering that Yugoslavia passed the Declaration on 25 April 1999, and the Application was filed on 29 April 1999, this condition became virtually impossible. Spain had the view that Yugoslavia was not a member of the UN under Resolution 777 of the Security Council and resolution 47/1 of the General Assembly of 1992, and therefore not a member of the Statute of the ICJ. Finally, this led to the challenge of the Yugoslav Declaration of 25 April 1999 as a legally valid basis for the acceptance of judicial jurisdiction. On 13 September 1968, Spain deposited with the Secretary-General of the UN, as the depositary of international treaties, an instrument to accede to the Convention on the Prevention and Punishment of the Crime of Genocide. The instrument contained a reservation in respect of Article IX of the Convention that legal title could not serve as the basis of judicial jurisdiction, not even prima facie (Press Release ICJ, 1999, pp. 1-2). It was a similar case with the *United States*. Namely, after the ratification of the Genocide Convention on 25 November 1988, they took advantage of the possibility of making reservations. Thus, for each dispute before the ICJ, pursuant to Article IX of the Convention, the United States requested the existence of their "special consent". On the occasion of the Application of Yugoslavia before the ICJ, the United States called for this deficiency, and since the Convention did not prevent the provision of reserves and that Yugoslavia did not give relevant objections to it, the Court adopted a decision declaring it absolutely lack in competence. Hence, in these two cases (against Spain and the United States of America), the Court, rejecting the request for the indication of provisional measures, concluded that it manifestly lacked jurisdiction and consequently ordered that the cases be removed from the General List. Taking into account the allegations made in both cases, the Court has obviously been guided by the basic criterion for establishing its own jurisdiction - the existence of a party's consent and reciprocity (Knežević Predić, 2000).

From the previous analysis, it can be concluded that one of the most important issues discussed in the process of determining the existence of the ICJ jurisdiction related to the question whether Yugoslavia was not a member of the UN in accordance with General Assembly resolutions 47/1 of 22 September 1992 and 48/88 of 20 December 1993, and Security Council resolutions 757 of 30 May and 777 of 19 September 1992, and hence neither of the Statutes of the ICJ. Given that a positive attitude in relation to this issue conditioned the constitution of judicial jurisdiction, the Court soon found that it was not necessary to consider this issue since it was previously recognized that the parties' statements on the acceptance of compulsory jurisdiction were not relevant in the decision-making (Crook, 2002, pp. 405-406). In the aforementioned decision, the ICI made a clear distinction between the issue of consensual establishment of jurisdiction and the question of the rights of the parties to appear before the Court, which is "independent of their views and wishes". The question of whether Yugoslavia was the party of the Statute on the "critical date" relating to the initiation of proceedings, for the Court was a matter of fundamental importance. But before the ICJ entered into a deeper debate, it had to examine whether Yugoslavia met the conditions for the access to the Court under Articles 34 and 35 of the Statute, and then the conditions prescribed in Article 36. In assessing the existing situation, the Court had to examine the argument from the dispute between Yugoslavia and Bosnia and Herzegovina in the Revision process, in which Yugoslavia put forward a position that denied the previous thesis on the existence of international legal continuity with the SFR Yugoslavia (Dimitrijević, 2003). In the light of the new events that followed the admission of Yugoslavia to the UN on 1 November 2000, the ICJ noted that Yugoslavia at the time of filing the Application, on 29 April 1999, was not a party to the Statute, and that "on no other basis" it could not have access to the Court (Dimitrijević, 2005).9 Consequently, the ICJ was not open to it at that time under Article 35(1), of the Statute. The ICI then examined the possibility of the case being brought under the provision of Article 35 (2) of the Statute, which provides:" The conditions under which the Court shall be open to other states shall, subject to the special provisions contained in treaties in force, be laid down by the Security Council, but in no case shall such conditions place the parties in a position of inequality before the Court". After the ICJ found that the meaning of the term "in treaties in force" in the usual sense indicates the date that the treaties are deemed to have been in force, it has come to the conclusion that it can be interpreted to include treaties which were in force when the Statute of the Court itself came into force or when the lawsuit was instituted. The purpose of the provision of Article 35(2) of the Statute is to regulate the right of access of the States to the Court which are not parties to the Statute. However, it would be inconsistent for this approach to be drawn to a simple conclusion that those States have the right to freely adhere to the Court by a specific treaty, whether multilateral or bilateral, containing a provision of this type. Article 35(2) of the Statute can, therefore, be interpreted only in such a way that the "treaties in force", i.e. their special clauses relate exclusively to the treatise in force at the time when the Statute of the Court was in force. For the credibility of such an approach, the ICJ has used the travaux préparatoires that have been elaborated upon the formulation of statutory provisions.¹⁰ In conclusion, the Court noted that, even assuming that Yugoslavia (Serbia and Montenegro) was a party to the Genocide Convention on the relevant date, the provision of Article 35(2) of the Statute did not provide access to the Court under Article IX of the Convention, since it entered into force 12 January 1951, therefore, after the entry into force of the Statute. The need to determine whether the State in the dispute was or was not a Party to the Convention on the date of the application was therefore irrelevant.¹¹

⁹ The accession of Yugoslavia to the UN followed on 1 November 2000, with the adoption of the General Assembly resolution 55/12.

¹⁰ Although the *travaux préparatioires* concern the drafting of the Statute of the Permanent Court of International Justice, the final provision of this article of the Statute relates *mutatis mutandis* to the provision of Article 35 (2) of the Statute of the International Court of Justice.

¹¹ Yugoslavia has accessed the Convention on 12 March 2001.

Attempt to establish jurisdiction under the Dispute Settlement Treaties

In relation to Belgium, Yugoslavia, inter alia, outlined the provision of Article 4 of the Convention of Conciliation, Judicial Settlement and Arbitration between the Kingdom of Yugoslavia and Belgium of 25 March 1930 (with effect from 3 September 1930). It also did the same with regard to the Netherlands, accepting the obligations under Article 4 of the Treaty of Judicial Settlement, Arbitration and Conciliation of 11 March 1931 between the Kingdom of Yugoslavia and the Netherlands (with effect from 2 April 1932) (International Legal Materials, 1978, pp. 1488-1517). The basis for such an action was found in Article 38(2) of the Rules of Court, which stipulates that, if possible, the plaintiff will state the legal grounds upon which the jurisdiction of the Court is said to be based.¹² Article 37 of the Statute of the ICJ states that: "Whenever a treaty or convention in force provides for reference of a matter to a tribunal to have been instituted by the League of Nations, or to the Permanent Court of International Justice, the matter shall, as between the parties to the present Statute, be referred to the ICJ". The ICJ, therefore, dismissed the Yugoslav position, stating that there was no automatism in relation to the constitution of jurisdiction over disputes between the parties to the Statute. This confirmed the basic statutory principle that the Court cannot decide between States without their consent (ICJ Reports, 1995, pp. 101-102).

CONCLUSIONS

Even 20 years after the NATO bombing campaign, it is not likely that this use of force was legally justified. The alleged implied authorization for its undertaking was not within the legal responsibility of the wider international community in relation to the maintaining international peace and security or with protection of fundamental human rights (Simma, 1999, Etinski, 1999,

¹² Yugoslavia argued that the Dispute Settlement Treaties with Belgium and the Netherlands are still in force. It defended it by the fact that Belgium did not explicitly deny the validity of the Convention, and that the Netherlands, by a note dated on 20 May 1997, added the Treaty to the list of bilateral agreements concluded or renewed with the former SFRY, which it considered to be still in force in relation to FR Yugoslavia. According to the Yugoslav standpoint, both international treaties provide for the jurisdiction of the Permanent Court of International Justice, and by the succession of contractual rights and obligations, they remained in legal circulation between the parties.

Mitić, 1999, Knežević-Predić, 1999; Šahović, 1999, pp. 417, etc.; Kovács, 2000, pp. 119, etc.,). Moreover, this aggressive armed campaign was not even within the framework of customary international law which does not allow the use of collective self-defence based on a unilateral assessment of the situation (ICJ Reports, 1986, pp. 14, etc.). From this, a rational question arises: did NATO as a military defence organization really have the right to assess the political situation in Yugoslavia that was beyond its prescribed jurisdiction and whether it had the right to unilaterally take disproportionate, unnecessary and aggressive measures which obviously brought into question the relationship between the means and the aims of the alleged humanitarian intervention? (Brownlie, 2000; Wippman, 2001; Gray, 2004, p. 42). This issue has remained unresolved, as well as the question did NATO really act in a "state of emergency" when it undertook *Operation Allied Force* against Yugoslavia and violated the rule of *jus cogens* on the prohibition of the use of force?

Taking into account the jurisprudence of the ICJ from which it appeared that the protection of human rights cannot be the basis for the unilateral use of the armed force, it is clear why Yugoslavia initiated proceedings against ten NATO member States or why Yugoslavia wanted to involve the ICI in crisis management (Rossene, 2001, pp. 101, etc). This was quite justified, since the UN's collective security system was built on the prohibition of the use of force or the threat of force. In this regard, the system starts from the assumption that all disputes must be settled by peaceful means, and Yugoslavia assumed this rule by institutionalizing the proceedings against the NATO member States before the ICJ. In this respect, it may be possible to make some conclusions. Namely, based on the previous analysis of the "Legality of Use of Force Case", it can be seen that the ICJ has confirmed that the Declarations of the parties to the dispute of Article 36(2) of the Statute, are given with the restrictions of ratione termporis, and that they cannot present a valid legal basis for the constitution of competences – *prima facie*. Then, the ICJ in the preliminary stage of the proceedings was not in a position to decide whether the incriminated acts listed in the Yugoslav Applications were attributed to the respondent States. The ICJ apparently was unable to declare itself competent in the proceedings under Article IX of the Genocide Convention. Considering the Dispute Settlement Treaties with the Kingdom of Yugoslavia, which were additionally brought out of the Yugoslav side as a possible legal basis for the founding of jurisdiction, the Court failed to establish the presence of the consent of Belgium and the Netherlands, and these Treaties could not be a valid legal title to establish the jurisdiction of the ICJ. If there has been an acceptance of these Treaties as legal titles for establishing the jurisdiction of the ICJ, it is possible that there would be a violation of the principle of fair trial and legal decision-making. Finally, in the light of the new events that followed the admission of Yugoslavia to the UN on 1 November 2000, the ICJ noted that Yugoslavia at the time of filing the Applications, on 29 April 1999, was not a party to the Statute, and that "on no other basis" it could not have access to the Court. But, regardless of this fact, the ICJ did not rule out the international legal responsibility of the NATO member States for serious violations of international law relating to the prohibition of the use of force or the threat of force against Yugoslavia directed not only against its sovereignty, territorial integrity and political independence, but also against human rights and fundamental freedoms of the majority of its population (ICJ Reports, 1998, p. 456.; Cassese, 1999; Obradović, 2000, UN Press Release 1999; Independent International Commission on Kosovo., 2000).

From today's retrospective, it cannot be disputed that NATO used armed forces as an ultimum remedium, after the Yugoslav government rejected an unacceptable "agreement" from Rambouillet on resolving the political crisis in Kosovo and Metohija. Also, it cannot be disputed that NATO carried out an armed operation that led to catastrophic consequences for all national groups living in the territory of Yugoslavia. The selective use of the armed forces has not led to the resolution of the political conflict, but has significantly contributed to the war destruction and demolition of the political system of Yugoslavia, and then to the persecution and the eviction of its population, and permanent irradiation and pollution of its territory which together represents serious international crimes against peace and humanity (Vukasović, 1999; Todić, 1999). The fact that the Security Council did not adequately act in crisis management could not have been an excuse for the unilateral NATO military intervention against Yugoslavia. Of course, one can accept the fact that such a situation was caused by a post-Cold War situation where the UN was not ready to accept full responsibility for the maintenance of international peace and security, as indicated by Security Council resolution 1244 of 10 June 1999, by which the alleged humanitarian intervention of NATO in Yugoslavia was post-authorized, in a manner that gave priority to the effective state after the military operation in relation to international law (ex factis ius oritur).¹³ Such a restriction of the international legal order does not

¹³ In line with the factual situation following the escalation of the conflict in Kosovo and Metohija, the Security Council, using the powers of Chapter VII of the Charter, adopted Resolution 1244 authorizing the already planned military presence of member States (*Kosovo Force - KFOR*) and the NATO alliance in order to provide logistical support to the UN Interim Administration Mission in Kosovo (*UNMIK*).

automatically imply the illegitimacy of the action taken to end the political crisis, but certainly indicate its inadmissibility in relation to international law. In the end, the armed attack that NATO carried out against Yugoslavia has led to the realization of a policy of *fait accompli* which has no justification in a positive international legal order (*ex iniuria ius non oritur*). Consequently, neither the international legal responsibility for taking unlawful acts during this NATO operation is not excluded, but it is quite clearly pushed aside because the great powers or permanent members of the Security Council have not yet reached a consensus on the modalities of the use of force in contemporary international relations, which should be in accordance with the normative order of the universal system of collective security.

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SIGNIFICANT VIOLATIONS OF THE RULES OF THE INTERNATIONAL LAW OF ARMED CONFLICT IN AGGRESSION ON THE FEDERAL REPUBLIC OF YUGOSLAVIA 1999¹

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Abstract: The NATO Pact's aggression against Yugoslavia in 1999 is a school example of serious violations of all relevant norms of international law. This article indicates important violations of the international law of armed conflicts that were carried out by the NATO Pact during aggression. A significant number of the *ius cogens* norms has been violated. Especially, NATO forces use prohibited methods during executions of war operations. NATO forces committ war crimes during air attacks. Besides this, NATO committed a crime

¹ The work is the result of long-term research of both authors in this field. Some of these researches have been published previously. The author V. Jončić investigated violations of international law in the aggression of the NATO Pact on the FR Yugoslavia right after the NATO aggression against the FRY in 1999-2000. The research was presented in the framework of a large scientific project that was conducted under the auspices of the Ministry of Defense of the FR Yugoslavia and the Yugoslav Army called "Aggression on the FR Yugoslavia", within the framework of the collective subproject *International legal aspect of the armed attack of the NATO Pact on the FR Yugoslavia* in which the author wrote the part named "Aggression on the FRY and Violations of the Rules of International Law of Armed Conflict" (a project completed in 2000 and completely unpublished). The second author M. Jončić included in this work his research that he began in his doctoral dissertation on violations of international law in protecting the civilian population in NATO aggression.

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against peace and a crime against humanity. The rules of protection of civilians and civilian objects guaranteed by the 1949 Geneva Conventions (the Fourth Geneva Convention) and almost all rules of the international law of armed conflicts guaranteed by international conventions and customary international law were grossly violated during this agression. First of all, protection of journalists, women, children, civilian objects, objects of which depends the survival of the civilian population, facilities that international law guarantees protection, etc., have been grossly violated. Hospitals and hospital transport were attacked. A number of human rights rules have been violated, such as the right to life, the right to free development and the management of natural resources, freedom of movement, the children's rights, etc. The use of weapons with depleted uranium and the bombardment of civilian objects which contain dangerous forces has caused the effect of using chemical weapons (Pancevo Refinery, etc.). This has led to the endangering of human rights of the third generation, such as the right to a healthy environment. The huge destruction of the infrastructure made enormous material damage. The consequences of aggression and all this violations of international humanitarian law are still unimaginable and the question is whether they will ever been.

Keywords: aggression, NATO, violations of international law, violation of international law of armed conflicts, war crimes, crime against peace.

GENERAL REMARKS

It is necessary to recall from time to time of this criminal act and aggression in the form of military intervention that happened at the end of the 20th century. Through this, all the efforts made by peaceful humanity after the Second World War and the painstaking peacebuilding through the system of collective security and the construction of instruments guaranteed by the norms of contemporary international law through the United Nations have been eroded by the use of brutal force. The aggression of the NATO Pact against the FR Yugoslavia, i.e. Serbia, violated the general legal principles recognized by civilized nations and many international treaties that have built world peace in the last hundred years. After all, the UN Charter itself has been called into question. The prohibition of the threat and the use of force under the UN Charter as one of the main goals and the principles of the UN Charter itself were violated.

Discussions about the consequences of aggression are necessary to uncover and assess the insufficiently established facts about the extent of human suffering and the destruction of material and spiritual values. It is necessary to perceive from a distance and dispassionately what stems from the violation of international legal norms. The aggression on the FR Yugoslavia is obvious proof that the norms of international law are set precisely as prevention measures. The consequences of the NATO's aggression against Yugoslavia (Serbia) represent a blatant example that the international law regulators at the time of establishing and adopting the rules had in mind the consequences of the unregulated aspects of the armed struggle and the use of force. International law was specifically created to suppress or roughly regulate the use of force in international relations and establish the responsibility for violations of these rules.

The aggression began with the unparalleled fierce mass bombing of the entire territory of the FR Yugoslavia. The aggression was initiated without an international legal basis. The attack on Yugoslavia was carried out without the consent of the UN Security Council, which is the only legitimate body that can give consent to the use of force in international law. By the very act of aggression, the basic *ius cogens* norms were violated. By employing the military force to a sovereign country, one of the founders of the UN, without a legal basis (consent or decision of the UN Security Council), the basic and most serious war crime was committed - a crime against peace. During the aggression, NATO committed war crimes and crimes against humanity. The aggression against Yugoslavia violated Article 6 of the NATO Treaty. The basis of the violation is the fact that Yugoslavia did not attack any of the NATO Pact members (based on which the NATO defense mechanism could be activated under Article 6 of the Treaty). Moreover, Yugoslavia did not commit an attack on any NATO Alliance member. NATO has demonstrated its true role, which is far from defensive. During the aggression, dozens of other international agreements were violated, especially the international Law of Armed Conflict.

AGGRESSION - A CRIME AGAINST PEACE

Since NATO Pact's attack on the FRY, it has frequently been heard that it was not an act of aggression. Since 2000, in the official political terminology, other terms have been almost consistently used: "air campaign," "bombing (Yugoslavia)," "air action," "humanitarian intervention" and others. It is necessary to determine the true meaning of the term aggression (definition) before considering this issue and to compare this term with the undertaken activities and actions by the NATO countries towards the FR Yugoslavia so that the truth is no longer blurred.

At that time, the term aggression was determined by the United Nations General Assembly Resolution 3314 of 1974. According to the Resolution, aggression is "the use of armed force by a State against the sovereignty, territorial integrity or political independence of another State, or in any other manner inconsistent with the Charter of the United Nations, as set out in this Definition" (Article 1). Based on this definition, we can conclude *prima facie* that an act of aggression was actually executed. Article 3 states in detail what constitutes acts of aggression, regardless of the existence of a state of war.

The aggression on the FR Yugoslavia began on 24 March 1999, after unsuccessful and ultimatum negotiations in Rambouillet. The negotiations themselves were utterly undiplomatic and forced, primarily from the United States, and this was indicated by the following facts obviously forgotten in this region after 2000.

First, before the Rambouillet meeting, the so-called International Contact Group⁴ established certain principles on the basis of which negotiations should have been conducted. Yugoslavia (Serbia) was not satisfied with the offered platform for the talks, but accepted the principles of the Contact Group under pressure and expressed readiness to accept an agreement that would derive from these principles. Because it was dissatisfied with the conclusion of the Contact Group, stating it could get the autonomy and not the secession of Kosovo⁵, the delegation of the Albanian separatists refused at first but after further conviction agreed to come to the negotiations.

Secondly, during the negotiations, the two delegations (the state delegation of Serbia, i.e. Yugoslavia and the delegation of the Albanian separatist movement) have never met to negotiate "face to face" (although this was repeatedly requested by the Serbian delegation), but all the talks ran only through international representatives. This ultimately turned the talks into the negotiations between Yugoslavia and the United States (primarily regarding the deployment of the NATO troops in Kosovo), and the Kosovo Albanians served as an excuse.

Thirdly, when it became certain that the negotiations would fail because of the Albanian side's refusal to accept an agreement based on the Contact

⁴ Composed of the Ministers of Foreign Affairs of France, Germany, Italy, Russia, Great Britain and the United States.

⁵ Even before the Rambouillet Accords (during the several months of 1998), the Serbian government has repeatedly offered representatives of the Albanian secessionist movement an agreement that would provide Kosovo with the highest level of autonomy. For this purpose, a high government delegation (headed by the Deputy Prime Minister of Serbia) traveled several times to Priština for negotiations. The Albanians, however, did not accept these negotiations, because, as they declared, they were not interested in any kind of autonomy, but only for the secession of Kosovo.

Group's principles, on February 21, Madeleine Albright, the US Secretary of State, arrived in Rambouillet. She alone, without the presence of other Contact Group members, managed to extend the talks for three days. But then came sudden reversal. US representatives proposed a new draft agreement, which was fundamentally different from the previous one. The difference was primarily that the draft was essentially amended to the detriment of Serbia (Yugoslavia)⁶. These changes were reflected in the insertion of new provisions and even chapters that were not discussed at the Contact Group at all. Not all the Contact Group members, and primarily Russia, agreed to these provisions. The provisions contained over 50 pages of a new text previously undiscussed. The aim was to give Kosovo a status of quasi-state and bring NATO massive military forces to this area.

Fourth, the Albanian side continued refusing to accept that extremely favorable agreement for them and agreed to sign it only after persistent persuasion by the United States and the United Kingdom. On that occasion, British Foreign Secretary Robin Cook told the Albanian side that they should definitely sign this document because "NATO cannot bomb the Serbs without that!"⁷

Fifth, Yugoslavia (Serbia) has been between a rock and a hard place in which it accepted the agreement under the threat of force, along with many principally unanswered questions. The intention was to provide Kosovo with a quasi-state status, with unacceptable provisions that would regulate military issues, i.e. the constant military presence of the NATO forces on the territory of Serbia.

After a short time which was given to Yugoslavia to accept a subsequent agreement from Rambouillet, NATO's general air and missile attacks on Yugoslavia followed. It was later discovered that the Rambouillet meeting did not really aim to resolve the disputed situation through an agreement, but that its main purpose was to serve as an excuse for the planned bombing of Yugoslavia and then ruthlessly impose the will of the aggressor.

⁶ That everything has been prepared in advance and not for the purpose of securing a just solution, but for satisfying the appetite of the Albanian separatists, the president of Serbia M. Milutinović, who was at the press conference at the Yugoslav embassy in Paris at the time of the negotiations, showed a copy of the list of the separatist part of the Albanian minority in Kosovo ("Koha Ditore"), in which the text of the American version of the agreement was published even before the American State Secretary officially formulated it in Rambouillet.

⁷ This utterly undiplomatic statement was reported by all media.

During the war, proclaimed and real aims of the aggression on Yugoslavia were discovered.

The proclaimed objectives were:

- to force Yugoslavia to accept the so-called "Rambouillet Peace Agreement",
- to prevent a humanitarian catastrophe,
- to stop "Serbian aggression" in Kosovo,
- to secure the "democratization of Yugoslavia",
- to prevent the spread of the conflict,
- to weaken the military power of Yugoslavia and
- to preserve the credibility of NATO.

The real aims of the aggression were, in fact, the following:

- 1) One of the fundamental and priority goals was *to conduct the occupation of Kosovo*, and then the whole FRY with the intention of conquering a strategically important area and turning that space into its own (and free of charge!) military base.
- 2) By entering this part of the Balkans, NATO would *ensure the placing of an earlier non-bloc space, from the time of non-aligned and non-bloc Yugoslavia, under the aegis of the NATO forces,* which would ensure control of the strategically extremely important geostrategic direction of the so-called the Danube Morava Vardar direction. With this, the Adriatic Sea would be turned into the internal sea of the NATO Pact, which would further enable full control and management of the Mediterranean Sea from the Black Sea to Gibraltar. Realization of this plan would provide more favorable access to energy sources, not just in the Middle East, but more importantly, access and control over huge reserves of energy and raw materials in the new states of Central Asia (the former republics of the former Soviet Union) would be ensured.
- 3) By deploying its forces in Yugoslavia, NATO would get even closer to the borders of Russia, and in this way, it would push Russia from the space that was considered its traditional sphere of influence. The NATO Alliance, i.e. the US needed Kosovo as a bridge for further progress towards the East.
- 4) The armed intervention against Yugoslavia should have been a demonstration of force, i.e. a clear demonstration of who was ruling the world. The intervention should also serve as a precedent and test for

future similar actions of the Alliance. The annual NATO meeting during the aggression, which was simultaneously the celebration of the 50th anniversary of this organization in Washington from 23-25 April 1999, showed that the attack on Yugoslavia was a proclamation of a new NATO strategy, which was then established. According to this new strategy, NATO assumed the right to intervene always and everywhere, whenever and wherever it considered justified without a UN mandate.⁸ This clearly expressed the intention to send a message to everyone that the United Nations was a thing of the past and that the new world order has entered the scene.

- 5) Another of the covert reasons for the aggression against Yugoslavia was the US intention to slow down the project of economic integration of the countries of the European Union by destabilizing the Balkans. Given the economic and other rivalries between Europe and the US, the prevention of further strengthening of European integration is one of the strategic goals of the United States. A number of Western analysts have pointed to this. The weak and divided Europe is much easier to manipulate. At the same time, the US intention was to prevent any possibility of primarily economic connection (and perhaps later, military) of Paris, Berlin and Moscow, which could lead to the weakening of the US military presence in Europe. In this light, the war against Yugoslavia (regarding which France and Germany assumed the opposite position from Russia) was a great opportunity to bring discord and mistrust among these countries.
- 6) The attack and punishment of Yugoslavia were also aimed at the weakening of the Slavic power and influence on Eastern Europe. Simultaneously, the aggression should have indicated that Russia, although in possession of the nuclear arsenal, was no longer a world power since it was immersed in its internal difficulties and was unable to employ its still respectable armed force.
- 7) It is a well-known fact that wars are waged for resources, but also because of the use and consumption of manufactured weapons and their engagement. Thus, in the case of aggression against Yugoslavia, the war

⁸ Unlike the previous concept in which NATO was a defensive alliance, with a zone of responsibility in the territory of the member states and the possibility of undertaking some other actions, but exclusively under the authority obtained from the Security Council, the new strategy envisioned that the right to action can also be taken outside the Member States.

also had an economic dimension. It was necessary, at the time when there was no other military-political alliance and serious foreign enemy, to find the reasons for NATO's existence and justify the tremendous costs associated with it and the huge expenditures for weapons and the military of the Western states, and above all the United States.

- 8) It is necessary to point out that the war against Yugoslavia served as a huge showcase for the presentation and sale of weapons and as an ideal opportunity for *in vivo* experimentation with new types of weapons, military equipment and resources. It is known that during the air strikes against the FR Yugoslavia, the United States used for the first time some new weapons and assets. In particular, the stealth bombers B-2 Spirit, satellite-based missiles (they proved to be more precise than those with laser guidance), a new guided GBU-28 bomb with more than 2,000 kilograms of explosives, new types of cluster bombs (with various charges such as cumulative, repressive, destructive, flammable, etc.), the so-called graphite or "soft" bombs (to paralyze electrical power supplies), etc. NATO also experimented with various modifications of already existing means (new navigation or guidance systems were installed, "old" bombs were filled with new destructive explosives, etc.), conducted joint operations of the combined forces from various member states, etc.
- 9) Serious analyzes confirmed that aggression against Yugoslavia also had an ideological background. The United States, as the only remaining superpower and self-proclaimed world leader, was aiming to make every opposition to the new systems of values within the "new world order" severely punishable as an example for others. At the same time, this was an example of punishing one of the last remnants of communism on the Old Continent.
- 10) After the war, it was argued that NATO strategists had an idea to use the Balkans wastelands as an excellent location for the disposal of nuclear, chemical and other toxic waste after the occupation of Yugoslavia. This was supported by the fact that NATO used depleted uranium missiles, which was, in fact, nuclear waste (a by-product of nuclear reactors). Due to its thousand-years-lasting radioactivity, it had to be deposited in special well-guarded sites. Instead of allocating enormous resources for the construction and protection of storage facilities, the US used it for military purposes (in missiles) and thus simply "stored" it in someone else territory.

WAR CRIMES COMMITTED DURING THE AGGRESSION OF THE NATO PACT ON FR YUGOSLAVIA (SERBIA)

During the aggression of the NATO Pact on the FR Yugoslavia (Serbia), member states of the Alliance committed mass war crimes by using prohibited weapons or weapons whose use was limited. This type of weapons includes projectiles prohibited by international law, depleted uranium missiles, weapons of mass destruction such as chemical weapons, chemical weapons indirectly, attack on civilians, civilian objects, civilian objects for the survival of the civilian population, the use of mercenaries, etc.

The use of missiles prohibited by international law – depleted uranium missiles

During the aggression against Iraq and Yugoslavia, NATO member states have used for the first time (as we know by now) a new type of weapons - missiles containing propulsive DU (abbreviated from the English name depleted uranium) in their explosive core. The use of a new type of projectile was confirmed by Konrad Freitag, an official of the US government at a briefing in Washington during the war (Vojska, 1999, p. 19). A year later, the UN Secretary-General in his letter to the NATO Secretary confirmed that depleted uranium ammunition was used in the aggression against Yugoslavia (Federal Ministry, 2000, p. 22). This type of explosive was contained in the missiles used as artillery and airborne ammunition for the destruction of, in particular, armored vehicles and fortified objects (shelters, bunkers, etc.).9 Projectiles (GAU-8/A and PGU-13/B)¹⁰ with depleted uranium (they used U-235 or U-238 core) have 1.7 times greater penetration than conventional missiles. When the missile strikes the metal, it develops the temperature of 785 degrees Celsius, and uranium dioxide is formed. Then, it creates an aerosol which spreads to the environment and pollutes the ecological system. Initially, it is very dangerous for the respiratory system of humans and animals. When aerosols penetrate the body, they are absorbed and directly contaminate the DNA system and the

⁹ This ammunition is used by US assault bombers "A-10", known as "Warthog."

¹⁰ The missiles were listed in the letter of UN Secretary-General Kofi Annan to the NATO Secretary General on 7 February 2000 in order to provide information to UNEP/UNCHS. p. 22.

cell structure. In this case, the economic calculation of Western experts came to full expression. It turned out that the explosive with the addition of DU has better qualities on shielded assets than conventional explosives. Additionally, the nuclear waste generated by the use of dirty nuclear technology is reused and thus solves the problem of its stocking, and at the same time, it is economically rational (the same thing is sold twice - it extends its use value).

The danger of this weapon is huge. First, those who handle it are in danger, i.e. the users of this weapon¹¹. Secondly, this kind of weapon cannot be controlled, i.e. its effects, both spatial and also temporal. Thirdly, this is a weapon with a prolonged effect which causes unnecessary suffering. And because of the harmful radiation, an irradiated person is condemned to a painful and gradual death.

Given that the collection of data regarding the quantity and location of these bombs has not yet been completed, we have to be content only with partial information. According to it, during seventy-eight days of the war over one million and two hundred thousand shells with the depleted uranium core were thrown over the FR Yugoslavia (about 30 tons of depleted uranium) (Federal Ministry, 1999). The missiles were mostly dropped from the A-10 Thunderbolt-II (nicknamed "Warthog"). Bombs with the DU core were also used during the NATO attack on the units of the Army of Republika Srpska (1994-1995). The effects of these missiles have already been felt since then – in the mid-nineties of the last century. There is almost no information about the consequences of the utilization of this weapon today. The consequences were expressed through increased mortality from leukemia, increased number of cancer patients, stillbirths, children born with defects, etc.

During the aggression, most of these missiles were thrown into the territory of Kosovo and Metohija. The withdrawal of our forces from this area made it impossible to examine in detail the number of missiles projected and their location. For the time being, there is only a report from the Federal Ministry of Foreign Affairs of the FR from August 2000. Based on this report, it can be perceived that depleted uranium bombs were mostly dumped near the border with Albania, west of the line Peć - Djakovica –

¹¹ We are aware of the so-called "Gulf War Syndrome", the disease of the Alliance's soldiers that appeared after the war in Iraq. The latest research suggests that these soldiers were in contact with missiles containing depleted uranium.

Prizren, near the Suva Reka and Uroševac, around Gjilan, south of Kosovska Mitrovica and near Peć.

An increase in the number of suddenly ill members of the peacekeeping mission in Kosovo after arriving in that area indicates the accuracy of the allegation that the use of this kind of weapons has shown all of its perversity and far-reaching consequences.

The use of missiles prohibited by international law – cluster bombs

During the bombing of the Yugoslav territory, the Alliance member states employed a new type of weapon, the so-called weapons of "new generation" - "cluster" bombs. These bombs contain a number of smaller bombs. After being dropped from the aircraft or fired from artillery weapons the container opens up and release a great number of smaller bombs or missiles in the form of beads, weighing from 0.5 to 5 kg, sometimes even 15kg. These explosive sub munitions or "bomblets" spread even farther in the air and affect more space. Some of these missiles have a delayed effect, i.e. they are activated after falling to the ground or activated by touch, i.e. by step (Ostojić, 1999). Their effect is possible, even after a few years, so they pose a threat even after the cessation of hostilities. They are especially risky for children because they are frequently coloured and shaped to arouse their curiosity. This type of bomb is not explicitly prohibited by the existing international law. However, since it is a weapon that inflicts increased suffering on civilian populations and extensive destruction which is in disproportion to military necessity, it is clear that the use of this weapon, primarily aimed at killing civilians and creating fear and panic among civilians, is in fact forbidden. Hence, to conclude, cluster bombs are not explicitly prohibited by the existing international treaties. However, their prohibition stems from the rule on the prohibition of inhumane means of warfare. Their tactical and technical application is such that there is no control over them. Their effect increases the number of victims, as well as injuries or mutilations. Their use was prohibited by the Saint Petersburg Declaration of 1868. The Declaration explicitly states: "that for this purpose it is sufficient to disable the greatest possible number of men; that this object would be exceeded by the employment of arms which uselessly aggravate the sufferings of disabled men, or render their death inevitable" (italic by M.J.). Given that it causes severe injuries and its effect cannot be controlled, this weapon belongs to inhuman weapons, and if we take into consideration all previous international conventions, it is indirectly prohibited by international law on several grounds.

During the aggression, cluster missiles were repeatedly used not only against military targets but also against civilian ones. Cluster projectiles KB-44 in MB-1 shell were used (4,704 cluster bombs) and also the "MUSA" mines, activated in the vicinity of a vehicle or person (Ostojić, 1999). During the attack on military facilities and the vital force, the enemy also put in danger civilians, contrary to the clear rules of international law and the appeals of organizations and individuals-humanists to stop using this weapon (Krivokapić, 1999, p. 100; Jončić, 2001, p. 30).

According to the currently gathered information, during the aggression, cluster bombs were used repeatedly and in several locations. The list of places where this ammunition was used is long. For the purpose of illustration and transparency, we will mention those places with numerous human casualties and destruction.

During the bombing of a convoy of civilian refugees on the road Djakovica - Prizren, on 14 April 1999, cluster bombs were used. On 7 May 1999, around the noon (11:30 a.m. - 11:40 a.m.), during the bombing of Niš (southeastern part of the city, the Clinical Center and the nearby city center), cluster bombs were also used. In that attack, 13 people were killed, and 29 suffered severe and minor injuries. The hotel "Bačište" on Kopaonik was struck with 100 cluster missiles at midnight on 13 April. During the attack on this building, the hotel "Putnik" was also damaged. In the vicinity of the hotel, parts of cluster bombs were found, as well as unexploded cumulative - blast mines. In the village of Pavlovac, municipality of Vranje, two people (one of them was a 12-year-old girl) were killed by cluster bombs near the family house on 14 April 1999. In the village of Gošići near Podgorica, on 28 April 1999, several cluster bombs luckily killed only domestic animals in the open field.

The use of weapons of mass destruction – chemical weapons

A chemical weapon is a specialized munition using the substances that, in a particular moment, can change the chemical composition of the chemical structure of living and non-living matter.

During the two-month aggression on the FRY, it was not observed that the Allied forces used this kind of weapons. They used the weapons which, with their tactical and technological properties and characteristics, caused the consequences similar to the consequences of chemical weapons. In other words, they bombarded the plants that produced chemical substances, which was downright dangerous if not controlled and which caused an ecological disaster. In the near and further environment, the chemical composition of soil, air and water was changed. By destroying or damaging factories, toxic substances were released into the environment. Given that some of the facilities have been hit multiple times, there was no doubt that they were deliberately battered with the aim of causing these consequences.

Protocol I of 1977 binds almost all NATO member states, except the United States, France¹² and Turkey. During the aggression, the Pact's airplanes attacked factories, facilities and installations containing hazardous substances several times. Thus, they have indirectly transformed classical weapons, missiles and bombs into chemical weapons since the effects of conventional bombing were as if the chemical weapons were used. From the petroleum products warehouses, the first was hit the warehouses in Bogutovac and Pančevo on 4 April 1999. On this occasion, two people were killed and seven people were injured. Also, several civilian objects were destroyed and damaged. The real catastrophe happened when the Alliance repeatedly bombarded the chemical industry in Pančevo on several occasions; on 12, 17 and 18 April. During these attacks, there was severe air pollution, and after the fall of the rain, there was pollution of soil and water. In the "NIS Oil Refinery", several tanks of oil derivatives have been hit. In the "HIP Petrohemija Pančevo" a reservoir with about 100 tons of VCM (vinyl chloride monomers), three wagons with 30 tons of VCM and plants with PVC (polyvinyl chloride) were struck. Due to the combustion of these substances, there was an increase in toxic substances in the air, so the concentration of VCM was up to 7,200 times higher than allowed, and in the period from 06:00 to 08:00, it was even 10,600 times higher than the allowed norm. VCM is a substance that has cancerogenic and mutagenic properties, and according to the recommendation of the World Health Organization, the presence of any quantities of these substances in the air is not permitted. According to the Regulations on GVI (GVI) of the Republic Ministry of Environmental Protection, the dose of vinyl chloride was well above the allowed concentration. Hydrogen chloride, carbon monoxide and phosgene (poison gas) were released as combustion products. The fire that arose in the "HIP Azotara" released extremely hazardous gas ammonia that

¹² France ratified the Geneva Conventions of 1949 on 28 June 28 1951, and it only accessed Protocol II on 24 February 1984 and at the same time made reservations.

polluted, even more, the already poisoned atmosphere over Pančevo and surrounding areas. Citizens tried to evacuate outside the city, mostly to Deliblatska peščara (Deliblato Sends), but nevertheless, they were forced to inhale toxic vapors, as the wind spread them into the wider Pančevo region.

The following facilities were also hit: in Smederevo "NIS Jugopetrol instalacije" on 4, 9, 13 and 29 April and 1 June; in Priština on 5 April; "Oil Refinery" in Novi Sad on 5, 7 and 12 April. In the village Mala Kruša, petrol and fuel oil reservoirs were hit on 9 June, and in the village Devet Jugovića fuel tanks on 6 April. In the village of Konoplja, fuel tanks were bombarded on 4, 8 and 12 April; in Bogutovac on 8 April; in Pančevo on 12 April; in Niš on 8 June; the facilities of NIS "Jugopetrol" and "Energogas" on 5 and 11 May. The chemical factory in Prahovo and its fuel tanks on 7 and 17 May. "Jugopetrol" reservoirs in Bor were hit on 15, 17 and 27 May. In Sombor, "Naftagas promet" reservoirs were bombarded on 20 and 21 May. In each of these attacks, there were a fire and burning of these installations and the release of high concentrations of toxic substances. During the destruction of these installations, other facilities, warehouses, pumping stations, administrative buildings, etc. were also destroyed. During these attacks, a number of workers of these companies were killed as well as the population in the surrounding civilian buildings.

Attacks on the civilian population and civilian objects and intimidation of civilians

In addition to military targets, throughout the aggression, the target of the general bombing has frequently been civilians and civilian objects. The capital of Yugoslavia, Belgrade, with suburban settlements, was bombarded almost daily. The targets of the bombing were often civilian objects, and repeatedly. Thus, during the night between 29 and 30 April, 3 civilians were killed and 38 wounded when the buildings of the Ministry of Defense, the General Staff and the Republican Government were hit. It was cruel that the bombing was repeated after a short time (15-20 minutes from the first attack). The missile strike was repeated in the same area at the moment when assistance was provided to the injured persons. In this attack, purely civilian objects were destroyed. During the bombing of the buildings of the Federal and Republican Police in Belgrade, civilian buildings were also hit.

The aggressor justified the attacks on civilian objects, claiming that they were "collateral damage and collateral victims". Such justifications are unfounded for two reasons.

Firstly, it was impossible that there was no precise data on targets since the NATO Alliance continuously presented them during the war. NATO showed, first of all, that they had precise data and plans on the objects of the attack. Secondly, it possessed the latest generation of sophisticated precision weapons.

Furthermore, international law has long since forbidden the occurrence of accidental or incidental casualties (Jončić, 2017, pp. 140-150), which is clearly stated in Article 51 paragraph 5 point (b), regarding point (a) and paragraph 2 of the same Article, as well as Article 50 point (3) of the Protocol I. The examples of serious violation of aforementioned law are the mass victims already mentioned in the bombing of civilians in the Mejo village, civilian convoys on the road Djakovica-Prizren and near the village of Koriša, where foreign journalists were convinced that there were no military forces in the 5-km radius. On that occasion, the journalists confirmed that the aggressors deliberately attacked civilian targets. The bombing of the correctional facility "Dubrava" in the town of Istok (Kosovo) on 19 and 21 May, when 93 convicts were killed and 196 were injured is a drastic example of the violation of international law. The attack was repeated, although it was a civilian object and had no military significance.

The "Human Rights Watch" has been overwhelmed by the bombing of civilian objects. This organization, which should not be very proud of its objectivity in these areas, sent a letter to NATO Secretary-General Javier Solana on 15 May 1999, in which it severely criticized the bombing of Yugoslavia and especially the deliberate targeting of civilians and civilian objects.

In the doctrine and practice of international law (especially the international law of armed conflict) it is clearly indicated that civilians and civilian objects are strictly protected and are not allowed to attack (Jončić V, 2012, p. 426; pp. 429-430; Jončić M. 2017, p. 148; ICRC, 1987, p. 512; Commentary, III, pp. 67-68). In the case of incidents in which there is a doubt as to whether the target altered its status from civilian to military, the *Additional Protocols* determine it should be assumed that it is not a military target unless proven otherwise. This rule was crystallized very early, even in the Hague Conventions (Jončić V, 2015, p. 64; Jončić & Đurić, 2014, p. 274).

International law requires that warring parties during the conduct of military operations must constantly take care of the civilian population and civilian facilities. When planning attacks or deciding on attacks, responsible persons are obliged to check the targets they plan to attack. Primarily, care must be taken to ensure these targets are not subject to special protection or that the provisions of international instruments do not prohibit the attack on such facilities. Therefore, it must be determined whether the anticipated targets are of a military character and whether attacking them does not jeopardize the civilian population. Also, when it comes to the choice of means and methods of attack, it is obligatory to take all precautions and caution to avoid or minimize the civilian casualties, that is, accidental loss of lives and wounding civilians as well as damage to civilian objects. The decision to carry out any attack must be made only after it is established that the attack will not cause loss of life of the civilian population or damage to civilian objects.

The exception to these rules applies only to achieve a visible and direct military advantage. There is also an obligation for the warring parties to inform the civilian population of the upcoming attack. An exception to this rule is justified in cases where circumstances do not allow such notification. There is, of course, a small oversight. It is the fact that an attacker can often call to the circumstances that did not allow a warning and to avoid this obligation (Jončić M. 2017, pp.109-121).

The protection and differentiation of civilian and military facilities represent the establishment of a balance between military necessity and the principles of humanity and a step further in the implementation of the prohibition of the mode of warfare by the principle of "attack without the choice of the target" (Jončić, V. 2012).

During the NATO aggression, almost all provisions of international law have been violated. In particular, the provisions on the protection of civilians and civilian objects. The previous statements regarding the basics of the international legal protection of the civilian population indicate the stated statement is correct. During the aggression itself, a direct target of the attacks, in the first place, was only a civilian population. In total, over 2,470 civilians were injured or killed during 78 days and nights of a continuous bombing.

In some cities, entire blocks of buildings were destroyed, and there was no military target nearby. Thus, the NATO air force in the attack on Aleksinac leveled to the ground the entire side of the street in the night between 5 and 6 April 1999, and in the repeated attacks on 28 May 1999. On that occasion, 17 people were killed and around 40 injured. The town of Ćuprija was raided on two occasions. In the first attack on 8 April 8, around 00.50 a.m., during the rocketing of the empty military barracks, several family houses were completely destroyed, and a large number of buildings in the wider area around the barracks were badly damaged. A significant number of people were injured. In the second attack, the targets were purely civilian objects. The city core was completely destroyed. On the night between 10 and 11 April, the village of Merdare was attacked with 23 large-force missiles and cluster bombs resulting in 5 dead and 2 people who sustained minor injuries. On 10 May 1999, in the bombing of industrial buildings in Čačak, 4 people were killed and 13 wounded. On 8 May in the afternoon (around 16 a.m.), an old bridge was bombed in the city center of Nis, although it had no military significance. The result was 2 people killed and 7 injured.

The bombing of a refugee convoy at the Mejo village, on the road Djakovica-Prizren, on 14 April 1999 was conducted three times repeatedly without checking the target as prescribed in Article 51 point (4) of the Protocol I. Considering this was clearly a convoy of civilian vehicles, it was a violation of Art. 51 of Protocol I.

From 24 March to 24 April 24, 27 settlements with several health facilities were bombarded. In 23 towns were also attacked cultural monuments, educational institutions, a large number of bridges, railroads, several airports, bus stations, etc.

By bombing the railway bridge near Grdelica on 12 April 1999, at about 11.40 a.m. when a passenger train was passing over, a gruesome crime was committed, more specifically, an international crime against the civilian population.

Research indicates that the pilot had information that it was a train with civilians and that he could wait for the train to pass. However, the strike was carried out just when the train was on the bridge before entering the tunnel, which indicates that the aircraft's leader had the intention to hit the train at the moment when it was on the bridge and tried to justify the whole action as "collateral damage". In this attack, 17 people were killed, 3 were declared missing, and many more were seriously injured.

In the middle of the day on 30 May, during the Fair in the town Varvarin (on the religious holiday of the Holy Trinity), the bridge and the area where the Fair took place were bombed leaving behind 11 dead civilians and 40 wounded. This was undeniably an act of intimidation of civilians by a method strictly and explicitly prohibited by international law.

The Alliance attacked everything without any difference. By such actions the aggressor grossly violated Art. 51 (4) of the Protocol from 1977, since the attacks were carried out without selecting targets. The Supplementary Protocol I prohibits an attack on the civilian population as well as individual attacks on civilians unless they participate directly in hostilities. The protocol requires the caution in target selection to ensure the attacks are lawful and prescribes that the attacks without selecting the target are illegal.

Many civilian objects that have been bombarded or struck with missiles have no logical connection to the military targets. Many isolated houses were demolished for which it was not possible to determine why they were the objects of the attack. Moreover, the schools were bombed in places where there were no military targets, although explicitly prohibited according to international law. Tobacco factories were frequent targets of the bombing, although they do not have direct military significance, and also bus stations, post offices, etc.

It is mentioned that Protocol I in Art. 51 (2) explicitly prohibits civilians from being attacked, as well as any act or threat aimed at the intimidation of civilians.

The international law of armed conflict prohibits any violence and intimidation of the civilian population. Even the Fourth Geneva Convention of 1949 foresaw, in general, the protection "from any violence or intimidation" (Article 27, paragraph 1). During the aggression, many attacks on civilians and civilian objects were in the function of terrorizing and intimidating civilians in order to break the resistance, that is, to demoralize the civilian population and cause dissatisfaction among the people and cease functioning of the country's defense system. Attacks on the refugee convoys returning to their homes were probably in the function of the aggressor's intention to disable their return. Otherwise, their return would eliminate the underlying reason why the "Merciful Angel" operation - the military intervention and the aggression on Yugoslavia - was launched and implemented. The attacks were repeatedly conducted on objects that were already destroyed, resulting in the civilian casualties and infliction of fear. For example, the bombing of civilian objects in the core city centers (especially in large cities - Belgrade, Niš, Novi Sad, Priština, etc.) and destruction or damaging the main electricity capacities, which is why the whole of Serbia and considerable parts of Montenegro were without power served to this purpose.

Violations of the rules on the protection of hospitals, hospital transport and prevention of humanitarian aid

The Second Geneva Convention of 1949 puts the protection of wounded, sick, hospitals and hospital staff at the forefront. Protection does not cease

even in the case that these facilities have armed guards, or if hospital staff have personal weapons (The First Geneva Convention of 1949 Art. 22). Transport of wounded persons and patients or medical supplies must be respected and protected (The First Geneva Convention, Articles 35-37), and repercussion measures are expressly forbidden towards the wounded, sick, hospital staff, "buildings and material protected by the Convention" (Article 46 of the Convention and Article 20 of Protocol I). The Supplementary Protocol reiterated in principle the protection of these persons from the Second Convention of 1949 and somewhat specified it. During the war, the NATO Pact aviation repeatedly bombed hospitals, ambulances, vehicles for medical and other humanitarian aid, and facilities for hospitalization of mentally ill persons.

A drastic example of these violations was the bombing of the Neurological Clinic in the University Hospital Centar "Dragiša Mišović" in Belgrade on 20 May, where 4 immobile patients were killed and more wounded. During the bombing, the Gynecology Clinic and the Children's Hospital were also damaged, and they had to be evacuated to the basement which was completely inadequate for this type of patients. During the night between 30 and 31 May, the municipality of Surdulica was bombarded. The Special Hospital for lung diseases "Sanatorium" was hit. The pavilion with the refugees from Croatia, the pavilion of the nursing home and the pavilion with pulmonary patients were destroyed. The hospital was completely demolished, and 13 people were killed in these facilities, 38 injured, and three persons were declared missing.

According to the collected data, during the aggression against Yugoslavia, the NATO Pact destroyed and damaged more than 127 health facilities. In addition to directly disabling the delivery of humanitarian aid (the case of the humanitarian convoy "Doctors of the World" on 5 May 1999, which was transporting humanitarian aid to the Priština Clinical Center), it indirectly prevented the delivery of aid. There were no casualties, but a part of the aid was destroyed and the vehicles that transported humanitarian material.

Almost throughout the war, NATO officials have issued statements that they could not guarantee the security of humanitarian shipments sent to Yugoslavia. In this way, it was not only denied access to help but a covert threat was expressed to those who dare to send it. Some of the neighboring NATO member states unnecessarily and unjustifiably delayed the issuance of the approval for the transfer of humanitarian aid to Yugoslavia through their territories. Thus, for example, Hungary has retained on its border an already customs-checked humanitarian convoy from Russia and Belarus for several days.

So far, none of those responsible for these grave violations of the international law of armed conflict answered for it, nor any proceedings were initiated in the international bodies dealing with war crimes.

CONCLUSION

The aggression against Yugoslavia by the NATO was beyond all rules. On the one hand, the fundamental rules of the international law of armed conflict (international humanitarian law as part of this law) were not respected. On the other hand, the measures undertaken, the destruction of the FRY defense forces, which was partly in line with international law, represented a violation of the rules of warfare. In addition to these violations, the rules that relate to the protection of basic human rights have been violated. The undertaken actions point to the conclusion that these measures are conducted to punish the whole nation. This can also be seen through the actions of savage bombardment without selecting the targets, the destruction of hospitals, schools, residential districts, cultural monuments, and more. The use of means prohibited by international law (cluster bombs, depleted uranium bombs, causing ecological catastrophes, etc.), indirect chemical weapons, power cuts, destruction of food factories, etc. are an explicit example. Such a total attack on the entire population of a country and on facilities used to extend the species (attack on hospitals and maternity hospitals) and necessary for the survival of the species (destruction of food warehouses, cattle farms, water supplies, contamination of land, food and water), indicates the goal of the aggressor was to punish the whole nation, and that is a war crime.

In the course of the war, to cover up this crime, the aggressor started the disinformation of his and the world public through inaccurate claims, censorship, replacement of theses, etc., with the aim of portraying the Serbs and other peoples of Yugoslavia as an uncivilized society, and to eliminate even the smallest pangs of pity towards them. The population of these areas is represented as a horde of uncivilised criminals, without morale and mercilessly brutal. Based on these estimates of Western propaganda, the conclusion was drawn that the use of all forms of force was permitted against the Serbian people, regardless of whether it was legally permissible or not, and that these were reasonable procedures that resulted in the great sacrifice on the part of that nation.

In order to successfully conduct a psychological propaganda war, the aggressor used semi-information, disinformation or complete lies. Thus, for example, NATO strategists and the media have informed their armed forces and the population that in case of a plane crash, the pilot must be saved because he will be massacred by "Balkan savages". The truth was altogether different. Each shoot down was carried out in accordance with the rules of war, and three US soldiers captured on the border with Macedonia were treated in accordance with the Third Geneva Convention of 1949 and Protocol I, which was confirmed by the prisoners themselves. From day to day, they repeated through the media that a stadium in Pristina was transformed into a concentration camp for the Albanian population. The retraction came from the French agency France-Presse, which established through the photos and reports of its on-the-scene reporter that the camp did not even exist. The bombing of the refugee convoy in the Mejo village was represented for days from the NATO-led coalition countries as an attack of the Serbian military and police forces. Later, when the lie was uncovered, NATO officials themselves denied this claim and confirmed the convoy was "mistakenly" hit by the aircraft of the Alliance.

The media "reported" throughout the aggression that the Serbian army and police had committed mass killings and rape. The Izbica village was mentioned, in which, according to reports by Western journalists, the Albanian civilians were killed and mass graves were made. The retraction came from these very journalists by interviewing in a TV show the owner of the field, Albanian Bajram Shala, whose property was allegedly a mass grave of the Albanians. The owner himself clearly and publicly denied it. With the arrival of KFOR in the territory of Kosovo and Metohija, it has been discovered that there are no mass graves anywhere on the territory of the Province. At the beginning of the war, the protagonists of the war claimed that Yugoslavia had chemical weapons and prepared nuclear weapons and that there was a danger of using them against civilian targets across Europe. This was also denied. The retraction came from their experts. They confirmed the FRY did not possess nuclear weapons, and that it renounced the production of weapons of mass destruction. Numerous inspections in Yugoslavia before the war in the framework of the implementation of the Sub-Regional Arms Control Agreement confirmed that no traces of chemical weapons were detected, as well as facilities for their production. After all, any use of this weapon by the Yugoslav Army would be counterproductive. It is almost certain that the Yugoslav Army would never use this kind of weapon on its own territory where its units and population were (remember that Yugoslavia was defending itself on its territory) because such utilization of chemical weapons would contaminate its territory and the population would endure a long-term threat of contamination.

The argument which has been frequently emphasised was that the existence and action of the NATO represented a guarantee of security in this part of the world due to the existence of such peoples (like the Serbs) who with their destruction had caused instability and insecurity in this part of the world. In reality, the FRY did not pose a threat to European and world security and peace at that time. The FR Yugoslavia has proven this, time and time again. However, all the facts mentioned on our side were not taken into account from a number of Western countries. It is clear NATO had to intervene to implement the policy of globalism within the framework of the "New World Order" strategy.

In the end, it is necessary to say that in addition to war crimes in this region, a crime against humanity has been committed. According to everything above-mentioned, the aggression and the consequences that followed violated in the worst possible way the UN Charter, the general principles of international law, as well as the norms of the international law of armed conflict in general. Following the logic behind this, the violation of the basic principles and the most important legal document of contemporary international law - the UN Charter - has resulted in the violation of a whole series (dozens) of other legal and political acts based on them, such as various other United Nations documents, a number of multilateral and bilateral agreements, and even the most important documents of NATO itself - the Founding Agreement! However, once again this proves there was no legal basis for the threat of force against Yugoslavia in Rambouillet. The same applies to the very act of aggression, especially in the face of grave violations of the international law of armed conflict. The aforementioned actions of the NATO member states were explicitly prohibited by modern international law, and many of the means and methods used by the NATO forces during the aggression were also prohibited. Therefore, the question arises whether one of the goals of aggression was precisely to show the whole world that the pillars of contemporary international law are no longer relevant and that new rules in particular, the law of force - will apply in the future. What about the consequences of the aggression on the FR Yugoslavia (R. Serbia), which cannot be fully comprehended even after 20 years? What is the future of survival and health of the population in this area today, after these crimes? The first long- lasting effects are already visible and felt. What will they be in the future?

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CHAPTER II

THE WAR AGAINST THE FRY IN THE REGIONAL GEOPOLITICAL CONTEXT

THE GEOPOLITICAL ASPECTS OF THE 1999 NATO AGGRESSION AGAINST YUGOSLAVIA

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Abstract: The author deals with the problem of geopolitical motivation of the NATO aggression against the FR Yugoslavia in 1999. In this respect, it is emphasized that behind the military intervention of the Western Alliance are the geoeconomic (mining wealth of Kosovo), transportation, energy and military-strategic interests of the United States and its allies. The author analyzes current and future projects for the construction of transport and energy infrastructure in the Balkans, as well as the geopolitical combinations and rivalries developing around the realization of these projects. The second part deals with the consequences of this intervention reflected in the rise of Islamic radicalism in the region, organized crime in Kosovo and general instability in the Balkans. The author particularly discusses the current situation in Kosovo and Bosnia and Herzegovina, the unstable political circumstances in these areas, as well as the expansion of the EU and NATO in the Balkans.

Key words: Resources, boundaries, instability, the Balkans, New World Order.

INTRODUCTION

Twenty years after the NATO's aggression against Yugoslavia, its geopolitical motivations are now very clear: it was a demonstration of NATO's force against Russia, but also the climax of the role of the US as the world's policeman. But like many times in recent events (Iraq, Libya, Syria), the plans of the US Department of State and the CIA have caused more chaos (N. Chomsky) than provided solutions. The Western Balkans is now a very unstable region, where weakened states have given way to mafias (Raufer, 2000), Islamic terrorism (Del Valle, 2001) and economic collapse (J. Sapir). The main goals were to confront Russian power and all its allies in Southeast

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Europe (Serbia, Macedonia and Bulgaria) and to put pressure on the European Union's enlargement politics towards the east and south of Europe. In this situation of very high instability, we have perceived the following:

- A new oriental question has arisen on the geostrategic plan, with the question of the seizing of major resources and the creation of corridors. Are we assisting a profound confiscation of local resources, which can cause more social and economic instability in the heart of the old continent?
- Another axiom consists in the question of boundaries in the region marked by the Titoist frontiers. Was the deepest objective of NATO powers to redefine the boundaries of ex-Yugoslavia in the spirit to make failed states and then impose a Euro-Atlantic protectorate on the Western Balkans?
- The third axis of reflexion revolves around the political and religious instability. Was Islamic terrorism the only way for the Western powers, to practice the Huntington's clash of civilization, thereby giving Muslim leaders in Eastern Europe an opportunity for revenge to balance the operations that the West conducted in the Middle East?

GEOSTRATEGIC INTERESTS BEHIND THE NATO BOMBING IN 1999

Vast local resources

Kosovo is one of the wealthiest regions in Europe in ores today: it is a main cause for the interest of the major powers in this Serbian province. The reserve of the area of Obilić is estimated at more than 10 billion tons, which is the fifth biggest world reserve of brown coal. This has allowed Kosovo the export of the electricity in nearby Serbia since 2004. The Trepča Mines, with its 7,5 million tons of ore reserve, also abounds in lead, zinc and copper in the exceptional amounts (20% lead reserves against 0,9% on average in the world). We also find in Kosovo some gold, nickel, bauxite and manganese. According to a report of the World Bank from November 2007, the value of the wealth of the Kosovo basement is estimated at 13 billion dollars. Thus, this concentration of wealth on a so small territory necessarily instigates the greed of the European powers (Troude, 2013).

A compulsory passage to Hungary and Romania, Vojvodina is at the outlet of the Balkan energy tubes: European corridors IV and X cross it, as well as the routes of the future Russian and American "Stream" and "Nabucco" pipelines. That is why the major Austrian, Hungarian and Russian industrialists are trying to establish themselves in Vojvodina. The Austrian O.M.V. already took an interest in the acquisition of a refinery in Novi Sad in 2006, and at the beginning of 2008, an Austro-Hungarian energy alliance was about to be concluded. But the Russians were faster and acquired 51% of Naftna Industrija Srbije (NIS), the Serbian oil company, in December 2008. Vojvodina has thus become the site of a strategic confrontation between a Russia that relies on Vojvodina as an energy corridor to Europe and the circumvention of the "Ukrainian" enemy and Hungarians who are increasingly present on their southern fringes (Troude, 2010).

Pan-European Corridors

Twenty years after the NATO bombing in Serbia and Kosovo, the key strategic interest of these highlands of Kosovo, enclosed between the mountains of Albania, Montenegro and Macedonia, was now better understood. To the east, Corridor X has already drained vital trade flows between Budapest and Salonika for Macedonia and Serbia. To the west, Corridor IV Trieste-Constanța whets the Russians' appetite. It is understandable why the Moscow-supported oil and gas pipeline projects ("South Stream") are thwarting the US AMBO project in Kosovo to channel hydrocarbon supplies from Central Asia through the Balkans. Kosovo's challenge is there: who will have control over this large territory and will two French departments be able to control the transport of hydrocarbons from the Caspian Sea to Europe.

Since 1997, the European Union has invested eight billion euros in Corridor VIII (pipeline, rail and motorway). So far, only two sections of motorway have been completed on this axis, one connecting Sofia to Plovdiv in Bulgaria (150 km) and the other between Skopje and Tetovo in Macedonia (40 km), but it is expected that by 2020 Bulgaria will be directly connected to Albania by an end-to-end motorway. Corridor X is already efficient since it is the passage of 2/3 of trade between Greece and Macedonia, 3/4 between Macedonia and Serbia.

Over the past two years, the EU has accelerated the construction of penetrating roads that had been developing relatively slowly since then. In order to connect the Danube directly to the Adriatic Sea, the EU has largely financed the 95-km motorway section between Belgrade and the southwest city of Čačak in Central Serbia; at the other end of this axis, the works between Podgorica, capital of Montenegro and the Serbian border are progressing well, with a succession of viaducts already over 40 km long. The second project, presented in 2016 by the European Commission, is to extend Corridor IV from Niš, the second Serbian city already located on Corridor X, to Priština in Kosovo; in addition to forcing the Serbs and the Albanians to work in good understanding, this would open up the Kosovo plateau by connecting it to the Budapest-Salonika axis (Corridor X) (Troude, 2015, pp. 30-35).

Chinese and Russian energy routes

The European Union's corridor policy, although developing with a large increase in investment, is facing the geostrategic offensive of the Russians and Chinese in the region.

The return of the Russians to this energy race is striking. Since 2007, the Burgas (Bulgaria) - Alexandroupoli (Greece) pipeline has made it possible to avoid Turkey by passing through two Orthodox countries. But above all, the American gas pipeline project "Nabucco", Istanbul- Vienna by Romania, is competing with the Russian gas pipeline project "South Stream". The latter would follow a much safer, and therefore less costly route, as it would pass through Bulgaria, Serbia and Croatia, with which agreements have already been concluded. In February 2007, Putin signed a comprehensive gas transit agreement with Croatia, a country that was not known for its inclination towards Russia, and in 2008 Gazprom merged with the Srbijagas - Gas Company and acquired the NIS oil tanker in Serbia. In the field of transport, Russian railways are making very rapid progress by electrifying the Belgrade-Budapest and Belgrade-Bar lines, thus making it possible to connect the Serbian capital more quickly to Central Europe and the Adriatic Sea.

The Chinese have clearly understood the importance of roads in Southeastern Europe, whose control would allow them to extend their economic influence over the EU in a second phase. Their influence is significant at the heart of the pan-European system, i.e. at the intersection of the north-south axis Budapest-Salonika and (X) the east-west axis (Constantza in the Black Sea-Rijeka in the Adriatic Sea). The motorway section between Szeged (Hungarian border) and Belgrade is being completed; their companies are also supporting the Serbs to complete the 70 km of motorways between Niš and the long-suspended Bulgarian border. On the east-west axis, China plans to link Banja Luka, capital of the Bosnian Serb Republic, to Belgrade by building a highway through the Bosnian mountains. As for the Russians, their railway companies are progressing very quickly by electrifying the Belgrade-Budapest and Belgrade-Bar lines, thus planning to connect the Serbian capital more quickly to Central Europe and the Adriatic Sea (Troude, 2013).

U.S. economic and military interests

But the EU and the Russian-Chinese allies are competing with the Americans in this region of the Balkans. The Trans-Balkans AMBO pipeline was the subject of a feasibility study in the late 1990s by Brown and Root, a company based in Houston, Texas. Brown and Root is a subsidiary of Halliburton, of which Dick Cheney was the director before being elected Vice President of the United States. This project is also the work of the Trade and Development Agency (TDA), the Federal Trade and Development Agency, created in 1981 by President Reagan to promote American exports. From the outset, the TDA was very involved in the design of Corridor VIII: in 1998 it decided to specifically finance feasibility studies for the modernisation of the ports of Burgas in Bulgaria and Constanța in Romania. It is no coincidence that Bulgaria announced in 2003 that it was making available to Anglo-American troops the port of Burgas, the arrival point for Corridor VIII.

It is within this geostrategic framework that we must understand the reasons for the American army's construction of the giant Bondsteel base in Kosovo, its main base in the Balkans. It seems obvious that the creation of this base goes beyond the narrow framework of Kosovo. This vision did not escape the editorial writer of the Washington Post, who wrote candidly in January 1999 that "as the Middle East becomes increasingly fragile, we need air bases and overflight rights in the Balkans to protect oil in the Caspian Sea". Moreover, according to Colonel Mac Lure, commander of the 1st U.S. Infantry Division, "the plans for its construction had been drawn up months before the first bomb was dropped", i.e. long before the Rambouillet Conference, whose failure was the pretext for the NATO's intervention.

Some analysts speculate that Bondsteel, by its size, was designed to replace the Aviano airbase in Italy, as part of a reorientation of the American strategy around the Black Sea. Two bases have already been built by the US army since 2001 in Bulgaria, and no less than four in Romania in five years (2002-2007), including two on the Constanța lock (outlet of the Rhine-Main-Danube axis in the Black Sea). However, the Bosnian and Kosovo conflicts

of the 1990s had already enabled the Americans to set up bases in Tuzla, Bosnia, and Szegedin, Hungary.

It is easier to understand why, in March 1999, when NATO planes were bombing Serbia, British General Michael Jackson, commander of NATO troops in Macedonia, explained to the Italian newspaper "Sole 24 Ore": "Today, it is absolutely necessary to guarantee Macedonia's stability and its entry into NATO. But we will stay here for a long time to ensure the security of the energy corridors that cross this country as well" (Bacevich, 2001, p. 123).

The bombing of Kosovo was, therefore, only a means for the Atlantic Alliance to establish itself permanently at the intersection of corridors VIII and X; Kosovo and Macedonia have become strategic areas for NATO taxation over the past 20 years, at the heart of the American system in Southeastern Europe. The interests at stake are so great that the US administration, whatever its political colour, will not be able in the medium term to give free rein to any trace of contestation of its hegemony within the Kosovo/Macedonia perimeter.

NATO AGGRESSION - A SOURCE OF INSECURITY IN THE REGION

Regional instability linked to the rise of Islamism

Radical Islamists are taking advantage of the breakdown of Bosnian power to use Bosnia and Herzegovina as a land of Jihad conquest. The direct and terrible consequence of this very dynamic Salafist activism in Bosnia for more than twenty years was the appearance of affiliates of radical Middle Eastern Islamism a few years ago. For example, in Gornja Maoča, a small Salafist enclave in northeastern Bosnia and Herzegovina (Muslim part), several inhabitants raised the black flag of the Islamic State at the beginning of 2015. It is estimated that several dozen fighters are training in this camp set up by the Islamic state in these Bosnian mountains.

Between 200 and 300 Bosnian citizens are reported to have fought in the ranks of jihadists in Syria, under the command of Nusret Imamović, the leader of the Wahhabi community of Gornja Maoča, who has been on the list of the ten most wanted Islamist terrorists by the US State Department since 24 September 2014. The threat of action in Europe from such camps is

very likely; the ideology of the Islamic state is spreading on European soil and has a territorial foothold in the Balkans (Bougarel, 2001, pp. 325-334).

At the end of April 2015, in the city of Zvornik, a young jihadist violently attacked a police station, killing one Serbian police officer and injuring two others. It is not insignificant to see that Zvornik, located in the Republika Srpska but opposite the Croat-Muslim federation, is in the same region as Gornja Maoča, at the confluence of Bosnia, Serbia and Croatia. The aim of the Islamic state in northeastern Bosnia is not only to reactivate the former jihadist networks of al-Qaida that have never been definitively extinguished here since the wars of 1992-1995. It is also about sending experienced soldiers to Syrian territory and establishing a strong Islamist home in Europe for the long term, made up of fighters who sometimes have more than twenty years of jihadist habits behind them. The Active Islamic Youth Organization (AIO), clearly neo-fundamentalist, defends a literal interpretation of the texts of Sharia law and intolerance towards other religious communities. It has several training camps in Bosnia, where former Bosnian conflict veterans train recruits for terrorism. The best known of these camps is the "Gornja Maoča" camp, which brought together up to 300 young ultra-radical Islamists in the 2000s; it is now used by extremists to recruit young Bosniacs who want to practice jihad in the Middle East (Večernje Novosti, 2015).

Islamist terrorism is not new in Bosnia and Herzegovina. With financial support from Iran, Saudi Arabia and the United Arab Emirates, AIO was founded in 1995 by Nedim Haradžić, an officer of the jihadist group "El Moudjahid". His programme is very clear: "Our goal is the formation in Bosnia and Herzegovina of an Islamic state based exclusively on Sharia law, and whose model is Saudi Arabia". It is interesting to see that after passing through the Turkish Republic of Northern Cyprus, these young recruits are then sent to Sandjak and the Preševo Valley in Southern Serbia (Elsasser, 2005, p. 83).²

² The Markale massacres are two massacres of civilians committed either by the Army of the Republika Srpska (Serbs) or by the Army of the Republic of Bosnia and Herzegovina (Muslims) during the siege of Sarajevo, in the Markale Square market. The first attack on 5 February 1994 killed 68 people and wounded 144, while the second, on 28 August 1995, killed 37 people and wounded 90. In both cases, the origin of the shots was controversial. The Serb forces besieging the city claimed that they were not at the origin of the shooting, accusing the Army of the Republic of Bosnia and Herzegovina of bombing its own people to push NATO to intervene. During the first attack, expert reports did not allow to determine with certainty the origin of the

Kosovo: a failed state covering trafficking and the absence of human rights

This geostrategic interest of Kosovo explains its important place in drug trafficking and prostitution. According to a report by the European Monitoring Centre for Drugs and Drug Addiction (Europol), of the 125 tons of heroin consumed in Europe, 80% transited through Kosovo; heroin trafficking increased from 2-3 tons per year before 2000, to 8-10 tons between 2000 and 2005, representing a monthly profit of about \$123 million or \$1.4 billion per year. Coming from Afghanistan and crossing Turkey, the heroin circuit feeds Western Europe via Albania and Southern Italy. These figures are to be compared with Kosovo's foreign trade figures: with €968 million in imports and €36 million in exports in 2003, the trade deficit represented 125% of GDP, fully covered by international aid and private transfers (remittances from expatriates). But drug trafficking alone, however, was equal to 95% of the foreign trade figure. As for prostitution, according to a 2003 report by the International Organization for Migration (IOM), Kosovo is the hub of trafficking in young girls (two-thirds of whom are under 25 years of age), mainly from Moldova (53%), Romania (23%) and Ukraine (13%), to the West via the Adriatic. Through this landlocked territory in the Balkans, more than 80,000 girls passed through in 10 years before being distributed on the Western market. Prostitution is reported to be linked to drug trafficking, and to use the same channels, with profits obtained by drug traffickers being reinvested in the purchase of "sex slaves" (Raufer, 2000, pp. 65-73).³

mortar fire. On the other hand, the attack on a central district of Sarajevo will serve as a pretext for NATO to conduct the first out-of-area military operations in its history: by bombarding the lines of the Army of the Republika Srpska in the summer of 1995, NATO defended the Bosnian Muslims led by Alija Izetbegović.

³ Since Kosovo was placed under international control in 1999, neither the United Nations Interposition Mission for Kosovo (UNMIK) nor the Kosovo Force (KFOR) has been able to prevent an ethnic cleansing process driven by Albanian extremists. Between 1999 and 2008, of the 235,000 Serbs, Gypsies, Gorani and Turks driven out of Kosovo after the Kumanovo agreements, only 18,000 were able to return to their homes. More seriously, between 1999 and 2004, 1,197 non-Albanians were murdered, and 2,300 kidnapped. There is no longer a Serb left in Gnjilane where there were 8,000 in 1999; there are barely 4,000 in Pristina, compared to 40,000 in 1999. Out of an estimated 140,000 Roma population in 1999, two-thirds had to flee. More than 150 Orthodox churches and monasteries have been destroyed, and 40,000 houses burned or destroyed by extremists. Finally, with regard to the anti-Serb riots of March 2004, in which there were no less than 19 deaths, a recent report to the National Assembly points out that "there were no less than 19 deaths".

THE RESURGENCE OF THE EASTERN QUESTION OR THE PREDATION OF THE POWERS ON THE WESTERN BALKANS

Status of Kosovo: independence monitored by the international community

Ten years after the self-proclaimed independence on 17 February 2008, it must be said that Kosovo has remained a laboratory of the UN concept of state-building, i.e. the construction of a state without a historical past, according to externally imposed standards. Currently, security is provided by nearly 4,000 soldiers of the NATO Force for Kosovo (KFOR); this remains an important contingent for territory as large as two French departments. In addition, in 2008, the EU sent the EU Rule of Law Mission (EULEX): 1,900 judges, police and customs officers to replace UN officials to promote the rule of law in Kosovo. The first review of EULEX's action, dated 31 May 2009, is quite symptomatic of the difficulties in imposing the rule of law (Capussela, 2011).

While 420 complaints had been filed, only 120 cases had been processed and 16 verdicts handed down as of 1 June 2009, with only one judgment for war crimes. In addition, EULEX's action is firmly focused on controlling the remaining 120,000 Serbs in Kosovo. On the other hand, EULEX appears to have little trouble with the extraordinary practices of Albanian leaders: Hashim Rexhepi, Governor of the Central Bank accused of corruption, was released by EULEX after four months in prison, following gross negligence in the preliminary investigation of EU judges.

Since 21 January 2009, an embryo of a Kosovo army has been set up by the Albanian-speaking government in Priština. It is called the Kosovo Security Force (KSF) and is composed of 2,500 active troops and 800 reservists. Equipped only with small arms, the KSF is involved in civil protection and crisis intervention (inter-ethnic violence). But Belgrade and the Kosovo Serbs are firmly opposed to it because its acceptance would be tantamount to recognizing foreign sovereignty over their own territory; moreover, the Serbs believe that this embryonic army represents a factor of instability in the region, as it could assist the Albanian armed movements in Sanjak or Macedonia. In addition, it is interesting to note that this civil protection force is dressed by the USA, trained by the United Kingdom and motorized by Germany. Above all, the KSF has never really been able to calm inter-ethnic tensions and has always had to call on KFOR's support to repress the regular outbursts during demonstrations over the past three years. The KSF is, therefore, only a supplemental force to KFOR, in a failed state (failed-state) under international control.

But in October 2018, the Priština parliament passed a law to create a 5000strong "Kosovo Army". To the great displeasure of Belgrade and Moscow, the United States supports this project: "This is another provocation. The provocation that the so-called state of Kosovo could not undertake without the approval and encouragement of its sponsors [...]. The Western powers insist on respect for international law because it suits their interests and sits on it when it does not," Slobodan Despot said (Sputnik, 2017).

The United States seems to be more supportive of Priština. Indeed, Daniel Fried, the US Deputy Secretary of State, stated on 2 December 2008 that for Washington, "the EULEX Mission is not neutral: its aim is to defend the sovereignty and integrity of Kosovo". Brussels is also putting pressure on Priština because the future of its EULEX mission is at stake, but its procrastination once again shows its weakness on this issue. Thus the German MEP Doris Pack stated in the same week that the European Mission would operate on the basis of UN Resolution 1244, which reaffirmed the Serbian sovereignty over Kosovo! The EU appears to lack a common strategy and is blocked by internal divisions on the issue: Spain, Bulgaria, Romania and Cyprus have declared EULEX illegitimate until the UN decides on a new resolution.

Currently, Russian diplomacy is taking a very negative view of the birth of what it calls a "NATO State" in the heart of the Balkans. Natalia Narochinskaya, Vice-Chairwoman of the Duma's Foreign Affairs Committee, said: "Kosovo is an integral part of the United States' Eurasian military and political strategy, and the operation to detach provinces from Serbia serves their goals".

The Euro-Atlantic integration of the Western Balkans is on hold

Within the Balkans, the Euro-Atlantic integration process seems to be at a standstill in some countries, while it is already underway in others. From north to south, six Balkan countries are candidates for integration, with varying degrees of happiness. Croatia, the most advanced country in this process, joined the EU in 2013 because it settled its maritime border problem with Slovenia and General Ante Gotovina, until then the main stumbling block in the negotiations, was sentenced to 24 years in prison on April 2011 by the ICTY. Small Montenegro was granted candidate status in November 2010, a fairly encouraging sign for accession in the medium term, but it remains for Podgorica's leaders to address issues such as refugee status or "relations with minorities". A candidate for integration since 2005, Macedonia is moving very slowly towards the EU because Greece is opposed to Macedonia's entry into NATO and the very question of the name of this fragile republic has not been resolved. Since the Prespa Agreement of June 2018, the focus has been on ending Greece's blockade on the question of the name of a country that would now be called "North Macedonia"; however, this question of the name has caused intense political divisions among the Macedonian population and political elite.

But for the second circle of countries, the EU integration still seems far away. Bosnia and Herzegovina signed a Stabilization and Association Agreement with the EU in 2008, but accession negotiations are still hampered by fundamental problems, such as corruption of officials and the return of displaced persons. As for Albania, which signed a Stabilization and Association Agreement with the EU on 12 June 2006, it was advised again in 2010 to take its time before submitting its official application file (Troude, 2016, pp. 83-111).

Another organization based in Southeastern Europe, NATO has demonstrated that it has been the armed arm of the United States in the Balkans for the past ten years. At the same time, the Atlantic Alliance is extending its hold increasingly eastwards, far from the NATO-zone provided for in Article 2 of the 1949 Treaty. NATO has consistently advanced its positions towards Russia since the collapse of the USSR, undeniably creating a new cordon sanitaire around their former Cold War enemy. Since the fall of the Berlin Wall, American bases have multiplied throughout the Southeastern European area: Bosnia, Kosovo, Albania, Macedonia, Hungary, Romania, Bulgaria, not to mention Turkey since 1949 and Greece since 1952. The American military system is, therefore, deployed in the Balkans as a means of evacuating Western European bases and directing the US strategy towards two key areas: the Middle East and Russia. The Balkans are only an intermediate zone in this global game, but only the weakened states in this region could serve American purposes. In 2018, this was achieved by the presence of more than 4,000 NATO soldiers throughout Kosovo and Metohija, including nearly 800 Americans at the Bondsteel base, and Montenegro's integration into NATO since June 2017, at the expense of the Montenegrin army, which has been reduced to less than 2,000 soldiers.

CONCLUSION

The physical, political and moral destruction caused by the NATO bombings has led to a real fragmentation of the small nations of the Western Balkans twenty years later.

In Bosnia and Herzegovina, Milorad Dodik's victory in the October 2018 parliamentary elections, securing an absolute majority in the Republika Srpska entity and allowing him to join the collegial presidency at the central state level, has rekindled inter-ethnic tensions. Croatian Presidency member Željko Komšić used the victory of Serbian nationalist Dodik to bring Herceg Bosnia's project back to the forefront. For his part, Bakir Izetbegović, head of the SDA and Prime Minister of the Muslim-Croat Federation, has increased oral provocations in favour of the Muslim nation.

In Montenegro, tensions between the Montenegrins and the Serbs increased in the autumn of 2018. Following controversy over the role of the Serbian army in 1918 – liberator for the Serbs, occupying force for the Montenegrins – very heated debates in the assembly ended with the arrest of Medojević – one of the opposition leaders in Montenegro. Finally, Macedonia was caught up in settlement of the question of its name. Following the June 2018 agreement between Greece and Macedonia to open EU accession negotiations in exchange for the acceptance of the name "North Macedonia", the Macedonian political scene was marked by severe turbulence. While President Ivanov refused to accept the name change, the Macedonian parliament has approved the new state's name.

From a geopolitical point of view, the NATO bombings was intended by the Western powers to take possession of energy corridors and underground resources in Southeastern Europe. But since early 2010, the emerging powers of China, Russia and Turkey have developed a geostrategic influence in the heart of the Balkans.

The South Stream project died as a result of EU pressure on one of the newly acceded countries, Bulgaria, which declared in November 2014 that it no longer wanted Russian gas tubes. Putin then changed his mind and proposed the "Turkish stream" from January 2015, which would pass through Turkey, Greece, Macedonia and Serbia. However, the EU is constantly exerting pressure on these countries in Southeastern Europe to prevent the Turkish stream from being built. Proposal of a hypothetical "Eastern Ring", blackmail on credits to Greece and other revamping of EU-US projects of the 1990s (TAP or TANAP) seem for the moment to dissuade Gazprom and the Russian government from starting major works. On 15 January 2015, Vladimir Putin announced a dramatic turn of events, the change in South Stream's route through Turkey: he thus put an end to the procrastination of the supposed Serbian and Bulgarian "allies" and, like a chess player, responded with a decree to the sanctions policy conducted during 2014 against Russia. Is this the announced end of the South Stream project? Putin is testing Europeans here, knowing that more than 40% of their gas supplies come from Asia; but it also shows that Europe is no longer the bright future so hoped for. Russia is increasingly turning to Asia, while China is moving into the Balkans. It has decided to turn Serbia into an energy platform; China will build two thermal power plants and a high-speed rail network between Greece and Hungary via Belgrade.

In this new Eastern Question, the Balkans have become the European centre of the Great World Energy Game.

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THE CAUSES OF THE NATO AGGRESSION ON THE FR YUGOSLAVIA

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Abstract: Despite the often quoted allegations that the intervention was provoked by the bloodshed and ethnic cleansing of thousands of Albanians driving them into exile in neighboring countries, and the potential of this situation to destabilize the region, the authors of this article tried to analyze the geopolitical and foreign policy indicators to identify the real causes of the NATO aggression on the FR Yugoslavia. The work consists of four parts. The first part is devoted to the development of the Kosovo crisis and the possibility of its solution during 1998-1999. The second part describes the facts that have preceded the decision of the NATO Council to intervene. The reasons for the decision to bomb Yugoslavia are analyzed in the third section. The fourth part is dedicated to the final considerations. In this article, the authors come to the conclusion that NATO had seven reasons to start a campaign in the spring 1999: first, to save its own credibility and celebrate fifty years of its existence; second, to accelerate the overthrow of Milosevic from power and put the entire post-Yugoslav space under the umbrella of NATO; third, the geopolitical reasons - to oust Russian influence; fourth, to bypass the UN and minimize the role of this international organization in world politics; fifth, to correct the mistakes made after the Second World War; sixth, the interests of the American military-industrial complex; and seventh - to improve the image of the United States in the Islamic world.

Keywords: NATO, Kosovo crisis, Yugoslavia, Serbia, USA, UN, geopolitics.

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LONG DURATION AND ESCALATION OF THE KOSOVO CRISIS

The history of deterioration of inter-ethnic relations in Kosovo is extensive and complex. After the Second World War, this area was politically the least stable and in a security sense the most problematic environment in Yugoslavia. That is why the actions of the Yugoslav armed forces have been enforced on two occasions. First, in the period 1945-1948 when aimed at the neutralization and the liquidation of the remaining Ballist (fascist) paramilitary formations (curiosity is that they were often conducted together with the armed forces of communist Albania) and the second time in the period 1954-1956 when the Secret Police (UDBA) executed the action of seizing weapons from the Kosovo Albanians because of the frequent robberies, blood retaliation and disruption of the public order, which have overwhelmingly violated the security situation in Kosovo (Bogdanović, 1990). All this time, the Kosovo Albanians remained dissatisfied with their status in the Yugoslav federation. In a series of reports of local Communist party bodies, we find the formulation that "the masses in Kosovo are interested in the problem of Kosovo and that the reaction was saying how the Macedonians and Montenegrins are now free and the Shqiptars (Šiptar) are not" (Pavlović & Marković, 2006, p. 216).³ With this, local Albanian leaders were pointing out the fact that after the Second World War, Macedonia and Montenegro received the status of federal republics within federally constituent Yugoslavia, while they did not, nor there was readiness from any side to offer them such a status. Historian Đoko Slijepčević concluded that from 1968 "reality and illusions met and confronted in Kosovo; reality as it was created there and illusions of those who believed that national contradictions and pretension were if not extinguished than at least diminished in communist idea; reality in Kosovo shows that as this area gets more independence, the "Greater Albania" (or greater-Arbanas) idea is getting more embedded with communists of Albanian nationality" (Slijepčević, 1983, p. 359).

³ *Šiptar*, one of the names in the Serbian language for the Albanians. Coming from the Albanian word *Shqiptar*. Next to Šiptar, other names such as Arbanas or Aranut, can be found in official documents until the 1950s, all of which are coming from the Turkish language. In the Turkish language, Albania is called *Arnautistan*.

Mass demonstrations of the Kosovo Albanians with a clear political connotation were organized on three occasions in communist Yugoslavia. The first time in 1968, the second time in 1981 and the third time in 1989. On all three occasions, the request was to grant Kosovo the status of the 7th Yugoslav Republic. Demonstration in 1981 ended with the introduction of an emergency state and left grave consequences for the country's stability, creating preconditions for future conflicts (Kola, 2003, p. 333). To some extent, the escalation of the conflict at the end of the 1980s was just the continuation of the process from 1981.

The immediate causes were the changes made to the Serbian Constitution defining the position of the provinces in a new way and restoring to Belgrade the constitutional powers that were transferred to the provinces in 1974. It is important to underline that Yugoslavia's communist leadership was not capable of solving inter-ethnic tensions in Kosovo after 1981 and therefore they were often hidden or minimized. On the other hand, the Kosovo Albanians even though they represented the province of Serbia usually spoke against Serbia in the federation bodies, together with Croatian and Slovenian representatives. This produced a sort of an institutional blockade, and Serbia's political position within Yugoslavia seemed unbearable.

Demonstrations in 1989 were repressed by the Serbian and Yugoslav police forces, but the ethnic Albanians illegally declared "The Republic of Kosovo". From that moment on, the Kosovo Albanians boycotted all Serbian institutions, not participating in elections and censuses. Parallel to the official authorities of the Republic of Serbia, the Kosovo Albanians have organized their own (illegal) structures of government and education. With international mediation, representatives of the Republic of Serbia and the Kosovo Albanians in 1996 agreed on the return of Albanian students from improvised schools to the state schools. However, for one full year, the agreement remained unapplied, causing massive protests by Albanian students in 1997 that soon turned into riots. The scene was set for a new major crisis, which was soon to escalate. Parallel with student protests started the formation of paramilitary forces of the Kosovo Albanians, so-called the KLA. Formally, on February 28th, 1998, the KLA declared the beginning of an armed struggle for the independence of Kosovo, although its units have been active since the end of 1996 (Guskova, 2001, p. 660). It was interesting that one of the CIA reports stated that in 1996-1997 the KLA continued to be a relatively small formation, but it was projected that, due to its actions and lack of compromise, it had a potential to mobilize tens of thousands of supporters in a perspective of only two years (Koktsidis & Dam, 2008, pp. 166-167). At the beginning of summer 1998, the KLA had around 25,000 members and it managed to control about 40% of the territory, mostly villages and smaller cities in Kosovo and Metohija, while bigger settlements that had police squads were held in a blockade. This way the government in Belgrade was put in such a position that it had to include the KLA in any future negotiations since they have become the respectable political factor.

In early March 1998, the Serbian police forces in the village of Drenica organized an operation against a group led by the (self-proclaimed) leader of the KLA Adem Jashari. During the operation, Jashari was eliminated, as well as 81 inhabitants of Drenica. This event served to internationalize the Kosovo crisis, and since then NATO began continually to put pressure on Belgrade (Barabanov et al., 2012, p. 115). Using channels within the UN Security Council, the United States was trying to get other members of the Security Council to approve the use of military force to intervene against the FR Yugoslavia. Resolution 1199, inviting the parties to end the conflict, was adopted on September 23rd, 1998. However, Russia and China were resolutely against the use of force, so, therefore, it was impossible to organize an intervention under the umbrella of the UN (Guskova, 2001, pp. 661- 665).

Having in mind the duration of the Kosovo-Metohija crisis, it would not have been unexpected if the Albanians started to be more active at the beginning of the 1990s when conflicts started from Slovenia, through Croatia to Bosnia and Herzegovina. However, that did not occur. This showed that there were elements of planned actions in the Yugoslav crisis management – when conflicts in one part of Yugoslavia would stop, they would escalate in another part.

FAILED RAMBOUILLET TALKS AND FORMAL REASONS FOR THE BEGINNING OF NATO BOMBING

Planning of NATO military operation against the FR Yugoslavia began in June 1998. By the autumn of the same year, two basic alternatives of the attack were developed. The first one envisaged a synchronized attack on the entire Yugoslav territory, divided into three zones - Kosovo, part of Central Serbia south of 44 parallels and a section north of 44 parallels. The second alternative meant starting with intense attacks on the Yugoslav army and the Serbian police in Kosovo and then gradually expanding the zone of combat activities towards the north. The second option was selected (Lambeth, 2001, p. 11). The so-called "Račak massacre" served as a trigger for a new round of pressure that would ultimately lead to the commencement of military actions.⁴ Since the US could not legalize in the SC its decision to attack the Federal Republic of Yugoslavia from January 1999 they fully took over the diplomatic initiative and managed the entire crisis. In this context, the Contact Group organized a Rambouillet conference in early February, where the Serbs and Albanians discussed resolving the Kosovo crisis (Hosmer, 2003, pp. 13-15). The negotiations ended with no results, and the United States and the United Kingdom on February 18th presented a plan to resolve the Kosovo crisis. The Plan anticipated full political autonomy for Kosovo (i.e. the Kosovo Albanians), guaranteed by NATO forces after the withdrawal of the Yugoslav army from Kosovo, and with a provision that after three years a referendum on the legal status to check the "will of the people" would be organized (Lambeth, 2001, p. 8).

⁴ The head of the Kosovo Verification Mission, "William Walker, independently, without accompanying the representatives of the state organs of the FR of Yugoslavia and the Republic of Serbia on January 16, 1999, together with a group of foreign journalists, entered the village of Račak in Kosovo, on the periphery of the day before the fighting between members of the KLA and the Serbian police. There were 40 bodies of killed Albanians in the ditch in civilian clothes, different ages, which were immediately confirmed by the local people that they were shot by members of the MUP of Serbia. The same day, representatives of the FR of Yugoslavia denied that there was any crime, and in order to investigate what happened, the EU decided to urgently send a group of Finnish pathologists to Kosovo to perform autopsy findings and reconstruct with great precision what had actually happened. Four years later, more precisely in 2003, Dr. Helena Ranta, the head of the pathologist team sent by the EU, said that according to their findings at the time, there could be no crime. A joint investigation by Finnish, Belarusian and Serbian pathologists confirmed that traces of burst particles were found on the hands of 39 people, which meant that they also shot, that not all of them had the appearance of death in the same time period and that they were killed by firing guns from far away. But it was too late. Most likely, in agreement with William Walker, members of the KLA picked up their members who died in clashes with the Serbian forces in various parts of Kosovo and Metohija in the past days, brought their corpses to Račak on January 15, and then on the following day invited journalists. Photos from Račak and William Walker's statements quickly went around the world. With them, NATO has opened another round of campaigns in the media of the member states to convince public opinion about the necessity of bombing and in that it succeeded." (Proroković, 2011, pp. 245-246)

The Rambouillet talks presented the last and, as it would turn out, the best opportunity to reach a compromise. The positions of both negotiating sides were weak. On the one side, during the summer and fall of 1998, the KLA experienced the series of defeats and was not able to hold the positions it had. On the other side, the Serbian government was aware that the threat of bombing was real. The US Secretary of State, Madeleine Albright, said at the beginning of negotiations "if the Albanians do not sign (the final document) and Serbs do so, we (USA) will revoke their financial assistance. If the opposite happens, we will bomb Yugoslavia." It turned out that only two things were disputable for the Yugoslav side in this whole proposal to resolve the Kosovo crisis. The first concerned the status referendum after three years because that would basically mean the acceptance of Kosovo secession; the second was the virtually uncontrolled military presence of NATO forces in the entire area of the FRY (Simić, 2000).

The two paragraphs above, however, are partially contradicted by the historical evidence. In particular, the statement of the co-chairmen Robin Cook and Hubert Védrine on 23rd of February 1999 that the negotiations "have led to a consensus on substantial autonomy for Kosovo, including on mechanisms for free and fair elections to democratic institutions, for the governance of Kosovo, for the protection of human rights and the rights of members of national communities; and for the establishment of a fair judicial system". They went on saying that "a political framework is now in place" leaving the further work of finalizing "the implementation Chapters of the Agreement, including the modalities of the invited international civilian and military presence in Kosovo" (Office of the High Representative and EU Special Representative, 1999). In the end, on 18 March 1999, the Albanian, American and British delegations signed what became known as the Rambouillet Accords while the Serbian and Russian delegations refused. The accords called for NATO administration of Kosovo as an autonomous province within Yugoslavia; a force of 30,000 NATO troops to maintain order in Kosovo; an unhindered rite of passage for NATO troops on the Yugoslav territory, including Kosovo; and immunity for NATO and its agents to Yugoslav law (US State Department, 1999). In the commentary released to the press, former United States Secretary of State Henry Kissinger declared that: "The Rambouillet text, which called on Serbia to admit NATO troops throughout Yugoslavia, was a provocation, an excuse to start bombing. It was a terrible diplomatic document that should never have been presented in that form" (Bancroft, 2009). Christopher Clark supported this view, asserting that the terms of the 1914 Austro-Hungarian ultimatum to Serbia appear lenient compared to the NATO demands (Clark, 2012, pp. 456-457). A former head on the State Department's Yugoslavia desk, George Kenney, reported in May 1999 that a senior State Department official had briefed journalists off the record that "[we] deliberately set the bar higher than the Serbs could accept" (Kenney, 1999).

As expected, the Albanian negotiators accepted this proposal as a whole, while the Yugoslav delegation "accepted the political part" of the proposal on March 23rd, but did not agree with the entry of the NATO forces into the territory of Kosovo or the proposal of holding a referendum after three years, which was used by the US and Great Britain to declare failure of the whole process (Barabanov et al., 2012, p. 116).

On the next day, the NATO aggression against the FRY started. Officially NATO declared this military action to be a humanitarian intervention with the explanation that the aim was to prevent the ethnical cleansing and ensure regional security (Yoshihara, 2006, pp. 67-68). In any case, these objectives would have been more easily achieved by signing the peace treaty and the long-term agreement with Serbia. Obviously, NATO structures were not interested in reaching the agreement, i.e. unacceptable conditions were set up for the Serbian side. What were the real reasons for this NATO position?

POWER RATIO BETWEEN NATO AND YUGOSLAV ARMY

Power ratio between NATO forces and the Yugoslav army in 1999 was absolutely disproportional. NATO members together had 518 times bigger GDP, 860 times bigger military budget and almost 6 times bigger GDP per capita then Yugoslavia (Smiljanić, 2009, p. 67). Also, looking at this conflict from the angle of the equipment and technologically sophisticated weapons that NATO and the FRY army had at their disposal the difference was more than obvious.

As an illustrative example, it can be specified that, according to the statement of the US Department of Defense, on 6th May 1999, 639 US aircraft were engaged in military operations, with another 277 aircraft of other NATO members, which was a total of 916. Fifteen days later, it was announced that this number was increased and that the US was using 712, and other Allies 281 planes, which in total was 993 aircraft. On the

other side, the FRY army had at disposal 240 fighter planes out of which only 14 were modern planes (MiG-29s), none of which could efficiently oppose NATO aviation (Lambeth, 2001). In addition, the NATO navy forces participated in the attack on the FRY with three air carriers (USA, Great Britain and France), three nuclear submarines (two USA and one Great Britain), two cruisers (USA), nine destroyers (three USA) and ten frigates (US Department of Defence, 1999). Even though the NATO bombing lasted for 78 days, it was clear from the beginning that the armed forces of the FRY could oppose NATO only in a limited way and that after the armed conflict there would be attempts of enforcing political solutions. The military and political leadership of the FRY was aware of this. That was the reason for a desire to avoid the armed conflict.

However, the conflict was not avoided. Looking how negotiations in Rambouillet were conducted, it can be concluded that the conflict has not been avoided more because of the US desire to lead the Kosovo crisis into a new phase than because of the inflexibility of the Yugoslav side. That is why the authors of this paper ask the question: What are the real reasons for the NATO aggression on the FRY?

SEVEN REAL REASONS FOR THE NATO AGGRESSION

Having in mind the arguments mentioned above regarding how the Kosovo crisis in 1999 did not have to end with the NATO war against Serbia, as well as the explanations that confirm the statement that NATO wanted to end this crisis with the escalation of armed conflict, it is necessary to also think about what are the real reasons of this act. Military actions are a kind of radical acts in international relations and aggression taken in a way it was done in 1999 is a precedent that must be analyzed from more angles. Of course, there are more possible reasons why NATO decided to act in such a radical way, and in this paper we will analyze seven most important: (1) NATO credibility just before its 50th anniversary; (2) overthrowing the regime of President Milosevic and putting the FRY under NATO control; (3) neutralizing influence of Russia in the area of the FRY, especially in the area of Serbia; (4) minimizing the role of the UN in world affairs and demonstration of the USA dominant influence; (5) correcting the Second World War mistakes; (6) the interests of American military-industrial complex; and (7) geopolitical aspects of the NATO aggression on the FRY.

1) NATO wants to save its own credibility and celebrate fifty years of its existence;

NATO has closely followed the development of the Kosovo crisis, and a series of data suggests that certain NATO members have actively assisted the armament of the KLA (Jovanović, 2006). However, in the final document from the July 1997 NATO Summit in Madrid, the Kosovo issue is not mentioned at all (NATO, 1997). The rapid increase of interest came in the spring of 1998, and the Kosovo issue became one of the most important issues for NATO. At the most important formal meeting in 1998, at the Ministerial Meeting in Brussels, the Kosovo crisis was not only mentioned in the Final document, but a special statement was issued regarding it (NATO, 1998). As it was already stated, in June 1998 NATO started planning a military operation against the FRY. NATO's interest can be linked to preparations for the celebration of the 50th anniversary of the military alliance, which included writing a new Strategic Concept for the Alliance. In this document, adopted at the Washington Summit 1999, greater attention is devoted to the security environment and therefore political stability, not only of member states but also of the world political system as a whole. The violation of the declared political principles concerning the protection of human rights and liberties becomes a threat to NATO. This can be detected in the conclusion of the Strategic Concept, where it is said: "The Strategic Concept reaffirms the enduring purpose of the Alliance and sets out its fundamental security tasks. It enables a transformed NATO to contribute to the evolving security environment, supporting security and stability with the strength of its shared commitment to democracy and the peaceful resolution of disputes" (NATO, 1999). The transformation of NATO that was formally to be shaped at the 50th anniversary of the Alliance concerned the advocacy of democratic traditions, human rights and freedoms as key elements of the security environment, and thus the NATO had to defend those values wherever they were endangered. The Czech president Vaclav Klaus ecstatically shouted, "The war in Kosovo is the first war in history that is not taken for territory, but for values". NATO used aggression on the FRY as a means to preserve its credibility and to promote itself on its 50th anniversary as a protector of defined political values in the entire world.

2) Acceleration of the overthrow of Milošević and putting the entire post-Yugoslav area under the NATO umbrella;

Ever since the meeting of NATO defense ministers in October 1993 in the German town of Travemunde, when the idea of forming the Partnership for Peace was launched, it was clear that expansion to the East was still one of the goals of the Alliance (Borawski, 1995, pp. 233-246). NATO's interest in the post-Yugoslav space should also be viewed from this context. The civil war in Yugoslavia was causing destabilization of the entire Balkans and a series of daily political problems in Croatia, B&H, the FYR Macedonia and Kosovo and Metohija, and therefore was slowing NATO's efforts in achieving the strategic goal. Slobodan Milošević was marked as the main cause of this slowdown by the Western countries (Bildt, 1999). That is why the overthrowing of Milošević became a strategic goal for NATO. After the experience of Dayton peace talks that have made the political position of Milošević in the FRY stronger and legitimized him in international relations, NATO did not want to repeat the same mistake. They did not want to allow him to present itself as a "peacemaker". Looking from the NATO's perspective the surest way to remove Milošević was to cause the war and military defeat the FRY.

3) The geopolitical reasons - to oust Russian influence;

The geographic position and "the Balkan history has given Kosovo and Metohija the heritage of an extremely valuable and geographically predisposed central geopolitical position". And "the Balkans is one of the regions that in the historic continuity manifests its (trans) continental strategic importance and constant geopolitical magnetism for mainstream actors in the hierarchy of great forces" (Stepić, 2006, p. 238). "For forty years the Iron curtain was the main border in Europe. That border is moved several hundred kilometers to the East. Now that is the border that separates Western Christianity from the Muslims and the Orthodox" (Hantington, 2000, p. 29). The future position of Kosovo largely depends on the imminent geopolitical strategies and goals of the main actors. "The victory of the global thalassocratic geopolitical concept over the telurocratic one, the disintegration of the Soviet interest sphere and its (supra) state and suppression of Russia into the depths of the Eurasian land" leading to the "destruction of the Balkan bipolar balance" contributed to its current status and position. Three major actors in international politics had an interest in this kind of development in the early 1990s. "The curtain of the German interest sphere quickly came down on the meridian direction from the Baltic to the Adriatic" making the Albanian issue one of the foreign policy priorities of the official Berlin. "Pan-Islamic and pan-Turkish ambitions have found their Balkan hold points for their European penetrations and global geopolitical ambitions in the demographically explosive and spatially expansive enclaves of the previously Islamized Balkan population." And for the US "the theoretical fundament of the new geopolitical formula for the functioning of the world is found in the (neo)Eurasianism" (Stepić, 2006, pp. 262 - 280), causing for the Kosovo issue to be more interesting than before. "The way the great powers reacted to each other had significant consequences to the drama of the world politics" (Kegli, Vitkof, 2004, p. 162) and the acts of that drama almost always took place on the Balkans as an "Eastern border of the Western civilization" (Hantington, 2000, p. 177). The geopolitical causes of the NATO aggression on the FRY are obvious and absolutely in line with the proclaimed theories of Alfred Mahan, Halford Mackinder, Nicholas Spykman and Saul Cohen. It is of great importance for NATO to totally control the Rimland in order to be able to put a continuous pressure to the Heartland. The Balkan Peninsula is an important link in this process, and therefore it is important to govern over that area.

4) Bypassing the UN and minimizing the role of this international organization in world politics;

In the NATO documents adopted during 1998 as well as in the Strategic Concept, it is explicitly said that NATO was "committed to multilateralism" and "cooperation with other international organizations" among which the UN (NATO, 1998). But when trying to get the agreement of the UN SC for the start of the military operation against the FRY, the USA, Great Britain and France were faced with a vast obstacle. Russia and China openly disagreed with this suggestion and threaten to put a veto (Proroković & Lađevac, 2018, pp. 172-183). Because of this, NATO saw the UN SC as part of the problem and not part of the solution. Thanks to this development of circumstances the opinion of "usefulness of unilateral actions" has prevailed in Washington, with an idea that the UN should be bypassed when no consent can be obtained. Ian Bancroft said "NATO's intervention over Kosovo in 1999 was an important precursor to the invasion of Iraq four years later" (Bancroft, 2009). Bypassing the UN became a precedent, which was then extensively misused at the beginning of the 21st century. NATO was set as surrogacy for the UN, the key actor in the shaping world politics and creating regional security dynamics around the world.

5) Correction of the mistakes made after the Second World War;

In a letter of the vice president of PACE, German deputy Willy Wimmer to Chancellor Gerhard Schroeder, in May 2000, it is explicitly said: "The war against the FR Yugoslavia was led in order to correct the wrong decision of General Eisenhower from the era of World War II. Therefore, for strategic reasons, the US soldiers must be stationed there in order to compensate for what was missed in 1945" (Proroković, 2018, pp. 575-576).

Wimmer was participating at the conference that was organized by the State Department and IRI in Bratislava, attended by foreign ministers of the European states and representatives of international organizations. The above-mentioned opinion was represented and justified by US officials in relation to the Kosovo crisis. Of course, it can be discussed why General Eisenhower did not deploy troops in Yugoslavia, and whether that was his fault or a deal he made with Stalin. But that does not contravene the thesis of insisting on the deployment of the US military forces to the post-Yugoslavian area in the post-cold period. Shortly after NATO troops entered, "the US Army has strengthened its presence in Kosovo in 1999 by building the military base Bondsteel. Although it is hard to get the official data regarding this military base, according to the media information published in several countries, it is the biggest and best equipped American military base outside the USA territory since the Vietnam War. Built after the international military forces entered Kosovo and Metohija in the Southeast part of Kosovo, in the period July-October 1999, next to the airports, this base has artillery, tank and helicopter bases, infrastructure facilities that can receive from 5,500 to 7,000 soldiers and it has its own sources of electricity, enough for the city of 25,000 inhabitants. According to this data it can be concluded that even in 1999, the US military troops had the intention to stay in Kosovo for a long period, and solutions that were taken later for Kosovo gave them a status as nowhere else in the world, including the territories of NATO members" (Proroković, 2011, pp. 336-337).

6) Interests of the American military-industrial complex;

It is often said that the interest of the military-industrial complex is one of the frequent causes of American wars. The expression militaryindustrial complex means "a set of industries, faculties, research centers, laboratories and lobbyist groups that represent the military industry and military technologies. It is an industry that strongly influences the US foreign policy and plays a major role in the global wars. From the invasion of the designated state, sponsored by military companies, through illegal exploitation of natural resources, making profit for companies from the energy sector and to the restoration of the attacked states through the participation of US construction firms, the close circle of the industry of war is made that damages both, US and foreign taxpayers" (Ristić, 2016). According to *The BBC's study of the costs of the Kosovo conflict, "78 Days: An Audit of War*", the cost of the war in 1999 was over 30 billion pounds (BBC, 1999). In any case, the motivation of the military-industry complex was huge and this aspect should not be overlooked regarding the decision to start the aggression. Also during these operations, NATO used new or enhanced weapons, like graffiti bombs, ammunition with depleted uranium, cluster bombs (BL755) and new models of multi-tube rockets (installed in Albania). It was an opportunity to test new systems, but also to demonstrate and advertise to prospective buyers (Rogers, 1999).

7) Geopolitical aspects of the NATO aggression on the FR Yugoslavia (Improving the image of the United States in the Islamic world);

There is no doubt that the NATO aggression on the FR Yugoslavia was motivated by the geopolitical interests of the main countries of the Alliance. It has always been in the interest of powerful forces or force to control as much space as possible, or at least to prevent their rival to achieve the same ambition.

When it comes to the NATO attack on the FRY in 1999, two geopolitical aspects can be perceived: *traditional* and *newer*.

Traditional aspects are primarily related to the geopolitical treatment of this area.

When it comes to the geopolitical treatment of our area, one should be reminded of the classics of Geopolitics, primarily the British geographer Halford Mackinder and the American political scientist Nicholas Spykman. Both of them have talked about the importance of Heartland, that is, the mainland masses of Eurasia for world dominance. Mackinder wrote that in the fight for the world dominance between thalassocracies (sea powers) and telurocraties (land powers) the victory would go to the side which was able "to control the so-called World Island – the land area between Eurasia and Africa, with central, pivotal area or the heart of the world (Heartland) being in the central part of Eurasian massive" (Kilibarda, 2008, p. 37). This position Mackinder put in an interesting formula: "Who rules East Europe commands the Heartland; Who rules the Heartland commands the World-Island; Who rules the World-Island commands the world" (Kilibarda, 2008, p. 37). The American geopolitician Nickolas Spykman also looked for the model of world dominance. In that sense, he emphasized that it was important for the USA that no other force had power in Europe or the Far East, or that these forces unite. Unlike Mackinder, he felt that the decisive importance for world dominance has a fringe part of Eurasia (Rimland). "He included in this Rimland Western Europe (looking from the wider perspective the FRY was part of it), Turkey, Iraq, Iran, Pakistan, India and Korea... paraphrasing Mackinder he has offered the new formula for the world dominance: "Who rules the Rimland rules Eurasia; Who rules Eurasia has the destiny of the world in its hands" (Kilibarda, 2008, p. 40).

Later Cohen, Kissinger, Brzezinski, Fukuyama, Huntington, Bremer, all worked on these ideas – common interest for all of them was to search for the model of how to achieve the world dominance and how the US can hold the status of a hegemon or a leader in this process.

If we have in mind the above-mentioned opinions on the importance of Heartland for the control of the world processes and the role of Rimland, i.e. the role of a significant part of Europe in this project, it is clear that the US interest in the area of the FR Yugoslavia is significantly motivated by this idea.

Also, one of the traditional geopolitical aspects is the aspiration to disable stronger Russian influence in the Balkans and to have NATO mechanisms to control Europe. It should be emphasized in this context, that the aim of NATO alliance when it was formed was, as its first secretary-general Hastings Ismay said – to keep America in Europe, the USSR (i.e. The Russian Federation) out from Europe and Germany in the defined borders.

New geopolitical aspects can be seen, above all, in the interest to prevent the Islamic factor to go against American interests.

The use of the Islamic factor in accordance with the interests of the USA has a global character and therefore can be seen in the Balkans as well. The importance of Islam comes from its spread as well as from a fear that other geopolitical factor (above all Russia and China) could use it against the USA. This was well explained by Zbigniew Brzezinski in his books "Second Chance: Three Presidents and the Crisis of American Superpower" and "America and the World: Conversations on the Future of American Foreign Policy". Starting from these ideas, some US representatives claimed that the aim of their support to Islam in Bosnia and Herzegovina and to Kosovo and Metohija was to improve the American image in the Islamic world.

In addition, newer geopolitical aspects of the NATO aggression on the FR Yugoslavia are: creating conditions for the long-lasting American military presence in the Balkans (the Bondsteel base); control of the pipeline and other energy lines; creating better conditions for following and influencing the crises in the Middle East, North Africa and Ukraine; direct influence on the reception of new members in NATO as well as influencing new migration flows.

From all the above-mentioned it can be seen that the USA geopolitical interest could have had a significant influence on the decision to start the aggression on the FRY instead of dealing with a problem using civilized political means.

CONCLUSION

Despite the often quoted allegations that the intervention was provoked by the bloodshed and ethnic cleansing of thousands of Albanians driving them into exile in neighboring countries, and the potential of this situation to destabilize the region, the authors of this article tried to analyze the geopolitical and foreign policy indicators to identify the real causes of the NATO aggression on the FR Yugoslavia. In this article, the authors come to the conclusion that NATO had seven reasons to start a campaign in the spring 1999: first, to save its own credibility and celebrate fifty years of its existence; second, to accelerate the overthrow of Milosevic from power and put the entire post-Yugoslav space under the umbrella of NATO; third, the geopolitical reasons - to oust Russian influence; fourth, to bypass the UN and minimize the role of this international organization in world politics; fifth, to correct the mistakes made after the Second World War; sixth, the interests of the American military-industrial complex; and seventh - to improve the image of the United States in the Islamic world.

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NATO ROAD TO SERBIA: WHY 1999?

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Abstract: How NATO found its new *raison d'être* after the dissolution of the Warsaw Pact in the Yugoslav crisis? Why Serbia and the Serbs were designated as bad guys? How the initial NATO and USA policy determined the sides in the war, and how it affected the U.S. policy in Europe are the questions raised and answered in this article. The author starts with the historical introduction of the Yugoslav crisis and wars in the territory of the dissolved nation. He presents the main differing views on these processes among scholars and explains how their attachment to governmental policies affects their portrayal of events. Afterward, the author examines the European and global context in which the crisis and the subsequent aggression of the NATO Alliance on a small Balkan state occurred. Different interests in Berlin, Washington, London and the Vatican led to common action against a pariah state of the 1990^s. What prevailed is the Anglo Saxon influence in the Balkans and in the EU. *Key words*: Serbia, NATO, Europe, U.S., Kosovo.

INTRODUCTION

How the biggest military alliance wrestling with the USSR and its Warsaw Pact ended up attacking a European country isolated for years and with a tiny population of 10 million with the harshest sanctions? Was it forced to fight against a threat posed by a small Yugoslav army, when it did not intervene previously in several wars in Africa, like in the prolonged Congo wars (First from 1996 to 1997 and the Second Congo War 1998-2003)

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by far more bloody than all Balkan wars in the 1990s combined?² Why did it not engage in the Sierra Leone wars, or in the Afghanistan war in the 1990s, or in Somalia..?

Of course, the list of publications on some aspects of the NATO aggression against the Federal Republic of Yugoslavia (or as some say intervention or bombing) is probably too extensive to be mentioned. However, those dealing with causes are by far less numerous. Aside from many Serbian authors, prominent academicians wrote on the subject. Elena Guskova in Russia published the most significant books on the subject (History of Yugoslav Crisis and NATO against Yugoslavia in 1999 and the process of the peace settlement) (Guskova, 2000, 2013). In addition, Elena Ponomarova, Aleksandr Dugin and most deeply Natalia Narochnitskava delved into the causes and consequences of the NATO aggression in Russia. In the West, Susan Woodward, Raju Thomas, Diana Johnston, Michael Parenti, Noam Chomsky and Andrew Bacevich, are among many authors that researched this subject. Still, this approach requires additional examination, taking into account several other contemporary crises that will help to understand why NATO or the US have chosen to attack or intervene against Yugoslavia and not in some other contemporary crisis. A number of Russian authors and many others like Italian Giacomo Gabellini or Turkish Ahmed Davutoglu claim realpolitik behind the NATO decision (Davutoglu, 2014; Gabellini, 2012).

In fact, NATO and USA interest in Yugoslavia was long present and clear since the inception of the crisis in the (second) Socialist Yugoslavia. Changing the world order – the fallout of communist regimes in Eastern Europe and in the USSR and the rise of the United States and NATO to the position of leadership – influenced the difference in behaviour of Washington. Once a partner of Belgrade, the USA did not need Yugoslavia anymore at the southeast flank of European defence and as a challenging model for socialist countries loyal to the Soviets during the Cold War. At the same time, internal changes in Yugoslavia contributed to the methods applied by Washington and NATO.

² The Congo wars or the Great African war were fought from 1996 until 2002 and involved many African countries and paramilitary organizations. A comprehensive and detailed description and analysis of the wars in the Congo can be found in Thomas Turner's book (see: Turner, 2007). However, in Congo Kinshasa, there are still military conflicts, particularly in 2018.

How this evolved into direct hostility by NATO and its first military action (against the Serbs)? What was the path towards the 1999 aggression on the Federal Republic of Yugoslavia and subsequent occupation of Kosovo and Metohija?

In order to answer these questions, the author will employ the historical method to present the evolution of relations and explain the causes by relying both on systemic and local motives for the behaviour of NATO. In this regard, modification of the Lake concept of international hierarchies is useful. It is so if combined with the liberal interventionism based on a marriage of neo-conservatives and liberals arguing for the promotion of 'democratic peace' and 'democratic intervention', which Parmar calls an ideology of global intervention (Parmar, 2009). We could assume that the new leadership of the United States (the USA or the US) was not only determined to create the dominant position towards the growing number of states but it also wanted to control internal processes in its subjects or in those countries it wanted to put into a subordinate position (Lake, 2009). As Beate Jahn (Jahn, 2018), Parmar (Parmar, 2009) or Tony Smith argued, a democratic promotion was underpinned with military interventions, humanitarian or R2P. After the full public collapse of the moral underpinning of the so-called humanitarian interventions, liberal authors still tried to preserve some shred of justification, '(o)ne cannot ignore the beneficial humanitarian outcomes that can result from intervention, meaning absolute nonintervention may be even more morally intolerable than the crusading force of liberal imperialism' (Davidson, 2012, p. 128). Democratic globalization was a fine word for internalization of the rule of the USA and other western elites. Still, destruction and dismemberment of Yugoslavia were one of the founding acts of the Anglo-Saxon led world order.

When did the special relationship between Belgrade and the Serbs with NATO start?

FROM LOVE TO HATE

Honeymoon

In September 1949, a bunch of statesmen gathered in Washington to discuss the nascent North Atlantic Treaty Organization at its first meeting. Since the establishment of the contemporary strongest military and political alliance, Balkan politics was prominent in the global rift with Moscow. Thus, among different discussions, Ernest Bevin, British foreign minister, discussed also the position and policy of Yugoslavia. At the meeting in Washington (September, 14th 1949), while analyzing with American colleagues the policy and perspectives of Yugoslavia as a breakaway from Cominform (from Moscow), Bevin argued that he wanted to save its communist leader. He said about Tito 'although he was a scoundrel, he was our scoundrel' (U.S. Department of State, 1949b, p. 956).

"Hidden from the public sphere was the collaboration with the West since 1948 (when Belgrade defected from Stalin) and in years 1954-1957, Yugoslavia was partly allied with NATO" (Janković, 2017a, p. 50; Mates, 1970). British endorsement of 'our scoundrel' was followed with more generous USA help. The USA became a decade-long supporter of Tito's Yugoslavia since the 1950s, when Yugoslavia broke out with the USSR. The United Kingdom and the USA promoted trade agreements that would assist Yugoslav communists in their secession from the Soviets. The first such agreement was stipulated in March 1949 between their occupied zones in Germany called Bizonia or Bizone and Yugoslavia. The US Secretary of State announced this in a cable sent to ambassador Cannon on February 25. This was to be followed with trade agreements with Austria, Italy and the Free zone of Trieste. (U.S. Department of State, 1949a). After trade agreements, British 'extended an eight million pounds sterling' loan to Yugoslavia in order to assure further borrowing from Export-Import Bank. (U.S. Department of State, 1949b). After financial assistance, it was also the time for agreements in the security sphere. The first document that would regulate military and defence assistance of NATO countries, despite US reservations, was a Military Assistance Agreement between the United States and Yugoslavia, agreed on November 14, 1951.³ (Yale, 1951).

Soon after, Greece and Turkey together with communist leaders of Yugoslavia, parallel to their accession to NATO and in accordance with the strategic plans of NATO leadership, signed the Friendship Treaty in February 1953 and formed the Balkan Pact in the following year. On page 3 of the declassified TOP SECRET document of NATO on the Balkan Pact, one can find that "By concluding the Pact in question, Turkey and Greece will, so to say, have achieved a task implicitly laid on them by the NATO Council". The text of the Balkan Alliance was based in large measure on the

³ For American reservations consult a document that might indicate British push to change the policy later in the same year: (U.S. Department of State, 1951, 1677).

North Atlantic Treaty (NATO, 1954). Turkish delegation informed the Alliance also of the title of the treaty *Pact of Alliance, Political Co-operation and Mutual Assistance* that finally included the names of the signatories (Yale, 1954). These policies contributed to the London Agreement between Italy and Yugoslavia for the division of the Free Zone of Trieste in 1954.

Embracing the policy of non-alignment and its later formalization meant that the Balkan Pact was effectively finished already in the mid-1950s, but this did not end the economic backing of principal NATO countries for Yugoslavia. Its policy in the next period was (at least apparently) balancing among major blocks since, after Stalin's death, Tito and his entourage secured better ties with the USSR. "During the Cold War, Socialist Yugoslavia had an important role as the buffer state in South East Europe" (Janković, 2017a, p. 50).

From 1950 to mid-1954, the USA alone and also Great Britain and France (until the Algerian war), "invested approximately one billion dollars in military and economic aid..." with the aim of "full integration of the Yugoslav forces into an effective system of collective security in the Mediterranean-Southern European-Middle Eastern front, fully consistent with NATO objectives".⁴ More billions were invested, loaned or donated until the 1980s (Janković, 2017a, p. 51; U.S. Department of State, 1954, p. 1393).

Road to Breakup

"Its key geopolitical position as a socialist state not toeing the Soviet line, politically and physically located between the two blocs, marked it out for special treatment. This treatment would last into the 1980s, although seriously undermined in 1980 by the death of Josip Broz Tito, the architect and uncontested leader of the post-war Yugoslavia" (House of Lords, 16 April 2002).

Already in 1983, the CIA and the wider intelligence community in the USA were worried over a prospect of Yugoslavia to keep "cohesiveness of the state as a whole". In the same document analysts warned of the dangers

⁴ More information on the cooperation of Tito's socialist Yugoslavia with NATO during the 1950s, in the context of relations between Yugoslavia, Greece and Turkey, was given in a detailed and argumentative article based on British archival sources written by Peter Vukman (see: Vukman, 2013, pp. 25-36).

posed by the Albanian minority in Kosovo and by the 'Serb-Croat rivalry' (CIA, 1983, p. 6; p. 18).

Easy borrowing followed with GDP and consumption growth after a hike of interest rates in foreign markets generated a debt crisis during the last years of Tito's rule, similar to Latin American and other developing countries. From 1975 to 1980, foreign debt rose from 6.6 billion USD to almost 19 billion in 1980 (Babić, 1989, pp. 219-20). Several reforms were actuated. In the 1980s, the SFRY was using its position between the East and the West by securing trade agreements with both sides. For seven consecutive years, from 1986 to 1992, Socialist Yugoslavia had a positive trade balance with the USA (United States Census Bureau). Support was particularly affirmed after the understanding of the depth of the economic crisis, for example, in the confidential report of the CIA - *Yugoslavia: Key Questions and Answers on the Debt Crisis* (CIA, 1984). In 1984, the USA still had the interest to keep Yugoslavia stable because of the USSR (The White House, Washington, 1984). This changed dramatically in only seven years.

In 1990, communist regimes collapsed in European Soviet allies, and Russian influence was decreasing in the Balkans. Many academics could say as Ikenberry, "(a)fter the end of the Cold War, this (liberal, S.J.) order spread outwards. Countries in East Asia, Eastern Europe and Latin America made democratic transitions and became integrated into the world economy. As the postwar order expanded, so did its international governance institutions. NATO expanded, the WTO was launched and the G20 took centre stage" (Ikenberry, 2018, p. 7). In addition, official Moscow supported all NATO initiatives. The previous role of Yugoslavia as a buffer state expired.

Internal relations were altered when Serbia after many decades of suppression restored formally the same position as other republics in the Yugoslav federation. Effectively, with the votes of changed Montenegrin leadership and the control over two autonomous provinces since 1988 and 1989, Serbia became truly not only the biggest but also the strongest federal unit. However, this happened in the time of big changes and in the advanced state of secession plans by Croatian and Slovenian communist elites.

"Franjo Tudjman went to Germany in 1988 to negotiate support for the secession with Chancellor Kohl and other senior figures in the German Government. Tudjman was a regular guest in Germany, where he officially spoke with senior figures, but not with the Ministers and the Chancellor" (Jankovic, 2017a, p. 56; p. 57). Also, some politicians from Slovenia were

connected with Germany and Austria in their secessionist policies (Jankovic, 2017a). Besides these two countries, the Vatican was a long supporter of Croatian and Slovenian secession, both from first Yugoslavia ruled by Serbian Christian orthodox dynasty and from the second communist federation (Vuković, S, 2004).⁵

Slovenia was not only geographically, but also culturally and politically most inclined towards the West. It registered the first new party in 1988 (Slovenian Peasant Union). In the second Western-oriented republic, Croatia, the right-wing political party Croatian Democratic Union (Hrvatska demokratska zajednica – HDZ) was officially established on 17 June 1989 by a former Communist General Franjo Tudjman with substantial support from the German intelligence and Croatian fascist and ultra-nationalist diaspora (mostly coming from Ustascia movement). A year later, in 1990, a former Islamist dissident and once a member of the Muslim Brotherhood, Alija Izetbegović was freed after spending only six out of fourteen years of the prison term and founded a Muslim religious and nationalistic SDA (*Stranka demokratske akcije* – The Party of Democratic Action) in Bosnia and Herzegovina. The League of Communists of Yugoslavia ceased to function after the Slovenian delegation left the 14th Congress in February 1990. Thus, one of two federal pillars (Army being the second) crumbled.

Most scholars and reports from public institutions in foreign countries describe the *Serbian nationalism* or its *hegemonic intentions* as the main instigators of the conflicts (Anderson, 1995, ii, iii).⁶ However, the assertions of Serbian hegemony neglect the situation prior to 1989 and Serbia's uneven position in the confederated federation. Oversimplified or entirely wrong descriptions of the events and processes usually focus on two political leaders: Slobodan Milošević and Franjo Tuđman, the Serbian and the Croatian leaders (the Serbian leader was advocating for a functioning federation and the viability of Yugoslavia, while the Croatian leader, Tudjman, was advocating for secession) (Radeljic, 2010, p. 116). Contrary to previous media reports on the danger posed by the Kosovo Albanians

⁵ First was the Kingdom of Yugoslavia until 1941, then the Socialist Federal Republic of Yugoslavia from 1946 until April 1992 and third – the Federal Republic of Yugoslavia (FRY) was formed on April 27, 1992.

⁶ For example, a report for the Australian parliament on the dissolution of Yugoslavia: Anderson, 1995, pp. ii, iii. On the carefully crafted image of the Balkan wars in western media and academia see in: Janković, 2017, pp. 41-50.

(Binder, 1987), western press, starting with Germany and Austria changed tunes after 1990 (Vuković, S. 2001).

At the dawn of the adoption of the new NATO strategy, the USA legislative body voted and adopted the 1991 Foreign Operations Appropriations Law 101-513 on November 5, 1990. This law predicted to end all financial aid and loans from the USA to Yugoslavia. This approach was similar towards other countries and could be explained by the upper hand and better position of the USA as a rising hegemon in Europe, which wanted to reform the economies and institutions of new democracies according to the interest of the Western elites. However, something peculiar happened with Yugoslavia. The USA envisaged elections in each of the six republics that constituted Yugoslavia, ahead of any financial support. Furthermore, it requested from U.S. personnel in all international financial organizations to apply this policy for all credits and loans (made by organizations in which they were employees).

"Only forces that the US defined as '*democratic forces*' would receive funding. This meant an influx of funds to small right-wing nationalist parties in a financially strangled region, which was suddenly thrown into a crisis by the overall funding cut" (Janković, 2019, p. 114).

Almost exactly a year later, NATO held the Summit from 1 to 8 November and proclaimed the New Strategy. Together with this crucial document that was needed to justify the role of NATO in the world without the Warsaw pact, the Transatlantic Alliance issued the document named *Situation in Yugoslavia*. Only a year after the USA had demanded democratic elections in federal units (and not at the federal level in Yugoslavia,) now Washington and its allies wanted to guarantee the internal borders as a basis for the external borders of eventual new states (NATO, 1991). Same was promoted by the Badinter Arbitration Commission ("Badinter Commission").

In search of a new enemy, the Serbs were designated as bad boys. The USA and its NATO and other western allies chose to impose total sanctions on third Yugoslavia. It was a logical consequence of the new world order with a new role for the Balkans. This meant the activation of some old plans. The only group that opposed the destruction of Yugoslavia was one that had established it, the Serbs. They lived scattered in several federal units and had every interest to keep the country together (Ponomarova, 2017, pp. 59-60). Their position in Yugoslavia became their fate.

French General Pierre Marie Gallois, testified in front of a camera in 2009 of the secret plans of Franz Josef Strauss, then leader of the Bavarian CSU

party and former Minister of Defense and Finance of West Germany, who together with diplomats from the United Kingdom, Spain and Gallois met in 1976 and in 1977. Already then, Strauss said that Germany was planning to achieve the dissolution of Yugoslavia and the integration of at least Slovenia and Croatia into its own sphere of influence. In the course of the meetings, the German politician was asking the support from other Western partners for such a plan (Youtube, 2017).

Hungary, Germany and Austria were assisting Croatian nationalists by selling arms and providing them with diplomatic support (CIA, 1991; Bosnian Institute, 2005). Other sources also confirmed this. Diana Johnston also pointed at German sources regarding a political circle organized by a German Secret Service resident in the SFRY, Klaus Dorner, which supported the emergence of Franjo Tudjman (Johnston, 2002, pp. 186-7). On the other hand, the Vatican, an old opponent of Yugoslavia, was a US ally against communism, and when the time has arrived, it supported the establishment of two new countries with a Catholic majority, Slovenia and Croatia (Igrutinović, 2013; Radić, 2014).

Thus, it is not true, as Susan Woodward and many others claim, that the West and particularly the USA was not implicated since the beginning of the Yugoslav crisis (Woodward, 1995, p. 2). The NATO bombing of the Serbian positions was in continuity with the previous stance against the Serbian interests. But soon after peace was reached in Bosnia in November 1995, the situation in Kosovo and Metohija started to deteriorate.

WAR IN EUROPE: RATIONALE FOR INTERVENTION

The first NATO combat mission (air warfare on that occasion) in its history happened against the Serbs in Bosnia in 1994 and 1995 (Atlantic Council, 2012; Haulman, 2009). The British Special forces (SAS) conducted ground activities against the Serbian forces, sometimes in coordination with NATO air attacks (Elite UK Forces). It supposedly acted against Serbian attacks on the Muslim forces. According to personal testimonies of Serbian officers and soldiers, British and U.S. soldiers engaged in ground operations also during 1999 when the bulk of the units attacking positions of the Yugoslav Army came from the so-called UCK-KLA (Kosovo Liberation Army).

The aggression started on 24 March 1999 and lasted for 78 days until 9 June the same year. Mostly the aerial campaign with ground operations, conducted officially by the Kosovo Albanian KLA from Albania against

Kosovo, destroyed or heavily damaged numerous civilian and military infrastructure, bridges, factories, distribution centres, hospitals, military bases, government buildings, utility systems, even hospitals, schools and bus stations. Yet, until isolated Slobodan Milošević and his entourage did not decide to give in to NATO demands, the Yugoslav Army remained almost intact. The aggression of the largest military alliance at that moment in the history, consisting of 19 developed countries headed by the USA, attacked a small European country with the assistance of almost all of its neighbours (excluding the Serbs in Bosnia). Irrespective of military aspect, the crucial research question remains, why the small Federal Republic of Yugoslavia (FRY, Serbia and Montenegro) or why the Serbs were bombed? Edward Herman, following in the footsteps of Michael Mandelbaum and Diana Johnston argues: "The focus on 'justice' as opposed to peace, and the demonizing of the Serbs and making them the unique group needing punishment, was the vehicle used by Bosnian Muslim leader Alija Izetbegovic and his close associates, and Clinton/Albright and Kohl-Genscher and their associates, to prevent a peaceful settlement - most importantly in backing out of the 1992 Lisbon Agreement - and to work incessantly to get NATO to intervene militarily [...]" (Herman, 2006, p. 4).

Parenti, Johnston and Chomsky argue it is mostly due to economic reasons and because of the globalisation of the economy led by transnational corporations (TNC), fighting to restore capitalism (Parenti, 2002, p. 4; p. 199) in Eastern Europe, employing humanitarian interventions. "With the Soviet deterrent in decline, the Cold War victors are more free to exercise their will under the cloak of good intentions but in pursuit of interests that have a very familiar ring outside the realm of enlightenment. The self-described bearers of enlightenment happen to be the rich and powerful, the inheritors of the colonial and neocolonial systems of global dominion" (Chomsky, 1999, pp. 11-12).

Parenti and others noted how the United States and NATO acted 'against the Serbs' and always presented another side as a victim. He claimed that Yugoslavia was a victim as a socialist country unwilling to follow the dictate of the corporate liberal-capitalist world: "(t)he Federal Republic of Yugoslavia (FRY) remained the only nation in that region that would not voluntarily discard what remained of its socialism and install an unalloyed free-market system. It also proudly had no interest in joining NATO" (Parenti, 2002, p. 18).

The West wanted to privatize the riches of Kosovo since only Trepča mines (in the province) were at least 5 billion dollars valuable (Parenti, 2002,

p. 110). Raju Thomas edited a volume on dismantling of Yugoslavia with plenty of argumentation on the role of the external factors in fomenting and maintaining the war. He has also, as Parenti or Johnston, pointed to the role of media in making what is today called the fake news (Raju, 2003, p. xiii, Parenti, pp. 146-148).

There is a chorus of authors supporting the mainstream story launched by NATO and western governments. Still, none of them questions the dominant narrative of the humanitarian reasons for which NATO decided to intervene even though it was contrary to international law in 1999.

Since 1999, the USA has intervened or conducted wars against Afghanistan, Iraq, Libya, and Syria. It backed the proxy wars in Yemen and Syria. The mainstream authors, those representing the absolute majority in Western academia claimed similar as Greenwood that NATO reacted out of humanitarian reasons (Greenwood, 2002). In line with the official propaganda is the most cited Adam Roberts's tale: "(t)he NATO states were united by a sense of shame that, in the first four years of atrocious wars in the former Yugoslavia (1991–95), they had failed, individually and collectively, to devise coherent policies and to engage in decisive actions". In order to lift the shame, NATO, famous as an international league of moral and well-behaving non-aggressive countries, was appalled by the prospect to be even more ashamed as there was evidence of a "risk of developing into wholesale 'ethnic cleansing' of the Kosovar Albanians" (Roberts, 1999, p. 104).

Susan Woodward believed that the USA only later decided to intervene in Yugoslavia in general. Yet, she has understood that the Balkan conflict was inseparable from the international context, but assumed that for the USA in 1994 it was of 'little significance' and only after it "emerged as the most challenging threat to existing norms and institutions that Western leaders faced" (Woodward, 1995, p. 2). In that view, the NATO intervention in 1999 is merely an institutional response to a 'challenging threat'.

Nevertheless, at the same year, the Indonesian para-military units were conducting by far more bloody atrocities than those claimed by the West in Kosovo, calculated at about 10,000 Albanians, mostly killed in the clashes during the NATO aggression (Parenti, 2002, p. 145).

If the FRY represented the threat, what were then East Timor with around 200,000 dead, or the Sierra Leone war (1991-2002) with a peak in 1997-8 and "(i)ndiscriminate amputations, abductions of women and children, recruitment of children as combatants, rape, sexual slavery,

cannibalism, gratuitous killings and wanton destruction of villages and towns" (Sierra Leone, 2015)?

What about the Great African war in Congo involving several African countries and wars in dissolved Somalia, which the USA left after a small number of dead soldiers? How come the wars or crisis in Yugoslavia represented such a threat and all other mentioned wars did not?

Dorđević and Vuković argue that physical and human geography factors are strong arguments for military planning, and of consequence for political planning. They claim that the wars they analysed have in common encircled or semi-encircled starting point of military operations, i.e. that targets were fully or partially isolated and easily accessed (Dorđević & Vuković, 2018). However, they did not research Sierra Leone or better Liberia as a country that led aggression on its neighbour because it was easily accessed. For the same purpose, it is legitimate to point that Somalia was also easily accessed. Australian threat backed by the UK and the USA was obviously enough for Indonesia to accept the military mission led by Sidney and withdraw after 24 years from what is now Timor-Leste.

Besides that, the US decision not to intervene in Georgia or not to attack Iran is not only or not even mostly determined by the mere physical geographic elements, but by the size of a potential enemy and its military characteristics as well. Still, there is no doubt that geography plays some of the crucial roles since other horrible wars have happened far away from Europe, or far away from the Middle East and North Africa (MENA). On the other hand, one must admit that France and the UK intervened in Côte d'Ivoire, Mali and Central Africa. Why is then the Balkans and MENA region so important?

"The 1990s saw numerous regional conflicts—Haiti, Colombia, Tajikistan, the Caucasus, Chechnya, Afghanistan, Nepal, Sri Lanka, the Middle East, Somalia, Sudan, Rwanda, Sierra Leone, Congo — that were comparable to or, in some cases, more destructive than the Balkan war. Few of these contests have received anything like the intense scrutiny devoted to the Balkans, for reasons good and bad. The Balkans is a part of Europe, and therefore more accessible to scrutiny by the international media and *engagement by external powers* (italic by S. J.) than conflicts waged in less developed and approachable regions [...] The Balkans has been an object of international political competition for centuries, and many of the great European and Eurasian powers have long-standing interests in the region [...] It has, likewise and correctly, been perceived as a kind of testing ground for international conflict management efforts in the post-cold war era" (Nation, 2003, p. vii; p. ix).

A reason more is given by the main Turkish foreign policy strategist in the period 2002-2016, Ahmed Davutoglu. He claims that the NATO aggression on the FRY is a result of the decision to take control over a space from Poland to the Adriatic Sea. "This operation should downsize the level of the military power of Serbia, the strongest along the line (from the Baltic to Adriatic sea, S.J.)[...] This is the main rationale behind the operation, and in particular of her conduct against the anti-aircraft systems [...] which could present a threat to the growing influence of NATO power" (Davutoglu, 2014, p. 223).

Clearly, the mechanism of forced collapse of the state was tested in the Balkans. NATO discovered its new rationale in the Balkans with 'humanitarian interventions' lately rebranded as R2R. "Germany, for the first time after WWII, takes role as a foreign military power in the Balkans, in the Serbian province (of Kosovo)" (Janković, 2015, p. 56), following its wish to expand its influence in areas of historical partnership (Slovenia and Croatia were once part of the Austrian Empire and Croatia was among the few loyal puppet states until the end of WWII).

As Kljakić notes, the war in the former Yugoslavia was planned and externally stimulated world war against Yugoslavia (as it included countries from two continents and other non-state entities – Al Qaeda). It was waged on the 'main world stage' for the promotion of the global corporate order in strategic places (geopolitical) at the crossings of Europe, Asia and Africa (the Balkans) (Kljakić, 2012, p. 103; p. 105; p. 115).

This theatrical tragedy ends with the main actor entering the stage at the beginning, and in the end with the occupation of Kosovo and Metohija. In the end, what was once Yugoslavia became the fragmented space of semiprotectorates with direct or indirect control of the Anglo-Saxon structures (Janković, 2015, pp. 59-61).

Gabellini supposes additional reason, claiming that the aim behind the fragmentation of third Yugoslavia was to impede Serbian access to the sea since Serbia is connected with Russia through the "orthodox diagonal" and represents a potential harbour for the Russian military navy (Gabellini, 2012, p. 56). Along this line are the reasoning of classical geopoliticians, like Stepić, Knežević, Dugin, but also Narochnitskaya. Stepić claims that control over Kosovo and Metohija was needed as a central part of the arch between the Adriatic and the Aegean Sea, seated along the line between two larger

spaces (Western and Southern) (Stepić, 2006b, p. 259; Narochnitskaya, 2008, p. 518) and because the Serbs are perceived as the 'Balkan Russians' (Stepić, 2006a, p. 486).

Ponomarova like Parenti, Johnston and others, cites the economic reasons but couples them with geopolitical reasoning of the establishment of a full NATO protectorate in southeast Europe (Ponomarova, 2014, pp. 88-89). Finally, Narochnitskaya similar like Dugin (but with different conclusions) understands the world as a theatre of a spiritual battle between good and evil with its material ramifications. Regarding the Balkans and Serbia, she also has in mind Christian orthodox and historical bases of Russian and Serbian relations. She points that Eastern, formerly socialist European countries between the Baltic Sea and the Mediterranean, had to be transformed in irrelevant and not independent countries. Germany had the interest to transform it into new *Mitteleuropa*, but the USA elites managed to induce these countries to join the EU only after integration to NATO. Such order of events tied the process of the EU integration to Atlantic structures (Narochnitskaya, 2008, pp. 474-5; p. 485). Narochnitskaya points out that the general NATO policy against Yugoslavia was aimed to control the strategic passage on the road between the Adriatic and the Aegean Sea, a remnant anti-Atlantic island in the 1990s. The European Left headed publicly by Oscar Lafonten Massimo D'Alema and Havier Solana were advocates of NATO enlargement at the moment when it was a guestion of life or death for the western military alliance (Ivi, 2008, pp. 476-492). Indeed, leftist and liberal European politicians accepted the *de facto* capitulation of independent EU policy, since the US together with faithful London, with the war in 1999, also obstructed St. Malo initiatives. At the time when the EU planned to form rapid deployment forces (1999), NATO intervened massively on European soil and prevented the initiative of distinct European defence policy.

In that *milieu*, Yugoslavia served as an example for the new reason of NATO and at the same time as an example of how those opposing the global processes would end. Locally, the result was the fragmentation of the space inhabited with the population with multiple links to Russia and not oriented towards NATO.

The spiritual dimension of the battle is that of the fallen West wanting to install global rule and the oppressed Orthodox Christianity as a crucial enemy of worldly evil, which is the main thesis of Narotchnitskaya. Geography obviously matters also for Narotchnitskaya, but as a place at the strategic route. Along that route in Europe, Washington and London continue to stockpile ammunition and troops. "NATO has constantly been expanding since 1990 in numbers of member states but also in numbers of military bases, offensive weaponry, in stocking armaments and organizing numerous military exercises and it is assuming an openly confrontational stance towards Russia and China" (Janković, 2017b, p. 42). Unlike countries in which controlled wars with numerous atrocities have been committed, but which did not challenge the global corporate order, Yugoslavia under Milošević did so. Serbian leader of the 1990s opposed general policies of the Western elites much like Saddam Hussein (Iraq), Ghedaffi (Libya) and Bashar el Assad (Syria).

CONCLUSION

Destruction and fragmentation of Yugoslavia that culminated with the NATO aggression on third Yugoslavia in 1999 and ended with the *de facto* occupation of the Serbian southern province of Kosovo and Metohija, is part of a larger political and ideological reformulation of the world after the end of the Cold War.

It resulted in small controlled protectorates and semi-independent countries. Globally, it was a stage in the promotion of the new world global corporate order after the fall of the Berlin Wall. Sovereign states became the main enemies of this rising force.

"Until the 1990s, dominant ideological strife between communism and capitalism vanished. But the new one was rising. It is a confrontation between globalism and modern society (political nationalism, classical democracy as the rule of the majority and the rule of law, the importance of religious traditions as markers of society). One of the manifestations of this struggle was and is a *new spiral of violence* against sovereignty and modern world order (achievements confirmed after the Second World War), which started with the wars against Iraq, the Serbs in Bosnia and Herzegovina (the NATO bombing in 1995), against Yugoslavia in 1999, Iraq again in 2003..." (Janković, 2013, p. 80).

The economic reason for the capitalist conquest is truly global. It is the same process occurring worldwide and irrespective of geography. Strong national countries willing to protect national economies are by definition enemies of transnational corporate governance. However, that applies to both Bolivia, Argentina, the FRY, African or Asian countries. Congo, Sierra Leone or East Timor are not situated along the strategic trajectories of control of oil and gas production (MENA region) or on the route of collision of the West and Russia/Christian orthodoxy. Furthermore, the process of NATOisation of EU integrations was utterly strengthened with NATO interventions in Europe.

"Importance of the Balkan wars is particularly essential in inventing the new role for NATO as a tool of imperial policies of the USA and global elites controlling the politics of Western countries and for the promotion of the humanitarian interventions (backed by highly publicized moral underpinning – humanitarianism)" (Janković, 2017a, p. 61). The symbolism of the date is also important as NATO celebrated its 50th anniversary during the war with the bombing of the Serbian state TV broadcaster RTS. Hence, a half-century of the Alliance was celebrated with bombs and blood.

NATO changed the strategic concept twice in the 1990s, and both times it affirmed its new role as a force that exports stability via military interventions. Submission of disobedient countries not included in hierarchical order (Lake, 2009) headed by Transatlantic elites, coupled with the geographic factor along the 'orthodox diagonal' between Balkan and Muscovite Russians, additionally explains 'why the Serbs' were targeted. Democratic interventions are used as a tool of both the Anglo-Saxon domination in Europe and as exemplary punishment for those opposing the planned reconstruction of Eastern Europe and the world in general. As the Serbs created Yugoslavia, they wanted to keep it. This and their historical and religious ties to Russia made them a crucial and demonstrative target of NATO.

The NATO aggression on Yugoslavia thus strengthened the leadership of US elites in the EU, in particular of the greater area that will soon after 1999 become a New Europe. This new Europe, a Trimarium between the Baltic Sea, the Black Sea and the Mediterranean is a modification of old British, and since WWII, American projects of creating a buffer zone between Russia and continental Europe. Construction of this buffer zone after 1999 was consolidated and imposed by Washington, and London led hierarchical international order.

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NATO INTERVENTION IN THE LIGHT OF THE SERBIAN-ALBANIAN WAR OVER KOSOVO

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Abstract: The author of this paper will present the circumstances of the NATO attack on Yugoslavia in 1999. The main goal of this address will be to show historical conditions of the Serbian-Albanian conflict over Kosovo, which led to the escalation of violence in this Serbian province. Moreover, the proofs will be shown that information about ethnic cleansing allegedly perpetrated by the Serbs in Kosovo were fabricated and they were the main cause of a decision made by NATO about the attack. NATO intervention was described in the subject literature in the West as a military operation and the "first war in history for the rights of man". The author of this paper shall present an analysis exposing this thesis, showing the terrorist character of the actions of the Kosovo Liberation Army and presenting the participation of "big players" in the Serbian-Albanian conflict who fight for their influences in the Balkans.

Key words: Kosovo, military operation, ethnic conflict, Kosovo Liberation Army, NATO intervention

HISTORICAL GENESIS OF THE CONFLICT OVER KOSOVO

Reliable and objective assessment of mutual relations between the Serbs and Albanians is very difficult if we do not want to create another mythologized history, which becomes a tool in the hands of the politicians and demagogues. They rather manipulate societies and nations than contribute to the development of peaceful relations around the world. The conflict between the Albanians and Serbs over Kosovo has its origin in the past. In the Middle Ages, this territory was a part of the Serbian state. But within a few ages, the Albanians have dominated Serbian population,

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making them a minority. The Albanians regard Kosovo as their ethnic territories, using an argument of their Illyrian descent and emphasizing that the Illyrians had come to the Balkan Peninsula before the Slavs. Every side of the conflict demands the right to this territory. Two opposing ideas, that is, "Greater Albania" and "Greater Serbia" have clashed and antagonism between them is based on the will to dominate in a specific area and political rivalry between the Serbs and Albanians (Luković, 2000, p. 28; Bujwid-Kurek, 2000, pp. 151-158).

In the early Middle Ages, Kosovo (since the 12th century) was a part of the Serbian state until its collapse in the middle of the 15th century (Luković, 2000, p. 28). At the time, that area was inhabited by the homogenous Serbian population and only by a small number of the Albanians who settled in the most westward point of Kosovo. The proofs to that can be found in the endowments of Serbian settlements to the monasteries. In "three golden" (founding) royal and tsarist endowments of the monasteries from the 14th century, we can find about 7,000 names of donated settlements, which allow reconstruction of the ethnic state of Kosovo. All registered settlements with the Albanian population were situated in the western and southwest Metohija and they were surrounded by Serbian settlements, their number did not exceed 2% of the population in Kosovo (Luković, 2000, p. 28).

According to the source material, a thesis of Albanian origin of these territories cannot be justified. Kosovo is the cradle of the Serbian state. Tsar Stefan Dušan, the ruler of the Serbs, Bulgarians and Albanians had his capital there. We can find in Kosovo the most valuable monuments connected with the origins of the Serbian state: Orthodox monasteries, Orthodox churches, the graves of the first rulers (most of them are the saints of the Orthodox Church). The Battle of Kosovo that took place in 1389 (the Serbs were the allies of the Albanians then) has initiated a new phase in the relations between the Serbs and Albanians (Gibas-Krzak, 2018, pp.77-91). After the battle, Turkish rule in the Balkans spread and seized areas were colonized. The persecuted Serbian population was expelled from Kosovo and replaced by the Albanians who converted to Islam. According to the sources, before the Battle of Kosovo, the Albanians constituted only between 1 and 5% of the population living in Kosovo. Therefore, these are not indigenous Albanian territories (Gibas-Krzak, 2009, pp. 27-42).

Since the Turkish conquest, the ethnic composition of Kosovo has gradually been changing. The wars and migrations of population triggered the process of driving the Serbian population out of Kosovo and settlement of the Albanians, who had better development and living conditions as the colonizers. But only in the 19th century, the Albanians have outnumbered the Serbian population. One of the hypotheses assumes that the Albanians constituted 58% of the population in 1838 and 65% in 1905 (Samardzić, 1990, p. 144). Others claim that at the turn of the 20th century, they constituted 50% of the population living in this region.

It does not change the fact that as a very expansive nation, the Albanians were the invaders conquering Serbian territory. They treated the Serbs as ethnic opponents, political rivals, rivals to land and followers of a different religion. They were supported by the policy of Turkey, which was favouring the Albanians as a nation trying to contain Serbian and Slavic elements. The great superpowers supported these ambitions, especially the Austro-Hungarian Empire that was fuelling the conflicts between the Serbs and Albanians. On the other side, there have always been the Serbs not agreeing with the loss of the cradle of their statehood, therefore, it was a matter of honour and political priority to incorporate Kosovo into independent Serbia (Gibas-Krzak, 2009, p.42).

It should be emphasized that many authors in the West, polemicizing with Serbian researchers, are trying to show the Serbs as aggressive towards the Albanians. On the other hand, the Albanians are presented as innocent victims that the Serbs do not want to coexist peacefully with and do not want to give back their territories. The most important issue in this conflict is that the Serbs have never been invaders, but defenders of their ethnic territory and they have the right to it, which is often forgotten by the historians and political scientists in the West.

The relations between Yugoslavia and Albania, shaped in the interwar period and during World War II, undoubtedly deepened the gulf between these nations. The Albanians in Kosovo were only waiting for an opportune moment. However, it is the Serbs who were the most repressed during World War II. They suffered the greatest losses. Whereas, ethnic cleansing and massacres in 1941 and in the years 1943/44 perpetrated by the Kosovar Albanians made the ethnic situation of the Serbs in Kosovo even worse. The pogroms of Serbs intensified after the fall of Italy when Germany had taken control of Albania and Kosovo. As a result of the agreement between the Kosovar Albanian Xhafer Deva and German intelligence service (Abwehr), the Second League of Prizren was established in September 1943. The Albanians launched a crusade against the Slavs (Savich, 2013). The anti-Serbian terror lasted until March 1944, and then it was dying down, which was connected with the growing activity of the guerrillas under the command of Josip Broz-Tito (Strugar, 1967, pp. 320-321). In the discussed period, the Axis powers, driven by their particularistic interest, played the Albanian card once again just like the Turks and Habsburg politicians were doing for ages to maintain their influence in the Balkans. But ordinary inhabitants of Kosovo did not care too much about politics, they just wanted to maintain their old laws and relations. The Serbs tried to impose their will on the Kosovar Albanians, restrict customary law and remove them from the conquered territories as a result of numerous wars while the Italians and Germans allowed them to live as they liked, in accordance with their ancient customs. Moreover, they encouraged them to crush their enemies – the Serbs. For Albanian politicians, dreaming about the creation of their state was important and represented a promise that the idea of "Greater Albania" would become reality. The key players in the international arena made them believe this goal was not a utopian idea, but it could be achieved.

THE CONFLICT OVER KOSOVO IN THE PERIOD OF DISINTEGRATION OF YUGOSLAVIA

In the years 1974–1991, the conflict between the Serbs (Yugoslavia) and Albanians (Albania) over Kosovo entered a decisive phase of constant tensions and armed incidents, which led to the secession of Kosovo from Serbia. "Kosovo syndrome" has been formed at that time, because tensions caused by the conflict between the Serbs and Albanians spread to other parts of Yugoslavia, especially to Macedonia. It must be emphasized that the Kosovo conflict had a huge impact on the disintegration of Yugoslavia, joining the process of breaking this country by nationalistic policies in particular republics, especially in Croatia and Slovenia (Waldenberg, 2005, pp. 75-87).

Moreover, international factors also triggered ethnic tensions between both nations. Many actors of foreign policy exerted influence on the events in Kosovo and the whole federation. The fact that the Americans refused to give economic aid to Yugoslavia had a negative impact on the situation in this country, not only for economic but also for propaganda reasons (Ciastoń, 1989). The policy of Germany was particularly controversial. Before its reunification, Germany supported the integration of Yugoslavia with European structures, but after the fall of the Berlin Wall, Germany supported the Albanians and blocked accession of Yugoslavia "to Europe" (Waldenberg, 2005, p. 90). In this way, Germany supported the processes of disintegration of Yugoslavia. It is believed that Germany decided to continue their pre-war policy of gaining influence in the Balkans using the conflict between Serbia and Albania over Kosovo. Gaining dominance in this part of Europe is a part of the historical German expansion, which is nowadays economic and not armed expansion. Yugoslav authorities were aware of that and feared in the 1980s of the growing influence of Germany in Albania, which was dangerous in the context of security policy in the region. However, no one would imagine that aroused nationalisms would erupt with such great force during the civil war in Yugoslavia. Moreover, during that war, the communities were manipulated not only by the politicians, but also by the journalists thirsty for sensation who were fuelling the conflict. Serbian people and authorities were also to blame, fuelling antagonisms, not being able to find other solutions to ethnic and political problems. Unfortunately, Serbian politicians did not attempt to find a consensus like, for example, Czechs and Slovaks. It should be emphasized that it also did not receive support from democratic countries in the West.

THE WAR BETWEEN THE SERBS AND ALBANIANS OVER KOSOVO AND NATO INTERVENTION

The end of civil war in Yugoslavia and signing the peace agreement in Dayton in 1995 did not end the ethnic tensions in Kosovo province. On January 15, 1999, global public opinion was appalled by the information about the execution of 45 Kosovar Albanians in Račak, which was one of the bases of the Kosovo Liberation Army. The crime, allegedly perpetrated by the Serbs, was condemned by international organizations: NATO, the UN and OSCE (Organization for Security and Co-operation in Europe). The head of OSCE observers, William Walker, blamed the Serbian security forces for this massacre. The Serbs responded that terrorists from the Kosovo Liberation Army had moved the bodies of killed members of their commando unit to make them look like the victims of Serbian attacks. Yugoslav authorities demanded from the observers to leave Kosovo. However, there are still controversies over the massacre in Račak. It probably was an Albanian provocation, not the murder perpetrated by the Serbs, although the majority of opinion-forming authors in the West thought that it was the Serbs who murdered innocent Albanians in Račak (Daalder, & O'Hanlon, 2000, pp. 63-64). However, the Račak case was publicized by the media in such a way to justify NATO air raids in the eyes of public opinion (Waldenberg, 2005, p. 282). On January 17, 1999, during the special meeting of the NATO Council, the United States insisted on air raids against

Belgrade in retaliation for Račak. On January 28, 1999, NATO threatened it would intervene if both sides of the conflict did not accept a peace plan prepared by the Contact Group. Two weeks after the events in Račak, the Contact Group called on the Serbs and Albanians to participate in the negotiations, although there were hypotheses that it was German diplomacy that had put forward a proposal of the conference. The conference started on February 6, 1999. Its participants debated behind the closed doors (Waldenberg, 2005, pp. 285-286). The Yugoslav delegation was led by Ratko Marković, a deputy prime minister of Serbia and Albanian delegation was led by Hashim Thaci, the commander of the Kosovo Liberation Army. The Yugoslav side agreed to his participation in the meetings, despite the fact that the Serbs regarded Thaci as a terrorist. The delegations did not hold direct talks with each other and Ambassador Ch. Hill, W. Petritsch, Austrian diplomat and Russian deputy minister, B. Majorski acted as go-betweens during these negotiations. At the beginning of the meeting, the participants received a document entitled "Temporary agreement on peace and autonomy in Kosovo", prepared by the Contact Group, which included 10 points:

- 1. Stopping violence and observance of the cease-fire;
- The development of autonomy in a peaceful way;
- 3. A three-year transitional period to find a final solution;
- 4. The prohibition on making changes in the status of Kosovo by one of the sides of the conflict;
- 5. The maintenance of territorial integrity of Yugoslavia;
- 6. The protection of the rights of all nations;
- 7. Holding a free election under the supervision of OSCE;
- 8. Releasing political prisoners;
- 9. The resignation from instituting criminal proceedings for actions taken during the conflict over Kosovo (with the exception of war crimes);
- 10. The Declaration of cooperation by both sides of the conflict supervised by the international community (Waldenberg, 2005, p. 284).

However, the meeting was broken off on February 23, 1999, and the Serbs did not agree to sign the agreement (Rycerska, 2003, p. 120). During the press conference, the president of Serbia, Milan Milutinović stated that "the whole show was prepared to make us accept what could not be accepted. And if we do not, we will be bombed. The point of these negotiations was NATO armed forces and only armed forces...(...) The goal

of the whole was to create conditions for proclaiming the independence of a part of the territory of the Republic of Serbia, to create a good pretext for aggression against a sovereign country" (Luković, 2000, p. 20).

The Serbs emphasized that the sovereignty of Yugoslavia was violated. They were required to accept the new constitution of Kosovo, the separate judicial system of the province and legislative authorities of Kosovo parliament. They were also required to accept the agreement as temporary and to organize a referendum within three years. The most controversial issue was the deployment of NATO soldiers who were supposed to disarm the Kosovo Liberation Army (Luković, 2000, p. 20). It was about the establishment of control on the part of Serbia exercised by a contingent of 30,000 NATO peacekeepers, after the withdrawal of the Yugoslav army soldiers from Kosovo (they were supposed to be only 1,500). The presence of NATO armed forces was included in Annex B to the agreement. These soldiers were supposed to guarantee that the referendum on the independence of Kosovo would be called after a three-year transitional period, which would mean the loss of this territory by Yugoslavia (Jastrzębski & Stamenković, 2002, p. 14). Since March 15, 1999, the talks on the issue of Kosovo were continued in Paris. However, the Serbian and Albanian delegations (Kosovar Albanians) did not meet. The Serbian delegation was threatened that NATO military actions would be initiated in the event of refusal of the international community's demand. Madeleine Albright, the U.S. Secretary of State, was particularly determined. She was probably the main author of NATO's attack against Yugoslavia. According to American diplomacy, it was supposed to be a few-day war, because they believed that Slobodan Milošević would resign after the initial air raids or would be overthrown by his political opponents (Waldenberg, 2005, p. 293).

It must be emphasized that the Kosovo Liberation Army supported by the United States gained victory during these mediations. Kosovar terrorists have internationalized the problem of Kosovo. This success was achieved thanks to the activity of the influential Albanian lobby in the United States and the National Albanian American Council (NAAC) that, by exerting pressure on American politicians, was taking care of the interests of the Kosovar Albanians.

On March 24, 1999, the NATO forces initiated military actions without an actual declaration of war (Dannreuther, 2001, pp. 20-24). The Serbs lost less than 5% of the potential of anti-aircraft defence within the first week of air raids. Using camouflage, they could hide from the NATO forces more than 80% of air forces and more than 90% of anti-aircraft systems (Goławski, Rochowicz, 1999). Moreover, the anti-aircraft defence of Yugoslavia destroyed the F-117, a plane made in "stealth" technology invisible for classic radars. The NATO air force was suffering losses from the first day of the war. The first plane was shot down on March 24, 1999. The Serbs claimed that 46 planes, 6 helicopters, 8 radio-controlled aircrafts and 182 rockets were shot down within 27 days. However, the Americans admitted the loss of a smaller number of machines (Luković, 2000, p. 91). They claimed that NATO lost only 2 planes during these operations, as well as two AH-64 helicopters, whose pilots died during the training in Albania (Lambeth, 2001, pp. 56-60). When it turned out that the concept of air blitzkrieg that Albright advocated for would not be executed, the NATO forces decided to continue the operations. The second phase of the war included more air raids against Serbian military targets. On April 1999, NATO decided to initiate the third phase of the war by attacking important military and strategic targets in Serbia, among others, the Ministry of Internal Affairs, the president's residence and the head office of television in Belgrade. The buildings of the General Staff and the Chinese embassy were also destroyed (Arkin, 2002, pp. 7-18). The civilian-military buildings and economic infrastructure were the main targets. The analysts and commanders of NATO hoped that destruction of economic potential would quickly force Serbia to surrender. The third phase can be regarded as one of the most controversial stages of the operations because the victims of the air raids were innocent people, which undermined the humanitarian character of NATO actions. The goal of most of the attacks was to incite economic collapse of Yugoslavia and riots directed against Miloševic. But the bombing of the cities and industrial centres had the opposite effect. The Serbs, faced with danger, consolidated around the defence of their state. Anti-NATO demonstrations were organized, and people were gathering around bridges and important buildings. Despite that fact, the bridges in Niš and Novi Sad were attacked because they were regarded by the NATO commanders as military targets that allow quick redeployment of the Serbian forces towards Kosovo (Clark, 2002, p. 226).

The NATO air raids were accompanied by the civil war in Kosovo, where the conflict between the Serbians and Albanians reached the sixth phase, transforming from the ethnic into a full conflict (Wojciechowski, 2002, pp. 87-90). The NATO operations conducted in cooperation with the Kosovar Albanians have deepened the tensions between these two nations. The commanders of the units of the Kosovo Liberation Army were in permanent contact with NATO command, pointing out the targets that

must be destroyed to make it more difficult for the Serbian armed forces to move within the province.

When two American pilots died in Apache helicopter crash during training in Albania on May 6, 1999, Bill Clinton announced "merciless escalation" of air raids against Yugoslavia. But his behaviour was interpreted as an expression of helplessness and desperation because the Americans did not know how to end this war. Despite further attacks on civilian targets and civilian victims, the resistance of the Serbs was not broken. Until the beginning of May 1999, the Yugoslav armed forces and police were still fighting against the Albanian terrorists. The federal forces retreated to the barracks only after the elimination of the most dangerous hotbeds of terrorist attacks (Rycerska, 2003, p. 129).

Due to overrunning of air operations, NATO command considered to initiate a land warfare. The lack of approval of such solution among the countries of Western Europe persuaded the Clinton administration to mediate with Yugoslavia. On June 9, 1999, a common mission led by W. Chernomyrdin and M. Ahtisaari, the president of Finland, led to signing an agreement that ended the war. Despite the fact that Yugoslavia had lost with international armed forces, they gained more in comparison with what was proposed in Rambouillet. The agreement did not include controversial Annex B, therefore, the NATO armed forces were not supposed to be stationed in the whole Yugoslavia. The superpowers also resigned from the organization of a referendum in Kosovo that would determine the status of the region. A great success of Serbian diplomacy was assurance that a specific number of Serbian soldiers and policemen would come back to Kosovo after the restoration of peace, proving that Kosovo is a part of Yugoslavia (Arkin, 2002, pp. 22-23).

CONCLUSION

Air operations have initiated a new chapter in the history of NATO, which for the first time started warfare without the mandate of the United Nations Security Council, creating a dangerous precedent for the future. The bombing of Yugoslavia violated international law because it did not comply with Art. 33 of the United Nations Charter, which listed peaceful methods that could be applied to solve conflicts, for example, negotiations or arbitration. A new NATO strategic concept, approved during the air raids, was saying that NATO had the right to act in the event of a threat to international peace and to protect human rights. In this way, the politicians from Washington would initiate armed intervention in various conflicts to get political benefits. According to many scientists, the new strategic concept of NATO that includes large-scale armed intervention to protect human rights violates international law in which the state sovereignty has precedence.

It must be emphasized that the characteristic feature of military actions taken during the operations was active information and psychological operations. When the air raids started, NATO wanted to get support from international public opinion and discredit the authority and position of Milosević in Yugoslav society. Another reason for the activation of information and psychological operations was the fact that the operation was not going according to the plan of political and military NATO command. The goals were not achieved and the conflict that was supposed to end within 10 days, was lengthened by weeks and months. Faced with such situation, NATO strategists prepared an elaborate PR campaign directed against efforts of Serbia to present itself as a victim of NATO aggression. The main effort was focused on showing the air raids as a natural reaction to the violation of human rights and ethnic cleansing. Jamie Shea – the press spokesman of NATO, played a particularly important role, emphasizing during daily briefings the power of NATO and efforts aimed at preventing a humanitarian disaster. In his statements, Shea was emphasizing dysfunctionality of the Balkans. He compared Yugoslavia to a "child that needs good parents" and NATO's involvement to "justified and moral obligation" (Farrell, 2009, p. 359). The attempt to show the operation as a historic mission, using many methods of social engineering, was successful. It contributed to the positive image and reception of NATO actions in most of the media in the West. Many authors in the West believe that the United States entered the conflict between the Serbs and Albanians over Kosovo because they believed in their historic role. The United States was supposed to be the only force guaranteeing freedom and democracy in the modern world. These view called "Wilsonianism", reaches back to the origin of the United States (Fitzsimons, 1995, pp. 569-582). But despite this Messianic idealism, the facts are more brutal. By initiating the air raids, American diplomacy has led to a humanitarian disaster caused by the war in Kosovo, which resulted in the mass escape of people. On March 9, 1999, the OSCE mission led by W. Walker left Kosovo, including the wave of refugees that came to Albania (18 500) and Macedonia (16 000). In May 1999, the Serbs announced that 771,900 people escaped from Serbia since the beginning of the air raids, mainly the Kosovar Albanians. Whereas, 200,000 people migrated to the central and northern part of Serbia, causing a humanitarian disaster that the West had blamed Yugoslavia for in the past (Luković, 2000, p. 77).

A hypothesis can be formulated that with the change of global balance of power after the end of the Cold war, the main superpowers that have gained an advantage in this region are the United States and Germany, interfering in the conflict between the Serbs (Serbia) and Albanians (Albania) over Kosovo. There are hypotheses that say that the war of NATO against Yugoslavia was being prepared for a long time and its goal was the dominance of the United States in this part of Europe. Another goal was the satisfaction of the needs of the military industry in the United States (Gibas-Krzak, 2009, p. 204). However, it seems that the fundamental goal of the United States interfering in the affairs in the Balkans has been mainly expansion in this region to gain influence and weaken Russia that has always played an important role in this part of Europe.

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ANALYSING THE DEBATES AT THE TURKISH PARLIAMENT DURING THE KOSOVO CONFLICT (1998-1999): IMPACT OF GEOGRAPHY, HISTORY AND IDENTITY

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Abstract: The Turkish foreign policy towards the conflicts in the former Yugoslavia was carried out in cooperation with its Western allies. However, as different from its policy during the Bosnian War, Turkey assumed a more careful attitude with regard to the Kosovo issue. During the Kosovo War, Turkey did not undertake any guardianship role for the Kosovo Albanians to the extent that it had done for the Bosniaks during the Bosnian War. Different dynamics had an impact on Turkey's Kosovo policy, its internal problems, the Cyprus issue, Balkan diaspora in Turkey and the presence of the Turkish minority in Kosovo. The presentation will provide an analytical overview of Turkey's approach towards Kosovo based on the proceedings of the Turkish Grand National Assembly. During that period Turkey was mostly governed by coalition governments. How the governing parties and opposition parties reacted to events in Kosovo during the parliamentary sessions will be analysed through conceptual frameworks. The perceived Ottoman history, the existence of "relative communities" and the Turkish minority, and the fear of the spread of the Kosovo issue to neighbouring countries became important factors affecting the construction of the Turkish foreign policy. The presentation will examine the proceedings of the Parliament in 1998-1999 focusing on concepts like "Ottoman legacy", "identity", "interest". It will analyse how Turkey's commitments to the Western alliance, how its identity construction as a regional power and how its political, economic and cultural interests became effective in the formulation of Turkey's attitude towards the conflict in Kosovo. Keywords: Turkey, Yugoslavia, Serbia, Kosovo, Turkish minority, NATO, West.

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INTRODUCTION

The Turkish foreign policy has experienced significant changes after the end of the bipolar international system because of global, regional and national dynamics. Because of the end of the East-West Bloc contentions, it could pursue a more active regional policy in its neighbourhood, such as in Eurasia, the Balkans and the Middle East. The conflicts in areas surrounding Turkey have urged the decision-makers in Ankara to start some initiatives. In addition, beginning from the Turgut Özal era, Turkish governments have become more keen to try to become a leading country by adding new characteristics to Turkey's traditional state identity. During the course of the 1990s, Turkey's Ottoman history has been discussed more frequently with regard to foreign policy crises taking place in Turkey's neighbourhood (for a comprehensive work on the impact of the Ottoman legacy on Turkey's policies towards the conflicts in the former Yugoslavia see: Çalış, 2001). Some intellectuals urged Turkey to play a greater role in the former Ottoman territories.

During the 1990s, the wars in the former Yugoslavia were an important challenge for the Turkish foreign policy. When the first signs of the Yugoslavian dissolution process started, Turkish decision-makers supported the territorial integrity of Yugoslavia. However, after the decision of some Western countries to recognise the breakaway republics, Ankara decided to recognise Croatia, Slovenia, Bosnia and Herzergovina and Macedonia in 1992. During the Bosnian War, Turkey aligned its foreign policy with the Western countries. At the same time, Turkey started peace initiatives, like Bosnia Action Plan and tried to bring the Bosnian War to the agenda of international organisations (Demirtaş, 2006, pp. 173-228; Uzgel, 2001, pp. 493-502).

As soon as the Bosnian War was over with the signing of the Dayton Peace Accords, Ankara tried to improve its relationship with Belgrade by reopening its embassy. As both countries were attempting to normalise their ties, the Kosovo War erupted in 1998. The start of the conflicts on the territory of Kosovo led to a number of challenges for Turkey. The Kosovo War was considered a different type of conflict from the Bosnian War by the Turkish decision-makers because of several reasons. First of all, the legal status of Kosovo was different from Bosnia and Herzegovina in the 1974 Yugoslav Constitution. Kosovo was an autonomous province without any right of separation. Second, although the Bosniaks perceived Turkey as the motherland, for the Kosovo Albanians the motherland was, of course, Albania. Third, there has been a Turkish minority in Kosovo who needed the support of Turkey in order to maintain their rights. Fourth, the emergence of the UÇK created important challenges for Turkey (Demirtaş, 2006, pp. 270-271).

As the conflict started in Kosovo, Turkey tried to urge both parties to end the violence and try to find a peaceful solution through negotiations. Ankara argued that the rights of the Kosovo Albanians stated in the 1974 Yugoslav Constitution should be given back. In the early phases of the conflict, Turkey maintained its dialogue with both parties. Turkish leadership tried to prevent the emergence of another violent conflict in the region that would have the potential to repeat the horrors of the Bosnian War.

In that framework, Foreign Minister İsmail Cem's visit to Belgrade in March 1998 to convey the message of the Turkish President Süleyman Demirel to the Yugoslav President Slobodan Milosevic was of historical importance. In his message, Demirel stated that Turkey was ready to contribute to finding a solution to the problem.

In addition, Turkey maintained its dialogue with international organisations and urged them to take the Kosovo issue seriously into consideration. For example, Foreign Minister Cem informed UN Secretary-General Kofi Annan before and after his visit. In that sense, Turkey acted in a multilateral way. Besides, throughout the conflict, Turkey was in contact with the regional countries and tried to align its policy with the neighbours. Within that framework, Turkey hosted the meeting of foreign ministers of the Southeast European countries in İstanbul in June 1998. Similarly, a summit of the Southeast European countries took place in Antalya in October 1998.

This was a short summary of Turkey's approach towards Kosovo as the conflict was going on. This presentation will focus on the debates in the Turkish Parliament in 1998-1999. It will analyse the following research questions: How did the political parties perceive the Kosovo problem? What were the reasons for the breakup of the conflict? How did the opposition parties evaluate the policy of the government? How did the parliamentarians perceive Turkey's regional and international position during the debates on Kosovo? What kind of proposals did they put forward for the solution of the problem? The article will mainly focus on the debates concerning geography, Ottoman history and identity.

Before starting to analyse the debates at the Turkish Grand National Assembly, it might be useful to look at the main characteristics of the internal politics at the time. The following section analyses the internal political dynamics in Turkey during the Kosovo conflict.

INTERNAL-EXTERNAL POLICY NEXUS IN TURKEY DURING THE KOSOVO CONFLICT

Between June 1996 and June 1997, the country was ruled by a coalition government between the Welfare Party and the True Path Party under the prime ministry of Necmettin Erbakan. The religious orientation of the big partner in the coalition government, the Welfare Party, and its religioninspired activities in internal and external politics led to great controversies in the country. It was claimed by some observers that the Welfare Party tried to change the secular regime of the country. As a result of increasing tension within the country, the coalition government was overthrown by a postmodern coup d'etat on 28 June 1997 (Demirtaş, 2006, p. 274).

Following the coup d'etat, the Motherland Party (ANAP) found a coalition government with the Democratic Left Party (DSP) and the Democratic Turkey Party (DTP). The coalition government remained in power between June 1997 and January 1999. While the ANAP and the DTP were placed in the right spectrum, the DSP was a left-oriented party. This coalition government was reigning the country when the Kosovo conflict started and turned to more violence. Between January and May 1999, the DSP government under the leadership of Bülent Ecevit ruled the country. As a result of early parliamentary elections in May 1999, another coalition government consisting of the DSP, the ANAP and the Nationalist Movement Party (MHP) came to power, again consisting of one left- and two right-oriented parties. This government ruled the country till November 2002 (Demirtaş, 2006, p. 274).

During the Kosovo conflict, two important leaders became quite influential in the formulation of Turkey's Kosovo policy. First of all, President Demirel became the symbol of Turkey's cautious and multilateral foreign policy. In addition, İsmail Cem as the foreign minister under different coalition governments became an important actor in Turkey's foreign policy decision-making process between 1997-2002.

The fact that Turkey was ruled by coalition governments for most of 1998-1999 did provide a kind of check and balance mechanism for foreign policy issues as well. Although the Foreign Ministry was in control of the DSP, the decisions on international relations could be perceived as a result of the bargaining process of governing parties of the right and left spectrum.

After summarising the internal political circumstances, we can start analysing the debates at the Turkish Grand National Assembly. The next section shed light on how the Kosovo problem was discussed by the parliamentarians of different parties.

DEBATING THE KOSOVO ISSUE IN THE TURKISH PARLIAMENT

Perceptions of the Kosovo Conflict

First, we can elaborate on how the Kosovo issue was perceived and understood by the parliamentarians.

The Turkish Grand National Assembly had a general session (*genel görüşme*) on the Kosovo issue on 17 March 1998 in which different political parties from the coalition government and opposition had the opportunity to elaborate on their views on the problem.

Some MPs stated during the general session that what was happening in Kosovo was a repetition of what had happened in Bosnia and Herzegovina between 1992-1995. For Hüseyin Kansu from the FP (Fazilet – Virtue Party), Kosovo represented a second Bosnian drama (TGNA Proceedings, 17 March 1998).

Irfan Gürpinar from the CHP argued that through their policies in Kosovo, the Serbs were taking the revenge for 1389. Serbia tried to create its dream of Greater Serbia through its policies (TGNA Proceedings, 17 March 1998). The same approach was visible at the rhetoric of another rightwing MP, Recep Kiriş from the Greater Union Party (BBP). He claimed that those who attacked the Muslim Albanians believed that those people represented the continuation of the Ottomans and the Muslim Turks. In other words, the Serbian attacks against the Kosovo Albanians were seen as an attack on the Ottoman legacy. He stated that Serbian rulers had the aim of taking revenge for the 1389 Kosovo War (TGNA Proceedings, 17 March 1998).

An interesting discourse was related to conspiracy theories. Hüseyin Kansu from the Virtue Party argued that the events in Kosovo could be the result of activities of Serbia and Macedonia. He argued that both countries wanted to decrease the number of the Albanians in Kosovo (TGNA Proceedings, 5 March 1998). Kansu also put forward a geopolitical argument by stating that in the Balkans there were two important axes: on the one hand, there was the Bosnia-Sanjak axis and on the other hand, there was the Macedonia-Albania axis. Between these two axes, Kosovo was located at a central geographical position. According to him, if Kosovo was dissolved, the distribution of the Albanian population in the Balkans would be negatively affected, and the Albanian people would be stuck in the Adriatic. That would result in their marginalisation, hence it would lead to the last phase of the dissolution of the Ottoman remnants (TGNA Proceedings, 10 March 1998).

Kansu, an MP from the Islamist-oriented Virtue Party, argued at another speech that "Orthodox world" tried to implement policies of forced deportation, ethnic cleansing and assimilation towards the Ottoman remnant population and the Muslim peoples for decades. He claimed that there was a historical continuation of these policies by the Orthodox entities. Therefore, according to his opinion, what happened in Albania in 1997 was not any different from what happened in Bosnia and Herzegovina during the Bosnian War or in Bulgaria (allusion on the 1989 assimilation campaign). As a result of the involvement of external actors, he further claimed that "pro-Turkish" Berisha government in Albania was overthrown and "pro-Greek" and "Orthodox" Fatos Nano became the new prime minister. This so-called Greek-Serbian axis tried to dismantle Albania and the Albanians (TGNA Proceedings, 23 July 1998).

Mustafa Baş from the Virtue Party argued that the financial crisis in Albania in 1997 took place because of the policies of Greece and Serbia. They helped overthrow the government in Albania. The new government in Albania tried to increase Greek initiatives within the country (TGNA Proceedings, 17 March 1998).

Another MP from the center-left Republican People's Party (CHP) also put forward the conspiracy theory of the Serbian-Orthodox cooperation in the Balkan problems. According to his view, the Serbian-Orthodox cooperation tried to dismantle "our presence" in the Balkans. He further stated that "they want to dismantle our 600-year old historical, cultural and political entity from the Balkans partially" (TGNA Proceedings 17 March 1998). And the West did not pay attention to those problems.

The same approach continued in 1999 during the NATO operation. Oya Akgönenç Muğisuddin from the Virtue Party also claimed that Greece has

always helped Serbs, although it is a NATO member (TGNA Proceedings, 3 June 1999).

It is interesting to note that irrespective of whether they represented the left or right of the political spectrum, conspiracy theories were quite popular among the Turkish MPs of the opposition parties. Different constellations of external actors were claimed to intervene in the internal affairs of the countries with the aim of destroying the Ottoman legacy and the Muslim & Turkish populations without giving any concrete evidence. However, the governing parties pursued a cautious and rational foreign policy. Neither the Prime Minister nor the Foreign Minister did not pay credit to conspiracy theories during the debates.

In the following section, the debates on the Turkish foreign policy towards the Kosovo conflict will be analysed. How did the opposition parties evaluate the Turkish approach towards Kosovo? What kind of criticisms did they put forward? How did the government defend its policies? It is important to note how the perception of Ottoman history and Turkish identity became part of the debates.

Turkey's Kosovo Policies and Criticisms of the Parliamentarians

Different MPs from different political parties criticised the Turkish foreign policy towards Kosovo. A common criticism of the opposition parties was that Turkey was acting too cautiously and passively. They urged the governing parties to pursue a more active foreign policy and reconsider its traditional engagements.

However, it is equally interesting to note that even MPs from governing coalition parties from time to time criticised the foreign policy towards Kosovo. İrfan Demiralp, an MP from one of the coalition parties (ANAP), stated that the declaration of the Turkish Foreign Ministry's supporting territorial integrity of Yugoslavia should be reconsidered (TGNA Proceedings, 17 March 1998). In fact, "whose territorial integrity" should be supported was discussed extensively in the Turkish Parliament. Like Demiralp, many opposition MPs criticised the continuation of the traditional Turkish foreign policy that supported the territorial integrity of Yugoslavia. Many MPs, instead, urged Turkey to recognise the territorial integrity of Kosovo. One of them was Azmi Ateş from the Virtue Party who argued that emphasising the Yugoslavian territorial integrity was an approach supported by Serbia, Russia and Greece (TGNA Proceedings, 26 June 1999). Hence, the conspiracy theories were put on the agenda in the issue of territorial integrity as well.

"The responsibilities of Turkey" was another important concept that came to the agenda of the Turkish Grand National Assembly. MPs both from the governing parties and opposition parties argued that Ankara had special responsibilities towards the Balkan region in general and Kosovo in particular. How they have explained the concept of "responsibility" will be dealt with in the presentation.

According to Prof. Mümtaz Soysal, a former minister of foreign affairs, an MP from the governing coalition party, Turkey had three responsibilities towards the Kosovo issue. First, Turkey had a responsibility towards the Muslim communities in the Balkans. This was considered a moral responsibility stemming from Turkey's ancestors, in other words, the Ottoman Empire. He reminded that the people in the Balkans became Muslims because of the Ottoman Empire. Second, he emphasised that Turkey had a responsibility towards its own citizens because of the fact that half of the Turkish population consisted of migrants in the foundation years of the Republic. Third, Turkey had a responsibility towards humanity (TGNA Proceedings, 17 March 1998).

Cyprus also became part of the Kosovo debate from different angles. Mümtaz Soysal gave the example of the British policy towards Cyprus in trying to legitimise why Turkey should be an active player in Kosovo. He claimed that if Britain continued to play a role in Cyprus just because of the fact that it ruled the island 70 years and felt a responsibility, Turkey should also claim a role for itself in the Kosovo issue (TGNA Proceedings, 17 March 1998).

Mustafa Baş from the Virtue Party stressed upon the geographical, historical and identity ties between Turkey and the Balkans. The Ottoman legacy in the Balkans was contributing to Turkey's power in the region according to his view. However, he claimed that Turkey could not protect this identity in the region. At that point, he reacted to the perception of the Ottoman legacy by the government within the country. This was an interesting point in the representation of how the internal-external nexus could be materialised in the Balkan example. The Virtue Party has already criticised the secular policies of the government in domestic politics. The Kosovo case provided an example (or cover) to criticise the secular character of the Republic of Turkey. Baş claimed that Turkey considered the internal Islamic cultural entities as a threat, hence this internal perception was claimed to give harm to Turkey's Kosovo policies. The Balkans was used as a case by the Virtue Party MPs in order to explain their foreign policy agenda that had religious inclinations (TGNA Proceedings, 17 March 1998).

The Cyprus issue came to the agenda in the framework of Turkey's close ties with it. In the traditional Turkish foreign policy, Cyprus is considered as a number one issue and national case (*milli dava*). It is also seen as a homeland (*yavru vatan*). According to Baş, Kosovo was no different from Cyprus, and it should be considered in a similar way. He also argued that events in Kosovo were a security threat for Turkey. According to him, Turkey should guarantee Kosovo's territorial integrity before it recognises Serbian territorial integrity. Turkey should recognise the independence of Kosovo and explain it to the international community (TGNA Proceedings, 17 March 1998).

Hence, the Islamist oriented MPs urged the government to give up its concerns and act in an assertive way. The cases of Cyprus and Ottoman legacy were used as excuses to push Turkey towards an assertive foreign policy. How could Turkey pursue such a foreign policy in March 1998 was an open-ended question. Any kind of unilateral action that would contradict with international law was rejected by the government.

Kansu also followed suit with the claim of Baş who said that the Kosovo issue presented a threat for Turkey as well. According to Kansu, Kosovo and other Balkan countries were a combat outpost in Turkey's strategic defense.² Hence, he argued that the Balkans was important for Turkey's defense policies and thereby tried to urge the government to act in a more active manner (TGNA Proceedings, 17 March 1998).

A similar line of thought was followed by the right-wing nationalist party Great Union Party (BBP). Recep Kırış from the BBP also emphasized the similarity between Kosovo and Cyprus stating that if Cyprus was important for Turkey's security, Kosovo would be important for Turkish security in the future. He further claimed the following: "...Turkey has to act in accordance with its historical mission, historical legacy; it has to make a claim to its cultural and political entity and it has to be conscious of its responsibilities there" (TGNA Proceedings, 17 March 1998). What those responsibilities would include was not stated clearly.

² "Türkiye'nin stratejik savunmasında, muharebe ileri karakolu durumunda önemli bir bölgedir."

Another important characteristic of the debates was references to Atatürk's foreign policy via new interpretations. Namık Kemal Zeybek, an MP from the opposition True Path Party (DYP) argued that Turkey should implement Atatürk's motto of "Peace at home, peace in the world" in an active way. As an example, he suggested Turkey together with Albania should establish a common communication system in order to create a network between the Albanian people and the world (TGNA Proceedings, 10 March 1998).

Meanwhile, Foreign Minister İsmail Cem's visit to Belgrade on 7-8 March 1998 created a lot of controversy in the Parliament. During his visit, Cem met with Milošević and submitted to him a letter from the Turkish President Süleyman Demirel. The fact that Cem did not meet with the Kosovo Albanians during his visit led to the criticism of the opposition parties from the left and right spectrum.

Irfan Gürpınar from the center-left CHP stated that although the Contact Group members were meeting with Kosovo officials, Cem did not go to Kosovo and did not invite Kosovo officials to Belgrade. Hence, he criticised the government of being cautious, timid and ashamed as identity, personality and culture in Kosovo were being destroyed (TGNA Proceedings, 10 March 1998).

Foreign Minister Cem responded to criticisms by saying that "now, his excellency, foreign policy is a serious business" (TGNA Proceedings, 10 March 1998).³ He stated that Turkey acted in line with international treaties. The government respected the existing borders. He challenged the opposition parties by saying that if they wanted they could change this policy only if they won the elections.

However, it should be noted that even the discourse of the MPs from the government included emotional elements as well. For example, Cem argued that from Turkey's perspective Kosovo was a political issue, but at the same time a humanitarian issue. He further stated that "Kosovo is a part of our heart; people in Kosovo are a legacy of our history, morally" (TGNA Proceedings, 10 March 1998).

On the other hand, for the Virtue Party, Kosovo was not different from Turkey's own provinces. Mustafa Baş from the Virtue Party argued for similarity not just between Kosovo and Cyprus, but also between Kosovo and İstanbul, İzmir, Bursa. He claimed that those people killed in Kosovo

³ "Şimdi, efendim, dışişleri ciddi bir iştir."

should be treated the same way as if "our citizens" in İstanbul, İzmir and Bursa were killed. It is interesting to note that all the provinces that Baş emphasised were the ones with a high concentration of Balkan migrants (TGNA Proceedings, 10 March 1998).

The same approach was visible in the CHP as well. Ali Dincer from the CHP stated that Turkey had the first responsibility towards Kosovo. The reason was that brethren in Kosovo gave an account in "our name." He further stated: "... they give an account of our history, our culture in our name there. In fact, all attacks against them are attacks against us. Therefore, Turkey should spend the most effort" (TGNA Proceedings, 8 October 1998).

The previous two statements belonged to two different MPs from two very different political parties. The Virtue Party and the CHP were placed in different parts of the political spectrum. One was a right-party with religious orientations, and the other was a center-left party. However, there were important similarities in their analyses of the Kosovo problem. What was happening in Kosovo was considered to be happening in Turkey as well. The approach of "their pains are our pains" is being projected onto criticisms towards the Turkish foreign policy.

A similar approach was visible in the rhetoric by Mehmet Ağar from the DYP. Emphasising Turkey's responsibilities stemming from its history and geography, he argued that what had happened in Bosnia and what was happening in Kosovo was an indication of how Turkish and Muslim presence in the European territories was not being tolerated (TGNA Proceedings, 8 October 1998). Therefore, he claimed that because of historical responsibility Turkey had to intervene by taking all necessary precautions (TGNA Proceedings, 8 October 1998).

There were also some MPs who argued that the Turkish foreign policy should find a balance between its regional actorhood role conception and the international community. "The Kosovo issue connected us back to our history" argued Cevat Ayhan from the Virtue Party. He further stated that "yes, we are not in a position to quarrel with the world, we should behave in accordance with the world, in accordance with the international powers, but at the same time we should help our neighbourhood, regions for which we have historical responsibility, carefully and quickly" (TGNA Proceedings, 23 June 1999).

Another interesting connection was between Turkey's Balkan policies and Turkey-Europe relations. Baş argued that if Turkey increased its impact on the Balkans and East Europe, it would be more powerful versus Europe as well (TGNA Proceedings, 10 March 1998). Hence, Turkey's effectiveness in the Balkans was seen to have an impact on its influence on Europe as well. It is interesting that the MP implied that Turkey should follow non-European foreign policy and hope to become a more powerful actor towards Europe.

An important discussion in the Parliament was related to the possible role of the Turkish Army in the region. Ali Dincer from the CHP made the following argument: "of course, our army was not established just for the Republic of Turkey, but also to protect our historical and cultural accumulation and brothers/sisters" (TGNA Proceedings, 23 July 1998). According to him, Turkey should take radical decisions and act in a realist way. Turkey should consider models beyond autonomy in the Kosovo case. He also stated the following: "today, those people in Kosovo and Bosnia-Herzegovina, in related geographies are in a difficult condition. They give an account of our historical accumulation. They defend our culture." Hence, according to him, Turkey should support them in every possible way (TGNA Proceedings, 23 July 1998). The projection of the Turkish Army, acting in the name of Kosovo by a CHP MP is noteworthy. When it comes to the imagination in foreign policy, Turkey's right-wing and left-wing opposition political parties were quite similar in the case of Kosovo.

The Balkan diaspora in Turkey is the most organised group among all diasporas. Whenever a problem occurs in the Balkans, Balkan associations urge the government to pursue an active and effective foreign policy (for a comprehensive study on the impact of Balkan and Rumeli migrant associations on the Turkish foreign policy towards the region see: Nurcan Özgür-Baklacıoğlu, 2006). Similar attempts took place during the Kosovo conflict as well. Erdal Kesebir, from the coalition party DTP, argues that Kosovo origin businessmen and Rumeli associations were visiting the political parties and parliamentarians. They tried to create a public opinion about the events in Kosovo (TGNA Proceedings, 8 October 1998).

The debates on Kosovo led to discussions about Turkey's position in the global system as well. The post-Cold War era led to the emergence of the motto of "Turkic world from the Adriatic to the Chinese Wall" by mainly referring to the establishment of the Turkic republics in the post-Soviet space. But, the Kosovo issue led to the emergence of another motto of Turkey having a sphere of influence from Gibraltar to the Pacific Ocean. Kansu, from the Virtue Party, tried to expand the limits of Turkey's sphere of influence. He also referred to this region as "Red Apple" (*Kızıl Elma*)

(TGNA Proceedings, 8 October 1998). Red Apple stems from Turkish mythology and refers to an ideal case where Turkey has a global dominance.

Meanwhile, both Ağar from the DYP and Kansu from the Virtue Party consider the UÇK as an entity established to protect the Kosovo population against the attacks. Ağar argues that the Kosovo population had the right to self-defense, and he thought that the struggle of the UÇK was similar to Turkey's own War of Independence. Kansu, similarly, claimed that the UÇK was a reality in Kosovo. The same approach was visible in the speeches of Muhsin Yazıcıoğlu from the BBP (TGNA Proceedings, 8 October 1998).

CONCLUSION

This paper aimed to analyse the debates at the Turkish Parliament during the Kosovo conflict within the framework of geography, history and identity. It found out that opposition parties, both from the left and right, put forward similar criticisms. First of all, Kosovo was regarded by some MPs as if it was an internal issue. Therefore, they urged Turkey to pursue more assertive policies that would additionally include military instruments if necessary. Second, similarities were established between the Kosovo issue and the Cyprus problem. Hence, Kosovo was seen as a national case. Third, the Kosovo case once again resurrected the Ottoman ghost and refreshed debates on how to embed the Ottoman past in the contemporary Turkish foreign policy. Islamists used this opportunity to criticise the secular policies of the government. Hence, the Kosovo issue had repercussions for internal politics as well. Fourth, Turkey's position in the regional and international system was further discussed during the Kosovo conflict. Both the rightand left-wing MPs imagined a greater sphere of influence for Turkey. Hence, the Kosovo case became a mirror on which Turkey's identity discussions were further projected.

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CHAPTER III

THE NATO AGGRESSION AND INTERNATIONAL RELATIONS – A WIDER FRAMEWORK FOR UNDERSTANDING OF THE 1999 WAR

FINDING ITSELF: AMERICA, RUSSIA, SERBIA IN A CHANGING WORLD

Leonid DOBROKHOTOV, Ph.D.¹

Abstract: In his paper, the author describes and explains the circumstances in international relations which enabled the United States and its allies to execute aggression against the Federal Republic of Yugoslavia. The paper also analyses the US foreign policy characterised by the tendency for domination, as well as the United States' attitude towards the Russian Federation. The author concludes that in the West, therefore in the United States, Russophobia is deeply rooted. This notion and attitude have been guiding the US administrations over a long period of time. Special attention is focused on Donald Tramp becoming the head of the United States, as well as on the missed opportunities for improvement of the overall US-Russian relations. The author believes the world power relations are changing significantly in favor of the creation of a multipolar order. Therefore, the United States is no longer the dominant force as it used to be, for example, during the aggression on the FRY. The paper assesses that the current problems in American society arise from inevitable political and economic contradictions which are a permanent characteristic of capitalism.

Key words: Russia, USA, New world order, NATO, sovereignty, Serbia.

... this whole tendency to see ourselves as the center of political enlightenment and as teachers to a great part of the rest of the world strikes me as unthoughtthrough, vainglorious, and undesirable. If you think that our life here at home has meritorious aspects worthy of emulation by peoples elsewhere, the best way to recommend them is, as John Quincy Adams maintained, not by preaching at others but by the force of example. I could not agree more.

George Frost Kennan (Ulman, 1999)

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INTRODUCTION

One can think that the quote above is a direct response to the current events – the second decade of the XXI century. It became obvious to most of the people in our country and the world that the triumphalism of the Americans regarding the collapse of the Soviet Union and the turnabout of its supporters, the declarations of "the end of history" (i.e., total, "final" victory of the liberal ideas and the total downfall of the leftist, mainly socialist ideas), their claim for world leadership seemingly sent to them from above, have proved to be unjustified, moreover, disproved by the historical practice. And the United States found itself in a deep systemic, and above all things, value-based vortex. Exactly this was foreseen by the eminent American diplomat and scientist George Kennan two decades ago.

The world financial crisis, which started in 2008, has proved the key thesis of Marxist theory regarding the inevitability of such crises as a generic illness of capitalism. As early as during the events of the 90s and later, it became indisputable that the monumental efforts applied by the USA and other Western countries to sabotage the USSR and dismantle the thenexisting statesmanship was not just an ideological war against the communist ideas (although this goal of the West should not be underestimated under any circumstances). It was a reincarnation of the war as old as the world itself of the West against Russia, the western "Judeo-Christian" (G. Bush Jr.) civilisation against the Eastern Orthodox civilisation; another victorious battle aimed at the destruction of Russia as a giant geopolitical opponent in the heart of Eurasia, as it seemed to the West, especially to the USA.

A quarter of a century later, paraphrasing Mark Twain's aphorism, the rumours of Russia's demise as a great state have been grossly exaggerated. Within these 25 years, we have been immensely shaken and sustained enormous losses. However, Russia is alive and not only it is not going to give up but launches a counter-attack aiming to take back what has been conquered and bequeathed by our ancestors and belongs to us by right. At last, we have understood that we are not 'Ivans oblivious of their roots'.

On the other hand, the same years have shown how slowly but surely the American "crystal temple at the top of the hill" started to subside and fall apart precisely after the collapse of the USSR. The point at issue is not only economic and social sphere, which gained power and attractiveness specifically as a result of the competition with the USSR and the socialist model, and as a result of the fear to lose to it both in the eyes of the global community and their own people; and now – due to the lack of the alternative – in the USA and many European countries these spheres are being thrown back to the times of wild capitalism, described by Charles Dickens back in the days. Considering this, the accusation of *The New York Times* commentator Bill Keller that Putin by asserting the alternative civilizational model is supposedly planning to drag the world into the past seems paradoxical (Keller, 2013).

Simultaneously, the Americans and their allies started to experience one defeat after another in the implementation of their plans for the world domination under the conditions of 'the only superpower' by means of military interventions and "soft power". After succeeding in dividing Yugoslavia at first, the US then cowed Serbia into submission to NATO and the EU. As a matter of fact, they subsequently suffered a series of harsh defeats in the cases of Afghanistan, Iraq, Libya and Syria and reached the imminent risk of at least regional or even the global catastrophe of aggression against Syria and Iran (and there is also a violent coup in Venezuela at the doorstep). They were averted (hopefully, forever) by Russia, which has been completely written off by the West as a geopolitical power. But not only because of that.

The Syrian conflict, which grew into an acute internal political conflict in the USA, demonstrated something that seemed unthinkable only a short time ago. The majority of the citizens (and the legislators who followed their opinions) categorically raised their voices against the military intervention in Syria which forced President Obama to opt out of the planned and prepared aggression and agree to a peaceful compromise dictated in fact by Russia. But this conflict brought to light an even more interesting phenomenon – the rise of the isolationist ideas that gain more and more popularity in the country. This reminisced about the pages of American history after the First World War. The idea behind these attitudes was the same: we should not interfere in the conflicts of other countries, strike at them, and which is worse, fight there – more so because this brings significant troubles not only to these countries but to the Americans themselves. America has a mouthful of their own troubles and problems, to be imposing their will and development model on other countries.

In September 2013, critical days for the USA and the whole world, the *New York Times* published an article by President Putin, where he explained the Russian position on this issue. Putin said that the paragraph which caused the most contradictory reaction in the USA he himself added just before sending the article to the newspaper: "And I would rather disagree

with a case he [Obama] made on American exceptionalism, stating that the United States' policy is 'what makes America different. It's what makes us exceptional. It is extremely dangerous to encourage people to see themselves as exceptional, whatever the motivation. There are big countries and small countries, rich and poor, those with long democratic traditions and those still finding their way to democracy. Their policies differ, too. We are all different, but when we ask for the Lord's blessings, we must not forget that God created us equal" (Putin, 2013). Of course, for all of us and not only Putin's biographers, it is important to understand the substantial evolution that the views of the Russian president have underwent during this period, and especially the reasons for this evolution.

The West was once again wrong about the "demise of Russia" and the final triumph of America, the same way after the USSR annulment people there (and here as well) imprudently declared the end of the "cold war" (and nearly the end of the era of wars). In reality, it is now clear to everyone that the "cold war" has either never stopped, or we are dealing today with the new "cold war" sealed with birthmarks and the flaws of the previous one. The competition against the post-soviet Russia still continues in the XXI century in the USA and generally in the West, in all conformity with the "classic standards" of the "cold war" which were developed at the end of the 40s – beginning of the 50s of the XX century by the very G. Kennan, as well as D. Acheson, J. Dulles, etc. First of all, by means of "constraining" our country.

As Edward Lozansky wrote in *The Washington Times*, American politics today is aimed at driving Russia into a geopolitical corner. In this regard, Putin is seen as "the largest threat to democracy", even despite the fact that he enjoys widespread support inside the country and has been named the most influential politician in the world by *Forbes Magazine* (Lozansky, 2013).

Last year in Belgrade, I have already pointed out that in our opinion, the initial reason of the tragedy of Kosovo and the Serbian nation, a nation and a state fraternal to Russia, was the main crime of the last century and the era – the destruction of the USSR and the global socialist system together with its system of economic and military-political unions, as well as of the Non-Aligned Movement led by Belgrade. This has also led to the bloody collapse of socialistic Yugoslavia and the bloody divorce of the fraternal republics of the USSR. However, since that time the situation in the world has changed drastically. The unexpected election – for the world and the majority of the Americans – of Donald Trump as a president of the USA can be considered a historical mistake only by an ignorant and very subjective observer. His victory, along with the UK's exit from the EU defined by the national referendum, downfall of the centrist ruling parties on the elections in the key European countries with substantial strengthening of left and right opposition, spurt of the potential of socialist China as a global leader, return of Russia in the role of a global superpower and a leading political player, and other important evens – in reality, all of these are signs of a fundamental phenomenon, change of the world order.

And in this new world our two countries, the two fraternal nations – the Russians and the Serbs – have to find a worthy place.

The facts showed that the USA was not able to handle what they saddled themselves with – the military and economic responsibilities of an absolute world leader, the "irreplaceable" and "exceptional" global power, which, as many thought after 1991, led to the "end of history" (F. Fukuyama) and establishment of the forever unipolar_world, managed by the USA.

After winning the "cold war", as they believe, as a result of the fall of the USSR (which is seen in the USA as equal to the victory over Germany in 1945 in terms of historical significance), they have decided that the time has come for their full and final triumph.

However, the triumphalists have managed to prance in the avant-garde of history for no longer than a quarter of a century – the mustang of history started to throw them off with the same logic as all other candidates for the world domination.

Today it has become obvious that in the world and in Europe after Westphalian, Vienna, Versailles, Yalta-Potsdam, bipolar and unipolar – USA-dominated – systems are forming in front of our eyes a multipolar system, which everyone will have to acknowledge, even those categorically against it.

DONALD TRUMP'S ELECTION FOR THE US PRESIDENT AND US FOREIGN POLICY

In our opinion, no matter what everyone says, Trump is not a cause but the consequence of the change of the world order and of the resulting grand shifts inside the USA and in the world in general. Without denying the role of an individual in history, which was convincingly argued for by Marx, Plekhanov, Lenin, Gramsci, and other classics, it is worth taking into consideration that without Trump this role would be taken by another person chosen by history. Only because such a figure – a carrier of the change (or as Americans think a troublemaker) was demanded by time.

It seems that the brightest evaluation of the situation at hand and the challenges facing the USA is given by the sociologist Noam Chomsky – perhaps the most influential living political thinker in the USA according to *The New York Times*. He said that capitalism in the USA and Europe got into a phase of the "perfect storm", when in the 70s they refused the so-called regulated capitalism of 50s-60s with its social welfare mechanisms, elements of egalitarianism and democratic participation and entered the stage of neoliberalism, which turned the society into an amorphous mass of individuals (Lydon, 2017).

Trump took advantage precisely of this deep injustice, following the recommendation of his (later dismissed) adviser on ideology Steve Bannon. He looked for support among the humiliated and insulted white Americans, and found it. On the other hand, in Chomsky's opinion, this lucky billionaire and a political outsider hated by the establishment, once in power, has not changed anything in principle: the same establishment still manages the country. "You can rail against Goldman Sachs on the campaign trail, but you make sure that they run the economy once you're in" (Lydon, 2017).

It is clear the hopes of those voters who took the bait of Trump's campaign are likely to fall apart, confronting the furious opposition of the world and American globalist community and the weaknesses and contradictions that Trump himself proves to have. However, it does not mean he will not be able to get his way, that neoliberals will keep the power, and that he will not manage to change the current speculative financial globalist model of capitalism to a more effective national-oriented one. But even if he fails to do so, I will reiterate – someone else will do it. Even in case of his total failure, it will come to the re-establishment of the neoliberal regime in the White House – their dominance, as the world history of all the attempts of the restoration of obsolete ways shows, will be temporary.

Stephen Kinzer, a Senior Researcher at the Brown University, published an article in *The Boston Globe*, the leading liberal newspaper of New England, titled: *Stop complaining about Trump – we earned him* (Kinzer, 2017). He points out that after the USSR collapsed, the USA had a unique opportunity to rethink its role as a world superpower – to step back from the commitments for ensuring the global security, aimed at the constraining of the Soviet Union, and to start rebuilding America. But instead, the USA declared the "new world order" under which, as president G. Bush Jr. said, "American leadership is indispensable" because "we have a unique responsibility to do the hard work of freedom" (Kinzer, 2017).

"Feeling invincible," writes Kinzer, "and armed with absolute truths, the United States set out to subdue the rest of the world. [...] We assumed the role of global policeman and tried to impose a 'Washington consensus' [...] Our blind triumphalism led us to scorn diplomacy and compromise. For our aggressions, we have paid a heavy price in blood, treasure, and national security. We also sacrificed political stability at home. The American drive to win and dominate led us to pursue agendas that triggered wars, refugee flows, and terrorism" (Kinzer, 2017).

Just as the decline of British Empire started after the First World War and became obvious by the end of the Second World War, in the same way, it became more and more evident that American global dominance, which seemed eternal to many, came to its end.

American political commentator Matt Bai suggests that after the Second World War, Washington became the epicentre of world events, "the seat of unrivalled might among free nations". However, such unrivalry started to dry out under the influence of time and technology. In contradiction to the opinion of the world elites, globalism enabled by cheaper technologies and transportation gave rise to competitors, even as automation made the American workers redundant. The price of maintaining global hegemony became harder to justify. The Government continued to grow, but now so did the chasm between the rich and everyone else. In Bai's opinion, the political establishment of his country from Bush to Obama did not understand that (Bai, 2017).

By the way, the phenomenon that was unexpected by many – including the Russian liberals – the defeat of globalism as supposedly victorious ideology "for all times" became obvious also for the participants of another world elites meeting in Davos in January 2019 (although it was born there). The video message by the current 'voice of Trump' – the State Secretary Mike Pompeo and the speeches by many other participants of the economic forum allowed the American analysts to talk about nothing more or less but the 'death of globalism' and the re-birth of nation-states (Martel, 2019). In general, the discussion in Davos was dedicated to the process of deglobalisation which has started in the world, and it overset the neoliberal Minister of Economic Development Maxim Oreshkin, who led the Russian delegation. It is indicative that the ideas listed above are also supported by a person, the last to be suspected of the lack of American patriotism – Graham Fuller, the former Vice-Chair of the National Intelligence Council of CIA. In his article about the growth of the political role of Eurasia on the global scene, he states that "the era of western – and especially the US – global dominance is over". Because "all countries like to have alternatives. They don't like to lie beholden to a single global power that tries to call the shots. America's narrative of what the global order is all about is no longer accepted globally. Furthermore, it is no longer realistic" (Fuller, 2016).

Even more notable is a claim by Federica Mogherini, an official EU person, the High Representative of the European Union for Foreign Affairs and Security Policy. Wrapping up her visit to Washington in February 2017, she voiced an opinion that the United States might lose the role of a world leader. "I have never seen the US so polarized, divided and burdened by conflicts as now," she said. "However, the one who would like to play a global leadership role needs to be internally strong, self-confident and cohesive. [...] If the greatest democracy in the world is beset with tensions of such scale, then it becomes a destabilizing factor for the rest of the globe" (TACC, [TASS], 2017).

From what has been said, the leader of European democracy has concluded that the USA should stop interfering in the politics of the European countries. "We do not interfere in US politics [...] And Europeans expect that America does not interfere in European politics. [...] We have reached a new stage of our relationship [with the USA]. [...] In the future there may be more topics, on which the European Union and the United States will have different positions" (TACC, [TASS], 2017).

No less eloquent were the words of a seemingly weathered and trusted friend of the USA in Europe, German Chancellor Angela Merkel. After more than difficult discussions with Trump during his visit to the continent in May 2017 (and even more challenging was their meeting at the NATO Summit in July 2018), Merkel declared at the rally in Bavaria, that "Europe can no longer completely rely on the USA". As she said, "We Europeans truly have to take our fate into our own hands".

However, it does not mean neither that the neoliberals and globalists will surrender, nor that the neoconservatives and far-right nationalists will give up their plans of the world dominance, with or without Trump (Venezuela poses an obvious example). Yet, it has all started with high hopes. As an American magazine *The National Interest* has mentioned, out of all the presidential candidates in the 2016 elections, only Donald Trump supported the political course aimed at reconsideration of the provocative western expansion to the east, de-escalation of tension and uncovering the true motivations of Russia (Merry, 2016). Many people in Russia and the world have believed in Trump's promises to primarily focus on the internal USA affairs, withdraw from interference with the politics of other countries and quit the role of the world's policeman.

It could be argued that immediately after Trump's election, the Russian and USA leaders and the general public reserved a certain potential for a hope of improvement of the relations between the two countries. Moreover, at that time the Americans proved to be even more optimistic than the Russians.

However, unfortunately, reality has surpassed the worst expectations. As estimated by Trump himself, already in April 2017 the relationship between the USA and Russia became "maybe the worst in history". The *Associated Press Agency*, which quoted these words of the president, pointed out that it was a great example of the fact that the president was moving further away from his election pledges to improve the relationship with Moscow (Salama & Lederman, 2017). At the same time in March 2017, in the interview to the American TV channel *ABC News*, the Press-Secretary of the Russia not the USA are being in the state of a new 'cold war': "New 'cold war'? Maybe even worse [...] Nothing like this has been happening in the diplomatic relations for many decades" (ABC News, 2017).

RUSSOPHOBIA

So what is the reason for an anti-Russian hysteria now, a quarter of a century after the destruction of 'communism' in the USSR, which has been a scare for several generations of the Americans? A convincing answer is given by Guy Mettan, a Swiss political researcher: "If Russophobia continues to strive after the fall of the communist regime, we have to admit that it is about Russia and not communism" (Меттан [Mettan], 2016, p. 287). However, our Serbian friends have experienced it first-hand after the collapse of socialist Yugoslavia.

It is important to note: "communism" has never been the decisive factor for America's hate of Russia (and if it has, then for those who understood that socialism and the Soviet state indeed were the main reasons and drivers of turning the USSR into a superpower). The decisive factor is and has always been the fear of Russia being a powerful and independent country which challenges geopolitical hegemony of the USA.

A different civilisation (in the deepest existential meaning of "different")! This is the reason for the permanent crisis in the relationship. This is the reason for the rage of the failed "triumphalists".

This being said, it is important to understand that in the XXI century the progressing decline of the relationship with America has started precisely when, in contradiction with the illusions of the Americans, Russia led by Putin started showing the signs of independence in the external and internal politics. However, Peter Conradi, the British journalist and political scientist, correctly stated in his new book that starting with 1991 the relationship between these two countries has never been good. It was at that time when the West declared itself the "winner" and us the "losers" of the "cold war". Later followed the gradual expansion of NATO to the Russian borders, the bombing of Yugoslavia, the NATO intervention in Kosovo, Iraq, and Libya, the colour revolutions for changing the regimes of the former Soviet republics, and finally, the coup in Ukraine.

This was the reason for the decisiveness of the ruling class of the USA to use Russophobia as an instrument for solving the problems of internal politics; the tool which has been well tested throughout the American history and proved its efficiency. In this case, the problems at hand were those of Trump.

A Serbian researcher Srdja Trifković, who currently works in the USA, characterises the American Russophobia as a "paranoid, hysterical quality to the public discourse on Russia and all things Russian in today's America". For liberals, our country is the strongest irritant: a Christian and European nation that stubbornly refuses to be postmodernized; a nation not ashamed of its past and unwilling to surrender its future. At the same time, the liberals' Russophobia has blended with hostility to Russia shared by Deep State operatives in the intelligence and national security apparatus, in the military-industrial complex, and in the Congress. From all of the above, Trifković draws a justified conclusion that Russophobia further devalues the quality of public discourse on world affairs in the United States (Trifkovic, 2017).

This is on full display in the fluctuations of the American public opinion regarding Russia. Sociologist Karlyn Bowman notes in her analysis, that since 1989, Americans' views about Russia have changed in reaction to shifts in US-Russian relations. Thus, in Gallup's poll (2017), 70 percent of those surveyed said they had an unfavourable view of Russia and just 28 percent a positive one. Negative views have been increasing since 2012 (notably, it is the year of the re-election of V. Putin as a president, which was regarded negatively in the USA) (Bowman, 2017).

"In more optimistic" (for the Americans) times, immediately after the fall of the Soviet Union, the times that are called "daring" in Russia, 62 percent of American citizens had a favourable view of us. However, already since 1999 (the end of the Chechnya war and Putin's factual coming to power), the number of American citizens who view Russia as an enemy has risen to its highest point at the end of the century – 24 percent (another 29 percent regarded us as unfriendly). Subsequently, only a small number saw Russia as an ally (9 percent). In a new CNN/Opinion Research Corporation poll, 75 percent said they viewed Russia as a very (34 percent) or moderately (41 percent) serious threat to the United States (a higher percentage than at any time since 1985) (Bowman, 2017).

The later events of 2018, unfortunately, have only proved this conclusion correct. During that time, any attempts of Trump to get close to Russia on one hand and his actions that exacerbated the relations (the bombing of the Syrian state troops by Americans, new sanctions against Moscow, its diplomatic representatives and citizens, threats to us) on the other hand, caused the univocal approving reaction not only from the ruling elite but from the majority of the USA general public worked off by the media and politicians.

Based on such state of public opinion, primarily shaped by the liberal media and popular culture about the Russians, the opposition to Trump in both parties, in the media, on the Wall Street, in the brain centres, Hollywood, and many other centres of influence, started attacking him by using the image of Russia and Putin as the main battering ram.

It may raise a question: why not, for example, 'communist' China – the actual main and rampant competitor of America in the battle for global dominance? There are many reasons for that. But it seems that the most important one is the rootedness of the image of Russia as an enemy in the consciousness of the Americans throughout the centuries – at least starting with the middle of the XIX century. If wished, it takes nothing to wake up

their genetic memory in this regard and cause the relevant emotions. In regard to China, considering all the complexity of its relations with the USA, such a negative stereotype has never existed among the Americans.

For example, James Kirchick, a publicist of *The Daily Beast*, in his March 2017 article in *Publico Magazine*, the leading neoliberal media, appealed: "the Russian regime is one to be resisted, contained and ultimately dethroned. For none of the existential problems Europe faces will dissipate until the menace to its East is subdued. [...] Moscow desires nothing less than a reversal of the momentous historical processes begun in 1989 when Central and Eastern Europeans peacefully reclaimed their freedom after decades of Russian-imposed tyranny" (Kirchick, 2017).

The article ends with a claim that "Putin regime cannot live alongside a democratic West, a democratic West cannot live with the Putin regime" (Kirchick, 2017).

Thus, the hysteria of the neoliberals has come to direct appeals to overthrow the government of a nuclear superpower.

Influenced by these people and as result of "thickening of the fog of accusations around Trump" fed by the neoliberals (such as Charles Blow of *The New York Times*), the accusations of "conspiracy of the president and Moscow, are able to knock him over" (Kirchick, 2017), the president started to abruptly retreat from the previously declared positions on Russia.

This tendency showed itself most vividly during Trump's visit to Europe in May 2017. Thus, in the NATO headquarters in Europe (after preliminary taking back his earlier statement about this bloc being 'outdated'), the president spoke about a "threat coming from Russia" (ApдaeB [Ardaev], 2017). At the rally in Warsaw on the 6 July 2017 and prior to a meeting with Putin at the G20 Summit in Hamburg, after making a bluntly Russophobic evaluation of the XX century history, Trump called for Moscow to cease its destabilizing activities in Ukraine and elsewhere and its support for hostile regimes including Syria and Iran.

At the same time, the main tool of reaction and war in the country is – along with the media – the United States Congress. As the current events show, nowadays there are not more than 2-3 legislators in both houses who support good relations with Russia. The rest stick to the keenly negative and hostile views of us.

However, history has shown the Congress has always regarded Russia/USSR badly or very badly throughout almost the whole history of the existence of this most important body of power. In the pre-revolutionary, Soviet and post-Soviet periods, with the exemption of the "openings" caused by special – and usually rather short – interest of the American ruling circles either in the Russian military-political support of the USA (the Independence war and civil war in America, the First and Second World Wars) or – more often – in the periods of weakening of the country as a result of internal disturbance (the February revolution of 1917, civil war, Perestroika and Yeltsin time). It fully coincides with the geopolitical interests and "values" of the American elite, which cannot stand the rivals who are equal in power and behave independently at the global stage.

It is for the very same reason that the periods of the renaissance, strengthening and flourishing of the Russian and the Soviet states, or the politics of our government, which could lead to such result (the rule of the emperor Alexandr III, the Soviet period before Gorbachev, and the current Putin Russia), caused the confident opposition of the Congress.

Yet there has never been such a level of hostility as today. The American legislators categorically do not want to see the renaissance of Russia as a great Eurasian state. Especially, considering that it is happening on the background of apparent fading of the imperial greatness and global influence of the USA.

However, in many ways, the American legislators had a similar attitude to Yugoslavia. In his memoir, George Kennan, the leading Sovietologist who was the USA Ambassador in Yugoslavia at the beginning of the 60s, has bitterly described the keenly hostile reaction of the American congressmen to all of his attempts to better the relationship between the two countries. It was the consequence of their ignorance, dump anti-communism and a total misunderstanding of the political peculiarities of the non-aligned Yugoslavia of that time (Kennan, 1972, pp. 286-305; Доброхотов [Dobrokhotov], 2014, pp. 246-254).

It must be said that the current secretary of state Michael Pompeo did not get far from the head of the legislative power of the USA. When commenting on the sending of Russian military planes to Venezuela in December 2018, he declared: "these two corrupt governments squandering public funds, and squelching liberty and freedom while their people suffer" (Pompeo, 2018). These words belong to the same Pompeo who, several weeks earlier, found the most favourable words to address the crown prince of Saudi Arabia – a totalitarian ruler, suspected of organising a cruel murder of Jamal Khashoggi, the opposition Saudi journalist and the reporter of the leading American neoliberal newspaper *The Washington Post*. In regard to the possible attitude towards the relations to Russia from the side of Trump himself, we have to, with deep regret, agree with the following opinion. In an attempt to reach at least some collaboration or even a compromise with the new assembly of the Congress, he will most likely scarify the relations with Russia, considering that this topic in the USA is considered 'toxic' today (Жигалкин [Zhigalkin], 2018).

Even more, it seems to be a hopeless task to try to get into the head of the president and understand if these endless turns and comebacks in his statements are a reflection of his mind or influence of the hawks from the "deep state", which are assembled by him and surround him. For example, when the president was visiting the USA troops in Iraq on Christmas, he said, "America shouldn't be doing the fighting for every nation on earth [...]. If they want us to do the fighting, they also have to pay a price. [...] so we're not the suckers of the world." Moreover, according to Trump, "The United States cannot continue to be the policeman of the world [...] We are in countries most people haven't even heard about" (Li & Clark, 2018).

However, in less than two weeks, the National Security Adviser Bolton declared: the removal of forces (which, by the way, are there illegally) is being delayed indefinitely for the sake of resolving conflicts with the Kurds and Turkey (Мисник [Misnik], 2019). And in January 2019, Trump returned to the role of a global policeman when he stripped the lawfully elected president of Venezuela of his powers and recognized an imposter trained in the USA as the head of this country.

These issues have urgently become acute considering the current state of international relations. More and more politicians and political researchers begin to admit: this is a new cold war. At the same time, the specialists (in this case, Professor of the Tokyo University of Science Mie Oba) state that this war is substantially different from the previous cold war, considering the disappearance of the former two sides, divided by the barriers demolished in the era of globalisation. Under these conditions, according to Oba, China is trying to create the new world order, however, "we do not see any norms and values that will provide the foundation for a new world order for other countries to follow". But at the same time, "today, the U.S. faces its own serious internal divisions and is not what it used to be as a beacon of freedom and democracy or as a leader of a Western bloc with a vision for a new world order" (Oba, 2018).

Thus, says the professor (and it is difficult to disagree), "this new Cold War, if that is what it is, involves an even more complicated structure of

conflict and cooperation, division and unity than the last one. We have entered an age of extreme uncertainty" (Oba, 2018).

CONCLUSION

Indeed, "the Trump phenomenon" signifies the state of deep uncertainty of the USA politics in general. At the same time, his appearance in the White House became a logical result of the development of the global and internal political processes. For the sake of sustaining the potential of the superpower, these processes demanded from the USA to withdraw from the imperial foreign and neoliberal domestic politics (globalism), which became wasteful and unmanageable. The American ruling class, led by the cosmopolitan financial and mainly nationally oriented industrial elite, scientific, media community and the general population in all of its stratification spectrum, found themselves to be split. And class and value conflict between the two war camps reached unprecedented tension. The state of economics and the electoral social wellbeing will be the decisive factor in the battle.

The uncertainty also spreads to the foreign and security politics of the US Administration, to its relations with Europe, and more importantly – with China and Russia. It is obvious that the period of hope for Trump, from those in the world and our country, who believed his electoral promises and post-electoral rhetoric hoping for a turn to the better international situation and conditions for independent development, is either drained out or turned into the opposite. It became apparent that out of all Trump's initiatives, it was the attempt to carry out a course to some kind of new unloading which caused the biggest opposition from the ruling class and the general public. As a result, it was this part of his politics where Trump demonstrated the biggest inconsistency, weakness, and turned from a potential peacemaker to almost a war-inducer.

The fact that so far the attempts of Putin and Trump to re-establish relations have failed is tragic in its own way. The opposition to Trump and Russia grasped at Russsiagate, created by them as the main tool of fighting against the ruling president. And this manoeuvre of internal politics turned into the essence of Washington's politics towards Russia. However, the main motivation behind it, of course, is the active resistance of the American ruling class to the prospect of Russia's rebirth as a superpower, which will pursue a nation-oriented, independent policy (but of course China is recognized by them as the main competitor and a geopolitical threat). However, even here, a state of uncertainty is present which apart from the justifiable concerns causes a cautious hope of the United States' return to politics of common sense. However, the latter depends not only on the Americans but to a large extent on the ability of Russia to sustain its economic, political and military independence and competitiveness. The history lessons show that the world only reckons with the strong, selfsufficient Russia. And with the independent, flourishing Serbia.

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THE 1999 NATO BOMBING CAMPAIGN AND THE 21ST CENTURY STRATEGIC ALLIANCE BETWEEN CHINA AND RUSSIA

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Abstract: In the 21st century, the formation of a multipolar world is apparent, with Russia and China as key players. The cooperation between Russia and China has been strengthening year by year: bilateral trade in the expansion, major agreements signed in the strategic areas of energy and security, joint military exercises. One turning point was the joint declaration "World Order in the 21st Century", signed in Moscow in July 2005, during the 60th anniversary of the end of World War II. The cited declaration warned of Moscow and Beijing rejection at any attempt of intervention by "foreign forces" in their regions and opposed any endeavor to impose "political and social models of development" coming from outside. It is not difficult to see that, besides defining a new level of the relations between China and Russia, the intention was to respond to the US-led interventions which started with the 1999 NATO bombing campaignin the former Yugoslavia and increased after the 9/11 attack in 2001. The chapter will analyze the intensification of cooperation between China and Russia, in particular, and the role of the two countries in the promotion of other initiatives - like BRICS, the "One Belt, One Road" (OBOR), also known as the New Silk Road; the Shanghai Cooperation Organization (SCO), called the "NATO of the East" in Western media outlets, etc. - in the context of a geopolitical reply to the 1999 military campaign and its consequences for global security.

Keywords: Kosovo, United Nations, sovereignty, NATO, China-Russia strategic alliance, military cooperation

INTRODUCTION

This article analyses the international consequences of the 1999 NATO bombing campaign against the former Yugoslavia trying to understand

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if that event could have contributed to the intensification of the South-South cooperation and, in particular, to the formation of a strategic alliance between China and Russia in order to create an effective balance of power in world politics.

Let's start with an overview of the 21st Century global stage. It is challenging to imagine how the present historical moment will be portrayed by scholars of the 24th or 25th century ... Well, that being optimistic, assuming that human kind has been able to survive the chaos derived from climate change and other challenges...

But, from our perspective, the first decades of the 21st century seem to confirm the forecasts that have envisioned an increasingly multipolar international scenario. This indicates a profound difference if compared to the historical period which emerged in 1945 in the aftermath of World War II, and also if compared to the international stage after the end of the Cold War and the Soviet Union disintegration. The global scenario from the '90s seemed to indicate the emergence of a unipolar world, with the United States as the major power.

The perception of a lasting unipolar world, which led well-known intellectuals to affirm that human kind was experiencing "the end of history", had given no importance to the subtle signs that appeared in the last years of the '90s and more clearly in the first decade of the 21st century. Today, the formation of a multipolar world is clearly apparent with a strong rise of Asia, and Russia and China as key players.

The world system with the US as the predominant superpower could be entering a chaotic final phase. Actually, we could think of a much longer period that would be coming to an end: the long centuries of the Western dominion over the rest of the world. The Western economy will lose about half of its economic importance in the next 15 years. With the international hegemony moving towards the East, the United States, despite still being the leading country, principally due to its far-reaching military capabilities, will cease to be the world's most powerful nation sometime in the not so distant future.

If these tendencies prevail, for the first time in centuries – bearing in mind the iconic date of 1492! – the Western predominance in the world will be coming to an end. And this change will not only have profound geopolitical importance, but it could also mean the overcoming of the "white supremacy myth", which has been a pillar of justification for colonial and neo-colonial domination. The well-known historian Eric Hobsbawm referred to the 19th century as the "century of Europe"; the 20th century is considered by many as that of the USA, and everything indicates that the 21st will be "the century of Asia".

THE 21st CENTURY IN THE WORLD STAGE

Let's pay attention to these new key actors in the global scenario.

China: Being a nuclear power, a permanent member of the UN Security Council, as well as Russia - which continues to have the world's second largest nuclear arsenal – and having been recognized as the largest economy in the world, even by the IMF - China feels that her stability and prosperity depend on the stability and prosperity of her surrounding neighbors. This means that Beijing leaders know that they need to pay attention to regional integration. It is no accident that the Chinese leader Xi Jinping launched the ambitious project "One Belt, One Road" (OBOR), also known as the New Silk Road², only six months after assuming the presidency. The project clearly aims for the economic and political integration of Asia, with projection in Europe and Africa, by impressive land and maritime infrastructure undertakings: new ports, high-velocity railways, roads, oil and pipelines, optical fiber cables, etc. The project is supported by huge financial resources and has been called by some western media "Plan Marshall 2.0".

Besides these development projects, China achieved a significant triumph in 2015, when the Chinese yuan was chosen to be one of the currencies of the Special Drawing Rights or SDR of the IMF. This means that the yuan is now a reserve currency accepted by all the Central Banks of the IMF member countries together with the US dollar, the Pound Sterling and the yen.

Long before Trump's questioning of the Trans-Pacific Partnership (TPP), China was trying to offer better market opportunities through OBOR to the Asian members of the TPP agreement, and now this policy is reaping dividends helped by the demise of the TPP.

² The name Silk Road was coined by Ferdinand Freiherr von Richthofen (1833-1905), a German traveler and geographer who wrote the book "The Great Map of China", the fruit of his visits to that country over five years. He used the expression Seidenstrasse (Silk Road) to describe the sophisticated commercial and cultural network that connected Asia from Xi'An in China to the Middle East and Europe.

Russia: In the last decades, after overcoming the critical period following the disintegration of the Soviet Union, Moscow has regained its influence in both international politics and economics and is reacting to the United States' intention to interfere in its domestic affairs and its former areas of influence. In particular, Russia is facing the expansion of NATO, particularly the current increase in NATO military forces in the Baltic states and around its Central European and Asian borders.

In fact, the successful Russian foreign policy, aiming to strengthen the Eurasian project has not passed unnoticed by the US establishment. This strategy has two fronts, the first being the rebuilding of alliances with a majority of the ex-Soviet Asian Republics, today sovereign states, giving priority to economic agreements and infrastructure projects with political and geopolitical gains. An example is the Eurasian Economic Union – EAEU, formed by Armenia, Belarus, Kazakhstan, Kyrgyzstan and the Russian Federation, originating from an idea that began to be formulated in the '90s of the last century and formalized in 2014. The rapid consolidation of the EAEU is attracting other countries in participating in the agreement.

The second front is the widening of economic and commercial agreements with Asian countries that have been in the US sphere of influence since after World War II. One example of this second type of agreement is the Eastern Economic Forum – EEF, which takes place each year in Vladivostok and has become an important platform to integrate Russia and the Asia Pacific region. The EEF includes Japan, South Korea, other countries of the region and, of course, China. The recent meetings (September 2017 and 2018) were very successful. More than three thousand delegates from 60 countries participated each year, signing more than 200 commercial agreements and given their approval to a huge number of investment projects, valuing billions of dollars.

It is obvious that none of this could have been possible if Russia had not had and did not currently have solid internal unity, reflected in the comfortable majority that the government had in the Parliament, ratified by the results of the last presidential election and with good economic perspectives after years of anxiety.

Even the IMF has recognized the advances made by the Russian economy. Ernesto Ramirez Rigo's final report, after leading an IMF official visit to Moscow in November 2016, affirmed that Russia had managed to survive the consequences of the falling of the value of oil and the sanctions imposed by Europe and the United States. The report foresaw a consisted recovery of the economy from 2016 onwards (IMF, 2016).

CHINA-RUSSIA STRATEGIC PARTNERSHIP

In this context, the implications of increased strategic cooperation between Russia and China stand out. There is multiple evidence of this partnership, but basically, it has been clarified by President Vladimir Putin and President Xi Jinping themselves. President Putin visits China many times a year and Xi Jinping visits Moscow and other Russian cities regularly. Both leaders said that the views of Russia and China on international issues were very close, almost identical and that both countries would continue to coordinate their cooperation in international organizations such as the United Nations, Shanghai Cooperation Organization, SCO, and BRICS. But Mr. Putin added that regular meetings at Head of State level were not enough and that was why numerous bilateral committees had been set up. One of the priorities was to develop high-technology cooperation, for example, with joint space and aviation technology projects, as well as energy projects, including in the field of atomic energy.

In fact, the cooperation between Russia and China has strengthened year by year since the beginning of the 21st century, when their frontier disputes which impeded more effective partnership were finally overcome. The unprecedented military exercises that took place in the context of the "Peace Mission 2005" and the joint China-Russia declaration "World Order in the 21st Century", signed in Moscow in July 2005 during the 60th anniversary of the end of WW II, were examples of the common assessments of the Chinese and Russian leaders relating to the challenges of the new century.

A new and even more important version of joint military exercises was carried on in September 2018. More than 300,000 soldiers from Russia and China took part in the land, air and sea exercises, whose scenario was Siberia, Russian Far East and its Pacific coast, showing the strength of Moscow and Beijing friendship. The exercises involved more than 1,000 military aircraft, two Russian naval fleets, up to 36,000 tanks and armoured vehicles and all Russian airborne units. Symptomatically, they started while President Vladimir Putin held talks with Chinese President Xi Jinping in Vladivostok, during the last Eastern Economic Forum meeting. Among soldiers and tanks flying Chinese flags, President Vladimir Putin emphasized the pacific role of Russia in the global stage and its aim for co-operation and respect for international law. But he reminded that his major task was to protect Russia's and its allies' sovereignty. In relation to these military exercises, the London based Reuters' news agency report said:

"With its Vostok 2018 exercise Russia sends a message that it regards the U.S. as a potential enemy and China as a potential ally," wrote Dmitri Trenin, a former Russian army colonel and director of the Carnegie Moscow Center think tank.

And the report added: "By sending the People's Liberation Army, PLA element, to train with the Russians, China is signalling that U.S. pressure is pushing it towards much closer military cooperation with Moscow" (Osborn, 2018).

KOSOVO AS AN ALERT OF A NEW US-NATO "MODUS OPERANDI"

China and Russia willingness to build a coordinated agenda, including military and defense aspects, did not arise by chance at the beginning of the 21st century. Both countries have a long history pending from alliance to mistrust, but the experiences of the past undoubtedly weighed heavily on the decision to overcome differences and strengthen joint action. But it was not just the long-term history that motivated that strategic movement.

After the Soviet Union's disintegration, Russia tried to establish normal and constructive relations with the West and Europe in particular. But there were no positive signals from the European Union, nor from the US. "The fight against terrorism could be regarded as an important factor uniting Russia with the West. Nevertheless, Russia's openness to equitable cooperation during that period (Yeltsin) did not elicit an adequate response from the West. In this context, the accession to NATO by a new large group of Eastern European countries in 2004 was considered by Russian leaders to be an important negative signal" (Yakovlev, 2016, p. 148).

In fact, besides the three countries that joined NATO in 1999 (Hungary, Poland and the Czech Republic), six others were admitted in 2004 (Bulgaria, Latvia, Lithuania, Romania, Slovakia and Estonia); all of them are close to the western Russian borders. Indeed, the very survival

of NATO after the reunification of Germany in the '90s was considered an act of hostility by Moscow. The Russians always argued the existence of an agreement between Western authorities and the former Soviet Union leaders, in the sense of dismantling the two military treaties, the NATO and the Warsaw Pact. The United States always denied the existence of this agreement, but 25 years later, the declassified documents from that period revealed it. "The West had to admit that what we said was true, because it was there, confirmed, with the protagonists clearly identified," said the Russian Minister of Defense, General Sergei Shoigu, in an interview published by the Italian newspaper "*Il Giornale*" on July 11, 2018.

In the 2005 Declaration "World Order in the 21st Century", Moscow and Beijing clearly rejected any attempt of intervention by "foreign forces" in their regions and opposed any attempt to impose "political and social models of development" coming from outside. It is not difficult to understand that, besides defining a new level of the relations between both countries, the declaration was a reply to a new global scenario, interpreted as a clear signal of a change in the *modus operandi* of the Atlantic Alliance led by the United States.

Two main events led to this new perception: First, the NATO bombing of Yugoslavia in 1999. Second, the Bush Administration's reaction to the 9/11 attack in 2011.

Let's start with the NATO bombing of Yugoslavia in 1999.

The hidden aim of NATO aggression had been seen as the willingness to initiate a new era in international relations, in which no law constraints would interfere with the fulfilment of the US and closest allies' main interests. Through this initiative, NATO clearly ceased to be a defence system: without the UN resolution, the organization attacked a sovereign country on European soil.

The lack of the explicit UN authorization provoked immediate opposition to the NATO bombing among China and Russia, both of them permanent members of the Security Council. Qin Huasun, Chinese Ambassador to the UN, said his country opposed the use or threat of use of force in international affairs, as well as the power politics of the "strong bullying the weak" and the interference in the internal affairs of others under whatever pretext or in whatever form (NATO action against Serbian, ... 1999). And he described NATO's military operations as a 'blatant violation of the UN Charter, as well as the accepted norms in international law' (Latawski & Smith 2003, p. 14). Russia's condemnation was not less blunt. The Russian condemnation was even more forthright. President Boris Yeltsin called the NATO's operation 'nothing other than open aggression'. It had, in the Russian government's view, 'created a dangerous precedent' that 'threatened international law and order' (Latawski & Smith, 2003, p. 14).

And, obviously, criticism over the violation of Yugoslavia's sovereignty came also from other UN members. The Rio Group of Latin American states similarly condemned the use of force in 'contravention of the provisions of Article 53' of the UN Charter.

Elena Kropatcheva in her article "Russian foreign policy in the realm of European security through the lens of neoclassical realism" analyzes the impact among Russian political leaders of the NATO's 1999 military operation in the former Yugoslavia. She wrote that Russia concluded that "a number of states are stepping up efforts to weaken Russia". Russia feels excluded from the international decision-making process, and this affects its foreign policy (Light, Löwenhardt & White, 2006). The most recent documents no longer have such harsh words, but also speak of "global competition" with respect to the models of development and values, "the incompetency of the existing global and regional system," disagreements between major international actors and Russian aspirations to equality.

No less important consequence of the 1999 NATO bombing of Yugoslavia was the installation of the Camp Bondsteel facility, located near the city of Urosevac, which served as the main base of the United States Army under KFOR command in Kosovo and also as the NATO headquarters for KFOR's Multinational Battle Group East (MNBG-E). With an area of 3.86 square km, it is the one of the largest US military base built outside of the US since the Vietnam War. The site was denounced for being used for extraordinary renditions and has been referred to as a "Little Guantanamo" (Rozoff & Robles, 2013). According to Russian News Agency TASS, the facility used to house about 50,000 soldiers in 1999 and today unofficial figures estimate 5,000 to 15,000 military men. In October 2018, Russia's OSCE envoy Alexander Lukashevich denounced that "the training of Kosovo troops at Camp Bondsteel, in Kosovo, violates UN Security Council resolutions" (TASS News Agency, 2018).

THE IMPACT OF THE "BUSH DOCTRINE" AS A REACTION TO THE 9/11 ATTACK IN 2001

The so-called "Bush Doctrine" of preventive attack clearly revealed the new strategy adopted by the US and its NATO allies, a strategy that paved the way to an unprecedented level of international tension. In essence, this strategy was giving the US-led Western military the right to intervene in any part of the world without concrete justification for the aggression. And it had the implicit (not necessarily open) goal of "regime change", which would be obtained by foreign military intervention with or without the UN authorization against countries supposedly linked to terrorism or qualified as members of the "Axis of the Evil", using the vocabulary of the Washington hawks.

The 1999 attack of Yugoslavia may have been considered by the perpetrators as a successful pilot experience. As a consequence, they insisted on the unilateral use of military force during the invasions of Afghanistan and Iraq. Years later, similar strategies were used in the interventions in Libya and Syria. As a complementary instrument, cover actions were tested in different countries and circumstances as it was apparent in the "color revolutions" in Georgia, Ukraine and Kyrgyzstan in 2004–2005, where the uprisings were encouraged by the United States and its closest allies in European countries. In 2011, new forms of Western interference were revealed in the events of the Arab Spring and their aftermath.

THE REACTION

In 2013, when Xi Jinping became president of China, he chose Russia for his first international visit. Nowadays, that visit can be seen as a clear message from China on her new role in the international arena as a direct consequence of her leading economic position. Since then the strategic alliance between Beijing and Moscow has become more and more apparent.

It is important to mention the Chinese and Russian participation in regional organizations of strategic projection, such as the Shanghai Cooperation Organization, SCO, founded in 2001, consisting of Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan, and more recently of Pakistan, India, Afghanistan and Iran. The organization's origin was an agreement between China, Russia, Kazakhstan, Kyrgyzstan and Tajikistan that became known as the "Shanghai Five", signed in 1996. Its objectives were to solve frontier tensions. Since then, their cooperation has been particularly widened in the military sphere, giving importance to security aspects, with the exchange of information between intelligence services, and with other initiatives aiming to confront terrorism, separatism and extremism, which were considered the main challenges of the member nations. After the inclusion of Uzbekistan, in 2001, the name was changed to the Shanghai Cooperation Organization. The strategic importance of this organization is such that it is called the "NATO of the East" in Western media outlets – clearly a misinterpretation as it has neither the military power or the "modus operandi" nor the objectives of the Western organization.

Among the different fields of cooperation between China and Russia – from energy to trade – it is important to mention the agreement to move away from the US dollar; the participation in the New Development Bank (also called the BRICS Bank) involved in the financing of infrastructure; the push towards an alternative mechanism of bank clearing (a new SWIFT) and the stockpiling of massive gold reserves.

SOME REFLEXIONS AS A CONCLUSION

The new global stage was undoubtedly crucial for the decision of the Chinese and Russian leaders to promote ever-closer cooperation. President Xi Jinping said after a meeting with Russian President Vladimir Putin in Beijing that "the more difficult the international situation is, the more decisively we must be guided by the spirit of strategic cooperation and friendship (with Russia), we must strengthen the bilateral support, political and strategic cooperation and deepening our relations." In this context is important to realize that "neither Russia nor China is trying to impose their models of development or ideology. However, they are offering an alternative" (Karaganov, 2018), i.e.the alternative of an international peaceful coexistence based on respect for international law.

The 1999 NATO military aggression on Yugoslavia was a prime signal of the US and allies' strategic change that led to a 21st-century scenario of "armed peace" – similar to the one that preceded the First World War. Recall that between the late 19th century and the early decades of the 20th century, disputes stemming from imperialist interests encouraged an accelerated arms race, with weapons being tested in colonial Asian and African territories. In recent years, the arms sales business has grown exponentially.

In this scenario – also called by some media a "new Cold War" scenario - several bloody conflicts directly or indirectly involved the United States and the North Atlantic Treaty Organization (NATO), on the one hand, and Russia and China on the other. If the worst predictions of some scholars of international politics are correct, the world is living the prelude to a larger conflagration.

Not a single change in hegemonic power in the past was peaceful. Would China and Russia be able, as well as other countries, perhaps without such an important role, to avoid the confrontation with the declining Western powers?

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THE BANALITY OF POWER AND THE IDEOLOGY OF UNIVERSALISM (REASONS FOR, EFFECTS OF AND LESSONS DRAWN FROM NATO ASSAULT ON SERBIA IN 1999)

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Abstract: NATO's political and - above all - military participation in secessionmotivated conflicts in the former Yugoslavia (1990-1995), will be remembered as a clear example of demonstration of power, intentions and (in)capability of the victor in a decades-long global "cold war" between the "freedom-loving" West and "totalitarian East". Regardless of the expectations of liberal theoreticians and the majority of public opinion, it was soon revealed that the victory was not the "triumph of freedom" and even less "the end of history". On the contrary, as historically typical, it was only an unstable resultant of relations between the major actors in the modern global theater, who strive to legitimize their need for domination with varying success and vocabulary. Hence, the lessons to be learned from the final act of destruction of Yugoslavia (several months of the NATO bombing of Serbia in 1999) have the expected tone of banality: absolute might strives for absolute power (which remains unattainable in principle); "the mighty oppress" is true always and in any place (but with a time limit); and, finally, what everyone knows but does not (or is unable or refuses) say aloud: the only true alternative to military threat and/or aggression of a single political actor is an equally valid (military) threat/aggression by another one. We are tempted to conclude that, despite the ideological ardor of NGO activists, the political correctness of theoreticians and the rhetorical figures of speech of politicians, the "banalities" remain valid as the only certainties, i.e., regularities in the unpredictable currents of relations between states.

Keywords: Serbia, NATO, ideology, international politics

THE END OF HISTORY – TWENTY YEARS LATER

Adhering to the cold-war ideology model of the fight between democracy ("the West") and communism ("the East"), most US-led NATO

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countries, which have almost unexpectedly become a victor in the pseudo-European clash between "good and evil", did not hesitate to identify the "good" and the "bad" guys quickly and (too) handily in the civil war which split the former multi-ethnic communist Yugoslavia. Thus, in the spirit of the winning ideology of real-liberalism², all who opposed secessionism were declared communist totalitarians, whereas the secessionists were mostly treated as liberal democrats. The Serbs and Serbia were against the dissolution of Yugoslavia and were written off as a backslide to communism because of it, whereas all other nations and 'socialist republics', which had overnight become 'national states', were seen as democrats and liberals in the new light of realpolitik. Against the background of such gnostic matrix with a Manichean ideological-ethnical structure, those who had the power of designators (US and EU) were quick to replace political labels intended for the denounced ghosts of the communist past (Serbia/Serbs) with economic and political sanctions. Once that became insufficient, there followed the military 'arguments' and direct military action, which were given the innocent but today mostly compromised and despised name of 'humanitarian intervention' for the first time.

The logic of cross-breeding the ideological fervor and the victors'rapture with interest-based claiming of new markets and natural and human resources, has provided the new kind of Western political liberals³ an

²'Real-liberalism' is a neologism borrowed from the cold-war vocabulary. Communist ideologists 'admitted' back in the mid-1960s that the reality of communism did not correspond to its idea and hence termed the reality of their economies the 'realsocialism'. The reality was inadequate because it lacked a necessary level of communism - that would be the theory of real-socialism, the official ideology of the communist countries of the Eastern Bloc, in a nutshell. It was in the same manner that the liberal ideologists of the 1990s practically concluded that the contemporary social reality was still unsatisfactory because it lacked the necessary level of liberalism. Therefore, it should be 'spread' and, if necessary, imposed by means of all available economic, political, and cultural (ideological) resources, including the military ones, everywhere and especially in the developing countries. This way, NATO expanded its activity becoming not only a military alliance but a set of values like democracy and human rights'. The late 20th-century ideological slogan is still in use, although with much less enthusiasm and credibility, while NATO has found itself in a paradoxical situation to negate its own ideological legitimacy with its very existence: any military alliance is in principle opposed to the *idea of the liberal* world order (Kant, 1995).

³In Europe, those were mostly former social democrats united with the big capital, whereas political elites with democratic rhetoric and republican military practice were predominant in the US.

opportunity to practice the methods of their desired global leadership over the years of the disintegration of Yugoslavia (1990-1995). The ideological background of this effort formulated the mantras such as 'the end of history' (Fukuyama, 1992), i.e. the final triumph of liberalism which had the task to educate insufficiently mature states and to build liberal political and economic institutions in environments that had not been ready for it before (Fukuyama, 2005). Unfortunately, regardless of promises and perhaps honest intentions, global governance under the slogans of real-liberalism has proved to be only one in an infinite succession of historical examples of a dramatic discrepancy between exalted words and actual (mis)deeds, as a demonstration of the crushing disharmony between the universalist rhetoric and selfish interests. Thus the policy demonstrated by the US-led EU countries, with its sacrosanct leader, remained in the sphere of the usual geopolitical hypocrisy where the advocacy of universal values of peace and freedom, democracy and right to be differentbecame a mere guise for the realization of particular state interests and will to dominate. Hence, their 'policy of peace' in the disintegrating Yugoslavia soon progressed from open political and semi-covert military logistics, i.e., indirect armament and training of secessionists (smuggling of arms and people for militant groups), to open strategic and tactical military support to all secessionist republics and their 'liberal' leaders, especially those in Croatia and Bosnia.⁴

That is why NATO's active political and – above all – *military* participation in secession-motivated conflicts in former Yugoslavia (1990-1995), will be remembered as another among a multitude of other examples of demonstration of power, intentions and capability of the victor in a war that had just ended (the 'cold war' between the US the USSR, 1946-1989). It would soon prove that, as it usually was in history, this was only a temporary state of power relations, and that power, once unleashed, could

⁴The most widely-known examples are certainly the advisory and military support to the mass action of the Croatian Military under the name of 'Oluja', which resulted in 250,000 Serbs being exiled from Croatia in March 1995 and several air strikes against the Serb-held positions in Bosnia the same year. Concurrently with those activities, there was an ongoing and unprecedented refugee crisis in Europe (Cvetković, 1999), which was almost completely ignored and about which the Western public opinion kept silent. A traditional war followed somewhat later (March-June 1999),where the biggest military alliance in history (NATO), waged a war against a sovereign European state for the first and only time in history in the name of human rights and freedoms and for the interests of a secessionist ethnic minority (Albanians) concentrated in an autonomous province of Serbia (Kosovo).

never be absolute, least of all lasting. This is why the lessons to be learned from all that today, twenty years after the NATO airstrikes against Serbia, unsurprisingly carry a note of banality: absolute might strives for absolute power (which remains unattainable in principle, however), just as the street wisdom that "the mighty oppress" is always true (but has a limited life expectancy). Finally, the lesson which (almost) all political actors are familiar with: the only true alternative to a military threat is an equally valid (military) threat.⁵ We are tempted to say that the three 'banalities' constitute the entire wisdom of international politics.

To be sure, the last statement refers only to the realm of great powers and their relations. All other regional and local 'actors' have to adapt to the first two 'laws' of real-politics.⁶ That is the natural political state of being ever since Mesopotamia, Assyrian and Egyptian or Persian and Roman empires, and nothing changed at the times of medieval empires of the Arabs and the Byzantines, the Chinese and the Mongols, the Maya and the Aztecs, the Habsburgs and the Ottomans. The same is true for modern national states, colonies and metropolises, former ideological blocs, up to the current rivalry among the new/old trio in the global theater (US, China, Russia).

⁵After a relatively short and, as it would prove, only apparent rule of a single superpower and supra-national institutions under its control during the 1990s, the empowered Russian Federation (military action in Abkhazia/Georgia in 2008; annexation of Crimea in 2014; military intervention in Syria 2015-2017) was the first to draw effective conclusions on this matter - respond to force with force. Russian officials have stated several times that the 'Kosovo case', i.e., the airstrikes against Serbia and active military support to secessionist forces in a sovereign country, have marked a turning point in their perception of Russia's relations with the United States, that is, NATO. Something similar is true for China, whose embassy in Belgrade was, as it seems, intentionally bombed in 1999 as a warning. China has been silent about the 'one-sided US actions' until recently when the Chinese economy got into the position to compete with the previously superior economic and military global power on an equal footing. We are today witnesses to accelerated modernization of the Chines military and the strengthening of its military presence in Africa, Pakistan and the South China Sea, etc. in parallel to the implementation of its economic megaproject – the New Silk Road. (Cvetković, 2018)

⁶ Former Yugoslavia, with its two integrations after the world wars (in 1919 and 1945) and with as many disintegrations accompanied by mass destruction (in 1941 and 1990), is a good example and a true historical witness to geopolitical relations between the great powers in the European theater. The formation, duration of existence, and disintegrations of Yugoslavia are a reflection of interests of the great powers rather than an expression of internal integrative processes among the South Slavs.

Namely, the untouchable 'superpower' of the late 20th century – the United States – has been joined by the transformed powers of the East in the 21st century: an ancient emperor-led empire transformed into a people's and communist state (China), as well as a far younger former empire revitalized into a non-communist and also national state (Russia). A recently formed modern power in a synthesized transnational form of a union of liberal states under the name of the European Union has been a shoulder to their shoulder (Cvetković, 2018). Along with other two Eastern powers – India and Iran, these are the main 'big players' that will fashion the times ahead of us. Just a few decades ago, everything was quite different...

PRETEXTS FOR WAR AND/OR REASONS FOR THE 'MILITARY INTERVENTION IN KOSOVO'

Many and diverse reasons have been offered as motivation for the US, i.e., NATO' military intervention' in the then FRY, that is, 'reduced Yugoslavia' (Serbia and Montenegro). Even then, it was completely clear that there were several important strategic reasons for waging war against Serbia: a) short-term objectives, which have been reached in the meantime –political and economic control over the entire Balkans and further enlargement of NATO towards Russia, and b) long-term goals immanent to any use of military power –control over global resources and analogous entry into new, big, and yet free-of-charge, i.e., 'free markets'.⁷

On the other hand, the quotidian, i.e., the ostensible pretexts for war used by the then major Western political leaders (the US President Bill Clinton and the British Prime Minister Tony Blair) were as much prosaic as obviously fabricated. Their genesis is telling in itself: first, there was a general discussion of protection of minority and human rights in Serbia; then the problem was narrowed to the exclusive 'protection of the Kosovo Albanians'. Next, as the most frequent and also the most important reason

⁷ A resounding historical irony is that the main promoter and advocate of 'free market', which is to be achieved even with military means if necessary, has become a champion of protectionism just a few decades later – to such an extent as to wage an open customs war with China and to threaten even its European allies. At the same time, unlike in the 1990s, the US cannot count on the unconditional support by international institutions when introducing sanctions for obnoxious 'renegade states' which is why its measures in this regard are now mainly unilateral (as in examples of Russia and Iran).

for the intervention (at the time when it was well underway), there were mentions of the 'protection of Albanian refugees'. As the war progressed, there were ever so often statements about 'securing peace in the Balkans', leading finally to the disclosure of the direct goal of the entire operation: 'removal of the Belgrade regime'.

Naturally and as it usually happens, in some final reckoning, each of the aforementioned reasons is *both* valid *and* sufficient when the most powerful decide accordingly. However, probably the deciding reason for *military* action in that *particular moment* was the good old *confirmation of prestige*! Although it at first seems like too prosaic and indeed archaic reason for military action of a great power, this reason is equally justified both from the tactical and even more from the strategic standpoint since it involves the creation of new allies and preventive intimidation of the old ones.

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Reasons for waging war have always been diverse and numerous, but can still be boiled down to a couple of the main ones: *control over natural resources* and *will to dominate*. Equal to those motives is the traditional (and probably ineradicable) *plunder lust*, along with the always existing, but still less visible (since it is not always ethically acceptable) – *competition for prestige*. In our opinion, the last reason, although viewed as a 'worthless' reason for war by modern realpolitik, was the decisive factor that drove the greatest global power of all times – the United States and its (un)willing allies gathered in NATO – to wage a true war (although of 'low intensity') against a small and isolated country which could in no way either fight back equally or expect any support from another great power at the time.

The US competition for prestige took the form and meaning of confirming its status as the only (remaining) superpower. Surprisingly, this was done less with force and more by means of a hybrid 'universalist' ideology which was formed during the 1980s as a loose combination of liberal and social democrat contents without any true connectives. We termed it *real-liberalism* (Cvetković, 1999), which is perhaps the most adequate term for the perverted combination of communist faith and liberal pragmatism. The coined term 'real-liberalism' conveys the paradoxical reconciliation of dead lay doctrines on the salvation of humanity, on the one hand, and of the victorious system of unbridled interests (but generally still in a strictly controlled order), on the other. Real-liberalism is a true offspring of modern decadence – a suspicious blend of unconsecrated relapses of

Messianism, racismand mercantilism – everything which is exactly opposite to all that it advocates and (allegedly) aspires to be.

The newly constructed legitimizing framework of real-liberalism, as a strange amalgamation of socialist moralizing slogans and liberal trimmeddown values (or vice versa), along with the open use of militarist means, has denoted a final disclosure of the originally schizophrenic concept stance of Modernity. It was previously based and developed on carefully nurtured ideological differences which accepted their own life only as the death of another. Communism saw itself on the grave of liberalism (in the context of 'capitalism') and vice versa, while fascism found its criminal 'sense of being' in the execution of them both. They have, however, recognized their own dark sides in fascism, which gave them additional strength to eliminate the common problem. There followed a 'fight to the bitter end' and without respite. When communism pressured by the external enemy (arms race) and the internal ones (unsustainability of the non-rational production system) finally expelled its final breath, the ideological victor had to change, transforming into a militant 'social democrat' half-breed of liberalism. This is how real-liberalism came to be. It is only an ideological mishmash of the original motives of economic and political liberalism (free market, minimal state, human rights, freedom of thought and action, etc.), socialdemocratic rhetoric devoted to social margins and responsibilities of the state ('identity policies', 'social investments', 'civil society', etc.), and the policy of national interests of the cold-war Victor, i.e., a single state which equates the fulfillment of its ambitions to the universal needs of the entire humanity, i.e., of the 'international community'.8

What has been until recently democracy of the Western free world has subtly transformed into oligarchy (with the inevitable tendencies towards tyranny), which has, in turn, legitimized similar systems in the East so that everyone is in a new and reluctant huddle now. In this way, Modernity

⁸ In this regard, there is no difference between the US (which used to lead only the 'free' world and now leads the entire world) and the former USSR (which at first used to build communism 'within its own borders', to later lead the entire international communist revolution). In both cases, the *state* interests wore the camouflage of ideological nebulosity and/or universalist fables of 'freedom' or 'equality'. Whereas the loser (communism) was easily written off, 'the faith in the values of the liberal order' was undermined as soon as the victor began establishing it. Today, there is no one who would argue against the standpoint that the well-known will to dominate was the leading principle in both cases.

has become its own caricature with which no one can identify (Cvetković, 2005), but still resolutely pushes its 'own agenda' to the very end. The airstrikes against Serbia in the last year of the previous millennium were the climax of such a state of affairs, a telling example and an announcement of new, bigger troubles.

EFFECT AND LESSONS

Regardless of the above, more or less usual, strategic and tactical reasons motivating a great power for military engagement, we maintain that the ideology of false or, more precisely, warped (real)liberalism was the main basis and cause for NATO assaults on Serbia. The said ideology has not only had the function of providing later justification for some 'real' (undeclared, hidden) reasons for certain actions, but has also been the cause and the driving force of the realpolitik of the US and the Western 'free world'. With its 'comprehensibility' (because, finally, who may be against the defense of human rights and freedoms!), it was a motivating factor which took its own demagogy and hypocrisy seriously. To make things even more grotesque, false liberalism imposed itself on others in the form of NATO, which turned overnight from a defensive military alliance into a global peace organizer and self-proclaimed guarantor of planetary security. By becoming a global guardian and promoter of 'human rights and freedoms', NATO became a symbol and at the same time the most bizarre institution of instant metaphysics in postmodernity. Mostly because of that, real-liberalism was soon scorned as yet another among a multitude of ideological meta-narrations of Modernity which self-generate, self-justify, and, finally, self-destruct.

Originally created as a defensive shield against the communist plague, NATO turned into its own defeated enemy as soon as the enemy disappeared: it became a real-liberalist Comintern, which *enforces freedom and justice* across the planet – anywhere it judges that the degree of 'endangerment of democracy' is insufferable from the standpoint of humanity! Thus the victorious military alliance (created for 'defense against', i.e., destruction of the USSR),⁹ blossomed into not only a *global police*, but also into an unnaturally institutionalized *global conscience* that is to be preserved by any means available. This is how the last 'Big Narration' of Modernity was irreversibly

⁹ It should never be forgotten that NATO was formed in 1949, six whole years *before* its Eastern counterpart (the Warsaw Pact, in 1955).

compromised, the narration in which libertarian ideas, even if only in the concepts of its creators, existed as the *regulative*, rather than the *constitutive* instance of political, that is, state and international (global) order. The *utter failure of the idea of liberalism, in parallel to its realpolitik triumph,* was marked by the NATO's intervention against Serbia, which is probably the most significant feature of the conflict from the historical standpoint.

To make the claim of the ideological background of the NATO intervention against Serbia clearer and more acceptable, we must remember that the struggle for world supremacy has never been just a conflict of particular modes of modern ideology in the form of liberalism, communism, or fascism/Nazism. At the phenomenal level of politics, the struggle for domination has always been in the form of frictions between sovereign states about the real power to rule others. In the 20th century, this struggle was primarily won by a single *state* (US), and only indirectly by a single *ideology* (liberalism). However, for the achieved victory to be legitimized and accepted, it required its underlying ideology to be somewhat different from 'classical liberalism', including its fairytale cold-war forms. Hence, the new-formed real-liberalist ideological matrix, like Anaxagoras' world of homoeomeria, contains some part of every previous variant of Modernity. That is why it is not a new, e.g. 'postmodern' ideology, but primarily a new political reality which is interpreted and justified by means of old terminology of randomly mixed and scattered values within a common historical framework.

One of the major characteristics of the new political age is the general rejection or at least maximum suppression of anything 'particular', i.e., *national* – from national identity (as a cultural or political basis for the sovereignty of a state), through to the individual self-concept of community members. Far-fetched and false equating of national to nationalist and of sovereignty to self-sufficiency that justifies internal terrorizing, resulted in a peculiar glorification of democracy as universal – generally accepted – value 'in itself', capable of transmuting wood into iron and, if necessary, vice versa. By promoting democracy as a *value system* which, by its definition, rejects anything particular (to be read as: national) and which, on top of that, exceeds its own original *procedural* meaning,¹⁰ real-liberalism

¹⁰ In this regard, real-liberalism has inherited the intra-liberal debate on'constitutional values' that should be 'affirmed' regardless of 'procedural limitations' which can often prevent the realization of justice. Can the morality of goals justify the absence of the

has formed a practically empty moralizing space that can be filled with various contents – as needed by those who have the power to impose 'values' on others.

The ideological 'logic' of real-liberalism in this concrete case (the air campaign against Serbia in 1999) had the following course: since democracy has reached the pinnacle of its development in the freest among all free countries, it then necessarily follows that the US should be the leader of the 'new' order - whatever it might be and whatever its name is. Thus, the US took the role of the guardian of 'general interest' of the entire Humanity! Since the fundamental idea of the new order rejects the national sovereignty in principle, however, the US had to portray its leading and practically dictatorial (even almost tyrannical) role in international affairs as a type of interest-free endeavor for a world beyond particular 'limitations', i.e., beyond the national sovereignty. This is not surprising since *absolute sovereignty*, the sovereignty of the most powerful one, cannot bear the existence of individual powers and even less agree to an order limiting its domination. In order to avoid the overall superiority to anything and anyone being too 'conspicuous', and thus provoking potential resistance, the leading global power has reasonably concluded that it is in its 'best interest' to operate by the old and several times tried ideological pattern: what is particular should be proclaimed general, one's own problem should be presented (and solved) as a global concern.

Perceived from this standpoint, it becomes clear why the historical system of real-liberalism should not have or perhaps could not have had a single and clearly *perceptible* leader. Instead of actually One (the US), there is a *plurality* (NATO) as an alliance of freethinking and freedom-loving and self-sacrificing states. That is, among other things, the reason why real-liberalism is not ready to accept the national sovereignty of individual states, including among them, paradoxically, even the Victor, the inaugurator of the 'new world order', itself!¹¹ This is exactly why the war

proper course of the set-up decision-making procedures –is a question significant for the understanding of the politics *within the political community*. If the question of morality is raised in the context of international politics, i.e., relations *between political communities*, however, it is then only a matter of moments within which the debate will become a dialogue of the deaf, and the *power* will decide 'who is right'.

¹¹Due to the intense economic crisis of 2008, which is still ongoing, even the former Victor is not the same anymore: political earthquakes in 2016 (the election of a declared nationalist Donald Trump to the office of the US president and the UK Brexit

against Serbia did not end in the usual manner – by a clear distinction between the victor and the defeated. Never before in the entire history of Modernity had any war ended 'undecided', even apparently. Someone, at least temporarily, *had* to become victorious, whereas someone else, as is the nature of affairs, had to be defeated. Instead of this differentiation, which is necessary for the *true end of a war*, in the 'Kosovo case' there has been some interim state of the'split sovereignty' and 'accomplished goals of the air campaign', while even the undoubtedly defeated side was left room enough to interpret its defeat at will.¹²

The end result was that the Victor in a war fought de facto for and against sovereignty (with varied reasons and justifications) almost refused to admit its own victory. Why? The answer is very simple: if NATO had simply won, then it would have also had to admit that it had actually fought a war (rather than executed a bland, almost harmless 'air campaign') and, which is much more important, the victor would have had to 'admit' to having defeated, hence being duty-bound to pass the final judgment on, its opponent. In a seemingly decisive moment, NATO signed a 'Military Technical agreement' with the FRY (Serbia), however, took the guise of the UN mission, established a military base in Kosovo, and handed Kosovo over to the Albanians and the interim institutions of the international community. Later, it approved of the unilateral declaration of independence of Kosovo (in 2008, when sovereignty was no longer a problem), and has been doing literally everything to sway Serbia to accept the situation. We may observe the real effect of all this today when Kosovo, under the Western patronage, is more similar to the Gaza strip or Libya than a European political space.

Be it as it may, the removal of Serbia's sovereignty in Kosovo has shown a tendency of real-liberalism to deplete the concept of sovereignty until it becomes unrecognizable; all in the name of maintaining single sovereignty

referendum, the European refugee crisis) have caused a radical change in the perception of the way in which real-liberalism functions. The political reality of the modern world has waited quite a bit to reach the threshold of the established academic public, which until the 2010s has begun to doubt the ideological mantras that even the oligarchical EU elites have been avoiding for quite a time already.

¹² Naturally, the real Victor has expected from the defeated to 'accept the reality' over time and to make its own decision to amputate a part of its political body and space. When this failed to happen, there came the period of new pressures and blackmails, but this time in a new international context which is nowhere near the one of twenty years ago.

- the one of the United States. It has, however, been hiding behind the 'international community', the concept empty of any content and the concept formed by the very tradition of liberal thought beginning with the Enlightenment. Although it called upon the total or global peace, the new world order of real-liberalism was anything but Kant's 'federalism of free states' or a league of peace (*foedus pacificum*) which guarantees *in advance* the freedom of each individual state by its universality. Instead, supranational organizations established with such an inclination (UN and others) have served only as institutional support for the imposition of a single will and unilateral interests of a single country and perhaps of some of its (un)reluctant allies.

CONCLUSION

Lessons useful for Serbia can be found in an (un)expected place: an old bestseller which is a popular read even a century after it was first published: *The Decline of the West.* Rightfully criticized for its organicism, and unjustly for its mysticism, Oswald Spengler was probably not wrong in one matter: imperialism is the necessary result of any civilization. The will to dominate gets a nation by its throat and pushes it into a master role, which the nation, i.e., 'its' political community, is most often reluctant to accept. Once it has accepted the leading position, that is, once it has become the leading power of its time, the current Grand Master gains self-conscience and functions as it deems best (for it). In this, it is always torn between the sincere desire to help itself and a hypocritical concern for others. Problems arise when its vassals (separate, smaller, or independent political units) start to presume that they could be masters, too, i.e., that their independence is of the same rank as the Master's. With such conduct, they risk retaliation, which does not fail to follow as a rule. Moreover, if the general environment is in the state of peace at the moment of retaliation, the response to insubordination will be even more severe and more terrible (Spengler, 1990).

Spengler has lucidly noted that the wars at the age of world-peace are a kind of 'private wars' – more terrible than any other because they are formless. The age of so-called world-peace, which is never long-lasting, or even real (there is only an 'impression of peace'), according to Spengler, involves the personal forgoing of the war by the majority, while it (the forgoing) actually means an undeclared willingness of the peaceful majority to fall prey to those who do not forgo war. For Spengler, the striving for a general peace, contrary to Kant's conclusions, actually destroys states which

are unprepared to wage a war. The states that agree to the risk of war (i.e., to its own casualties, destruction, and even annihilation), when they are not of the same size as their enemy (so, the states which are *not* the great powers!), *must take into account* that none of their neighbors (and beyond) will move a finger to assist them (Spengler, 1990). Moreover, as long as the calamity of war affects only the others, any non-participant state will strive to remain uninvolved and will more or less openly support the stronger opponent. It has been and will be so as long as there are states and international relations.

In this regard, it should be concluded that care for a state and its people implies *phronesis*, which is certainly not the same as brokering, that is, 'making the best of a bad bargain' from day to day. Also, it is not merely waiting for what others will do, even less open defiance to the strongest. Prudence in politics implies clear consciousness of self and others, own interests, abilities and capabilities, as well as action outside of the extremes of narcissism and sycophancy. Nevertheless, it is equally, if not more, important to establish equity *within* one's one state than relations to other political communities. It requires many things, such as a real and formal division of power, as well as personal accountability of elected officials. That is the main requirement of civil trust and patriotism without which there is no internal stability of the state. Only a nurtured equity built by means of institutions independent of anyone's political willfulness, whim, arrogance or stupidity can defend and be successful in defending a state. And whereas stupidity is ineradicable (and as such virtually inevitable), arrogance and willfulness would have to be timely recognized and politically penalized. This endeavor surely does not necessitate bombs from others. They are only indicative of stupidity paired with criminal inclinations.

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UNPEGGING THE THIRD SPHERE OF THE WORLD ORDER: INDIA AND YUGOSLAVIA IN THE 1990S

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Abstract: The ripples of NATO's attack on the Former Republic of Yugoslavia reached India with devastation. It was a tectonic moment of realisation that India has to move out of the comfort zone of false illusions and face the hard realities of the new shifts in international dynamics and alignments. The NATO's bombing of the Former Republic of Yugoslavia came as the third and a consequential blow to India, after the collapse of the Soviet Union and the financial crisis of the early 1990s. These three blows shattered the three-level architecture that India had crafted over the preceding 50 years. My main question is: Was the United States of America and its allies punishing India and Yugoslavia because of their perceived proximity with post-Soviet Russia or was it for reasons of a systemic nature? My major hypothesis is that NATO's aggression should be put into a systemic context and understood in the *longue durée*, in terms of structural domination and the control of the world's resources.

Keywords: Third Sphere, Non-Alignment, Eurasia, India, Yugoslavia, Southernization, Westernization.

INTRODUCTION

Westernization is a failed project. The management of the world's resources, both mineral and human, has been the backbone of Western foreign and security policies. Some patterns of behaviour consequently gave birth to a structure (Kupchan, 1996, p. 93). The West collectively imposed a hierarchy on the use of the world resources. The strategy had two main components. First, channelize resources to the West in a direct manner.

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Second, disrupt the economic development of a given country, stop it from using those resources for its own development (Mason, 1949, p. 158). Third World countries are not only possessors of large reserves of natural resources, but given a chance to develop they could become the biggest consumer of them (Fidler & Ganguly, 2010, p. 149). Although the West won the Cold War, its real enemy, the Third World, was striding ahead (Klare, 2008, p. 11). The other factor influencing its policy could be the fact that the importance of mineral resources could bring Russia back to the forefront (Klare, 2008, p. 11). Nehru was one of the Third World leaders that identified this structure of international relations, which led to the creation of the Non-Aligned Movement.

NEHRU AND THE STRUCTURE OF INDIA'S FOREIGN POLICY

The situation of post-Independence India was dire (Kane, 1946, p. 410). There was every reason to believe that India could disintegrate even further after the fateful partition (Srinivasan, 1986, pp. 528-529). National consolidation was extremely fragile, giving way to a risk of disintegration. Integration was an urgent need, but nationalism had to be avoided at all costs if the subcontinent were to curtail intestinal fratricidal wars. And after being divided into communal lines, it was deemed necessary to keep Maoism at bay. On top of all this, the colonial system granted privilege to a thin administrative structure for the purpose of resource extraction and not for serving a newly enfranchised democratic country. Although this administrative model had allowed for strong bureaucratic control of the country, it was never intended to achieve a true consolidation. These structural weaknesses were bound to have an impact on India's international standing. It was uttermost important that the Indian Ocean and the access to it do not become a theatre for the Cold War confrontation (Harshe, 1990, p. 399). The Indian elite knew that it lacked the material resources to have an assertive position in the world arena (Mukherjee & Malone, 2011, p. 311). In a very strange and devious sense, the only sure assets India had was Nehru and a thousand-year heritage of the world order - Southernization.

Nehru's '*domination by the pure force of intellect*' is a geopolitical factor in itselfin the post-WWII period. Nehru had a deep sense of South Asia's history, tradition and civilisation; and in particular the diffusion of its influence across continents for the benefit of everyone. India across

millennia was the primary source of world order by imposing a structure of international intercourse (Chatterjee R. in Nag, 1941, p.vii). The system was not composed of the "nation-states", a recent system sponsored by the West, but rather a system based on a "patchwork of assimilative patriotisms" (Bayly, 2004, p. 703). The Portuguese and later the British introduced themselves into the system and used it as a platform for their global ambitions, but they never altered it. In the earlier times, the system extended from the Eastern Mediterranean right up to the Korean peninsula. The sub-systems to this were the Eastern Mediterranean, East Africa, Western India, Eastern India, South East Asia and the North-East Asian seaboard. Cleaning the system of colonial influence and re-legitimising thesystem became the only way forward for India, and Nehru knew this. It is true that in the beginning, Nehru put more emphasis on the Afro-Asian perspective but soon realised that China had its own designs in Asia, and that for the sake of urgency he had to forego Northern Asian part. (Kim, 1992, pp. 142-143). As events in the Bandung Conference of 1955 unfolded, Nehru understood the pivotal necessity of broadening the scope to the Eastern Mediterranean region. The reasons for this were simple, all the subsystems possessed a lot of similarities; they were all loose empires in their own respect and could be exploited by the structurally neo-colonialist Super Powers with their divisive 'nation-state' strategies.

THE THIRD ORDER AND THE CONFLUENCE WITH TITO'S YUGOSLAVIA

Marshal Tito of Yugoslavia was faced with similar problems at home and abroad as Jawaharlal Nehru, but keeping the country's independence was the highest priority (Campbell, 1980, pp. 1046-47). The experience of the Second World War had shown that the country had a fragile unity that could collapse if the forces of nationalism were let loose. Geopolitically, occupying the heart of the Balkans was not an easy burden to manage. It lay on the route of Communist USSR's reach to the Mediterranean and the West's desire to refuse it this access. The only way to circumvent any confrontation in the Mediterranean was by adapting a hegemonic pacificator attitude. It was vital that Tito used his charism, as the leading 'Partisan and Patriot' in the decolonisation of East Africa, the Middle East and North Africa to become a leading player in the Mediterranean (Rubinstein, 1972, pp. 528-529). And this was exactly what Nehru was hoping to achieve in the Indian Ocean sphere. The confluence between Nehru and Tito was brought about by the charismatic supreme of the Middle-East - Gamal Abdel Nasser. Joined by other leaders from Indonesia to Africa 'Southernization' was re-established, similar to what Vijaynagar empire and Justinian's empire had achieved from the sixth century onwards, a seamless Southernization, giving unity to the 'civilizational corridor' (Alam, 1977, p. 171). Justinian tried to vamp up support against the Vandals and other Barbarians from the West, now it was the turn of Tito to do the same by confronting the dialectical barbarism of the Cold War (Alam, 1977, p. 182).

The stakes were high in the 1950s and 1960s for those who had inherited these disintegrating empires (Rubinstein, 1972, p. 533). The process started in earnest at the time of WWI and there lay open unto what new system these 'orphaned' parts would be reintegrated. Lenin was sponsored to adopt Marxism and create a new 'integrative dialectic' in opposition to Capitalism of a new kind, with the main centre of gravity moving to the United States. The novelty of this new capitalism, as opposed to the European model, was a combination of 'Nation-State-Market' and 'Liberal-Democracy'. Although on the nominal level these two ideologies seemed to contradict, clash and confront each other, in reality, they were implementing the same process on a massive scale, that of economic integration and consolidation; the creation of national markets which could later be aligned to the world market. For both, the main enemy was 'patriotism', especially economic patriotism. The debate started in the 18th century (Cunningham, 1981, p. 13). From the perspective of this dialectic, market/central control was restricted by the unwillingness of 'localism' to give up local circuits of economic exchange and existence.

In a majority of cases, even in Europe, nationalism is nothing more than a privilege system where economic structures are bent to destroy local autonomy, resilience and sovereignty, where local patriotism is replaced by national functionality. In this manner, one could easily say that nationalism is the destruction of many patriotisms and cultures for the benefit of one selective or 'assigned nationalist' community. So the real dialectic was between the localism and the level beyond it, or to put it in a more direct manner: a battle between nationalism and patriotism. This was a confrontation that cut across all levels of state and society. For the leaders of the Non-Alignment Movement, this was something that had to be avoided at all cost, the Cold War dialectic was making a nonsense of their newly won Independence (Hudson, 1964, pp. 544-545). By design or by default, their strategy was to defend the 'corridor of civilization', from Indonesia to the coasts of the Adriatic which was a patchwork of integrated patriotism in one form or the other.

This was Southernization all over again. For patriotism was at the heart of Southernization. And the Non-Aligned Movement was a resurrection of that World Order, an order that had the intention to preserve local sovereignty and yet be connected. It was a permanent process of negotiated consensus, without a transactional middleman. However, what Nehru and Tito realised was that a strong centre was needed as a paramount power that could defend the territorial integrity, both politically and economically, coordinate civilizational integration and propose a developmental model that would weed out tensions by setting progressive priorities. A similar challenge was faced by the East India Company in the 19th century. The solution it adopted was very creative, it left the ethnic and linguistic patchwork alone but laid a strong administrative frame around the patches of patriotism; it maintained equanimity. This allowed for a sort of sociocultural patriotism without the destructiveness of political patriotism, which tends to spill into violent and negative nationalism. (Inge, 1920, pp. 35-58). All of the Non-Aligned Movement countries adopted similar methods in governing themselves. These countries were literally a long catalogue of nationalities and ethnicities. To compensate for the loss of political patriotism, the leaders kept the high-handedness at bay, by proposing a planned and balanced development. For this the leaders of the Non-Aligned Movement, especially Nehru and Nasser, would transform it into an instrument of negotiation with the West, thus linking the national with the international.

THE SOLIDARITY BETWEEN THE FIRST, SECOND AND THE THIRD ORDERS AND ITS REALITY

For the purpose of this essay, we can apprehend the world order from 1945-1990 as a three-way interaction in a very loose sense of the term. But in reality, it was a bilateral intercourse. Under conventional wisdom, dominated by western scholarship, there were three worlds during the Cold War: 1st (West), 2nd (Communist) and 3rd (Underdeveloped). This was a nominal categorization. But polite parlance aside, what this brut categorization meant was: 1st – White, 2nd – Semi-white and 3rd – Coloured. During the Cold War, the West saw the USSR-led Communist Bloc as undertakers with the support of the Marxist academics in the West. The job of this group was to create 'Marxist revolution' in the newly decolonised

countries which would then give the West a rationale to intervene. In this way, it could achieve the earlier mentioned double object of either developmental disruption in the resource-rich countries or induce illicit regimes to give up control of these resources in exchange for Western support. Again, I would like to remind the reader that when I mean resources I also mean 'human resources'. The recent example of 'war on Syria' is a very good example of this. The Syrian population is one of the best educated in the Middle East, probably the only tangible resource the country had. The created political and economic disruption, forced Syrians, in their millions, to flee the country. The best minds and their capacities were 'welcomed' by the West, especially Germany. In short, as time went and as Stalin eliminated the 'Western oriented' communists, it was evident that the Soviet System had gone rogue, it failed to produce the results expected from it since 1917. The Communist Bloc was indeed becoming unaccomodatable; the assigned solidarity between the 1st and the 2nd world had gone bankrupt. And in a perfect and seamless logic the West was looking for alternatives and soon Henry Kissinger found China to replace the now-defunct Soviet Union. I do accept that it is a perverse definition of solidarity, but it is the only meaningful way to describe the relation between the First and the Second world as assigned by the West (Hoff, 1996, pp.115-116).

It very much looks like the Soviet Union realised the nature of the First and Second world solidarity quite late. In strategic terms, it becomes quite evident that the West 'integrates' the best parts of the Third World into its 'world governance system'. The resource-rich Soviet Union, which stretched across the Eurasian land mass, would be the next one for world integration in one way or the other. The reaction of the Soviet Union, starting from Nikita Khrushchev and in earnest under Brezhnev was to sideline the ideologues and undertake a pragmatic restructuring of its approach to world affairs. Solidarity between the Second and Third World was based on equality, respect and mutual interest. Brezhnev moved onto reassure the Third World countries, especially in South Asia, the Middle East, East Africa and North Africa (Crabb, 1972, p. 289). In the Middle East, notably, governments supported by the Soviet Union swiftly nationalized the extraction of petroleum, thus barring it from the reach of the West. In the same manner, the Soviet Union lent its support to India in its effort to liberate East Pakistan; while the Nixon administration was moving the 7th Fleet to the Bay of Bengal for the eventual bombing of targets in India (Walter, 1979, p. 299). The solidarity between the Second and Third World showed signs of patriotic harmonisation against the brutality of nationalism sponsored by the West. This restructuring of the Soviet approach offered nothing new because Tito had constructed his model from the beginning, based on a sort of patriotic front from the Horn of Africa to the Atlas Mountains of Algeria. Although Yugoslavia under Marshal Tito was considered part of the Second World, it managed a common patriotic platform, a form of civilizational pact, with the Third World. This made Tito more credible than the late rally by the Soviets (Zukin, 1975, pp. 48-51).

THE COLLAPSE OF THE SECOND ORDER AND THE CONFLICT BETWEEN THE FIRST AND THIRD ORDERS

Society in Soviet Russia paid the price, but as was expected the renowned Russian patriotism was the biggest casualty and this, in turn, created a tsunami effect as corollary pillars of society collapsed. Communism as was expected by its designers, had devastated all the protective walls and layers of patriotism. Academics falsely conclude that the Sputnik and Soviet technological prowess were the result of a Communist system, but it was not. It was the result of the Russian patriotism dating back to several centuries before. By the late 1980s, this legendary patriotism had petered out. From the point of the West, its bet was paid off. It looked like Marxism-Leninism not only created disturbances elsewhere, but it also brought chaos to Russia itself, giving the West several decades of breathing space. For the point of the West, the Russian sphere not only disintegrated but temporarily joined the Third World category, in the economic sense if not colour (Gidadhubli, 2007, pp. 1818-1819). The West just encouraged President Yeltsin to make the fall inevitable (Stern, 1994, p. 44).

This tsunami and its devastating effects did not end at the Soviet borders. They badly dented the Third World states that were recovering from the economic collapse caused by the oil crises of the early 1980s. However damaging this might have been, it was not a handicap that they could not recover from. They had gone through similar crises before. The disappearance of the Soviet Union had created a structural problem that attacked the root of their existence (Ray, 2012, pp. 36-39). Although for obvious reasons described earlier, the Soviet System was dysfunctional domestically. It had irreplaceable functionality and benefits at several levels for the Third World countries. Firstly, it brought upon them a mathematical dysfunctionality. Theoretically at least, in a bipolar world with all their weaknesses, the Third World countries could still weigh and change the

end result and do the balancing act. This rock solid illusion had its magic. The superpowers generally entered a bidding war to gain the favours or support of the Third World countries. As the Soviet system collapsed, this opportunity was lost for the foreseeable future (Kridl-Valkenier, 1987, p. 652). Secondly and more fundamentally, the Soviet friendship of the Brezhnev period was a real defensive umbrella against the threat of invasion by the West (Belikov, 1991, p. 36). This had a positive impact on the fiscal and budgetary situations of the Third World countries. Without this cover their meagre budgets would not have been enough to cover their defence needs, compromising the much needed developmental expenditure on items like education. The other side effect of the non-visible Soviet defence umbrella was that fiscal pressure on the populace was kept to a minimum. This point is particularly important as far as patriotism was concerned since over-centralization and Western-style high taxation could be limited in favour of local autonomy and the preservation of patriotism. Finally, for the very reasons outlined above, the limitation on over-marketization of the Third World economies gave the population a breathing space. What happened in the West, especially when the service industry was liberalised, is that solidarity was marketed and transactionalised, leading to the weakening of patriotism, the community and the family; basic elements that helped keep society consolidated (Schwimmer, 1979, p. 687). Although marketing solidarity can be beneficial to the state in the short run, in terms of tax revenues, in the long run, these societies cannot sustain on their small economic base. This leads to tension and civil strife.

This is exactly what happened after the collapse of the Soviet Union. When the 'Western Coalition' decided to invade Saddam's Iraq in 1991, there was no real voice of opposition to it. Rather than ponder upon the rights or wrongs behind the motives to invade Iraq, I would like to concentrate on the ripple effects of this invasion on the Third World countries. The tri-polar world that I earlier described had vaporized; now it was the West against them, locked in a new structural bi-polar world. They were caught literally naked without the Soviet umbrella. The unhindered invasion of the Third World had begun in earnest. Since then the West has undertaken a string of invasions, engineered socio-political disturbances and economic dislocations. The Arab Spring and the current crisis in the Middle East being the latest. The compound effect of this has been that, not knowing to compete effectively, some of these Third World countries have adopted the 'Western Agenda' catered to render them easy targets for 'economic integration' by the world economic regime (Herring & Rangwala,

2005, p. 668). The agenda in question has introduced the detrimental combination of exacerbated nationalism and the uncontrolled market exuberance. India was one of the first countries that succumbed to this medicine administered by the International Monetary Fund and the Washington consensus. This was a path that had traced the way to the bombardment of the Former Republic Yugoslavia. After the collapse of the Soviet Union in 1991, India experienced an economic meltdown in 1991, followed by the Indonesia's financial collapse in 1997, stepped up by the bombing of FRY by Western forces in 1999 and the Arab Spring of 2010; the West geared-up for the Ukrainian crisis and the commencement of its 'Eurasian consolidation and integration' (Brzezinski, 1998, pp. 30-31). Nationalism combined with the unbridled market liberalism might create the necessary conditions for the removal of hurdles for an eventual military consolidation of Eurasia by the West. As it was demonstrated, this is not speculative but rather the result of structural evolutions and trends. Time scales might vary due to the unpredictability of a number of variables, but historic structures and the evolutions point to this eventuality unless there is a tectonic shift brought about by actors like Communist China. This said, as things stand, China will oppose in order to get a fair share of the spoils but will not upset the fundamentals.

THE THIRD ORDER AND THE ORDER OF PEACEFUL COEXISTENCE

World Order as a concept, beyond orders created by mighty empires, started with the advent of Southernization somewhere between the 6th and 8thcentury. It lasted until the late 18th century as a whole. The West developed itself as a contender, in the shadows of Southernization (Anievas & Nişancioğlu, 2015, pp. 246-247). And since the West has tried to impose itself with Pax Britannica, with the UN in a more institutional format until 1991, and thence, by circumventing international rules and norms imposed by itself. The post-war system conceived by Franklin D. Roosevelt was definitively pulled down by the persistent actions of President Bill Clinton in both domains of international politics and economics. It will not work and will not be accepted by sovereign states because it is one-sided. It puts the West as the ultimate beneficiary of the system. This is diametrically in opposition to the essence of Southernization where the benefits of the system were equally shared by all the participants. At its centre, Southernization permitted and made space for total movement, both of

goods and people, whereas the West cherry picks, and is selective in the movement. Southernization was about avoiding dislocation whereas the West has made it the backbone of its ideology. It thinks that it can loot everyone without some of these victims follow the route of the bounty.

During the Cold War, the West created a dialectic to disrupt what remained of Southernization. It might do that again with the involuntary cooperation of China. However, the reality is that China in the past was one of the pillars of Southernization and it would be very difficult to see how China could bring about self-destruction upon itself. This means that a violent West will confront a peaceful system of Southernization, unless the demons of Westernization come back to it and are mirrored upon it. By the indiscriminate destruction of patriotism, community and the family, Western societies are senseless towards the polarization if not outright Balkanization. This most certainly will lead to exacerbation of national communities, accompanied by the rise of transactional costs and feudal levels of direct and indirect taxation. All this will lead, as we are currently witnessing, to conceptual nationalism as diversions. These nationalisms will be increasingly devoid of popular support, as society goes rogue and tribal to survive, subsist and confront the realities on the ground. Again, with no definitive time-scale, the West will be forced to adapt partially or in its entirety the principles of Southernization. But what will trigger the process and who will be the vector to this process is a question that concerns Serbia in particular.

CONCLUSION: SERBIA AS THE VECTOR OF THE SOUTHERNIZATION (THIRD ORDER) IN EUROPE

Serbia has once again reached crossroads. Given its geography, its ethnic composition, and its historic evolution, the best-suited strategy for Serbia is to adopt a Justinian attitude and heritage. Serbia and its people are by nature a highly patriotic people believing in the traditional configuration of family, community and country. Whenever it digressed into nationalism Serbia has courted a myriad of problems. The region needs Serbia as a regional leader but it cannot fulfil this role because of nationalism or the perception of it. It is increasingly becoming urgent for Serbia to address this problem due to the rapidly changing nature of the geopolitical position of the Balkans. After being absent all through the Cold War, the United States is building a massive position in the Balkans. It is in no one's interest to have conflictual relations with the United States. It can be both benevolent and malevolent

as no other nation. It is therefore strategically important for Serbia to create a role for itself as a bridge between Russia and the United States. It could play an even greater role in the European Union.

Serbia should make a strategic decision to consolidate a socio-political model based on patriotism, a model that can be adopted in a 'nationalism-devastated'European Union. If it is the wish of the European Union that nation-state structures are sidelined, then it needs something to replace it with, something cooperative rather than conflictual (Beer & Koster, 2009, p. 159). Thus, patriotism and the community become vital centres of cultural, economic and social identification. In this endeavour, Serbia and its people have a millennial experience to offer. What is even more important is that Serbia will be simultaneously a vector for 'spherical integration' because it will be putting Southernization in the heart of the European Union reconciliation process, which could have the additional benefit of reducing tensions with Russia and bringing about a common platform based on patriotism in Eurasia.

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NEW BALANCE IN INTERNATIONAL RELATIONS: DEVELOPMENT OF BRICS ALLIANCE

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Abstract: The end of the Cold War marked the beginning of a new era in which the future seemed certain. The Western powers won, the Eastern Bloc collapsed and unipolarity was created. The process of globalization started, and it seemed that the supremacy of the West was guaranteed. However, the globalization created new opportunities for old powers and for those in the ascent. In the meantime, a moment of total dominance of one superpower happened in the form of the bombing of the Federal Republic of Yugoslavia. It was conducted without a decision of the United Nations Security Council. This event has demonstrated all the dangers of a unipolar order in international relations and contempt of international law. New technologies and forms of communications created conditions for new forms of cooperation and alliance between countries. It was used by Russia, China, India, Brazil and South Africa to establish the BRICS alliance and begin the process of establishing a new balance in international relations. This Alliance is based on economic cooperation, but the issue of security gets more and more relevant in mutual relations. Currently, BRICS accounts for almost onequarter of global GDP, which is a key precondition for strong positioning in international relations. Development of BRICS cooperation is on the way to create a counterweight in today's world. Thus, international law can regain its strength and be respected as a basic tool for conflict solution. The United Nations could again become the most important place for dialogue and keeping stability in the world.

Key words: The end of the Cold War, unipolarity, globalization, intervention, Yugoslavia, United Nations, BRICS.

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INTRODUCTION

After the end of the Cold War, it seemed that the most significant conflicts in the world were finished and part of the past. This was particularly true for the European continent since Berlin ceased to be a "border" between the West and the East. The Warsaw Pact was dismantled, and the Soviet Union collapsed. East European countries, a former part of the Eastern Bloc, initiated the political and economic transition, with the aim to join the European Union (EU) and the North Atlantic Treaty Organization (NATO). Russia lost superpower status in international relations and was forced to turn its attention to the serious domestic problems. These problems were solved in accordance with changes in international relations and the globalization which required a great transformation of the economic, political and security system. Russia remained an important international factor, but without previous strength. Western companies became a key economic factor in the world, especially ones that already were global economic subjects during the Cold War. With the end of the Cold War, a free space, for them, was opened. Thus, the Western countries gained stronger influence in the world and started setting new rules in international relations. China was still a communist country but embarked on big changes in the economic system. The Chinese main goal was to become stronger and more present international factor using the globalization as an opportunity.

Expected or not, some conflicts did start on the territories of excommunist space, like it was in the Socialist Federal Republic of Yugoslavia (SFR Yugoslavia). Although a leader of the Non-Aligned Movement, the SFR Yugoslavia was not a member of the Warsaw Pact or NATO. New international circumstances after the end of the Cold War caused the SFR Yugoslavia to forfeit its secure and prominent position. The SFR Yugoslavia's foreign policy in the Cold War era, based on the non-aligned position, lost its influence. The policy of non-alignment lost the essence because the world was no longer divided into the East and the West. Political changes in the SFR Yugoslavia have also started. The SFR Yugoslavia consisted of six republics, and it was a community of the few nations. It was one of the reasons why the process of changes came across different attitudes regarding its direction and method. Some disputes from the Second World War were not resolved during communism and that came to the surface too. Views on the process of transition and necessary changes slowly turned into insurmountable differences. These differences transformed into armed conflict and civil war in Yugoslavia.

European countries tried to stop the conflict in the SFR Yugoslavia offering political solutions. Russia was also included in the process of the solution for the civil war in the SFR Yugoslavia. The United States of America (USA) was not included in this process from the beginning, but did join later as an important factor. These attempts did not give results, and the civil war has reached the full scale. The key factors during the civil war in the former Yugoslavia were the western European countries and the USA because Russia was still in the economic crisis and dealing with its own problems. This position of the Western countries enabled them to influence domestic actors in the former Yugoslavia crisis and to shape the way the crisis ended. The Western countries even openly interfered in the crisis with the NATO bombing of the Bosnian Serbs Army in 1995. Maybe the crisis in the former Yugoslavia is a good example how the situation in the world in which only one side has a practically decisive role, without a strong counterpart, can be dangerous for small nations and security.

This situation was threatening for international law as well. This was confirmed by the fact that the Federal Republic of Yugoslavia (FR Yugoslavia) was bombed in 1999 by NATO forces without the permission of the United Nations Security Council. With this NATO's intervention, all the conflicts on the territory of the former SFR Yugoslavia were practically completed. New borders on the territory of the former state have been drawn up in accordance with the interests of the Western powers. This was also the moment of absolute dominance of one side and practical verification of unlimited possibilities of using force in international relations.

END OF THE COLD WAR AND FREE SPACE IN THE AREA OF INTERNATIONAL SECURITY

The end of the 1980s has brought the end of bipolarity in international relations, and the world entered the post-Cold War era. This was a turning point of the XX century. The key moment was the fall of the Berlin Wall in November 1989. With the collapse of the Eastern Bloc and the Warsaw Pact, a balance of power in international relations ceased to exist. After this collapse of Communism, especially the collapse of the Warsaw Pact, the Western powers came out of the Cold War as winners. As there

were no more strong opponents, the Western powers led by the USA, became the world's centre of power. They became the leaders in the economy and military power, as well in political and ideological influence. The end of the Cold War had another very important consequence, which was reflected in the transition from a bipolar into a unipolar world because only the USA remained a superpower since the Soviet Union had disintegrated (Petrović, 2010, p. 64).

Only the USA has kept all the attributes of a superpower, which are: military power, a strong economy and great political influence. This situation in the world, in which the USA has a leading role, is best perceived in international relations. In the United Nations (UN), the only worldwide organization entitled to the use of force based on the decisions of the Security Council, the USA has the final word. Regarding crises in the world, the USA is the main arbiter in many of them and very often involved in their resolution. The leading position of the USA in NATO shows that this alliance largely depends on it, above all in economic aspects. The dissolution of the Warsaw Pact has also raised the question about the existence and survival of NATO, but this alliance has continued to function (Jončić & Jazić, 2014, pp. 288-289). Today, NATO is strong and very often the only factor in many countries around the world because many strong countries are connected with the USA and other Western powers. Economic power and strong interconnections between member states stand behind NATO's strength. In the globalized world, these economic interconnections are representing the protection for the established political and other relations.

The USA, along with some traditional friends, began the strong campaign for establishing a unipolar world in the early 1950s. This campaign represented a series of military actions in some countries that were on the border of interest between two political blocs during the Cold War or within America's zone of interest. Under the pretext of the Cold War conflicts, the USA was undertaking military actions on the American continent and later in Asia and Africa. In 1999, at the end of the XX century, military intervention against the FR Yugoslavia marked the beginning of the domination of the Western countries and the end of the security system established after the Second World War. The beginning of the XXI century was marked with the intervention of the USA and its allies in Iraq also without the decision of the UN. This was the final sign of the absolute domination of the USA as the only superpower. Current analyses of international relations do not pay enough attention to other traditionally strong countries like Russia or China. After the collapse of institutionalized socialism in Eastern European countries, many formerly socialist countries have joined NATO. Joining of Eastern European countries to NATO and the EU was one of the indicators of new international relations. Russia, after many years of stagnation, was trying to find its new position in the new international circumstances. It remained a world power because of its military force, but also because of the efficient economic policy during the global economic crisis. Russia's economic system is stable and in constant growth (Hantington, 2000, pp. 182-184).

NATO INTERVENTION IN THE FR YUGOSLAVIA: MOMENT OF CHANGE IN INTERNATIONAL RELATIONS

Before the bombing of the FR Yugoslavia, NATO had the status and was perceived as a defence alliance. During the Cold War, NATO was an alliance that was the key factor of the defence of Western Europe and played that role very successfully. Seeking prestige and influence, NATO with the bombing of the FR Yugoslavia interfered in the solution of the civil war conflict in the territory of the former SFR Yugoslavia. It did so without official approval of the UN Security Council. NATO decided on this action not because of the fact that the negotiations on Kosovo and Metohija in early 1999 in Rambouillet failed, nor because of the concrete idea of the future of the southern Serbian province. In fact, NATO had an official position that the conflicts on the territory of the former Yugoslavia expanded because, from 1991 to 1995, this alliance did not undertake concrete actions aimed to stop the conflict. Also, the official and free assessment of NATO was that the conflicts in the southern Serbian province would expand and result in ethnic cleansing, major human casualties and the spread of conflict. During the crisis in Kosovo and Metohija, Russia and China emphasised the importance of non-violent solutions of the conflict as a core of the UN existence. Also, these countries declared that they would veto any intervention which would involve the use of force. It was clear to NATO that it would not be granted the UN permission for armed intervention in order to end the conflict in Kosovo and Metohija. NATO officials were aware that in the case of the UN veto on the use of force in military intervention in the FR Yugoslavia there would be no public support. Moreover, it could cause substantial public disagreements in the Western countries and possibly strong instability of relations within NATO. When the bombing campaign started the then UN Secretary-General Kofi Annan issued a pretty weak statement that the use of force was necessary in some circumstances, but also emphasised the importance of the approval of the UN Security Council (Roberts, 1999, pp. 103-105).

The NATO intervention in the FR Yugoslavia has demonstrated the weakness of international security when only one side has unlimited power. It is the precondition for the imbalance in the world. This intervention has exposed every weakness of international security organizations when there is an absence of power balance. In this kind of situation, international security organizations lose their main role to preserve peace and resolve conflicts through dialog.

After the Cold War and during the NATO intervention in the FR Yugoslavia, Russia and China were officially world powers and members of the UN Security Council. Still, Russia and China did not have power capacities which would make them rivals of NATO countries. Behind the official status of these countries, there were no political influence and economic power. Because of this position of Russia and China in international relations, their influence was not strong enough to have an active role as an inevitable factor in overcoming international problems.

In this period, Russia and China were world powers only because of old glory from the time of the bipolar world. Especially, Russia lost its active role in Europe since all former Warsaw Pact members radically changed political regimes and started the process of transformation towards the free market economy. China, during the Cold War era, had disagreements with some other communist countries. Still, China was part of the communist bloc and ally to other communist countries. After the end of the Cold war, Chinese support around the world lost its previous strength. As already noted, the end of the bipolar era directly influenced the political importance of the Non-Aligned Movement and its member countries. The standpoint of this Movement did not have previous strength, and member countries lost their tool for influence in international relations. India, one of the cofounders and country with unlimited potentials, was in a difficult position because it did not achieve the level of development that could match the Western powers. Therefore, India too needed to find a new approach to the changes in the world which occurred at the end of the XX century. That also included the connection with new allies and establishing cooperation with them.

NATO's concrete and strong demonstration of power in the FR Yugoslavia showed to Russia, China and other countries with similar interests that they alone could not regain strength and establish power balance in the world.

GLOBALIZATION AS A FACTOR OF CHANGE IN INTERNATIONAL RELATIONS

Changes in the international arena at the end of the Cold War have influenced the countries' role in shaping international relations. The economic globalization has changed the meaning of borders and the flow of capital, goods and people. These circumstances have forced countries to implement internal changes in the economic system and connect with different countries.

The globalization is a result of technological development and the process that removes obstacles to the free flow of people, capital and ideas. This led to the liberalization of global financial markets, production and investments. The new economic environment enables international companies to move freely capital, infrastructure and products. Crossborder financial and other transactions in goods and services are more frequent. Globalization is not strictly a defragmentation process. It also encourages solidarity in some areas where subjects have the same interests in this process (Lađevac & Novičić, 2012, pp. 129-133).

These circumstances have opened the door for the cooperation of Brazil, Russia, China, India and South Africa. Acronym BRICS symbolises cooperation between five above-mentioned countries. Economics of five countries are in constant growth but still not strongly competitive on the world market. Mutual cooperation between BRICS countries, relying on modern technologies and communications, gives an additional boost for economic development. Through the development of economic systems and stable growth, these countries are gaining political influence in international relations. A stronger political and economic position will result in a stronger influence in shaping the international security system.

It is apparent that single countries do not have the same position in the global processes as they used to have. Countries are forced to mutually connect on the basis of similar interests in the area of international relations, economy and security. Through different connections, countries seek a better position in the globalized world. This is rather obvious in the economic and financial area because countries try to be present in the global markets. Therefore, the economic behaviour of countries and the formation of various connections between them gradually change relations in the global economy (Van der Heiden, 2010, pp. 10-11).

It might be concluded that the globalization influences most countries. Questions of border-security are important for countries because borders are becoming porous with respect to the free flow of capital, ideas and culture. But, countries must allow this flow in order to stay competitive on the global market. The globalization presents a challenge to states' territorial security and, therefore, they have to find new ways to secure their position. Countries need to consider their territory from different points of view, which means that the old approach based on the priority of border safety must be revised according to the modern standards and changes in the globalized world. Modern technology eliminates spatial limitation which results in diminishing efficiency of the old approach to the security question. From this point of view, countries need to find adequate partners to keep their position in international relations and enforce security (Lađevac & Novičić, 2012, pp. 133-136).

BRICS: NEW FACTOR IN INTERNATIONAL RELATIONS

Initially, BRICS was composed of Brazil, Russia, India and China. South Africa joined in 2011. The first BRICS Ministerial Meeting was held on the margins of the UN General Assembly Session in New York, on 20 September 2006. Representatives of Russia, Brazil, China and India expressed their interest in expanding multilateral cooperation. The leaders of BRICS countries held the first formal summit in Yekaterinburg three years later, on 16 June 2009. BRICS does not have formal organs like official leadership, headquarters, secretariat, symbols, organization or structure. It is more a loose coalition, which is functioning on the basis of defining the collective position and action in the area of same interests.

During the first phase of the BRICS initiative, the economic questions assumed the primary position. The obvious reason was the economic instability in the global market caused by the financial crises in 2008. The key topic on two BRICS Summits, in 2009 and 2010, held in Yekaterinburg and Brasilia was the global economic crisis. In that period, the security was clearly on the second place (Abdenur, 2017, pp. 75-79).

Brazil started with economic reforms in the 1990s. The driving force of the Brazilian economy was a group of world-leading companies. The second force was a relatively large number of companies doing business in the labour area. These two types of companies were hiring around 60% of the working force in cities. After the end of the Cold War, a recession during the 1990s had a very strong influence in Russia. In the meantime, Russia has achieved significant growth, mostly because of the natural resources sector. The development of the market economy, modernization of Russian companies in the area of technologies and equipment are also two important factors of stable economic growth. Due to political changes in India in 1991, the economic development was redirected. The economy started to open, and the old system of strict control was gradually abandoned. Three sectors are the basis of India's economic growth: information technology, the pharmaceutical industry and the auto industry. This placed India among competitive countries and enabled it to cut import substitution. Changes in China have started since 1978. The agricultural sector was slowly privatizing and opening for foreign investments and technological innovations. That was one of the important factors of transition from the state-controlled economic system to a market economy. The main Chinese goal was the industrialization, and resources from the rural areas were directed into industries with high productivity. South Africa had great problems in its efforts to change the policy of economic development which was based on natural resources. Today, the economic sector with the most rapid growth is the financial service industry. Serious development is visible in the wholesale and retail sectors.

Sustainable growth in BRICS countries is the current factor that makes them a powerful and prominent force in the global economy. In 2000, the BRICS economies jointly accounted for 8% of global GDP. In 2010 that number was 18%, in 2013 and 2014 it raised to 22%. According to the prediction of the International Monetary Fund (IMF), in 2019, the GDP of BRICS countries will account for 24% of total global GDP. Taking into account GDP based on purchasing power parity ranking, in 1990 on the list of the first 10 countries, China was in the fifth, India in the seventh and Brazil in the eighth place. In 2013, China took the second, India the third, Russia the sixth and Brazil the seventh place. This clearly shows that the period of economic stagnation and instability of BRICS countries is over. Constant economic growth of BRICS countries suggests that a serious opponent to the Western economies has appeared on the global market. It is evident that Russia has left behind the post-Cold War period of recession, which was followed by political stabilization and reappearance in the international political arena (Institute for Applied Economic Research, 2014, pp. 19-22).

GLOBAL POLITICAL CHANGES AND BRICS

Besides a substantial economic share in global GDP, BRICS countries in 2011 occupied 30% of the world's land area and 45% of the world's population. BRICS countries are leaders in their regions, which is their important characteristic. Maybe this Alliance needs more cohesion, but it is still evolving and slowly develops unity. It raises its self-confidence, and multipolarity is increasingly present in global issues. BRICS countries, as emerging economies with huge import demands from other countries, begin to play important role in global politics. Also, they have a wide range of military resources and strong capacities to shape the international order in their regions. It will take some more time for the distribution of power between the Western powers and BRICS countries, but it is obvious that this moment is getting close. That moment will mark the official establishment of multipolarity in the world. Two processes are shaping the development of BRICS position on the global scale. Namely, economic strength does not necessarily transform into political influence, but it seems that BRICS countries are successful in this transformation. Second, these countries are still not compliant regarding important issues. Still, they have managed to move forward and focus on global political issues. One of them is the reform of the UN Security Council, especially mechanism regarding the use of force. The problem in influencing the reform of the UN Security Council is in connection with the second process of BRICS development. Concretely, Russia and China are still not ready to support their BRICS partners, because they are not yet prepared to share the power of veto in the UN Security Council. Another example was the plan of the Arab League for the removal of the Syrian president, Bashar al-Assad, on which was voted in the UN. On this occasion, India, Brazil and South Africa supported the resolution, but Russia and China voted against the resolution (Sing & Dube, 2011, pp. 29-32). In the Fortaleza Declaration, the leaders of BRICS highlighted that the current situation in the world with many conflicts and political instability has displayed many weaknesses in the design of international governance structure. This structure is created with the power configuration which

is evidently losing its legitimacy and effectiveness. Ad hoc arrangements between countries are dominant and that jeopardies multilateralism and it is one more sign that the change of power balance is necessary. The leaders of BRICS are standing in a common position that their countries are new power that can bring stability to the world and that the reform of key international institutions is needed (BRICS, 2014: Fortaleza Declaration, Art. 5). BRICS countries emphasise the importance of reform of the UN, especially the Security Council, in accordance with the current situation in the world which requires more representation and efficiency. The reform should enable the UN to respond adequately to global threats. Russia and China are ready to be attached to Brazil, India and South Africa to enforce their efforts to be better positioned in the UN and more influential in international relations. That is one of the reasons why BRICS countries insist on increasing of the UN Security Council membership (Institute for Applied Economic Research, 2014, pp. 106-107). Taking into account the effort of BRICS countries to get more space in global issues, it is obvious that the goal is at least one more BRICS country to become a permanent member of the UN Security Council.

CONCLUSION

The globalization marked a new era of international relations. At the begging, this process appeared as a one-way road to the unipolar world. One of the obvious proofs for that was the NATO intervention on the FR Yugoslavia without the permission of the UN and without strong interference of other strong powers. That period revealed the bad sides of unipolarity in international relations. This kind of situation leaves open space for a single superpower to fulfil its goals and create a global situation in accordance with its interests. As demonstrated in the intervention on the FR Yugoslavia, these goals could be fulfilled just with pure force. One of the great victims in this intervention was international law. If there is no balance of power in the world, international law loses its strength. However, over the time, it became visible that the process of globalization actually opened the door for the multipolar world with different players. High development of technology and communications enabled powers from different parts of the world to be well connected. Previously, that was impossible. New forms and ways of businesses opened and new countries became strong and visible on the world market. Moreover, it was an opportunity for old powers like Russia to

regain old strength and for stable countries to start rapid development with full usage of their capacities towards the status of a superpower like China. Territory border was no more one of the key factors of alliance and stable connection. All the above-listed preconditions that the globalization offered for development were used by the BRICS countries. Since these countries need some institutions and organs to function more efficiently, it could be expected that BRICS grows from a loose alliance into a respective organization. Certainly, security will be one of the most important parts of this organization or strictly security organization of BRICS countries will be formed too. Mutual political cooperation, economic relations, development, modernization and investments will be protected with the security component of BRICS cooperation. That is the only way for BRICS countries to become a collective superpower and establish multipolarity in international relations. Without this kind of organization, BRICS countries cannot secure their areas of interest. Also, scenarios like the one in the FR Yugoslavia in 1999 could repeat, but this time closer to the BRICS zones of interest. With the organizational structure, BRICS countries can create conditions for some other countries to join them. In such a possible development of events, BRICS countries, or organization that would be formed from this alliance, could become the new multinational global security factor which would be a strong counterweight to NATO. With stable cooperation in economic, security and political area, the position of BRICS countries in international relations will be strong. This will positively affect international law. In other words, international law would be more efficiently implemented with the new balance in the world. This will mean more justice and respect of rights for small countries and usage of negotiations as a most important tool in harmonizing mutually opposing interests. It is the way to peace and stability in international relation, but also for preventing the unrestricted use of force in international relations as well.

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CONSEQUENCES OF NATO'S KOSOVO WAR ON RUSSIA'S POLICY

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Abstract: NATO's aggression on the Federal Republic of Yugoslavia is widely considered as a turning point in Russia-NATO relations. This paper gives comprehensive reconsideration about the consequences of NATO's military intervention in Kosovo on Russia's policy in all of its aspects. In its first part, the research is turned to Russia's political position and diplomatic actions before, during and after the conflict in both bilateral and multilateral formats. The second part of the paper observes legal, political, geopolitical and military lessons that Russia took from NATO's aggression on Yugoslavia that has influenced its foreign policy, including the positions towards Balkan and Serbia. In conclusion, it is noticeable that Russia remained firm in its principledness that NATO intervention in 1999 was an act of aggression against a sovereign state completely against international law and order, and that Kosovo self-proclaimed independence is totally illegal. Therefore, Moscow continues insisting that political resolution of Serbia's problem with its southern province must be reached within the sphere of international law, in mutual agreement that will bring along-term feasible solution.

Key words: Russia, NATO, Kosovo and Metohija, international law, asymmetric war, geopolitics

INTRODUCTION

On March 23, 1999, Javier Solana, the General Secretary of NATO, gave orders to General Wesley Clark, NATO's Supreme Allied Commander of Europe, to initiate air strikes on the Federal Republic of Yugoslavia, because all of the previous efforts to achieve political

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solutions for the crisis in Kosovo and Metohija, Serbia's southern province, have failed (Barton, 1999, p. 2). For the first time, NATO, a previously defensive alliance, launched a military campaign outside its own borders, with an excuse to stop humanitarian tragedy inside the territory of a sovereign state. For the next 79 days, NATO conducted massive air and missile strikes against the FR Yugoslavia to compel it to accept their solution to the Kosovo crisis. NATO's air forces dropped about 12 million pounds of munition on the territory of Serbian Province of Kosovo and Metohija and many more on other parts of Serbia and Montenegro (then, the other unit of the FRY) killing about 270 soldiers (174 on Kosovo) and 2,500 civilians, while 737 Serbian troops (both military and police) were killed in the clashes with Albanian paramilitary units (Krieger, 2001, p. 323). At its beginning, a campaign under the codename "Operation Allied Force" started with expectations that it would quickly force the Serbian government to accept NATO's terms. The Serbian forces dug in, using its air defences to minimize the NATO's effectiveness and launched an accelerated military campaign to destroy Albanian paramilitary insurgents on its territory. In the circumstances of imprecise air strikes and increased ground military warfare, the number of refugees from Kosovo mounted dramatically. When rapid capitulation failed to materialize, the NATO Council authorized attacks against the broader range of both military and civilians fixed targets across Serbia, including infrastructure and industrial complexes (Nardulli et al, 2002, p. 45). But even then, Serbian command and control and various air defense assets survived the bombing in relatively good shape. After the two and a half months of constant bombing, the Serbs lost only 19 tanks, 10 transporters, 4 howitzers, 74 mortars, and 175 various motor vehicles. However, material damage caused by NATO air strikes was significant: 1,400 military objects were destroyed and 1,950 damaged. The damage on all civilian objects in Yugoslavia was enormous and was estimated at 100 billion dollars. The bombing destroyed or damaged 25,000 housing units, 470 kilometers of roads and 595 kilometers of railway tracks, 14 airports, 19 hospitals, 20 health centers, 18 kindergartens, 69 schools, 176 cultural monuments and 44 bridges (38 of them completely destroyed). Two oil refineries (in Pančevo and Novi Sad) were demolished, just as the Avala tower, the Radio-Television of Serbia, Petrochemical industry in Pančevo, Auto industry in Kragujevac, The tobacco industry in Niš, the Embassy of the People's Republic of China, etc. (Smiljanić, 2009, pp. 73-74).

The war in Kosovo was both air and ground conflict because both the Kosovar Albanian insurgents - the KLA (inside and outside of Kosovo) and the Albanian military with the support of international terrorists (that attacked Serbia's outside borders with Albania) acted in complete coordination with NATO's air efforts. This war was also asymmetric one: Serbia had about 100 thousand troops, about 1000 tanks and 850 artillery weapons deployed in Kosovo, while its air force and air defense were inferior (the SA-6 system that mounts three missiles on a lightly armored tracked vehicle was the most modern large surface-to-air missile in Yugoslavia's inventory), while NATO and its ground allies were more superior in every military aspect. Serbia asked Moscow to help her to strengthen its air defense capabilities. It even tried to purchase the S-300 system, but the Russians were unable to deliver it and set it in operational mode. NATO used 1,200 most modern aircrafts, 19 warships and 3 submarines. Ground troops that attacked the Serbian forces in Kosovo and Metohija consisted of 15,000 KLA paramilitary guerillas only in Kosovo, 25,000 KLA troops in Albania, 8,000 to 10,000 KLA troops in Macedonia, 5,000 to 8,000 regular Albanian troops, 5,000 mercenaries, international terrorists and special forces (the group "Hawk"), logistically supported by 57,000 NATO troops already deployed in Albania, Macedonia and Bosnia (Delić, 2011, p. 330-331). Yugoslavia was attacked by 25 states, and while the power relation between human forces was almost 1:1, in its technique it was about 600:1, and in the economic power, the ratio was 990:1 in favor of NATO and its allies.

NATO's aggression on Yugoslavia is widely considered as a turning point in Russia-NATO relations, so at first, we will turn our attention on Russia's position during the Kosovo crisis.

RUSSIA'S POSITION BEFORE, DURING AND AFTER THE CONFLICT

During the dissolution of the Socialist Federal Republic of Yugoslavia (SFRJ) and the series of civil wars that followedat the beginning of the'90s, Russia retreated with its influence in the whole Balkan region, only using its position in the UN Security Council to be part of efforts to end the conflicts. Moscow even acted contrary to its political preferences, for example, when it approved sanction against the FR Yugoslavia (Serbia and Montenegro) introduced by the UN in spring 1992. During most part of that period, Russia's Balkan policy was bandwagoning of the US policy in that

region.² Russia was trying to preserve its image of "Great Power" and partner of the USA at the same time. But, in fact, the USA treated Russia as a defeated Cold War enemy, pushing away its influence in all other excommunist countries.

Russia preserved such approach at the beginning of the Kosovo crisis, restraining its sympathies towards the FR Yugoslavia and the Serbs, while it started using its influence in the UN and G-8 to contain the conflict and prevent the US-led NATO intervention. Russia supported the early UN resolution about the Kosovo such as 1199 and 1203 that were stressing the importance of proper coordination of humanitarian initiatives. The final Resolution prior to NATO intervention, Resolution 1207(1998) called upon the authorities of both sides in the Kosovo conflict to cooperate fully with the Prosecutor in the investigation of all possible violations of human rights. However, Russia was in opposition to the Western condemnation of Serbia's alleged atrocities against the Albanians in Kosovo: for Russia, the FR Yugoslavia's problems with the Albanian insurgents that had escalated in the civil war were an internal matter, and neither side could be judged as guilty (Headley, 2008, pp. 263-64). "Kosovo was also viewed in parallel with Moscow's troubles in Chechnya. Moscow voiced deep-seated opposition to terrorist tactics employed by the Kosovo Liberation Army (KLA), equating the group with Chechen terrorists. By supporting Kosovo against Serbia, Washington and Western Europe were taking the side of terrorists and violating a fundamental principle of international law (territorial integrity) against the will of a sovereign actor" (Ziegler, 2010, p. 13).

For Russian leaders, Yugoslavia's experience in the 1990s had large implications for the sovereignty of the Russian Federation. The two countries had similar problems with their minorities, although enhancing its global role and preserving territorial integrity appeared more important for Moscow than protecting the Russians in the "Near Abroad". Significant changes in Russian foreign policy towards more realistic "Great Power" concept started before NATO aggression on Yugoslavia, when Evgenii Primakov, Cold War Middle East expert, took the position of Minister of Foreign Affairs and latter of Prime Minister. His appointment led to a greater emphasis of multilateralism and more uncompromising defense of Russian

²Russia and NATO acted in coordination in the Balkans during most of the '90-s. Russian troops made up some 1,200 of the 20,000 peacekeepers in the NATO-led Stabilization Force (SFOR) in Bosnia.

interest abroad, including strong opposition to NATO's further expansion towards east and formation of "Great Powers" counter-alliance in Euro-Asia.

When he heard that NATO air strikes on Yugoslavia were imminent, minister Primakov, en route to Washington on March 23, turned his plane around and returned to Moscow (Primakov, 2002, p. 353). After the aggression on the FRY had begun, the Russians were furious: they recalled their military representative Gen. Viktor Zavarzin to NATO, expelled all NATO representatives from Russia and suspended all military cooperation between Russia and NATO. Then, Russia's representatives requested an urgent UN Security Council meeting to discuss the immediate halt of air strikes. "The Russian Foreign Minister at that time, Igor Ivanov, was furious with the NATO bombing of Yugoslavia and said: "Those who have unleashed the aggression against Yugoslavia must be prosecuted under criminal law". However, advocates of the NATO attack against Yugoslavia declared a diplomatic victory at the UN when the Russian resolution requesting the strikes to be ended, at the Security Council was rejected, by a large margin, 12 to 3 (only China and Namibia did vote in favor of Russia)" (Norris, 2005, p. 14). In the following days, all Russian officials have described the NATO air campaign as an act of aggression on a sovereign state without authorization from the UN Security Council and in contravention of the UN Charter. It was clear that Russia was not just worried about the violation of international law, but that idea of humanitarian intervention would set a precedent for NATO's future involvement in Russia's "Near Abroad" (Headley, 2008, pp. 419-420). Prowestern Russian politicians and oligarchs feared that the NATO aggressive campaign against the Serbs would undermine democratic reforms in Russia, stoke anti-western attitudes and mobilize both left and right opposition against the government of President Boris Yeltsin. In the previous phone conversations in October 1998 between Presidents Yeltsin and Clinton, Russian President strongly insisted that any use of force would be forbidden. After the phone call on March 24th, 1999, when Yeltsin hung up on Clinton, Russian president released an official statement declaring: "In the event that the military conflict worsens, Russia retains the right to take adequate measures, including military ones, to defend itself and the overall security of Europe" (Norris, 2005, p. 6). But, according to his memoirs, Yeltsin was far more concerned with the impact of NATO's bombing on domestic Russian politics than he did on the issue of Yugoslavia's violated sovereignty (Yeltsin, 2000, pp. 255-256).

The next day Secretary Albright and Minister Ivanov, two key officials in the field of foreign policy, spoke on the telephone without any success in re-approach. Russian Defense Minister Igor Sergevev, while making clear that Russia had no plans to become embroiled in the conflict, placed the Russian forces on higher alert while some of the senior officials hinted that they might provide hi-tech arms to Yugoslavia. On March 27, the Duma passed a resolution recommending the government to launch various diplomatic initiatives, send humanitarian aid to Yugoslavia; temporarily recall START II from the Duma (which was considering the ratification of the Treaty); and accelerate the unification with Belarus and the integration of the Commonwealth of Independent States. During that time, the government persuaded the Duma to eliminate more extreme measures, such as: renouncing the UN arms embargo and sending arms to the FRY; encouraging Russian volunteers to fight in the FRY and deploying tactical nuclear weapons to Belarus. As the NATO attacks continued, opinion in the Duma has become more heated. On April 16, the Duma passed a (nonbinding) resolution (293-54) urging that Yugoslavia should be invited to join the Russia-Belarus Union. "Government officials say that no such action will be considered while the FRY is involved in the military conflict" (CRS Report, 1999, p. 13). On March 30, Yeltsin sent his high-level delegation to Belgrade: Prime Minister Primakov, Defense Minister Sergeyev, Foreign Minister Ivanovand the head of Russia's Foreign Intelligence Service, Vyacheslav Trubnikov. They spent several hours in Belgrade with President Milošević trying to mediate in stopping the conflict after the first concessions of Belgrade. "Russia was trying to seize the diplomatic initiative, a move that set off a frenzy of discussion within the Alliance and triggered great concern that the Russians would emerge from Belgrade with minor concessions and quickly call for a bombing pause" (Norris, 2005, p. 18). Milošević has agreed to pull back some of his forces and guarantee the rights of Kosovar Albanians if the bombing was stopped. After the Belgrade, Primakov went to Bonn to meet German Chancellor Schroeder, declaring that after the cessation of air strikes Milošević would be ready to find a political solution with the Albanians in Kosovo. But, NATO officials remained deaf to Primakov's proposals and the air campaign continued.

The Contact Group meeting took place in Dresden on April 7th and was followed by a session of G-8 political directors next two days. Tom Pickering, Under Secretary of State, was representing the USA and Georgy Mamedov was representing Russia. All participants tried to lay the groundwork for the meeting of their foreign ministers. Meanwhile, the Russian humanitarian convoy of 73 trucks carrying food, medical supplies and gasoline was blocked at the Hungarian border amid suspicion that it was attempting to provide military aid to the Serbian forces. After negotiation between the Russians and Hungarian, the official part of the convoy was allowed to pass the territory while transit to 4 of 8 fuel tank trucks and 5 armor-plated trucks was denied on the grounds that they had violated the UN embargo rules. On April 11, US President Clinton wrote to Yeltsin, claiming that NATO actions were not aimed against Russia.

On April 14, Yeltsin appointed Victor Chernomyrdin - Russia's ex-Prime Minister as his special envoy for the Balkans. "Chernomyrdin appointment starkly highlighted the depth of estrangement between Yeltsin and Primakov as Russian president tried to rally his political allies around him for the impeachment showdown. Many of the oligarchs loyal to Yeltsin were concerned by Russia's eroding internal and international situation and fearful that a lasting schism with the West would damage their considerable financial interests" (Norris, 2005, p. 43). Chernomyrdin acted quickly. He contacted NATO Secretary General Solana, the US Secretary Albright and the US ambassador in Russia Collins, suggesting that Russia was willing to accept the foreign military presence in Kosovo although not under the NATO flag. Then he went to Belgrade on April 30, where Milošević presented him his own peace proposals that would allow Kosovo wider autonomy, but only if NATO stopped its air campaign and pulled back from the FRY borders. Chernomyrdin, frustrated, asked Milosevic sharply, "Do you really think you can win this war?" "No," Milosevic replied. He also made clear that he did not intend to lose; a stalemate would serve him fine... Chernomyrdin's departure from Belgrade highlighted another source of irritation for both the Russians and Yugoslavs: Every time the Russian envoys left Yugoslavia, NATO immediately intensified the bombing. For the Yugoslavs, the vigorous attacks served as a powerful reminder of Russia's ineffectualness" (Norris, 2005, pp. 79-80).

At that point, Chernomyrdin went to Washington to meet Vice President Gore and President Clinton. At the same time, an American delegation of senior officials led by Strobe Talbot accompanied with Finnish diplomat Ahtisaari went to Moscow to negotiate a solution to the conflict. In both meetings, the Russians insisted on broader UN control of peacekeeping operation once the combat was over, but the Americans found it unacceptable. When the Russian side agreed about the NATO withdrawal from Kosovo province, the US delegation was more satisfied with a prominent role in the UN peacekeepers. Further US-Russia negotiations (accompanied by the Finns) continued in early June in Petersberg, Germany. Gen. Leonid Ivashov was the ranking officer representing the Russians, General Foglesong represented the United States, and Admiral Kaskeala represented Finland, while Talbot and Chernomyrdin discussed the political part of the solution. When the mutual agreement was reached, Chernomyrdin and Ahtisaari went to Belgrade by separate planes."The frustration among the Russian delegation quickly spilled out during the flight, as Chernomyrdin and Ivashov reportedly engaged in a shouting match. Chernomyrdin was enraged by Ivashov's outrageous behavior during the talks, believing the military members of his team had been directly insubordinate. Ivashov bellowed back at the Russian envoy, arguing that Chernomyrdin's weakness in dealing with the West was nothing short of a betrayal" (Norris, 2005, p. 182).

In Belgrade on June 3, confronted by "take it or leave it" proposal of NATO and Russia, Milošević finally agreed. He calculated that the costs of continuing the war were too big and that the proposed peace deal was the best way to ensure his continued hold on the presidency while enabling him to tell his own peoplethat he did not capitulate but achieved a relatively favorable agreement, some kind of stalemate.

After Milošević's agreement on Tuesday, June 8 representatives of G-8 moved their discussion from Petersberg to Cologne, where they drafted the UN Security Council resolution according to the Chernomyrdin-Ahtisaari plan. The NATO air strikes came to a standstill with the formal acceptance of the military technical agreement signed between the Yugoslav Army and NATO in Kumanovo. On June 12, the NATO-led UN peacekeeping Kosovo Force (KFOR) began entering Kosovo, reaching its capital Priština the same day. But then came a surprise: to NATO diplomatic embarrassment, the Russian peacekeeping troops, previously deployed in Bosnia as a part of SFOR, arrived first at the airport Slatina near Priština. It was a realization of the Russian secret plan code-named "Operation Trojan Horse" designed in hurry by the Russian Ministry of Defense, General staff and intelligence services (key players included General Staff Chief Anatoly Kvashnin, Defense Minister Igor Sergeyev, Russia's representative to NATO, Gen. Viktor Zavarzin, the head of Russia's Foreign Intelligence Service, Vyacheslav Trubnikov and the Russian military attaché in Belgrade, Lt. Gen. Yevgeny Barmyantsev). The plan was simple but effective: a brigade of Russian peacekeepers in Bosnia was quickly sent to the northern part of Kosovo to seize its largest airfield in Slatina. It would allow the Russians to bring paratrooper reinforcements and negotiate Russia's role within KFOR

after having created a new reality on the ground. "Once this forward deployment was in place, an additional 7,000 to 12,000 Russian airborne troops would be readied for immediate deployment, potentially leaving Russia in military control of much of the traditionally ethnic Serb portions of northern Kosovo... It would demonstrate Russia's ability to rapidly project force and provide much needed leverage in negotiating command and control arrangements with NATO" (Norris, 2005, p. 218). Russian deployment in Slatina led to the confrontation with NATO forces, but the conflict was avoided by military commanders and political decision-makers on both sides. At the end of the day, Russian peacekeepers were isolated and could not be reinforced by air. Even then, Russian support was still needed as a vital part of KFOR deployment. At first, the negotiations were unsuccessful: Russia refused to put its troops under the NATO-led KFOR command, insisting to retain its exclusive peacekeeping zone in Northern Kosovo. NATO refused it, eventually agreeing that Russian peacekeepers would deploy throughout Kosovo, but independently of NATO. Seven days after the incident, Russian and US Ministers of Defense signed the agreement in Helsinki that Russian peacekeepers would be deployed in American, French, and German sectors in Kosovo. Russian KFOR contingent stayed in Kosovo and Metohija for next few years, challenging the NATO troops in KFOR until Russian President Vladimir Putin decided to withdraw all Russian peacekeepers from ex-Yugoslavia on May 5th, 2003.

NEW POSITION OF RUSSIA'S POLICY INFLUENCED BY KOSOVO WAR

After the end of NATO aggression on the FRY, there was no room left for Russia to compromise with NATO in the Balkans. The illusion of partnership with the West was gone, and NATO and its actions in the east have been once more regarded as a threat towards Russia. For the Russian political elite,NATO intervention in Yugoslavia - without a UN mandate and out of the NATO own area of protection – was seen as a watershed between the post-Soviet Russia "honeymoon" with the West and a new period of increased Russian-Western rivalry. NATO's 1999 air campaign did more than NATO's eastward enlargement to shape Russian perceptions of the Alliance. Therefore, Russian national interest is again given priority and its foreign policy completely turned towards more realistic "Great Power" style that seeks to reassert itself as a distinct geopolitical subject in global affairs.

NATO's "humanitarian intervention" was seen by the Russians as a geopolitical jump into the middle of the Balkans with the aim to cover all of its main strategic points and use it as a springboard for further penetration into the Black Sea and the Caspian region. In geostrategic terms, "humanitarian interventions" have been observed as a model that NATO is planning to use first in Russia's "Near Abroad" (the ex-Soviet area) and then in Russia itself. Therefore, NATO's approach of "humanitarian intervention" in crisis management has been strongly opposed by all Russia's officials. During the first Putin's presidential turn, Russia's policy has shifted even further towards the protection of sovereignty and opposition towards interventionism of every sort, except those sanctioned by the UN Security Council. Vladimir Putin was more concerned with all international implications of NATO's aggression on the FRY and occupation of Kosovo. It all had a strong impact on the formulation of "Russian National Security Concept," "Military Doctrine" and "Foreign Policy Concept" which were all released in 2000. "NATO's actions in the Balkans had signaled that the member-states believed they had a legitimate right to act for humanitarian reasons, and outside NATO's traditional defensive perimeter, even without the UN or OSCE authorization" (Arbatov, 2000, p. 10). NATO's Kosovo campaign demonstrated that massive power and the use of force is the final arbiter in international affairs. It was humiliating for Russia, demonstrating its own impotence in the face of NATO's firepower. The lesson is that if a nation wishes to preserve its sovereignty, amassing military power is a far better guarantee than relying on international law and institutions.

Since Russia opposed the NATO's "humanitarian intervention" in the FRY in 1999, it has continued to call it illegitimate according to international law and moral; it has no interest in legitimizing it later, when relations with the West deteriorated significantly. Russia's legal standpoint on the Kosovo issue was firm now and then: All UN members, according to Article 2(4) of its Charter shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state. The Charter provides only two situations in which the use of force is lawful: "Neither of these provisions covered the use of force by the FRY against the population in Kosovo was not an armed attack upon a State. The FRY did not attack any of the NATO States or the neighbouring states of Albania or Macedonia before the NATO operation commenced. Nor was it suggested that the NATO operation was designed to pre-empt an imminent attack by

the FRY on another State. Therefore, the NATO action cannot fall within the scope of the right of self-defense. Nor was this a case in which the use of force was authorized by the SC (for example, in contrast to the interventions in Somalia and Haiti or the coalition operation to free Kuwait). The three Security Council resolutions adopted before the NATO operation began - SCR 1160 (31 March 1998), SCR1199 (23 September 1998) and SCR 1203 (24 October 1998)-did not expressly authorize military action" (Greenwood, 2002, p. 154). Therefore, Russia sees the Western support for Kosovo self-proclaimed independence as a further erosion of international legal order and dangerous precedent for kidnapping by force a part of the territory of a sovereign state. Moscow insists that the final political solution to Kosovo status must be agreed with Serbia inside the scope of international law. This support given to Serbia is widely seen in Russia not just as the defense of the existing international order but as an assertion of Russia's newly established "sovereign power" in contemporary international circumstances. Kosovo's illegal independence proclamation is seen by Moscow as a precedent for the opening of Pandora's box for smaller nations and regions worldwide to follow. Russia's insistence on the continuation of negotiations between Belgrade and Priština and opposition to the imposition of any final solution on Serbia is often seen as a way to preserve the status quo, postponing the final resolution while international circumstances change into a more favorable position for Belgrade. This position gives Moscow the opportunity to present itself as a defender of international law and order, protector of human rights and a judge of the situation on which it has no direct responsibility. On the other hand, Moscow might be tempted to use the Kosovo precedent caused by NATO to its advantage: "This involves independence claims by secessionist or *de facto*, unrecognized entities in the former Soviet Union, including South Ossetia and Abkhazia in Georgia and Transnistria in Moldova. At the G8 summit, Putin repeated his previous assertion that universal principles should apply to grant any nation the right of selfdetermination, "be it in the Balkans or in the post-Soviet Caucasus ... I see no difference between [Kosovo] and [post-Soviet separatist states]. In both cases, the current situation is a result of the collapse of the Communist Empires. In both cases we have inter-ethnic conflicts, in both cases, this conflict has long historical roots and in both cases crimes were committed. In both cases there are de facto independent quasi-state structures. "Moscow has long been supporting *de facto* states in Eurasia, offering them political backing by issuing Russian passports to the majority of residents of Abkhazia and South Ossetia, direct economic assistance, military assistance and encouragement for their ambitions for independence" (Antonenko, 2007, p. 13).

Russia also learned some very important military lessons from the Kosovo war as a typical asymmetrical war between a superior military alliance and a sovereign state with older equipment and less military power. Russian military experts carefully studied both weaknesses of Western advanced weapons and resistance performed by far inferior Yugoslav Air Force and Air Defense. The Serbs effectively defended their most important logistical facilities and concealed their air defense for a long time, while using old types of anti-aircraft weapons without electronic control equipment. They forced the enemy to fly above 3,000 meters and shot down cruise missiles with great success. Experts pointed out that the Serb forces could organize effective resistance not only because of a well-chosen tactic, but because they were well trained and their armaments were highly arranged and well maintained. The Russians also spotted that the Yugoslav Air Force could not get as good results as the Air Defense, because their planes were inferior in number and quality to the NATO's. All of these conclusions were used while drafting the new Russian "Security Concept" and "Military Doctrine" in 2000. These new documents insisted on supplementing the weaknesses of Russia's conventional forces to NATO's with enhancement of combat and rapid reaction readiness through the military reform, reinforcement of the defense industry, enhancement of the Air Force and especially maintenance and enhancement of rapid reaction readiness of their nuclear forces (see: Sakaguchi, Mayama, 2002). Lessons from the Kosovo war also led to progress in the military and technical cooperation and the formation of a strategic partnership between Russia and China to counterbalance NATO (also in Sakaguchi, Mayama, 2002).

CONCLUSIONS

Russia strongly opposed NATO intervention during the whole Kosovo crisis, both diplomatically and politically, but it was incapable to prevent it in the spring of 1999. When it happened, Russia has tightened relations with the West and used all of its abilities to find a feasible solution to end the conflict. Decision-makers in Moscow were unable to risk serious confrontation with NATO at that time, because of their own weaknesses both in internal affairs (Russia needed more loans from the IMF) and foreign relations where the USA were at its un-precedent unipolar peak, so they chose not to completely break seriously shaken relations with the USA and the West. Therefore, Yeltsin removed anti-western Prime Minister Primakov from his office and appointed Chernomyrdin as his Balkan envoy to persuade Milošević to accept Russia-US-made peace deal that would end the conflict. Chernomyrdin's diplomatic success in his mission gave Russia a more significant role in the post-conflict peace process, which in some ways contributed to the partial restoration of Russian prestige in the Balkans. But it was clear why Russia had to subdue to the West and leave its peacekeepers only as a part of KFOR's international troops under the leadership of NATO: Balkan and Russia were divided by a corridor of states that became or intended to become members of NATO. They would not allow the Russians to trespass their territory and strengthen or supply their troops in the Balkans.Therefore, the scope of Russian influence in the region was very limited.

Russia promptly reacted to the Kosovo crisis not only because of its foreign interests, but also the internal ones: because of Chechnya and other separatist movements inside the Russian Federation at the time. It feared the possibility that the "humanitarian intervention" would become a model for further Western intervention in the ex-Soviet area. Hence, Russia learned some important lessons from NATO's aggression on Yugoslavia and swiftly turned policy towards more realistic, a sovereign defensive position that has even more evolved in that direction during the next two decades.

However, in its position towards Serbia and its province Kosovo and Metohija, Russia remained firm in its principledness: NATO intervention in 1999 was an act of aggression against a sovereign state completely against international law and order. Therefore, Kosovo self-proclaimed independence is totally illegal. It leads to the breakup of international legal order and sets a dangerous precedent for similar situations in contemporary international relations. Therefore, Moscow continues insisting that the political resolution of Serbia's problem with its southern province must be reached within the sphere of international law, in mutual agreement that will bring a long-term feasible solution.

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THE POST-YUGOSLAV BALKANS IN THE IDEOLOGICAL WAR BETWEEN RUSSIA AND NATO

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Abstract: The paper is focused on the ideological frame of Russian Post-Soviet Foreign Policy in the Balkans. Is there any Russian soft power? In a short introduction, the main ideological and geopolitical tendencies in the presentday Balkans are outlined. In the first part of the paper, we describe the geopolitical reality of the Balkans today and Russian positions in it. In the second and the third part of the paper, we analyze the content and the transformation of the Russian idea/concept 'Russkiy mir' and geopolitical, ideological and spiritual consequences of that transformation. The fourth part of the paper describes the current state of relations between NATO and Serbia 20 years after the bombing of the FR Yugoslavia in the context of the geopolitical competition of old and new factors in world politics. The conclusion highlights the main geopolitical and spiritual challenges of some Balkan Orthodox peoples and the possible role of Russia in the Balkans.

Key words: 'Russkiy mir', Pan-Slavism, Pan-Russism, Eurasianism, Neo-Ottomanism, Western Balkans, Orthodoxy, Gender Ideology.

INTRODUCTION

The Balkans keeps traces of imperial power field-lines of old: Russian/Soviet, Ottoman, Austro-Hungarian, which are like ready-made tracks for the geopolitical and ideological activity of their present-day descendants. The ideological scheme of the spread of the empires in the Balkans has remained unchanged. While nineteenth-century Russia advanced Pan-Slavism, since 1991 modern Russia has set forth the doctrine of 'Russkiy mir', a sui generis Pan-Russism because it concerns only the

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Russians outside Russia, being neither Slavic nor Balkan, but Russia-centric. Turkey has replaced Kemalism with Neo-Ottomanism, preserving, in both cases, the pan-Turkism as a means of unification of the Turanian world. The EU is raising as a liberal cult, the "invisible hand of the market" and Transhumanism. A new factor in the Balkans is the North Atlantic Alliance. NATO is the legitimizing structure of the United States' leading role in the collective "Atlantic Solidarity" of the West, which includes old buffers between Europe and Asia such as Turkey. Another imperial power filed-line of Balkan origin bearing the phantom pains of old grandeur is the Byzantine one, which manifests itself in the smoldering ideology of "Megali Idea".

It is not difficult to conquer the Balkans geopolitically, but it is shortlived from the historical point of view. If one aspires to long-term results, one should try and conquer the minds ideologically. However, if one seeks a lasting conquest, it should aim at the hearts, the spiritual reality being the deepest and the freest. In the Balkans, the domain of freedom is Orthodoxy. Hence, NATO geopolitical ideological support to the re-Islamization of the Balkans has escalated by the creation of Kosovo, on the one hand, and the neo-Paganism, on the other. Should there be nationalism, let it contain pagan symbolism, no matter whether it is runes or the Pliska Rosette², what matters, is that it should be pre-Christian.

The paper will focus on the geopolitical, ideological and spiritual realities of the struggle for the Balkans.

GEOPOLITICAL REALITY

The multi-polar world that has emerged since 2014 – actually, a monopolar (having but one centre in the face of the USA, following the destruction of the USSR up to the reunification of Crimea 1991-2014) – is nothing new in the international relations as dramatized in the media and some analyzes. The picture of the international relations in the 19th century was also multi-polar. If it was the role of Germany as a new geopolitical factor in the Balkans, which grew in the second half of the nineteenth century since the country did not have a direct boundary with the Ottoman Empire regardless of its direct interest in the heritage of the empire, today the United States represent this geopolitical player.

² The Pliska Rosette is a seven-pointed bronze rosette found in Pliska – Bulgaria, dated to the 8th-9th century.

Bismarck highlighted Germany's lack of territorial interests in the Balkans as an 'honest broker' in solving the 'Oriental problems', but his understanding of the Eastern Question as an 'ulcer' that would always be bleeding is telling (Първев [Parvev], 2017, pp. 230, 204–205).

The Americans also refer to themselves using the term 'honest broker' (*Balkans Forward*, 2017, pp. 23–24). They also tend to maintain the policy of a 'chronic ulcer'; they do it in Ukraine, in the Middle East... that is American realpolitik for you.

To put it in other words, neither have the 'honest mediators' been done away with nor has the Eastern Question, the latter just being transformed and its boundaries spread further Formally, the geopolitical interest – both of NATO and Russia – is focused on the Western Balkans, namely, the post-Yugoslav territory plus Albania, Slovenia and Croatia excluded (Энтина, Пивоваренко & Новакович, [Entina, Pivovarenko & Novakovich], 2018). However, the 'Western Balkans' are geopolitically part of the Eurasian Balkans (Brzezinski, 1997, p. 125, 123–124.) – the post-Soviet Central Asia and South Caucasus. The struggle is for assimilation of both post-Slavic and post-Soviet heritages. There is no way of exempting the 'Eastern Balkans' or Southeastern Europe from this struggle if the politically correct term of 'EU-integrated Balkan countries' is accepted.

How was Russia restrained in the Balkans in the 19th century, and how was this done in the 21st century?

A 'red demarcation line' (Първев [Parvev], 2017, p. 175) existed in the Western and Eastern Balkans between Austria and Russia as early as in the 18th century. The role of Austria-Hungary as a short-lived empire is now being played by a surrogate empire, namely, the EU.

Following the Treaty of Adrianople (1829), the 'red line' of the Russian influence in the Balkans ran around Wallachia, Moldova, Serbia, and Montenegro. Today, the 'red line' between the Western and Eastern Balkans is aimed at encompassing the post-Yugoslavian space.

A 'red line' is also running across the sea. In the 19th century, the London Convention (1841) banning warships from crossing the Straits in peacetime had the purpose to prevent the Russian Black Sea Fleet from turning into a 'Mediterranean' one. After the Treaty of Paris (1856), Moldova was granted access to the Black Sea via the Danube Delta, which rendered the country a 'geopolitical barrier' between Russia and the Balkans – still under Turkish dominance – intended to avoid the formation of common Russian-Ottoman border. A "second lever", besides Moldova, was turning

the Black Sea into a neutral zone. The "Parisian system of Balkan-Black Sea restraint of Russia" was created, which was in force till the note of Gorchakov, called by Ivan Parvev "Balkan Return" (Първев [Parvev], 2017, p. 176; 188–189; 191; 198).

The 'red line' was pushed further to the benefit of Russia after the reunification of the Crimea (2014) – which safeguards the Russian Black Sea back – and the Russian fleet did become the 'Mediterranean'. The Russian participation in the defense of the secular state in Syria has provided Russia with military bases in the Mediterranean Sea and a permanent grouping of the Russian naval forces (Энтина [Entina], 2016).

However, Russia has lost positions inland; Russia and Europe have a common border, but Ukraine has become the barrier between them. Russia has put its own buffer within the 'Ukrainian buffer', or its own Russian 'geopolitical barrier'- "Novorossiya" (DPR, LPR). The role of a 'Russian barrier' in the Balkans is played by the Serbs – the Russian presence in the Republika Srpska (BiH) and in Serbia through the Russian humanitarian center in Niš. This is part of the post-Soviet style of strengthening 'Russian buffers' (Transnistria or the Pridnestrovian Moldavian Republic, South Ossetia and Abkhazia) in response to the American geopolitical superiority. For the time being, there is an asymmetric, yet stable, Russian-American balance.

IDEOLOGICAL REALITY

The ideological reality in the Balkans entails a struggle for informational superiority, on the one hand, and an effort to dominate the minds of the intelligentsia, on the other hand. The Russian foreign policy at the ideological front is polyphonic, i.e., there is ideological diversification. In the West and in the Balkans, the ideological vector is 'Russkiy mir', a limited pan-Russism. In the East, the Eurasian vector is used not as a historiosophical concept from the early Eurasianism of Russian emigration, but as a Russian globalization project for the geo-economic integrity aiming at a "Great Eurasia" (prior to 2014, it used to be "Great Europe").

'Russkiy mir' is a foreign policy doctrine of the Russian Federation, which dates back to the 1991 geopolitical disaster. Initially, its main objective was to support the Russians which remained outside Russia. Began as a doctrine concerning 25 million Russians left outside their homeland, it gradually enhanced to include all Russian emigration resulted from all waves, including all 'compatriots'.

'Russkiy mir' is a post-Soviet term with a short historical distance and a limited target, namely, the Russian-speaking post-Soviet space. The main criterion for belonging to the 'Russkiy mir' is the Russian language followed by the national identity – that is, the national principle is leading, rather than the confessional one: 'Russkiy', rather than the "Russiyskiy" world.

The difference between 'Russian' and 'Russian-speaking' is subtle and, sometimes, controversial as a criterion. For example, in Ukraine, there are modern nationalists – Russian Russophobes from the Southeast, who refer to themselves as the "Russian-speaking Ukrainian nationalists".

Following the reunification of the Crimea, 'Russkiy mir' turned from a "reintegration strategy" into a geopolitical reality. The Ukrainian Maidan (2013) stirred the interest of the Russians from the "big land" (as Russia is called in New Russia): "Last year all of us suddenly felt this was not a fog, but a suffocating smoke from a fire: 'Russkiy mir' was burning, and where was the main fireplace, who was the firebrand – one could not understand in the smoke and the ashes. What was burning was our Russian world, and not figuratively burning, but in the most real center of this millennial world, the lands of Kievan Rus. Cities and villages have already been turned into ashes, thousands of innocent people had paid with their lives for a political crime, millions were bereft of their future [...]" (Pacropryeß [Rastorguev], 2015, p. 158; 153).

In part of the public interpretations of 'Russkiy mir', two notions "Holy Rus" and "Great Russia" are merged, the latter being deified as a historical project. Russian Journalist, Boris Dvernitsky, the editor of the magazine Russian Self-consciousness, confesses the words of "an ancient officer's prayer that must be remembered by every Russian: "We are many, and Russia is one! There is no death! Everything will pass, and we will pass away, but Russia will remain." (Русский народ., 2009, p. 113).

Since the concept of 'Russkiy mir' is not oriented towards the Slavs, Russia is still lacking an adequate modern image in the Balkans and occasionally relies on historical memory. In Bulgaria, there are both Sovietophiles and Russophiles, who share a common, Putin-centric view on contemporary Russia. Putin overshadows Russia and his demonization by the Western and official Bulgarian media contribute to this fixation. In Bulgaria, the nostalgia for socialism, the latter being an artificial and imitative ideology, is less ideological and rather a state and economic one. This can be a trump card in the hands of Russia, but only when it ceases to be ashamed of its own Soviet past. "Russian" and "Soviet" are spiritual opposites; however, they were hand in hand on May 9th, the day of Victory. Hence the impossibility of an ideological return of neo-Nazism in Bulgaria, the only possible manifestation thereof being the "Lukov March"³ whose representatives are marginal, predominantly football fans quite incomparable to their counterparts in Ukraine and the Baltic region.

In the field of education, Russia is not presented through Russian projects in Bulgaria. There are only scholarships for the training of the Bulgarians in Russia, while there is a systematic American ideological influence on secondary education. In 2013, America granted to Bulgaria over 22 million dollars through another American foundation, *Together in Class*. Emphasis was placed on "motivating teaching" and "leadership training". *Together in Class* is a complete copy of the American Teach for America (TFA) and is actually part of its successor Teach for All (Проданов [Prodanov], 2016). Its methods remind of those of a 'postmodern sect', however, it enjoys the support of the Ministry of Education and Science. The main purpose of the American foundation is to privatize education and criticize the state education system at the expense of the private one (Първанов [Parvanov], 2016).

SPIRITUAL REALITY

If the geopolitical and ideological reality in the Balkans is in favor of the United States, the spiritual reality remains undamaged, the connection with Russia being strong through Orthodoxy and the successful church diplomacy.

The spiritual reality of 'Russkiy mir (Mip)' (since 988) has existed in parallel with the secular and post-imperial ideological reality of "Russkiy mir (Mup)" (since 1991).

The notion of 'Russkiy mir (мір)' is medieval in spirit; it means equally 'the universe' and 'society', and 'municipality', including a rural one ... The term 'мір' is close in meaning to the Greek word 'oikumene' – 'the universe' (Василик [Vasilik], 2009, p. 131).

³ A traditional rally of the rightists.

The origin of the term 'Russkiy mir (мір)' is connected with the Christianization of Rus, and this is a civilization notion, in the understanding of Patriarch Kirill, "In terms of civilization, Russia belongs to a wider civilization than the Russian Federation. This civilization we call 'Russkiy mir'. 'Russkiy mir' is not the world of the Russian Federation, nor it is the world of the Russian Empire. 'Russkiy mir' is a specific civilization encompassing people who now bear different names – the Russians, the Ukrainians and the Belarusians. To this world may belong people who are not part of the Slavic world, who have, however, adopted the cultural and spiritual constitution of this world as their own" (Слово пастыря [Pastor's sermon], 2014).

While Patriarch Kirill emphasizes the "religious dimension" of "Russkiy mir (мір)", Alexander Panarin incorporates it in the political philosophy with his concept of the Russian Orthodox civilization (Панарин [Panarin], 2014). The main criterion of belonging to "Русский мір" is Orthodoxy.

In Bulgaria, "Russkiy mir (мір)" as different from 'Russkiy mir (мир)' is deep-seated and is present, unobtrusively, yet emphatically, through the Orthodox connection. The Bulgarian Patriarch has the authority, and the political elite takes it into account.

The ideological engineering of the Atlantic values of the West failed in Bulgaria with the gender utopia. The Istanbul Convention promoting the gender doctrine "my sex is my choice", presented under the guise of women's protection against violence, was rejected at all levels of Bulgarian society.

The Bulgarian Orthodox Church was the first to head the resistance against the "third sex" and the threat of gender education. The Church was followed by the President, Rumen Radev, and the Prime Minister was forced to withdraw his support for the gender ideology. Eventually, the Constitutional Court of the Republic of Bulgaria also rejected the Istanbul Convention.

The pressure on Bulgaria to adopt the Istanbul Convention was strong because it was a precedent in the EU. No other European country has objected to gender ideology. One of the requirements for a European official to occupy a position is to accept gender equality unconditionally. In the disclosed file of a Bulgarian MEP, she has been characterized in the following way: "Maria Gabriel is of truly progressive conviction and can be persuaded to go against the political line of her group, especially concerning social and gender issues; she always insists on speaking in French, whenever possible" (Документ на Copoc [Soros Document], 2018).

The passive resistance of the Bulgarians succeeded in rejecting the Convention, while the Croats' active resistance to the same failed – nothing but a Balkan paradox. "Bulgarians are masters of passive resistance," has observed Professor Nikolay Genchev.

Hence stems the deceptive prevalence of the American think tank groups and NGOs over the Russian ones. They outnumber the latter by a degree, but have no positive effect on the public attitudes; on the contrary, they help increase the number of the Russophiles. That is another Balkan paradox for you: Russian passivity overcomes American activity in the hearts of Bulgarians, but not in the minds of the political elite.

NATO AND SERBIA 20 YEARS LATER: NO IDEOLOGY, JUST PRAGMATISM. NOTHING PERSONAL...

What happens in Serbia-NATO relations 20 years after the Alliance bombing of Yugoslavia? The NATO terminology for the bombing is politically correct – "NATO air campaign against violence in Kosovo". The air campaign, not the bombing. But nowadays there is a cooperation between NATO and Serbia in many projects.

The NATO policy in the Western Balkans is quite pragmatic. The goal is the Euro-Atlantic integration of the region. The first step is the North-Atlantic integration, then the European in the EU. There are "three essential activities...the operation, partnership programs, and membership processes" and "Montenegro is a case study for other nations in the Western Balkans" (Hope, 2017, p. 10; 12).

According to NATO reports on the official site of the Alliance, Serbia "is deepening its political dialogue and cooperation with NATO". In February 2006 was established the Serbia/NATO Defence Reform Group – NATO would modernize Serbia's armed forces into "modern, affordable, and democratically-controlled defence structure" (NATO, 2017).

In December 2006, the NATO Military Liaison Office was based in Belgrade playing the role of the soft power agent of public diplomacy of the Alliance activity. In 2007, Serbia joined the PfP Planning and Review Process. In 2009, Serbia signed its first Individual Partnership Programme with NATO. In 2015, the NATO-Serbia cooperation became deeper. In January 2015, Serbia adopted an Individual Partnership Plan with NATO in the area of defence reform. And how about Kosovo, the heart of Serbia? In NATO terminology Kosovo is a "key subject" for NATO-Serbia dialogue. On 6 December 2018, the NATO Secretary General Jens Stoltenberg stopped the transformation of the Kosovo Security Force into an army: "I stressed that such a move is ill-timed, goes against the advice of many NATO Allies, and can have negative repercussions on Kosovo's prospects for Euro-Atlantic Integration" (NATO, 2018). The statement was for Vučić, but the reality became obvious on 14 December when the Kosovo parliament approved the Kosovo 5000-strong army, despite Serbia and NATO. Officially NATO is disappointed, of course.

Emir Kusturica generalizes the Serbian view of Kosovo: "Serbia has to fight for a part of Kosovo's wealth and territory – if it has to be divided. Kosovo represents one of the biggest thefts of the 20th century. I do not know if it can be resolved the way we have imagined, but I am afraid that making big concessions could jeopardize the people and its authorities. Because any type of ceding leads to the West installing somebody else in the place of the one who has done it. I hope the leadership will not be stupid and allow itself to be used as disposable". According to Kusturica's opinion, "Serbia is being punished for decades for its closeness with Russia" (Kusturica, 2018). But the deeper reason for this "punishment" is not Serbia's ties with Russia, but Serbia and Kosovo's ties with Orthodoxy.

CONCLUSION

1. Should a common Balkan tendency be sought for Bulgaria and Serbia, it would represent the deepening of the rift between the political elite and the people. The external geopolitical factor of the Atlantic presence in the Balkans, namely, the US military bases in Bulgaria and Kosovo, is the real guarantee of political power.

2. A European vector is inevitable in Serbian politics, and Russian support cannot be absolute, as expected by the Serbian people. It is not unknowingly that the Russian expert, Nikita Bondarev, has ever so often reminded that "The Russians cannot be better Serbs than the Serbs themselves," having in mind the Serbian political elite. On the other hand, the Serbs in Kosovo are not granted political protection; they are protected by the Serbian Orthodox Church. The Russian President, Dmitry Medvedev, did not respond to the Kosovo Serbs' request (2011) to obtain Russian citizenship. Russia is ready to give citizenship if the Serbs move to Russia, which makes the repetition of the South Ossetia scenario (2008) impossible in Kosovo; it is unrealistic.

3. We are irreversibly historically burdened; our national interests have different historical purposes; and Macedonia, which is still a bleeding wound for Bulgaria, has yet to be one of the weakest spots in the Balkan stability. Macedonism has been maintained as a geopolitical factor for influence by the Soviet policy, which has created it by means of Yugoslavia and the Russian post-Soviet one. What is more, Macedonism is being maintained by both the Bulgarian political elite and the EU.

4. On the other hand, on the invisible front of spiritual reality, the relations between Bulgaria and Serbia are indelible: it is in the land of Bulgaria, in Tarnovo, where Saint Sava of Serbia was buried (1235) in the royal church "St. 40 Martyrs"; then he was transferred to Serbia, but the Turks burned him. Now the only preserved relics of the saint are kept in Samokov in the "Shroud of Holy Mary" nunnery, as well as in Montenegro (Джурова, [Dzhurova], 2003). In St. Nedelya church, in Sofia, are kept the relics of the Serbian saint and king, Stefan Milutin.

5. Should Russia lose the Balkans, it would lose a spiritual territory in terms of Orthodoxy (in a wider sense with the Greeks and the Romanians) and in terms of Church Slavonic liturgy, which is the medieval Bulgarian language. Language creates a way of thinking; hence, it establishes relationships of kinship. Consciously, or not, the Bulgarians do not think of the Russians as of foreigners and vice versa. Most painful is the annexation of a spiritual territory, which is evidenced by the attempt of the Ecumenical Patriarch to overthrow canon law with the help of the Kiev authorities in favour of the schismatics (the Kiev Patriarchate) and the Orthodox (Ukrainian Orthodox Patriarchate of Moscow).

6. Kiev and not the Crimea (despite the baptism of Vladimir in Chersonese), is to Russia what is Ohrid to Bulgaria and Kosovo to Serbia – that is a cradle of Orthodoxy. All three spiritual centers are in exile, in inimical political lands (Главев [Glavev], 2018). A Russophobic power in Ukraine, a Bulgarophobic one in Macedonia, a Serbophobic in Kosovo. Hence the successful Russian church diplomacy in Bulgaria and the Balkans. We have a common goal: the protection of Orthodoxy.

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CHAPTER IV

MODUS OPERANDI OF THE USA AND NATO BEFORE, DURING AND AFTER THE AGGRESSION

FROM BELGRADE TO BENGHAZI: WASHINGTON'S DESCENT INTO PERPETUAL GLOBAL WAR, 1999-2019

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Abstract: Since the Kosovo War in 1999, the United States has been at war for nineteen of the subsequent twenty years, a condition many scholars and commentators have called "permanent war" or "perpetual war." Two historical moments contributed to the emergence of this condition; first, the end of the Cold War, and the resulting "end of history" triumphalism in many Western capitals, and second, the 9/11 attacks. Together, these developments have fostered the unprecedented growth of an immense infrastructure created for the purpose of carrying out perpetual global war, the primary examples of which have been the Kosovo Conflict in 1999, the invasion of Iraq in 2003, the attack on Libya in 2011, and the ever-increasing tensions with Russia over the past decade.

Key words: USA, interventions, global war, Libya, Kosovo

INTRODUCTION

Since the NATO attack on the then-Federal Republic of Yugoslavia in 1999, the United States has been at war for nineteen of the subsequent twenty years, a condition scholars and commentators have begun referring to as "permanent" or "perpetual war."

Many direct links can be drawn between the Kosovo War and subsequent interventions in Iraq and elsewhere. John Pilger, for instance, once noted that "lies as great as those told by Bush and Blair were deployed by Clinton and Blair in their grooming of public opinion for an illegal, unprovoked attack on a European country" (see: Pilger, 2004). Indeed, in perhaps the primary example of the Orwellian (or Aesopian) language used

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to justify the Kosovo war and the U.S.' later interventions, Paul Wolfowitz called NATO's involvement in the Kosovo conflict one of seven "wars of Muslim liberation" the U.S. has carried out since 1991 (Hemingway, 2011).

Two historical moments have put the U.S. on the path towards perpetual global war. The first was the collapse of communism in the late 1980s-early 1990s, which Francis Fukuyama famously claimed represented the triumph of liberal democracy and "the end of history" (Fukuyama, 1989, pp. 3-18). This viewpoint was perhaps most famously summed up by Madeleine Albright, who claimed that "if [the United States has] to use force, it is because we are America; we are the indispensable nation. We stand tall and we see further than other countries into the future [...] "(for a useful critique and corrective to the notion of America as the "indispensable nation," see: Zenko, 2014).²

Such imperial hubris has by now become standard Washington boilerplate rhetoric; in a recent reformulation of this mindset, Senator Marco Rubio claimed: "the United States *always retains the right, always, anywhere in the world, in any instance,* to protect its national security" (see: Watkins, 2019). It is not difficult to believe that how Rubio would define U.S. national security would be rather broad.

The second historical moment that led the U.S. along the path toward perpetual war was 9/11 and the start of the "Global War on Terror" which in its very conception has been both temporally and geographically limitless. Within weeks of the 9/11 attacks, hardline elements in Washington had already devised a "seven countries in five years" plan according to which the U.S. was to overthrow the governments of Iraq, Syria, Lebanon, Libya, Somalia, Sudan and Iran, and neoconservative commentators began openly to call for an "American empire" (perhaps the most explicit example of this was provided by Max Boot, see: Boot, 2001).

THE INFRASTRUCTURE OF PERPETUAL GLOBAL WAR

Maintaining such an aggressive worldwide policy requires a global infrastructure of pre-positioned and supplied forces capable of waging war across multiple continents, and since 9/11, the United States has achieved

² For a useful critique and corrective to the notion of America as the "indispensable nation," see: Zenko, 2014. As Zenko notes, "the problem with allowing this classification of America's global role to persist is that it is so patently false, and thus an illogical basis upon which to base and prescribe U.S. grand strategy".

this to a unique degree. As Andrew Bacevich has noted, "no nation in recorded history has ever deployed its troops to more places than has the United States since 2001. American bombs and missiles have rained down on a remarkable array of countries. We've killed an astonishing number of people [...] To what effect? In Washington, the question goes not only unanswered but unasked" (Bacevich, 2018).

Bacevich's points deserve being flushed out in more detail. For instance, projecting American military power around the world is a network of some 800 U.S. military bases in 70 countries (Hussain, 2017). This worldwide network of military bases includes, according to Micah Zenko, an abundant array of materiel and weaponry pre-positioned abroad; thus, "the U.S. Navy has 102 ships deployed around the world, the Air Force 659 strategic airlifters, 456 air refuelers, and 159 long-range bombers, and the Air Force and Navy combined some 3,407 fighter and attack aircraft. Not to mention the over 300,000 active-duty and reserve Soldiers, Sailors, Airmen, and Marines deployed to war zones or stationed at America's 576 active military facilities worldwide" (Zenko, 2014).

Such a global military footprint inevitably means that Washington has significant interests in determining who is in power in different countries around the world, and Washington uses the full panoply of military, diplomatic, economic and covert strategies to achieve this. Indeed, academic studies have shown that the U.S. has become the leading "meddler" in the affairs of other countries for most of the post-1945 period. For instance, according to a study by Dov Levin of Carnegie-Mellon University, the U.S. intervened in 81 foreign elections between 1946 and 2000 (see: Agrawal, 2016).³

Moreover, since the fall of communism and the 9/11 attacks, the pace of U.S. interventionism around the world has been significantly increasing. Monica Duffy Toft has estimated that in the sixteen years between 1991-2017 U.S. foreign military interventions increased fourfold as compared to the forty-three year period between 1948-1991 (188 to 46, respectively) (Toft, 2017).

³ According to Doug Bandow, a partial list of countries in which the U.S. has interfered in elections includes Afghanistan, Albania, Algeria, Argentina, Bolivia, Bosnia, Brazil, Chile, Colombia, Congo, Cyprus, Czechoslovakia, Dominican Republic, Ecuador, Finland, France, Germany, Greece, Guyana, Haiti, Honduras, Indonesia, Iraq, Israel, Italy, Japan, Kenya, Kyrgyzstan, Laos, Lebanon, Macedonia, Malta, Nicaragua, Pakistan, Palestinian Authority, Panama, Paraguay, Peru, Philippines, Portugal, Romania, Serbia, South Korea, Sri Lanka, Tajikistan, Turkey, Russia, Ukraine, Venezuela, Vietnam, Yemen, and Yugoslavia. See: Bandow, 2017.

Such a global projection of U.S. military power, of course, is not a benign or non-violent exercise. In 2016 (the last full year of the Obama presidency), conservative estimates claim that the U.S. dropped 26,171 bombs on seven different countries (Zenko &Wilson, 2017).

Many of these have been in the very morally-problematic category of drone strikes. Consider, for instance, the results of a study conducted by the human-rights group Reprieve, which determined that as of 2014, drone strikes targeting 41 suspected terrorists had killed 1,147 people — in other words, approximately 28 innocent people are killed for every suspected terrorist or enemy combatant taken out (see: Friedersdorf, 2016).

The cost to American taxpayers of this perpetual global effort to wage war is almost impossible to comprehend. Although Paul Wolfowitz had said before the House Budget Committee in February 2003 that "I can't imagine anyone here wanting to spend another \$30 billion to be [in Iraq] for another 12 years" (Wolfowitz, 2003a), the financial costs of the war of course came out to be numerous orders of magnitude greater than what U.S. government officials at the time were suggesting. Consider, for instance, the fact that as of June 2017, the U.S. was still spending four million dollars an hour-or roughly \$100 million a day-in Afghanistan (see: Burleigh, 2017). The Iraq War alone, according to Joseph E. Stiglitz and Linda J. Bilmes, has cost three trillion dollars (Stiglitz & Bilmes, 2008). According to Brown University's Costs of War project, the so-called "wars on terror" in Afghanistan, Iraq, Pakistan and Syria have cost "about \$5.9 trillion. This does not include future interest costs on borrowing for the wars, which will add an estimated \$8 trillion in the next 40 years" (see: The Costs of War Project Summary of Findings).

Indeed, the U.S. military budget far outpaces what rival countries and allies are spending. By one estimate, the U.S. defense budget is greater than that of the next eight states combined and twice as much as China and Russia combined (Toft, 2017).

Moreover, even these might be low estimates. According to a calculation by Dennis Laich and Lawrence Wilkerson, the U.S. national security budget (which includes monies spent on the Pentagon, the country's sixteen intelligence agencies, the Department of Homeland Security, the State Department, etc.) is some 1.2 trillion dollars, and Laich and Wilkerson claim that the Pentagon's budget alone "is larger than that of the next 14 nations in the world combined" (see: Laich & Wilkerson, 2017). It would be difficult to overstate the harm that this is causing to U.S. national security. In 2010, Admiral Mike Mullen, the former chairman of the Joint Chiefs of Staff, claimed that "the most significant threat to our national security is our debt" (CNN, 2010).

None of these facts and figures, unfortunately, can account for the physical and psychological toll perpetual global war has had on Americans and non-American's alike. Suicide rates amongst US servicewomen and men doubled between 2004 and 2009, and have remained at these higher levels ever since (Zoroya, 2016). Long, frequent deployments are also the primary factor in the failure of military marriages and the breakup of families; one study found that the chance of a military marriage ending in divorce increased with every additional month a spouse was deployed abroad (Zoroya, 2013).

Given these factors, it was to be expected that a study of the 2016 U.S. elections discovered that communities that had experienced high rates of military casualties supported Donald Trump over the more hawkish Hillary Clinton by significant numbers. What was also to be expected was that most of the pundits and journalists covering the elections, living inside the Washington Beltway or in Manhattan, would have no idea what was going on in other parts of the country. As one of the authors noted, "those writing both in universities and in most of the media are not regularly experiencing the cost of war. It's not [...] on average their communities who are seeing as many deaths and it is more likely on average communities that are poorer, less educated, and are more rural [...]" (see: Jilani, 2017).

ESTABLISHMENT WARS OF CHOICE

Here it bears stressing that perpetual global war – the foreign policy favored by the Washington Establishment – is not the foreign policy most Americans want. For instance, despite the ever more extreme anti-Russian positions consuming American political and media circles over the past two years, a substantial majority of Americans (58% to 36%) prefer trying to improve relations with Russia than imposing more diplomatic and economic sanctions on the country (Jones, 2018). Along similar lines, large percentages of both ordinary citizens (61%-20%) and current and former military personnel (69%-21%) support pulling U.S. troops out of Afghanistan (YouGov, 2018).

By way of comparison, most of the U.S. foreign policy establishment or what former Obama deputy national security advisor Ben Rhodes once called "the Washington blob" (Samuels, 2016) – continue to argue for the continued deployment of U.S. forces in places such as Afghanistan, Iraq, and Syria. Richard Haass, for instance, has claimed that despite the fact that in Afghanistan we can neither "expect to win the war or broker a lasting peace" the U.S. still needs to maintain a military presence in the country (see: Haass, 2019). This is a strategy and logic perhaps most succinctly summed up by Kang from *The Simpsons*, who once argued that "the politics of failure have failed. We need to make them work again."

The degree to which the push towards perpetual global war has been a project imposed upon the country by relatively small circles of the foreign policy establishment was perhaps most succinctly summed up by Thomas Friedman, by anyone's measure an extremely well-connected and well-informed observer of American foreign policy. Regarding the Iraq war, Friedman once argued "this is not the war the masses demanded. It is a war of an elite. I could give you the names of 25 people, all of whom are at this moment within a five-block radius of this office, who if you had exiled them to a desert island a year and a half ago, the Iraq war would not have happened" (Shavit, 2003).⁴

To make this state-of-affairs even more disturbing, many members of "the Blob" often exhibit tendencies which are somewhere on the spectrum between megalomaniacal and psychopathic when it comes to promoting their chosen policies. In his support of American intervention in the Middle-East, Michael Ledeen once argued that "One can only hope that we turn the region into a cauldron, and faster, please. If ever there were a region that richly deserved being cauldronized, it is the Middle East today" (see Ledeen's comments in "Scowcroft Strikes Out": Ledeen, 2002).

Along similar lines, in May 1996, when Leslie Stahl of *60 Minutes* expressed concern about reports that American sanctions on Iraq had led to the deaths of 500,000 Iraqi children, the then-US permanent representative to the United Nations, Madeleine Albright, said that "we think the price is worth it" (YouTube, 2013).

⁴ A similar argument has been made about the decision to enlarge NATO; according to Patrick Porter, "enlargement was a decision made by a small group around the president, who then imposed it on officials." See: Porter, 2018.

Madeleine Albright appears to have gotten what she wished for and paid the price she thought was worth it as well. A study led by public health official Amy Hagopian estimated that half-a-million Iraqis had died between the invasion of Iraq and 2011 (Vergano, 2013). The *Iraqi Body Count* project was somewhat more conservative; as of February 2019 claimed that there had been some 288,000 combatant and civilian deaths in Iraq considered to be a direct consequence of the U.S. invasion (see: Iraq Body Count). This, of course, does not cover the tens of thousands of people who have been wounded, maimed, or psychologically traumatized by the conflict. Other estimates put the death tolls considerably higher.

Unfortunately, it is highly unlikely that those responsible for such death and destruction will ever be held responsible for their decisions since the foreign policy establishment and the infrastructure of perpetual global war have assured that they are not subject to "international justice." For instance, the U.S. will not support the International Criminal Court (ICC), according to former deputy defense secretary Paul Wolfowitz, because it does not have "the right political supervision over it" (Wolfowitz, 2003b). Current U.S. national security advisor John Bolton has gone even further, calling the ICC "illegitimate," and Bolton has threatened to impose sanctions on ICC judges (including barring them from entry into the U.S., or having their funds in the U.S. blocked) if they indict any U.S. citizens (BBC, 2018). Predictably, Great Britain has joined the U.S. in this stance; in 2016, U.K. officials moved to protect British troops from "spurious legal claims" related to foreign conflicts, with defense minister Michael Fallon arguing that "spurious claims will be stopped and our armed forces will not be able to do their job fighting the enemy and not the lawyers" (BBC, 2016).

What this means in practice is that both the concept and the process of 'international justice" only apply to people from Africa and the Balkans. Indeed, in May 2013 the African Union went so far as to accuse the ICC of "hunting Africans," in no small part due to the fact that 99% of the ICC's indictees up until that time had been (sub-Saharan) inhabitants of the continent (BBC, 2013). Not surprisingly, in January 2017 the African Union called for member states to withdraw from the ICC altogether.

"International justice" has not been much kinder to some groups from the Balkans than it has been to Africans. In the Balkans, the primary legaljudicial instrument of perpetual global war has been the International Criminal Tribunal for the Former Yugoslavia. (ICTY), which served more or less as the "international justice" adjunct to NATO; as one alliance official famously put it, "without NATO countries, there would be no International Court of Justice, nor would there be any International Criminal Tribunal for the former Yugoslavia because NATO countries are in the forefront of those who have established these two tribunals, who fund these tribunals and who support on a daily basis their activities" (see the remarks by NATO press spokesperson Jamie Shea made during a NATO Press Conference in Brussels on 17 May 1999: NATO, 1999). Not surprisingly, over ninety percent of the sentences handed out by the ICTY have been against Croats and Serbs (with the Serbs by far being the ICTY's biggest target). Meanwhile, the groups David Kanin has accurately noted as being Washington's "major clients" in the region, i.e., Bosnian Muslims and Albanians (Kanin, 2017), received less than five percent of the sentences the ICTY doled out.

PRETEXTS AND PREVARICATIONS

One of the oldest tricks of those bent on war is to engage in various prevarications or to develop pretexts for their preferred courses of action. As the great Viennese writer and satirist, Karl Kraus once noted, "How is the world ruled and led to war? Diplomats tell lies to journalists and believe these lies when they see them in print."

The past two decades have provided plenty of examples of what Kraus warned us about. To justify NATO's military intervention in Kosovo, for instance, it was necessary for planners in Washington and Brussels to create a pretext for war, which came in the form of a so-called "Operation Horseshoe," a supposed operational plan by the Yugoslav military to expel the Albanian population from Kosovo.

From the very first, however, it was clear that the evidence for such a plan was dubious. Even in the midst of the conflict, NATO Supreme Commander Wesley Clark would admit that "well, I have never seen those plans in any detail. They have never been shared with me . . . I'm not familiar with any of the details of a plan such as this" (BBC, 1999). Similarly, General Karel Drewienkiewicz of the British Royal Army, who served as a member of the Kosovo Verification Mission, would note that "I saw no evidence myself that a plan to expel the civilian population existed as at March 20th" (ICTY, 2002).⁵ There was a good reason these individuals had never seen such a plan; in April 2000, it was revealed that the alleged

⁵ Drewienkiewicz made the comments during the trial of Slobodan Milošević.

Operation Horseshoe had been part of a NATO disinformation campaign developed at the German defense ministry (Goetz & Walker, 2000; also see: Judah, 2000, pp. 240-241, Ash, 2000, p. 57).⁶

Similar propaganda tricks were used during the run up to the Iraq War, with even more tragic consequences. In September 2002, Britain's MI6 announced that it had a "new source" in Iraq with knowledge of Saddam Hussein's biological and chemical weapons programs. A dossier MI6 produced for then-prime minister Tony Blair claimed that the intelligence was "beyond doubt." Yet, as skeptics within MI6 at the time noted, the informant's description of Saddam's weapons was "remarkably similar to the fictional weapon portrayed in the film The Rock" (Corera, 2016).

At the very same time when some in MI6 were peddling "intelligence" produced in Hollywood, some elements in the defense establishments on both sides of the Atlantic were being more serious, but their warnings were drowned out in the rush to war. In September 2002, the Pentagon's Directorate of Intelligence Joint Staff (J2) sent a report to then-Secretary of Defense Donald Rumsfeld casting considerable doubt on the view that Saddam was producing WMD's. According to Kurt Eichenwald, the J2 report [...] couldn't find any Iraqi facilities that produced, tested, or stored biological weapons. The rumored "mobile weapons labs" couldn't be located, either. [J2] couldn't say that Saddam had the capability of producing chemical weapons. And, they said, information about staging and storage sites for ballistic missiles was "significantly lacking" (see: Eichenwald, 2013).

Worryingly, these same pathologies are being played out yet again in the current effort to justify ratcheting up the conflict with Russia. To take but one example – a cornerstone of the argument used by those advocating ever-greater confrontation with Moscow is the declassified report by U.S. intelligence agencies on alleged Russian hacking of the 2016 elections. Yet, according to Masha Gessen's razor-sharp dissection of the report, "a close reading of the report shows that it barely supports such a conclusion. Indeed, it barely supports any conclusion. There is not much to read: the declassified version is twenty-five pages, of which two are blank, four are decorative, one contains an explanation of terms, one a table of contents, and seven are a previously published unclassified report by the CIA's Open

⁶ Tim Judah also questions the extent to which "Operation Horseshoe" really existed, and Timothy Garton Ash cites a report on the Kosovo conflict compiled by the House of Commons' Foreign Affairs Committee which is also skeptical.

Source division [...] the report makes many repetitive statements remarkable for their misplaced modifiers, mangled assertions, and missing words. This is not just bad English: this is muddled thinking and vague or entirely absent argument [...] if the report's vague assertions were clarified and its circular logic straightened out, nothing would be left".

As Gessen goes on to note, many of the report's findings seem "irrelevant" or "plainly misleading," some points are "conjecture" and "anachronistic," and the report at times "goes from vague to strange." She concludes by noting "the US intelligence agencies' Russia expertise is weak and throws into question their ability to process and present information" (Gessen, 2017).

LACKING IN INTELLIGENCE

What can only be characterized as ignorance has also played a role in these conflicts, but the problems outlined above cannot be said to stem from insufficient resources being devoted to intelligence collection. Consider, for instance, the size of the national security and intelligence-gathering apparatus that has emerged since 9/11. According to Dana Priest and William M. Arkin, as of 2010, the U.S. had some 1,271 government organizations and 1,931 private companies [working] on programs related to counterterrorism, homeland security and intelligence in about 10,000 locations across the United States . . . [an estimated 854,000 people] hold top-secret security clearances (Priest & Arkin, 2010).

Unfortunately, such a vast intelligence and national-security apparatus is of little use to policy-makers intent of a war at all costs. It is also of little use to individuals who have little understanding of or appreciation for the strategic uncertainties that are an inevitable part of a war. For instance, in a very cogent analysis of American miscues along the way to the Kosovo war, Christopher Layne and Benjamin Schwarz point out that on March 24, the first day of the bombing campaign, U.S. Secretary of State Madeleine Albright declared "I don't see this as a long-term operation." Just eleven days later, however, Albright would say, "We never expected this to be over quickly" (Layne & Schwarz, 1999, pp. 9-15).⁷

⁷ For an example of the extent to which the war in Kosovo came to be associated with the U.S. Secretary of State, see the cover story of *Time* magazine for 17 May 1999, entitled "Albright at War."

Again, such mistakes would again be replayed, with even greater consequences, in the Iraq War. Promoters of the war such as U.S. vice-president Dick Cheney and deputy defense secretary Wolfowitz, for instance, were repeatedly assuring people that "we will be welcomed as liberators" (see Cheney's comments according to the transcript for the *Meet the Press* program on 16 March 2003: NBC, 2003).

Yet within three months, the Iraqi insurgency had begun, and despite having over 150,000 people on the ground, U.S. officials were blindsided by the uprising. According to the *New York Times* veteran war correspondent John Burns, the U.S. military "had absolutely no intelligence" on what was going on. Indeed, according to Burns, the former U.S. military commander in Iraq, Ricardo Sanchez, would complain that "we didn't know who we were fighting, we didn't know what resources they had. We had no strategy for fighting this enemy."

Subsequently, in a desperate attempt to restore order to the country, the Bush Administration turned to someone no American officials even knew, an obscure politician named Nouri al-Maliki. According to Stephen Hadley, President Bush's national security advisor, the first time he ever heard of al-Maliki was in a phone call from Zal Khalilzad, and 'I said, you know, what do you know about him? And he said 'well, we don't know much about him.' What does the intelligence community know about him? 'Well, they don't know much about him either'.

The above story is stunning in what it says about how American foreign policy is formed at the very highest levels of government. After launching an unprovoked war resulting in hundreds of thousands of deaths against a country six thousand miles away, American officials decided to turn the country over to someone they did not even know. So little, in fact, that the Bush Administration was even misspelling al-Maliki's name during initial meetings with him.

Not surprisingly, the intervention in Libya would yet again reveal all the same pathologies. Former President Barack Obama would personally admit that Libya was the "biggest mistake" of his presidency. Remarkably, however, Obama would suggest that the Libyan intervention failed in large part due to a failure of intelligence; as Obama put it, "the degree of tribal division in Libya was greater than our analysts had expected" (Obama, 2016).

The intelligence community on the other side of the Atlantic did not get things much better. According to a report by the UK parliament's foreign affairs committee, PM David Cameron's decision to attack Libya was not informed by accurate intelligence [...] the Government failed to identify that the threat to civilians was overstated and that the rebels included a significant Islamist element [...]The result was political and economic collapse, inter-militia and inter-tribal warfare, humanitarian and migrant crises, widespread human rights violations, the spread of Gaddafi regime weapons across the region and the growth of ISIL in North Africa [...] [the Committee found] no evidence that the UK Government carried out a proper analysis of the nature of the rebellion in Libya [...] UK strategy was founded on erroneous assumptions and an incomplete understanding of the evidence" (House of Commons, 2016, p. 3; p. 15).

Unfortunately, there is little evidence that the foreign policy establishments in either Washington or other Western countries are willing to learn from the mistakes of Kosovo, Iraq, Afghanistan, or Libya. As C.J. Chivvers noted in a recent penetrating analysis of the U.S.' imperial misadventures in Afghanistan and Iraq, on one matter there can be no argument: The policies that sent these men and women abroad, with their emphasis on military action and their visions of reordering nations and cultures, have not succeeded. It is beyond honest dispute that the wars did not achieve what their organizers promised, no matter the party in power or the generals in command. Astonishingly expensive, strategically incoherent, sold by a shifting slate of senior officers and politicians and editorial-page hawks, the wars have continued in varied forms and under different rationales, each and every year since passenger jets struck the World Trade Center in 2001. They continue today without an end in sight, reauthorized in Pentagon budgets almost as if distant war is a presumed government action (Chivers, 2018).

There is, unfortunately, little chance that "the Blob" will change its ways. In a penetrating recent analysis of how U.S. grand strategy is formed and perpetuated, Patrick Porter argues that changing American strategy would "require shocks large enough to shake the assumptions of the status quo and a president willing to be an agent of change and prepared to absorb the political costs of overhauling Washington's traditional design [...] Change is possible, but only in conditions shocking enough to undermine assumptions" (see: Porter, 2018). In real-life terms, this would probably entail something on the order of 9/11 happening at the same time as the global financial meltdown of 2008. Such things, of course, are never to be wished for. But the analysis does reveal how difficult it will be for the U.S. to adopt a more measured and sustainable foreign policy in the coming decades.

CONCLUSION

Despite the detrimental consequences of perpetual global war over the past two decades, there is little evidence that Washington's foreign policy establishment is willing to re-examine the fundamental assumptions of its policies. Unfortunately, quite the opposite seems to be occurring, as various interest groups in Washington push for Iran, advocate for regime-change in China, or lobby for ever-increasing tensions with Russia. Indeed, one of the U.S.' foremost scholars of Russia, Stephen F. Cohen, has warned that the threat of something previously unthinkable – war with a nuclear-armed Russia – is now becoming a possibility that cannot be dismissed (Cohen, 2019). Indeed, in Cohen's estimation, "the danger of war with Russia, at least since the Cuban Missile Crisis, is greater in my lifetime, in history, than it's ever been" (see Cohen's comments: Fox News, 2018).

Cohen is certainly not alone in expressing such concerns. Thanks to the dismantlement of arms control agreements and global nuclear proliferation, Robert Legvold has argued that "the chances of a nuclear weapon being fired in anger are far greater now than they ever were during the Cold War, including the Cuban Missile Crisis and Berlin Crisis" (see Legvold's speech: YouTube, 2016). Bridgewater Associates' *Conflict Gauge* is at its highest level since World War II (Chiglinsky, 2018) and the most current *Bulletin of the Atomic Scientists* claims that "it is now two minutes to midnight – the closest the Clock has ever been to Doomsday, and as close as it was in 1953, at the height of the Cold War" (see: Mecklin, 2018). Most recently, in the aftermath of the Trump Administration announcing that the U.S. would be withdrawing from the Intermediate-Range Nuclear Forces (INF) Treaty, two of America's foremost arms control experts, former Senator Sam Nunn and former Secretary of Energy Ernest J. Moniz, warned that the U.S. and Russia are "sleepwalking toward nuclear disaster" (Nunn & Moniz, 2019).

Apart from the existential threat to the world that current strategic policies represent, we also need to consider the moral consequences of these policies, which are so focused on maintaining and growing American empire and the infrastructure for perpetual global war. As Martin Luther King Jr. warned us some fifty years ago, "a nation that continues year after year to spend more money on military defense than on programs of social uplift is approaching spiritual death" (see the Reverend Martin Luther King Jr.'s speech "Beyond Vietnam" [1967], YouTube, 2011). And lest someone dismiss King's words as those of an irredeemable left-wing radical, in April 1953 President Dwight Eisenhower voiced the same sentiments. In a speech entitled "The Chance for Peace," Eisenhower noted that "every gun that is made, every warship launched, every rocket fired signifies, in the final sense, a theft from those who hunger and are not fed, those who are cold and are not clothed."

The late Senator William Fulbright once noted that "The price of empire is America's soul, and that price is too high." Regrettably, for the past twenty years, and from Belgrade to Benghazi, the existing U.S. foreign policy establishment has repeatedly shown that it is more than willing to pay that price.

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NATO CRISIS MANAGEMENT CONCEPT: TWENTY YEARS AFTER THE BOMBING OF THE FEDERAL REPUBLIC OF YUGOSLAVIA¹

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Abstract: This paper examines NATO's engagement during the bombing of the Federal Republic Yugoslavia and its impact on further development of crisis management defined by the Strategic Concept and other relevant documents. The authors have tried to provide the answers to the questions regarding the NATO's procedures, effectiveness and efficiency during the operation MERCIFUL ANGEL (Operation Allied Force) and their implications for further development of the crisis management concept throughout adoption of the Strategic Concepts in 1999 and 2010 and relevant doctrines, as well as throughout building the Allied related capabilities. Planning, preparation and conducting all the NATO's crisis management operations after 1999 were based on lessons learned from the operation MERCIFUL ANGEL and the previous NATO's engagement in the former Yugoslavia. Taking the abovementioned into consideration, this paper seeks to find out how NATO's military coercive activities in the former Yugoslavia, including aggression on the Federal Republic of Yugoslavia in 1999, has affected its engagement in

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Afghanistan and Libya, as well as on the crisis management concept as a whole. The research methodology is based on four case studies (NATO interventions in Bosnia and Herzegovina, the Federal Republic Yugoslavia, Afghanistan and Libya) in order to scrutinize common trends in the crisis management operations conducted by the Alliance in these countries and its significance for further development of the crisis management concept.

Key words: NATO, Crisis Management, Strategic Concept, NATO aggression on the FRY, Bosnia and Herzegovina, Afghanistan, Libya.

INTRODUCTION

Within the last three decades in the post-Cold War period, crisis management almost replaced deterrence as the key NATO's concept. In practice and also in doctrinal and capabilities spheres, after the end of the Cold War, NATO focused less on territorial defence and more on out-of-area engagement. Nowadays, this trend has changed because of NATO's concerns about resurgent Russia. The Alliance's officials pointed out that strengthening Deterrence and Defence Posture is getting more and more important for NATO in order to respond swiftly and firmly to new security challenges, especially from the East. In accordance with NATO assessment, Russia has become more assertive with the illegal annexation of Crimea and destabilisation of eastern Ukraine, as well as with its military build-up close to NATO's borders (NATO, 2018a).

Crisis management has had some roots within the Euro-Atlantic community since NATO was formed. Articles 1 to 4 of the Washington Treaty indirectly foresee NATO management role in a crisis, but within the purpose of the collective defence in its own area in accordance with Articles 5 and 6. Apart from collective defence, some scholars during the Cold War gave ideas to task NATO also with out-of-area crisis management, for example, Buchan (1966). However, in the Cold War practice, any attempt within the Alliance to establish the out-of-area crisis management concept failed in order to avoid a risk of diversion from the major task of collective defence. It can be noticed that it was also the case during the Hungarian uprising in 1956 and the invasion of Czechoslovakia in 1968. After the Cold War, the Allies realized a significant transformation process based on the assumption that collective defence along traditional lines would no longer be sufficient to justify NATO further existence. At that time, US Senator Richard G. Lugar has commented on the Alliance's dilemma with one very interesting phrase that NATO would "go out-of-area or out-of-business". The Strategic Concept published in November 1991 describes a shift in direction that reflects the new post-Cold War security environment. Crisis management and a renewed accent on political activities as the means for promoting and defending NATO interests represent the features of the new allied strategy. Following the scope and the topic of this paper, it is very important to emphasise that the 1991 Strategic Concept referred neither to peacekeeping nor to peace support operations and out-of-area operations, but maintained that developments in the Soviet Union constituted the greatest concern for the Alliance. This observation has already been presented by many scholars, and it is very often presented critically in terms of too slowly NATO's adaptability to the new environment, one of them is Frantzen (2005).

Unfortunately, the civil war in the former Yugoslavia and the NATO bombing in 1995 and 1999 were pilot-projects for introducing the Alliance's crisis management concept and out-of-area engagement which has had its evolution from peacekeeping through peace support to crisis response operations, or also in the wider framework to hybrid warfare as noticed by Stojković (2017). After the Cold War, the Alliance was the only organization that possesses the tailored package of political-military tools for effective crisis management, and it was very important for NATO to find its unique role among other international organizations which were striving to establish interlocking institutions in the security area.

At the Washington Summit in 1999 during the mid of the NATO aggression on the Federal Republic of Yugoslavia (FRY), the Alliance adopted the Strategic Concept. In comparison with the previous practice, mentioned document more emphasized a comprehensive view on security and the Allied capabilities for conflict prevention and crisis management. All these originated from lessons learned from NATO's engagement in Bosnia and Herzegovina, as well as from aggression on the Federal Republic of Yugoslavia.

Obtaining success in the Allied air campaign in 1999 was very important for the United States and NATO, and became a test of the post-Cold war Alliance's role in Europe. General Clark (2002) noticed that a NATO failure would bring the collapse of several European governments and the worldwide repercussions on U.S. credibility and the significance of American commitments. The NATO air campaign, conducted as a limited war and engagement in the Kosovo crisis, based on previous lessons learned in Bosnia and Herzegovina, had a significant impact for further development of the crisis management concept, including the last Strategic Concept adopted in 2010 during the Summit in Lisbon, as well as the further Alliance's engagement in Afghanistan and Libya.

NATO ENGAGEMENT IN THE OPERATION MERCIFUL ANGEL (OPERATION ALLIED FORCE)

The military engagement between the security forces of the FRY and the Kosovar Albanian terrorist groups to solve the conflict in Kosovo was unique in NATO's history. For the first time, the Alliance conducted an offensive military operation "worth more than \$3 billion" to compel the FRY to accept its terms (Lambeth, 2001. p. xx). From NATO's point of view, the Allies had three primary interests during the NATO aggression on the Federal Republic of Yugoslavia: ensuring the stability of Eastern Europe; thwarting ethnic cleansing and ensuring NATO's credibility (U.S. Department of Defence, 2000). NATO publicly stated the objectives of the campaign, demanding a stop to disproportionate use of force by the FRY forces, without addressing the issue of the status of Kosovo. At the beginning of the Kosovo's crisis, NATO tried to avoid any statements that could be interpreted as support to the "Kosovo Liberation Army". In one of the first statement, dated on 16 December 1997, the North Atlantic Council (NAC) expressed concern over escalating ethnic tension in Kosovo and called upon the involved parties to solve the crisis by defining a mutually acceptable solution. Thereafter, in this sense, the NAC condemned terrorist acts and rejected all use of violence, either by the Yugoslav security forces or by the Kosovar Albanian terrorist groups (NATO, 2018b; NATO, 2018c). To solve the crisis in Kosovo, NATO had the intention of building its strategy on out-of-area issues or more precisely on the concept of peace support operations, which should be impartial.

However, NATO left this approach regarding the principle of impartiality and also conducting a pure peace support operation. As noticed in *NATO's empty victory*, "NATO policy in practice was based on a simplistic and unfair interpretation of the problems in Kosovo. The Alliance leaders openly sympathized with the Albanian Kosovars and placed all the blame for a complex dispute at Belgrade's door" (Carpenter, 2000, p. 2). Likewise, using a very comprehensive quantitative comparison within the same book *NATO's empty victory*, it was pointed out "that NATO was more than a trifle hypocritical in arguing that the situation in Kosovo constituted genocide and that the Alliance could not stand by and let such an offense to humanity go unchallenged" (Carpenter, 2000, p. 2). Apart from that, Operation Allied

Force (OAF) did not fit into the concept of peacekeeping or into the wider framework - peace support operations. As observed by Frantzen (2005), NATO had to come up with a new concept, something that the Alliance did not do other than calling it the "air campaign".

On the other hand, the OAF was not authorized by the UN Security Council and NATO acted in the absence of Article 42 mandate stipulated by the Charter of the United Nations. As noted by Proroković and Lađevac (2018), it was sui generis or precedent in international relations which had significantly deteriorated the role of the United Nations. NATO did not seek a UN Security Council Resolution in order to approve the use of armed force because it understood that Russia and China would veto such a proposal. Instead, NATO argued that the UN Security Council Resolutions 1160 (31 March 1998), 1199 (23 September 1998) and 1203 (24 October 1998) offered sufficient mandate for the use of force against the FRY and deliberately ignored the UN Security Council and unilaterally assumed entire control over the operations. Consequently, as also pointed out by Gazzini (2001), NATO apparently violated international law and its action was criticized by a significant number of states as contrary to the Charter of the United Nations as well as to the customary norm prohibiting the use of force in international relations. By the same token, Proroković and Lađevac have pointed out that "The most controversial issue regarding this action of air strikes on the territory of the FRY is the question of the nature of these attacks known as "interventions". In accordance with international law and a system of international relations founded and generally accepted in the 20th century, the intervention of this kind had to be approved by the Security Council after the violation of Chapter VII of the UN Charter was noted" (Proroković & Lađevac, 2018, p. 173).

Thus, a debate within the UN Security Council witnessed a sharp division. Some countries (China, the Russian Federation and Namibia) tried to call for an immediate cessation of the air operation. The failed adoption of the draft resolution calling for an immediate cessation of the air strikes cannot be treated as an implied authorization. As Rynning (2005) pointed out, NATO thus appeared to be Europe's new collective security backbone that sponsored collective action to defend the liberal-democratic status quo.

The initial Alliance's planning for the potential ground and air operations against the FRY started in April 1998 with a plan for a "preventive deployment" within Operation Determined Falcon along Yugoslav border with Albania and Macedonia to stabilize these two countries, which faced in that time growing violence and political instability

affected by the Kosovo crisis. Planning for air aggression on the FRY started on the beginning of June 1998. Initial plans were developed by the U.S. Air Base in Ramstein, Germany and were named Operation Nimble Lion. On the other side, formal planning within NATO began also in early June 1998 when the NAC asked the Military Committee to assess the full range of gradual options to deter further violence and influence the behaviour of the parties to the conflict. In this format, the Allies developed a separate plan called the Concept of Operations Plan 10601. Although there was some overlap between these two plans as Lambeth (2001) noticed, Operation Nimble Lion and the Concept of Operations Plan 10601 were different. Operation Nimble Lion predicted that the campaign's goal should be achieved immediately, whereas the Concept of Operations Plan 10601 entailed a gradual, incremental, and phased approach. The Concept of Operations Plan 10601 ultimately became the basis for Operation Allied Force. In accordance with the agreed Concept of Operations Plan 10601 and observations taken by Lambeth (2001), the first phase included attacks on Yugoslavia's air defence system. The second phase envisaged attacks against military targets mainly, but not exclusively, below the 44th parallel - south of Belgrade. Finally, only in the third phase, NATO would bombard military facilities located north of the 44th parallel and targets in and around Belgrade.

Apart from two mentioned plans, a third secret plan for a massive ground invasion by some 300,000 troops was also on the table. However, before the OAF started, the U.S. and NATO leaders within national and integrated Alliance's commands and structures had largely eliminated any prospect of using ground forces as part of an integrated campaign to fulfil NATO's objectives in Kosovo and Metohija. As noticed by Nardully and others, "the political and military costs and risks of conducting a ground operation were viewed as excessive, and there was no sense that an air-land operation was either appropriate or necessary" (Nardulli, Perry, Pirnie, Gordon & McGinn, 2002, p. 3). NATO's reliance only on air strikes arose from experience coming from Bosnia and Herzegovina. In his book Waging the Modern War, General Clark emphasised one very interesting statement given by President Slobodan Milošević - "I had been reflecting [...] on Milošević's comment to me in December 1995 about how the Serbs had no chance against NATO air power" (Clark, 2001, p. 116). Also, General Clark (2001) pointed out that reliance on the air threat was natural for NATO due to several reasons: it had worked in Bosnia 1995; it promised a low-cost and low-risk statement of political intent; and it left open other, more difficult and costly options.

Taking the above-mentioned into account, it should be emphasized that there was no clear and unified military recommendation and guidance, whereas different perceptions between the army and air officers from the ally countries as well as from the NATO integrated military structure. Hence, the way in which air power was used was seen to run contrary to military advice. Moreover, the NATO Military Committee had been sidelined during the conduct of NATO aggression on the Federal Republic of Yugoslavia.

The Alliance first threatened to use air power during October 1998 to enforce agreements reached between Richard Holbrooke and Slobodan Milošević on a cease-fire and the Yugoslav force level in Kosovo. During that period, a significant number of initiatives were conducted by the international community in order to force the Yugoslav authorities to sign a peace agreement and allow the OSCE observers to enter Kosovo and Metohija to monitor compliance. As mentioned in *Disjointed War – Military* Operations in Kosovo, the October crisis in 1998 had several important consequences: " it brought NATO to the brink of executing a limited air strike and kept this option permanently on the table; it led to deployment of the Kosovo Verification Mission under the auspices of the OSCE and to deployment of surveillance aircraft over Kosovo, allowing NATO planners to gain familiarity with the terrain; and the 1998 October crisis suggested that President Milošević would back down when threatened with air strikes, encouraging NATO to make this threat again" (Nardulli, Perry, Pirnie, Gordon & McGinn, 2002, pp. 16-17).

When the peace talks were officially suspended on 19 March 1999 in Paris without signing the Interim Agreement for Peace and Self-Government in Kosovo from the Yugoslav side, NATO started with a final preparation. The general expectation was that the OAF would constitute a very short air campaign, approximately two weeks. Expecting a short engagement, the NAC approved only the first phase of the planned air operation and also failed to establish a smoothly running mechanism for target development and review. Hence, launched on 24 March 1999, air campaign focused on a relatively small set of Yugoslavia's air defence and command and control targets.

In accordance with (U.S. Department of Defence, 2000, pp. 31-32) available NATO air assets, targeting capabilities were tailored under the

expectation of a few-days short campaign. NATO began the operation with only 344 planes available, less than the 410 planes stationed in the region in October 1998. These constituted only 10 percent of the coalition aircraft that participated in Operation Desert Storm in Iraq in 1991.

After a few days, NATO expanded aggression on the FRY to include air strikes against the Armed Forces and Ministry of the Interior forces in Kosovo (Phase Two). As already been mentioned due to the expectation that the campaign would not face major difficulties, the Allies did not feel they needed to establish an agreement that would regulate the selection and approval of campaign targets. The absence of any targeting capability in the early weeks of the conflict added to the difficulty and resulted in a largely ineffective air power effort against Yugoslav police and military units. It was a reason for slowly expanding air strikes through the introduction of the Navy Air Force (US aircraft carrier Theodore Roosevelt), the expansion of fixed targets and number of engaged aircrafts. In order to provide a greater pressure to coerce Belgrade, the scope and type of targets expanded significantly, including also Yugoslav civil infrastructure - the Phase Three (electrical power plants, government ministries ...), especially after the NATO Summit which took place in Washington, D.C., in April 1999. However, the approval process for targeting civil infrastructure was often contentious and challenging, owing to a significant measure to the political concerns of various member countries. As mentioned in Kosovo/Operation Allied Force After-Action Report to Congress "for selected categories of targets, for example, targets in Belgrade, in Montenegro, or targets likely to involve high collateral damage, NATO reserved approval of higher political authorities" (U.S. Department of Defence, 2000, p. xx). At the beginning of the NATO campaign, only the UK prime minister and the U.S. president made decisions about the bombing of civilian targets. Also, the French president insisted to be directly involved. In these circumstances, the UK, U.S. and French leaders agreed to set up guidelines regarding the target selection process. Later, the process was extended to include also highranking German and Italian officials. As observed by Ivanov (2011), this political process of selecting, approving, and acquisition of new targets became very slow, which hampered significantly the efficiency of the campaign. It can be concluded that although the NAC agreed on the substance of the OAF, it had difficulty in generating consensus about the implementation of the bombing and the utilization of the integrated military command during the seventy-eight-day campaign. However, the fact was that NATO always maintained that no single or set of targets were more important than cohesion within the Alliance. Also, the difficulty in generating consensus was accompanied by insufficient levels of interoperability.

In accordance with the assessment given by eminent experts, NATO's use of force in dealing with Belgrade revealed serious problems.

"What was to be a quick military operation instead became a 78-day campaign. NATO also set itself an objective to reduce the capability of the Serbian military forces to wage violence in the future. This too turned out to be a largely unmet goal, as the Serbian fielded forces survived NATO's air war largely intact. Finally, on the eve of Slobodan Milosevic's capitulation, the U.S. and NATO decision-makers faced the imminent prospect of having to conduct a ground invasion for which detailed military planning and preparations were still quite limited. A decision to commit to a ground invasion of the Federal Republic of Yugoslavia would have severely tested NATO's political resolve" (Nardulli, Perry, Pirnie, Gordon & McGinn, 2002, pp. 1-2).

NATO's engagement in the air campaign showed internal divisions and highlighted a great capability gap between the United States and the European Allies plus Canada, which seriously affected the Alliance's ability to operate in the most effective way. It can be concluded that NATO could not have undertaken the air campaign without U.S. participation. Ivanov (2011) presented that in comparison to American efforts, the Europeans contributed marginally – about 36 percent of the total aircraft deployed and less than half of the sorties. Also, 70 percent of the deployed European allied forces performed a supportive role, such as air-to-air refuelling, tactical jamming, and airlift operations. In spite of efforts to improve standardization to obtain interoperability, the OAF confirmed that troops of different allies faced significant problems regarding required capabilities. As pointed out by Flockhart (2011), despite the significance of the decision, the experience of Kosovo turned out to be partly negative as it resulted in considerable transatlantic disagreement and mutual recrimination. NATO, therefore, came out of the Kosovo conflict with a damaged self-perception with regards to its practical ability to perform as a cohesive actor in a militarily demanding environment. Thus, in accordance with Kosovo/Operation Allied Force After-Action Report to Congress, U.S. Department of Defence "has funded more than \$3,5 billion in enhancements to address the lessons learned from the Kosovo operation" in the areas such as precision strike; electronic warfare and intelligence, surveillance and reconnaissance (U.S. Department of Defence, 2000, p. 3).

During the bombing campaign, NATO had a very strong determination to prevail, and one of the most significant turning points was the Summit in Washington, D.C., on 23-24 April 1999. As presented in Kosovo/Operation Allied Force After-Action Report to Congress in Washington, D.C., "Alliance leaders decided to further intensify the air operation by expanding the target set to include military-industrial infrastructure, propaganda-related media and other strategic targets, and announcing the deployment of additional aircrafts" (U.S. Department of Defence, 2000, p. 23).⁵ Apart from that, at the Washington Summit, NATO claimed that it was not waging a war against the Serbian people, but against the policies of the regime in Belgrade. In accordance with NATO policy, the political objective was clearly emphasised in Statement on Kosovo - "a peaceful, multi-ethnic and democratic Kosovo in which all people can live in security and enjoy universal human rights and freedoms on an equal basis" (NATO, 2018d). Also, right after the NATO Summit, the five core demands were endorsed by the G-8 foreign ministers. All of these five demands are presented in report Kosovo: Lessons Learned from Operation Allied Force on the following way: "stop all military action, violence and repression in Kosovo; withdraw from Kosovo Yugoslav military, police and paramilitary forces; agree to the stationing in Kosovo of an international military presence with NATO at its core; agree to the return of all refugees and access to them by humanitarian aid organization; and provide assurance of willingness to work on the basis of the Rambouillet Accords to establish a political framework agreement for Kosovo" (U.S. Congress, 1999, pp. 2-3).

It is very important to emphasise that NATO did not define a clear objective of the air campaign. NATO aggression began with one modest objective – to bring the Serbs back to the negotiations. After that NATO moved towards other two aims – halting the ethnic cleansing and fulfilment of the above-mentioned five core demands as a whole.

Despite the above-mentioned constraints, as observed in *Disjointed War* – *Military Operations in Kosovo 1999*, "NATO's air operation against fixed

⁵ On 24 March 1999 214 U.S. and 130 allied aircraft were poised at bases in Europe ready to initiate combat operations against the Federal Republic of Yugoslavia. By June 1999 the total number of U.S. aircrafts in Europe had grown to 731. During the same period allied contributions was more than doubled to over 300 aircrafts (U.S. Department of Defence, 2000, pp. 31-321). Also, NATO expanded the air campaign from the initial strikes directed at 51 targets to 1.000 targets (Clark, 2001, p. 430).

targets ultimately brought great pressure to bear on the Belgrade leadership" (Nardulli, Perry, Pirnie, Gordon & McGinn, 2002, p. 5). Finnish President Ahtisaari and Russian envoy Chernomyrdin developed a plan to bring the conflict to closure. This peace proposal also included five core demands agreed by foreign ministers in the G-8 format. With the signing of the Military Technical Agreement on 9 June 1999, the air campaign ended, and NATO forces moved into Kosovo and Metohija to conduct Operation Joint Guardian by the Kosovo Force (KFOR).

NATO CRISIS MANAGEMENT CONCEPT BEFORE AND AFTER THE OPERATION MERCIFUL ANGEL (OPERATION ALLIED FORCE)

Before taking part to solve the crisis in the former Yugoslavia, NATO was directly involved in two crises: the Cyprus Christmas Crisis 1963 and Desert Shield/Storm 1991 (LaSalle, 1993). During the Cyprus crisis, NATO's involvement was limited to diplomatic efforts in order to protect the Alliance cohesion and keep its ability to defend against the Soviet Union. It means that NATO took measures to protect common interests, subordinating the national interests of particular members (Greece and Turkey) to the higher goal – collective defence. In the Gulf War, NATO's direct military role was minimal due to enormous engagement of North American and European coalition members. Apart from the mentioned crises, NATO engagement was also present in some way during the Cuban missile crisis in 1962.

The new approach was first set out in 1991 during the NATO Summit in Rome, as part of The Alliance's New Strategic Concept. The mentioned document implies a brand-new and wider approach to security issues and provides better opportunities to obtain defined objectives by using political tools. On the other hand, the 1991 Strategic Concept stipulated the end of the "comprehensive linear defence" in the central region, which had been the key feature of NATO's defence posture in the Cold War period (NATO, 2018e). The Alliance's New Strategic Concept announced the growing prominence of NATO's political element, and political consultation among NATO members became even more important. During the Cold War, planners did not expect to have much time to consult before having to react militarily. During that period, operations plans were an important component of the deterrence role of NATO forces. However, in the newly born circumstances, the crisis management principles call for intimate political NAC control over flexible and responsive military forces capable to fulfil the designated task. In spite of considered guidance given by the 1991 Strategic Concept, NATO's crisis management was firmly defined within the traditional framework of Article 5 of the Washington Treaty, without mentioning out-of-area engagement in different operations. Also, developments in the Soviet Union constituted the greatest concern for the Alliance.

The next passage from *NATO and Peace Support Operations* 1991-1999 written by Frantzen can illustrate the above-mentioned attitude of mind:

"In the autumn of 1991, negotiations on the new Strategic Concept of the North Atlantic Treaty Organisation (NATO) went into their final stage. Simultaneously, NATO conducted exercise "Certain Shield" on the German plains. This largely computer-simulated exercise was based on a scenario with a generic enemy, and was essentially an exercise in great tank battles, which resulted in 700,000 computer-simulated casualties in one week. NATO commanders justified the exercise on the grounds that this kind of warfare posed the greatest challenge to allied tacticians. Furthermore, the exercise was the first experiment with multinational formations below the divisional level. When asked, high-ranking officers rejected the idea that NATO divisions could intervene in Yugoslavia, even if there was the political will to do so because of logistic shortcomings. Eight years later, NATO experienced severe problems in mounting a force of 50,000 troops to stop the civil war in Kosovo. This illustrates both the differences between the "old" and "new" NATO and the problems of adjusting the strategy of the Alliance of the new environment" (Frantzen, 2005, p. 61).

Considering the above-mentioned, it can be concluded that the 1991 Strategic Concept was inappropriate for the actual strategic situation at that time, due to the fact that the Alliance engaged only one year later in a peace support operation in Bosnia and Herzegovina without any reference which should have been defined in this strategic document. The North Atlantic Council, on 15 July 1992, ordered the Standing Naval Force Mediterranean to the Adriatic Sea to aid in monitoring the UN embargo against the Federal Republic of Yugoslavia. In conjunction with the maritime operations, five AWACS platforms, based in Greece and Italy and flying only in NATO and international airspace were to provide aerial surveillance support. Also, in accordance with the UN Security Council Resolution 781 dated on 9 October 1992, NATO started monitoring the airspace of Bosnia and Herzegovina. These actions represent the first NATO's out-of-area officially acknowledged military engagement. As Wijk noticed (1997), in mentioned circumstances, the Defence Planning Committee decided in 1993 that the concept of crisis management should refer both to Article 5 and non-Article 5 scenarios (it also includes out-of-area engagement) and this concept became the political linkage to the peacekeeping. Also, in June 1995, the NAC formally divided NATO's roles into Article 5 and non-Article 5 operations.

Further, NATO and UNPROFOR on 10 August 1995 concluded a Memorandum of understanding on the execution of air strikes by NATO forces in order to protect "safe areas", especially Žepa and Srebrenica. The Memorandum of understanding became operative on 30 August 1995 when NATO conducted an extensive bombing campaign named Operation Deliberate Force against the Bosnian Serb positions involving 400 aircraft (3,515 sorties) and 5,000 personnel from 15 nations in order to undermine the military capabilities which had threatened and attacked UN-designated "safe areas" (Owen, 2000). In accordance with the Dayton Agreement, NATO sent an Implementation Force (IFOR) of 60,000 troops to Bosnia and Herzegovina and replaced the United Nations Protection Force (UNPROFOR). When IFOR's one-year term was completed and the situation on the ground remained potentially unstable, the international community agreed that a new Stabilization Force (SFOR) also led by NATO would be introduced.

Lessons learned from NATO's engagement in Bosnia and Herzegovina were invaluable and provided an operational template for the next Alliance's intervention in Kosovo 1999.⁶ As Williams (2018) observed against the background of the crisis in the former Yugoslavia, the military idea behind the Partnership for Peace Programme was to develop the forces of non-NATO partners, primarily central and eastern European, so that they could participate compatibly in peacekeeping operations. In this sense, the Combined Joint Task Force (CJTF) Initiative proposed by SACEUR at the Defence Ministerial Meeting in Germany in October 1993, was the means by which allies and partners could intervene in a crisis beyond NATO's borders. The CJTF, composed of allied and non-allied forces under

⁶ Three new features helped to build operational template for the Alliance's intervention in Kosovo 1999 and to transform integrated military structure from a mobilization model to a crisis management and intervention capability: (1) the development of an operational planning capability in SHAPE aided by a significant injections of U.S. expertise, (2) the initiation of a Force Generation Process, (3) the importance of non-NATO allies in filling gaps and niches in a force structure (Williams, 2018).

integrated command, had the first test in December 1995 in the framework of the Implementation Force in Operation Joint Endeavour in Bosnia.

Without any doubt, IFOR and SFOR were important in Bosnia and Herzegovina, but mentioned missions constituted no serious test of the transformation within NATO in terms of the decision-making process and required military capabilities. Later on, the entire process over Kosovo clearly indicated the lack of reform of the Alliance. Consequently, Bosnia and Herzegovina and Kosovo revealed weaknesses both with regard to the political-military decision-making process and in the military capability of the European Allies plus Canada, as well as domestic doubts and outright opposition to the bombing in some member states. Likewise, the strategy of relying on air power alone was also much debated, due to the fact that it was a concept developed against military advice and general wisdom. As already had been mentioned in the previous part of this paper, the OAF did not fit into the concept of peacekeeping and also into the wider framework - peace support operations. It was the main reason that the term crisis response operations first appeared in December 1998 after the Foreign Ministerial Meeting, as the Kosovo crisis escalated. At the mentioned meeting, Ministers instructed the NAC in Permanent Session to pursue further work on referred topic vigorously so that the new text was available by the time of the Washington Summit (NATO, 2018f). The main prediction at that time was that crisis response operation could provide a more flexible political framework in comparison with peace support operations and greater independence from the UN and OSCE mandate. The Operation Allied Force is one of the examples of such crisis response operations.

Also, Ivanov (2011) correctly observed that several notable differences between KFOR and IFOR/SFOR confirmed that NATO's involvement evolved from peacekeeping in Bosnia to the crisis response in Kosovo. First, under UNSC Resolution 1244, KFOR was given a significantly broader mandate. In addition to security, the NATO-led forces were charged with maintaining law and order in Kosovo. In comparison to IFOR/SFOR, the advancement of KFOR exemplifies "vertical evolution from peacekeeping to crisis response missions" (Ivanov, 2011, p. 94).

In large, the preparation and conducting activities to solve the Kosovo conflict had provided important input to the process of developing a new Strategic Concept, which later was adopted at the Washington Summit in 1999. After the OAF, there was no longer any severe resistance among NATO member countries against occasionally engaging in out-of-area operations. On the other hand, the main controversy within the Alliance as the Washington Summit came closer, was how to introduce crisis management in the internal NATO's framework and also within broader relations between NATO and the UN on authorising an out-of-area mission. As noticed in *NATO and Peace Support Operations 1991-1999,* "the main rift was among those members who felt discomfort with using force and those who were ready to do so, and the question of the need for the UN authorisation and also disagreement on what priority these new tasks should take and to what extent they should determine the force structure of the members" (Frantzen, 2005, p. 73).

Related to lessons learned in Bosnia and Herzegovina and Kosovo, at the Washington Summit in April 1999, the NATO adopted the new Strategic Concept which emphasised a more comprehensive view of Euro-Atlantic security and NATO capabilities for conflict prevention and crisis management. In this sense, the 1999 Strategic Concept maintained the distinction between Article 5 and non-Article 5 operations. Moreover, the new tasks of crisis management and crisis response operations were given a high profile in the referred document. These tasks should be conducted in conformity with Article 7 of the Washington Treaty (NATO, 2018g).

It is important to note that the crisis response missions are completely different from peacekeeping. While peacekeeping missions require multinational task forces where the emphasis is on troops' multinational character, the crisis response missions require much more cohesive and mobile capabilities. Since multinational task forces alone were insufficient to meet the increasing needs for rapidly deployable and effective forces, NATO initiated the Defence Capabilities Initiative (DCI). At the Washington Summit in April 1999, heads of state and government launched and announced the DCI (NATO, 2018h). NATO's military authorities during the OAF recognized that the Alliance's force structure was no longer flexible enough to react appropriately to unforeseen events. In the 1990s, NATO's transformation process focused on headquarters within the integrated military structure and very little on the unit level. Thus, implementation of the DCI became more and more important. In Kosovo/Operation Allied Force After-Action Report to Congress is clearly mentioned that "successful implementation of the DCI must remain one of the NATO's top priorities a lesson strongly reinforced by the Kosovo experience" (U.S. Department of Defence, 2000, p. 25). The referred initiative aimed at bringing the too large and partially outdated force structure of European NATO members more up to date (NATO, 2018i). The DCI is divided into five overlapping areas: mobility and deployability; sustainability and logistics; effective engagement; survivability and interoperable communication. The need for modernisation within the DCI was reinforced by the American military dominance in the Kosovo crisis. As noticed by Ivanov, ironically, "Defence Capabilities Initiative was inaugurated amid another of NATO's campaigns in the former Yugoslavia – Operation Allied Force" (Ivanov, 2011, p.123).

Experience from the OAF and KFOR engagement has had a big impact on further post-Washington Summit development of capabilities, tactic, techniques and procedures regarding the crisis management concept implementation by NATO. When the OAF finished, international military troops within KFOR were sent to Macedonia without a mandate, mission funding or command arrangements in place. Thus, NATO's crisis management procedures were described by many high-ranking military officials as flawed and stressed the need to improve synergy between the NATO's military and political part. From lessons learned in the OAF, a number of steps were taken to improve NATO's procedures. In this framework, peacekeeping documents and rules of engagement were updated and approved. Frantzen (2005) commented that, up to 1999, NATO did not manage to develop a common doctrine for peace support operations with political approval – there have been at least five drafts, but it proved impossible to achieve consensus on a common peace support operations doctrine. After the aggression on the FRY, NATO's doctrine for peace support operations for the first time adopted in 2001, was followed by the doctrine for non-article 5 Crisis Response Operations dated on March 2005. Also, the NAC approved the Crisis Management Response System in 2005, and since then it has been under constant improvement taking into consideration lessons learned in on-going operations. Apart from that, "the operational planning system also had been revised, the catalogue of military scenarios updated, as well as the precautionary system together with new procedures for crisis response planning" (Frantzen, 2005, p.72).

Regarding capabilities, although the DCI had outlined the goals for crisis prevention, this mechanism lacked precise commitments from individual allies without which the success of the rapid response forces would be elusive. In these circumstances, NATO endorsed a new initiative at the Summit in Prague in November 2002 – the Prague Capabilities Commitment. The new initiative built on its predecessor foundations – the DCI but with some differences. Within the Prague Capabilities Commitment "Allies have made over 400 firm political commitments to improve capabilities covering several specific fields, including CBRN defence; intelligence, surveillance, and target acquisition; air-to-ground surveillance, command, control and communications; combat effectiveness; strategic air and sea-lift; air-to-air refuelling; and deployable combat support and combat services support units" (NATO, 2002, p. 26).

Also, NATO engagement in the former Yugoslavia significantly improved cooperation between NATO and the European Union in the field of crisis management. In this sense, NATO allies have supported the EUled crisis management operations since 2003, including the adoption of the Berlin plus Cooperation Agreement.

After the Kosovo crisis, NATO had one serious challenge to cope with the war in Iraq in 2003 when the member countries had major difficulties to endorse a contingency plan for Turkey's defence. As Ivanov noticed, "Allies did not have a problem regarding the fulfilment their treaty obligations, but they disagreed on the principle of casus bell" (Ivanov, 2011, p. 109). The United States faced major resistance from Belgium, Germany and France to proceed with planning to defend Turkey. In these circumstances the United States chose to act unilaterally in Iraq, forming a loose collation of the willing countries that lacked the type of legitimacy that a NATO-led campaign would have had.

Almost at the same time, the developments in Afghanistan became an international security challenge on the highest level. NATO established ISAF as the largest out-of-area operation. In comparison with previous peacekeeping and crisis response operations, ISAF was a framework for counterinsurgency campaign where NATO has limited experience. Also, conducting stability operations was a big challenge for NATO countries and its partners. NATO's lessons learned from Kosovo engagement pointed out that non-Article 5 missions very often refer to stability operations which require a longer conducting period, multiple tasks and more advanced capabilities. These kinds of missions are usually conducted between war and peace.

Taking the above-mentioned into consideration, in 2006 the Allies agreed the following: "Experience in Afghanistan and Kosovo demonstrates that today's challenges require a comprehensive approach by the international community involving a wide spectrum of civil and military instruments, while fully respecting mandates and autonomy of decisions of all actors, and provides precedents for this approach" (NATO, 2018j). The comprehensive approach addresses the challenges of determining a clear division of tasks, duties and responsibilities between civilian and military

actors across the whole spectrum of crisis prevention, management, stabilisation and reconstruction.

Based on the experiences gained from the engagement in Kosovo and Afghanistan, NATO started with developing a process of a new strategic framework. Active Engagement, Modern Defence Strategic Concept for the Defence and Security of the Members of the North Atlantic Treaty Organization was adopted by Heads of State and Government at the NATO Summit in Lisbon in November 2010 (NATO, 2010). It devoted special attention to the engagement in crisis prevention, conflict monitor and control, and stabilization during and after conflict situations (Glišić, 2011). As Ivanov presented in his study, the new adopted Strategic Concept "reaffirmed that the Alliance continued to play a central role in defending its members, which also included commitments to deploy robust military forces where and when required, and to promote common security around the globe" (Ivanov, 2011, p. XIII). Recognizing crisis management as one of the core NATO's task, the 2010 Strategic Concept sees the Alliance as a global player in the international scene. However, adding crisis management as a core NATO's task did not provide a solid base for the engagement in the coming crises. As Flockhart (2011) observed, the experience of Kosovo and Afghanistan has left some NATO allies with "mission fatigue", which suggests that NATO is unlikely to rush into any new demanding missions. Indeed, such "mission fatigue" may well be the main reason for NATO's reluctance to commit seriously to the engagement in enforcing no-fly zone during the crisis in Libya agreed by UN SC Resolution 1973 in March 2011. Regardless, NATO is once again involved in the use of force against Colonel Muammar Qaddafi regime in the civil war in Libya. The Operation Unified Protector, mandated by the abovementioned UN SC Resolution, involved a broad range of activities for the protection of civilians and civilian-populated areas under the threat of attack by the regime forces.

In present circumstances, from the Serbian point of view, NATO's evolution in the area of crisis management and its engagement in the former Yugoslavia, including aggression on the FRY and KFOR presence on the soil of Kosovo and Metohija, has had a very big impact on the Republic of Serbia to become a militarily neutral country. As noticed by Stojković and Glišić (2018), Serbian military neutrality is a result of historical and political factors developed during the end of the 20th and early 21st century, including NATO engagement to solve crises in the former Yugoslavia soil.

Also, the military neutrality of the Republic of Serbia proved to be economically beneficial.

CONCLUSION

The review of NATO military engagement in the former Yugoslavia, including also the aggression on the FRY in 1999, is essential to understand the transformation of the Alliance in the area of crisis management. During this transformation process from pure peacekeeping to crisis response operation, including also the development of required capabilities, the NATO bombing of Bosnian Serbs and the FRY, as well as the engagement in IFOR/SFOR and KFOR had played a decisive role. It was also visible through the development process of the Strategic Concepts in 1999 and 2010.

NATO aggression on the FRY presents the milestone event in the development process of the crisis management concept, particularly regarding the approval of relevant doctrines for peace support and the crisis management operations, including appropriate command arrangements. Introducing the new way of Allies' engagement – out-of-area, and a new type of operation - non-Article 5 operations, was also a part of the process examined in this article. Apart from that, NATO had emphasised the importance of the further development of the tailored capabilities for conducting crisis response operations.

In fact, this engagement was a limited war, or in other words – a war with limited objectives. In the wider framework of the NATO crisis management concept, it represented coercive diplomacy, which was implied in order to impose the political will of the Alliance on the Yugoslav Government using NATO's armed forces without the United Nations mandate. As noticed by many NATO and other officials, it was a historical precedent for the use of armed force in one sovereign country to intervene for purposes of humanitarian relief.

As it is usual in the existing practice, NATO engagement in the former Yugoslavia to solve very complex crises was reactive. NATO and the international community as a whole due to inaction waited until the escalation, and thus led themselves into a situation to react improperly. In order to be prepared for pre-emptive and proactive engagement, NATO started with developing appropriate concepts, doctrines and capabilities during the crises on the former Yugoslav soil. It was very important to keep NATO's relevance within the international community. It can be concluded that the crises in the former Yugoslavia, and especially the NATO bombing in 1999, saved the Alliance from irrelevance.

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MEDIA WAR: "ARTILLERY SUPPORT" FOR NATO AGGRESSION ON THE FRY 1999

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Abstract: This paper deals with a wide range of media and communication actions performed during the 1990s, directed against the Serbian nation. It analyses media matrix which was very perfidiously designed and implemented in order to blame one (Serbian) side for the breakup of the SFRY and ultimately for the conflict in Kosovo and Metohija, while other sides would be presented as victims. Such media activity culminated at the end of the decade, just before, during and after the bombing of the FRY. The situation was presented to the world public in an untrue and extremely malicious way in order to justify universal aggression on a sovereign country and its collapse. The paper also analyses the unpreparedness of the state and the system at that time for the media war, which can greatly and sometimes decisively affect the outcome or the initiation of military actions, and provides suggestions for the prevention of similar situations.

Key words: media, war, FRY, NATO, Kosovo, politics.

INTRODUCTION

If the truth is held long enough from the peoplewho will believe in something else that you offer, the truth that will be revealed later is of no importance.

Napoleon Bonaparte

In modern warfare, media are an inevitable factor. For the purpose of geopolitical struggle, misinformation, punching ("spinning") of information, aggressive monopoly over the media space and etc., are used (Šćekić, 2016). Concepts such as "natural boundaries", "historical law", "living space", "state reason", "limited sovereignty", "democracy export", "preventive

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war", "human rights protection", and etc., are often misused for the sake of geopolitical goals (Kovačević, 2014).

Media manipulation has improved over the past century, especially in the USA. It is a culture in which Edward Bernays, "father of modern propaganda and public relations" (Sigmund Freud's nephew), said that"lies are not being told, but a new reality is being created. Though virtual and artificial, it "corrects" the reality we live in the direction in which the manipulators want it. Those who manipulate this unseen mechanism of society constitute an invisible government which is the true ruling power of our country. ...We are governed, our minds are molded, our tastes formed, our ideas suggested, largely by men we have never heard of... It is they who pull the wires that control the public mind" (Berneys, 1928, p. 10).

"Redefining methods, techniques and instruments of a special war meant building a sophisticated, super-corrective information flow, with the task to uniform public opinion as a psychological basis for military intervention or political pressure against opponents. The reality, fiction and simulation get bind into an inseparable hank, information and misinformation become a whirlwind, while manipulations domineer the electronic empire in which there is less and less room for the truth. News, reports, surveys, interviews, tribunes, round tables and other genres make the cause-and-effect series with the basic motive: to destroy all foundin the way, along with a lesson of severe repression that will be the best warning to others!" (Barbulović et. al. 2004, p. 19). "Centers that control the information flow form the largest part of the world's opinion, the creation and direction of its attitudes. In this way, other nations, indirectly, through news, popular culture and political marketing, adopt concealed ideological content, identities and views of the world" (Perić & Kajtez, 2013, p. 179).

MATRIX REALIZATION

The only security is the freedom of the media.

Thomas Jefferson

The Serbs' demonization campaign began in July 1991 with a poisonous barrage of articles in the German media, led by the influential conservative newspaper Frankfurter AllgemeineZeitung (FAZ). In almost everyday columns, the FAZ editor Johan Georg Rajsmiler justified the unlawfully declared independence of Slovenia and Croatia by describing the Serbs as "militant Bolsheviks" who "have no place in the European community". Nineteen months after the reunification of Germany, and for the first time since the Nazi defeat, the German media reiterated their condemnation of a nation, which resembled pre-war propaganda against the Jews (Pohrt, 1997). In the Bundestag, the leader of The Greens, Joschka Fischer, even forced the renunciation of pacifism to fight Auschwitz, trying to equalize the Serbs with the Nazis?! In the name of human rights, the Federal Republic of Germany abolished the constitutionally defined prohibition of military operations outside the NATO defence zone in order to be a "normal" military force again - due to "Serbian danger".

The stereotype of the enemy (Serbs) was pulled out of the most profoundly German nationalism of the past. "Serbien muss sterbien" (the wordplay sterben = die), which means "Serbia must die" was the famous slogan of German press before and during the First World War. What happened in Germany was an unusual kind of mass transfer of Nazi identity and guilt to the Serbs. But, the campaign of hatred towards the Serbs, which began in Germany, did not stop there (Johnstone, 1999). It was certainly prompted by the fact that the two sides in the conflict, Croatian and Muslim from Bosnia and Herzegovina, hired a US public relations company Ruder Finn Global Affairs which designed their image and propaganda campaign (Beham, 1997).² The so-called CNN effect gained the full opportunity to express itself in the media coverage of the civil war and the break-up of the SFRY (Robinson, 2002).

As the collapse of the SFRY broke out in Bosnia and Herzegovina the following year, American journalists who repeated unconfirmed stories of Serbian crimes could count on their contributions to be published, with the chance to get the Pulitzer Prize. Indeed, in 1993, the Pulitzer Prize for International Journalism was awarded to the authors of the most sensational stories of the alleged Serbian crimes that year: Roy Gutman of Newsday and John Berns from the New York Times. In both cases, the award-winning articles were based on the hearsay evidence of dubious credibility. Gutman's articles, mostly based on the stories of Muslim refugees, were collected in the capital of Croatia and published in a book that was quite inaccurately titled "The Witness of Genocide". His claims that the Serbs founded "death camps" were used by the public relations agency Ruder

²This agency, which is one of the few most influential ones in the world in terms of forming public opinion, could coordinate the efforts of the two sides against one on the synergy of the effects exploited by the Kosovo Albanian leaders through, for the agency, extremely lucrative contracts measured in millions of dollars.

Finn and intensively expanded further, especially to Jewish organizations for the sake of influencing the US foreign policy. Berns's story was an interview with a mentally disturbed person in Sarajevo prison who acknowledged the war crimes, some of which were later proven to have never existed (Johnstone, 1999).

On the other hand, there was no market for the stories of a journalist who found that Serbian "rape camps" about which they wrote so much did not exist (German TV reporter Martin Letmayer), or for those who provided information about Muslim or Croatian crimes against the Serbs, such as the Belgian journalist George Bergezan (Johnstone, 1999). It became almost impossible to oppose the dominant interpretation of the mainstream media, so journalists with a different attitude were blamed for being Serbian agents and associates. Also, media editors prefer simple stories easily understandable to an ordinary person: one criminal and as much blood as possible, as this affects the rating. According to Gaćinović, the best example of this is the "Markale case". "Muslim separatist terrorists shelled civilians in a queue for bread at Vasa Miškin Street in Sarajevo on May 27th, 1992, when 16 people were killed and 100 injured. This shelling was directed by the Muslim leadership in order to compromise the Serbian people in Bosnia and Herzegovina and the FRY in front of the international community. Thus, these were politically motivated intentions. After that, on May 30th, 1992, the UN Security Council introduced rigorous and comprehensive sanctions against the FR Yugoslavia" (Gaćinović, 2005, p. 204). This was analyzed by John Shindler in his book "Unholly Terror: Bosnia, Al Qaeda and the rise of global jihad"." One of the worst incidents called the massacre in a queue for bread occurred on May 27, when sixteen civilians were killed by an alleged Serbian mortar shell. The attack caused international anger, but a senior UN official explained that after a ballistic analysis of the explosion it seems likely that the explosion was caused by a set explosive device which could only be done by Muslims" (Shindler, 2011, p. 85).

Subsequently, a ballistic reconstruction with a model of the entire scene of the case in real proportions was made at the village Nikinci in Serbia, and the committee of ballistics from nine countries concluded that Schindler was right, which was confirmed by the ex-Deputy Head of the UN Observer Mission for Croatia and Bosnia, a Portuguese Major-General Carlos Branko in his book "The War in the Balkans - Jihadism, Geopolitics and Disinformation" (Branko, 2016). However, Western decisions to withstand media generated pressures for military interventions in Bosnia were to happen because of these cases (Jakobsen, 2000). The propaganda efforts undertaken by the Bosnian Muslims and Croats were quite successful, and this led to frequent complaints from the UN personnel in Bosnia and the peace negotiators that biased, anti-Serbian reporting undermined their work (Owen, 1995; Rose, 1995). Unfortunately, the UN force in Bosnia compounded the problem by disseminating inaccurate information, and even misinformation, to the press (Gjelten, 1998).

MEDIA PREPARATION FOR CULTURAL, SCIENTIFIC AND MILITARY AGGRESSION

In addition to the aforementioned public relations agency Ruder Finn Global Affairs, the Kosovo Albanian leaders also hired the Washington Group, a member of Ketchum Public Relations, which is part of the Omnicom Group, one of the world's leading communications corporations. From January 1998 to the end of July 1999, the experts of this PR Company had the "Government of Kosovo" as clients, with the task of gaining the sympathy of world public opinion. The agency's tasks were: spreading news, information and images of conflict, providing appointments for the Albanian leaders hosting in the world's leading media or participating in major political events (history that is still being repeated today), gaining proper mass media attention, establishing contacts with US senators and important politicians of the United Nations, representatives of nongovernmental organizations and institutions, placement of articles and comments in the media on "Serbian crimes in Kosovo", sending readers' letters and overloading electronic mail addresses of all major editorial offices and public figures, publishing suitable texts in the Serbian media, lobbying among public figures to support the struggle for the freedom of the Kosovo Albanians, etc. In order to affirm the desired opinion in the media, you must have a powerful person who organizes it: the agency was operated by Susan Molinari, former editor of the most influential newscasts CBS, later powerful Republican congressmen, with a wide array of links in the world's media and political structures. For gaining international support, inflammatory terms such as "ghetto" and "apartheid" are used by the Albanian nationalist leaders (Johnstone, 1999) and also Western media.

That is how the book of Noel Malcolm "Kosovo: A Brief History" appeared, emerging just before the start of the bombing of Yugoslavia, with the task of creating a "scientific" image in the European public about the events and roots of the conflict in the southern Serbian province. By revealing in the introductory part that he wrote the book in just two years,

the author acknowledges the urgency of its creation, since it would take him at least two years to read all the sources. Alongside, he absolutely disregarded the Serbian archival material, historiography, and science, with the acknowledgment that it was a deficiency, "but my critics are not historians and are not qualified to judge it". The writing is based on the ideas of the "ancient Dardania" and Illyrian origin, in which the "Kosovars" arrived in these areas in the 7th century, mixing with the population of "Latin and somewhat Greek speech", while the Serbs lived in the Saxony lands until the 15th century, when the Croats brought them to the Balkan Peninsula?! Thus, according to Malcolm's book, the Kosovo Battle was not Serbian because the Dardanians, Poles and Hungarian army were in charge, so "the Albanians defended the Christian West, while the Serbs held to the Ottoman East." The idea of the book was obviously to prove that the Serbs do not have historical and ethnic right in Kosovo, where "they were a privileged population for centuries who had endangered the settlers by their domination." It should be known that Malcolm is the author of the book "Bosnia: A Brief History", whose publication coincided with the emergence of the crisis in the former Yugoslav republic. In this piece, Malcolm advocates the fantastic theory that the Serbs were created by the blending of African black people (brought in by the Romans) with the occupied population of the Balkan Peninsula!? (Barbulović, et. al. 2004).

In the years that followed several doctoral dissertations concluded in Great Britain extensively cited this "trustworthy" source, so the scientific aggression continued.

The Račak Case

By signing the Agreement on the Autonomy of Kosovo and Metohija between Special American Envoy Richard Holbrook and Yugoslav President Slobodan Milosevic on October 13th, 1998, there was a slowdown in the pressure on the FRY. A convenient moment for further escalation of the conflict and checking whether the Yugoslav Army possessed the S-300 PVO system³ was awaited, and as the Yugoslav Army and the police correctly performed their tasks, it was decided that the event should be

³ Since the photo of soldiers dressed in Yugoslav Army uniforms in command vehicle of S-300 system was released to the public, which probably delayed the attack on the FRY planned for the winter, a period in which the movements of forces can easily be

faked. An OSCE mission led by US diplomat Wiliam Walker was sent to Kosovo and Metohija.

Then the attacks on the police and other persons in the service of the state regardless of their nationality started again. Violence was also targeted against the prominent Albanians in order to intimidate them to join the terrorist movement, which led to the immediate formation of the Kosovo Liberation Army units in the territories they controlled. Thus, the ambitiously named unit the 121st Brigade of the "KLA", was placed in the village of Račak with the task of disturbing the police in order to provoke the response.

After the assassination of one policeman and wounding a few others nearby the village, the police blocked the village on January 14th, unaware that it was surrounded by ditches and bunkers and that it was full of terrorists. In an official statement issued by the Serbian Ministry of Internal Affairs, it is stated that "the police opened fire and broke up terrorist groups. Dozens of terrorists were killed in the combat, most of them wearing uniforms with terrorist KLA symbols". The official statement of Serbia was published only on January 17th, which was a huge mistake since the police action was recorded by the cameras of the journalists of Associated Press and Reuters, while OSCE representatives followed what was happening. After the end of the battle, the police left the village with the journalists, informing the investigating judge and the district public prosecutor to come to the scene, but this was not done because of the dusk and the danger of other terrorist attacks. This was a new mistake because the investigation should have been conducted immediately, under the constant police surveillance, along with an urgently convened press conference at the scene and presentation of evidence.

The Serbian mistake was used by Walker, who took numerous journalists' team to Račak the next day, where 45 corpses were placed in the village mosque. The performance directed at special service cabinets could begin, and the fake humanist and human rights activist accused the Serbian

perceived in the field, and the possibility of camouflage reduced – which was later used by the Yugoslav Army in the defense. In the professional public this is considered as a great success of the Yugoslav military intelligence service, because military engineers and volunteers (usually former military members) in the next six months made thousands of very credible models of various arms. Consequently, the Yugoslav Army suffered low losses, in both personel and equipment, in a situation of complete air inferiority to NATO.

security forces of the massacre. With the help of the prepared journalists, the news immediately spread over the planet, provoking a wave of condemnation of the Serbian people. "It's the most horrible thing I've ever seen in my life," Walker almost cried out over the satellite phone in front of the TV cameras to NATO Commander for Europe General Wesley Clark, taking a picture in front of a corpse of a middle-aged man with a "keče" (Albanian hat) on his head, a symbol indicating the person as an Albanian. The photo masters zoom in the shattered face of the deceased, deformed by the force of the bullet that hit him, but makes a rough mistake since it is impossible for the hat to remain in its place after such a fierce stroke. Walker reacted to the urgent denial of the alleged massacre by the Yugoslav authorities by preventing the state authorities to conduct an official investigation.

The NGO Human Rights Watch jumps in to help Walker by reconstructing the incident of the brutal crackdown of police forces on the basis of the statements collected from Albanian witnesses, reinforcing impressions by stating that "on many of the 23 bodies there were traces of torture". The Washington Post then went on spinning the network of falsehoods, when its journalist Jeffrey Smith first acknowledged Račak as a stronghold of "guerrillas" and then concluded that the Serbs were guilty of hiding the crime by insisting on an autopsy of the fallen. Christiane Amanpour, a CNN star who was denied the visa at that time by the authorities for bias in reporting on events in the SFRY and the FRY, reported the "truth" from Budapest-Hungary, confirming it was a massacre. Gradation was then increased by Boris Kalnoky, a correspondent of German Die Welt, who rocketed a story about a beheaded corpse, and a crushed skull from which "Serbs have spooned the brains" (Barbulović et. al. 2004). Preston Mendenhall, an MSNBC correspondent, poured oil onto the fire by saying: "Račak. Yugoslavia, January 20. Those who fled did it quickly. Evidence could be found on Wednesday: half-drunk coffee cups in the garden cafes, children's toys in the abandoned courtyard of a country house. Last Friday, this village fell under the intense fire of the Serbian security forces fighting against Kosovo separatists. Five days later, the name Račak became a synonym for massacre" (Barbulović et. al. 2004). Imagine a Kosovo village in a barrel with cafes full in the morning hours, when the temperature was -5°C... In order to conduct propaganda, there must be some barrier between the public and the event. Access to the real environment must be limited before anyone can create a pseudoenvironment that he thinks wise or desirable (Lipmann, 1922).

For the sake of effectiveness, it was necessary to create an idea with the roughness of an image that must be embedded in the audience's subconscious. During the night, 15 hours after the police had left the village, a horrible film scenario was set up: the bodies of the assassinated terrorists were gathered, but also new ones were added from the neighbouring towns and peasants who would make statements were prepared. In order to make everything even more convincing and upsetting, the country mosque in which the bodies were arranged in a circle, was selected for the shooting spot. Everything was arranged: upon entering the village, foreign journalists were met by the neatly shaved members of the "KLA" in clean and ironed uniforms, who take care of their safety. The image was absolutely fake because there were no reasons for caution: the FRY forces have retreated; conducting the investigation by legal investigative authorities was not allowed which was the preparation of terrain for media and political manipulation. Witness statements were identical: "The police forcefully broke into the houses, separated the men from the women, and took them out to the high ground to kill them there". Special media attention was given to the theatricality of the funeral of the victims, but the screenwriter made a mistake because the camera recorded the presence of women in the mosque, which is contrary to Islam. Still, when it comes to performance, everything is possible! By presenting the "KLA" as fighters for freedom, independence, human rights, putting forward the theses about the vulnerability of the Albanian people in Kosovo and Metohija, media manipulators sent a diabolic message to the world public against the FRY and the Serbs.

Analysis

The Yugoslav media, as well as the political leadership, did not evaluate the development of the situation in Račak and possible consequences. In contemporary political theory, there is a "staged counteraction to public opinion", which means an urgent and high-quality counter strike. The pictures of the police action taken by foreign TV crews had to be confronted with lies, but at the same time the idyllic display of the "Albanian village and innocent peasants" should have been collapsed with the evidence of a video shoot of the trenches and positions of the dead terrorists. Media manipulation had to be revealed until the end. The cautious and slow denial of the Yugoslav media and state organs only served to further disorientation of the world's opinion, which convinced by the omnipotence of television gave credit to the first information that was later hardly denied. The emotional images of corpses, tears and damaged houses should have been opposed by the image of the action of the Yugoslav police, with the overall care for the lives of civilians and the final effects of the armed actions. The forged spectacle intended for the audience around the world had to be overthrown by the simplest method of war reporting. It was easy because the victims in Račak were terrorists, in contrast to those cases in which the other sides sacrificed civilians to inspire a motive for outside intervention. Thus, this and similar actions should have been accompanied by a war journalist (and there were many of them with such experience in Serbia), who would, along with the state and military officials, distribute material to all available media and news agencies right after the end of the action.

The Račak case is the result of a poorly managed Serbian media. The truth about Račak has never been officially presented to the world public, and the late acknowledgments of individuals about the lies used to seduce the world's opinion had no echo. The bodies of the dead were first examined by the Yugoslav and Belarusian experts, establishing that the injuries occurred during the armed conflicts. Western governments simply ignored it, and after the subsequent sending of an international team of pathologists, the task of finding evidence of a massacre was designed. The aim was to make the results appear to be a means of pressure, so the announcement date of the autopsy findings was moved from March 5th to March 8th, then March 17th. Only after the refusal of NATO's ultimatum regarding the deployment of military forces to Kosovo and Metohija, the existence of "elements of war crimes" has been announced, but without marking who made it. At the press conference on March 17th, Helena Rante, leader of the pathological experts, announced a series of personal observations, avoiding mentioning the term "massacre" with much uncertainty, ambiguity and blur, but suggesting allegations of the existence of Serbian guilt and "crimes against humanity".

After more than a year, Rante told German reporters "that there was a little confusion at the press conference... It was Walker's decision to call it a massacre; I systematically avoided using that word" (Barbulović et. al. 2004). Pathologists from many different countries have unequivocally established that in only one case the victim was shot dead at close range, while others were killed in the combat, and Helen Rante years later acknowledged in the autobiographical book that the team worked under the great pressure of Walker, although a member of her team, prof. Dr. Vujadin Otašević had documented everything (and recorded it with a camera) and sent to many

international organisations but without any response. However, instead of the real report, the reporters were offered only five pages extracted from the context for the accusation against the Yugoslav security forces and the FRY. One week later military action of NATO started unauthorized by the UN, the first one of such kind, opening a Pandora's box in the next millennium.

NATO AGGRESSION ON THE FRY AND MEDIA

Under the conditions of aggression, the control over information at the level of the FRY was established, based on the decisions of the state authorities in charge. Their validity, however, was related to the duration of the state of war. Informing the general public was very well organized through the Press Centre of the Yugoslav Army.⁴

However, some journalists often made beginner mistakes by reporting, for example, "that 20 Albanians were killed in the police action in Drenica", instead of "20 terrorists", because semantic ambiguity had no propaganda effects. When they are referred to as terrorists the character of the conflict is defined, since the terrorist attack is always, by its definition, directed against the state and the people. At the same time, by increasing the figures and images of the casualties on the opposite side, the Albanian media displayed the second version of the truth, calling for resistance and revenge. By glorifying terrorists, minimizing losses, proclaiming the Yugoslav Army and the police "occupying", they indoctrinated the neutral population in Kosovo and Metohija.

"Collateral damage" - war, lies, and video tapes

It is yet unknown whether the credit for creating this monstrous language creature for the civilian casualties belongs to NATO spokesperson Jamie Shea or operatives of the Fourth Psychological Operational Group from Fort Brag in New Carolina, who were sitting in CNN offices during the bombing of Serbia and other major US editorial offices, with the task of spreading the selected information and euphemisms that had to remove the

⁴ After the aggression cessation, the situation in this area returned to the old, that is, a peaceful situation characterized by passive politics, although Serbia and its people are exposed to media demonization of the highest level before, during and after the aggression.

scent of blood of innocent victims in the NATO intervention against the FRY. All war propaganda consists, in the last resort, in substituting diabolical abstractions for human beings. Similarly, those who defend war have invented a pleasant sounding vocabulary of abstractions in which to describe the process of mass murder (Huxley, 1936).

We will analyse what it looks in practice on the case of the bombing of the passenger train in Grdelička Klisura (4 April 1999), when almost 60 passengers were killed, while 16 were seriously wounded. The "collateral damage" was justified by the NATO propaganda machine by falsified images and the simulation of the event, and on the video, the speed of the train was increased by rigging almost five times. As the counterfeit was detected, a NATO representative accepted the possibility of a technical error in the software system used in intelligence analysis, while the spokesman pressed by the evidence said that "the pilot acted in good faith and was not able to turn the rocket off the path, when the train appeared on the screen." Should we believe that the train is faster than a supersonic aircraft?!

"It is not just that a lot of collateral damage was not due to a simple error but bore a political significance: in reality the attacks focused on the country's infrastructure, raising the number of losses among civilians. It is certain that in the long run, the financial and ecological destruction of Yugoslavia (through the use of banned weapons-e.g. depleted uranium missiles-and bombing of chemical plants) will produce hundreds of uncommemorated victims who will bear the brunt of the war" (Kavoulakos, 2000, p. 61).

CONCLUSION

Wars and armed conflicts on the territory of the former SFRY testify that "military weaker forces (secessionist armed formations of Slovenia, Croatia and Bosnia and Herzegovina, as well as the Albanian secessionists in Kosovo and Metohija) often compensated inferiority from the battlefield in the media field" (Vukovic, 2018, p. 240). The oversight and the delay in media coverage cost the Serbian people a lot, but one should not be naive to think that by foiling propaganda war the real one would have been avoided. However, had the political elite realised the importance of mass media reporting and public opinion, the overall consequences both to the image of the Serbs as well as the aggression on the FRY would have been incomparably smaller.

Despite the fact that the conflict in Kosovo was followed by four times more journalists than in Vietnam, the real truth about the victims and the malfeasances remained inaccessible to the world public. During 78 days of the bombing that detonated the alleged massacre in Račak, about 2,500 civilians of all nationalities were killed - primarily in Kosovo and Metohija, 1,002 soldiers and police officers, and 238,000 citizens of non-Albanian ethnicity, primarily the Serbs, were expelled in the years to come and thus the ethnic homogeneous territory was created. In the internal plan, the media policy was led relatively well, but it was completely defeated on the outer plan, as did the foreign policy of the FRY: although the southern Serbian province formally remained part of Serbia, its armed forces were withdrawn from this territory, and today Serbia is in a difficult struggle to preserve the territorial integrity and the Serbian population in Kosovo and Metohija or at least part of the territory on which it is concentrated. In that sense, the policy that has been declaratively called the "The Truth Will Win" in the decade of the conflict suffered a complete debacle. "The Serbian elite paid a high price for not understanding the power of public opinion, the negative publicity, and the tightness of their own media system, due to which, among other things, it experienced global media demonization as well as the whole nation" (Perić, 2008, p. 178). Under the conditions when most of the international news was published by four news agencies representing the anti-Serb politics, such an idea was based either on the gross misunderstanding of how mass media and the global media system function, or of the utter lack of interest in the aforementioned. Due to a profound conviction of the author, it was a mixture of the aforementioned. Perhaps the knightly trait of the Serbian army and its commanders of the time were involved in the mentioned maxim "The truth will prevail". Still, there is no knighthood in the media war.

Ending conclusion is that a responsible state must have a sufficiently organized system at the state and military level for responses to similar crises, as well as highly skilled media professionals who can identify these crises through world media reporting and also prepare the crisis and operational media plans and contents. Moreover, a responsible state policy should predict the creation and implementation of a general communication and media plan for correcting the image of the Serbia and its people in a good part of the world public, which could be in correlation with the overall development of the state and all of its essential parts among which the Army is certainly one of the most important.

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PSYCHOLOGICAL OPERATION IN LOW-INTENSITY CONFLICT – CASE STUDY KOSOVO AND METOHIJA

Veljko BLAGOJEVIĆ, Ph.D.¹

Abstract: This paper deals with western countries, led by the United States, psychological operations against Serbia's political leadership and security and defense forces during the Kosovo crisis 1998-1999. Shortly after the end of war in Bosnia, the security situation in Kosovo and Metohija (K&M) escalated from the potential to a real and imminent threat to the national security of the SFRY. The Kosovo Albanians organized paramilitary formations the Kosovo Liberation Army - KLA (Ushtria Clirimtare e Kosovës or UCK) on a territorial basis, and intensified attacks on Serbia's security forces and institutions. The situation in the region became "ideal" for applying the US concept of Low-Intensity Conflict. The basic aim of this paper is to analyze key elements of the psychological operations of the Western allies against Serbia/FRY in conditions of low-intensity conflicts in K&M. First, the paper will analyze US/NATO doctrinal documents of Low-Intensity Conflict and Psychological Operation that were in power at that time, representing the focus of engaging all national resources, from (public) diplomacy and the media through economic and political sanctions to security and defense measures, aimed at changing the behavior of the subject of international relations to which it was applied. Then, the focus will shift on the implementation of those doctrines in the Kosovo crisis. The paper will be divided into two phases, the Kosovo Albanians rebel in 1998/99 and the Operation Allied Force in 1999. Twenty years' distance from those events gives us a very good historical perspective for an objective political analysis of Serbian and Western leadership of that time, the outcomes of the crisis and repercussions on the key national interests of Serbia.

Key words: Kosovo and Metohija, Low-Intensity Conflict, Psychological Operation, Operation Allied Force.

"The wisdom of the fox is often overestimated because the chicken's stupidity is also credited to her."

Dietrich Huber

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INTRODUCTORY CONSIDERATIONS

The roots of the modern concept of Low-Intensity Conflict can be dated back to the end of the Second World War. After the war, Great Britain was faced with a lack of manpower and finance for military engagement against insurgencies in Palestine, Malaya, Eritrea, Kenya, British Guiana, Cyprus, Suez and other parts of the Empire. At the beginning of counterinsurgency efforts in Malaya, Kenya and Cyprus, their military troops were extremely limited, without experience and poorly trained, and there was a lack of strategic and doctrinal instructions for managing the crises. Fortunately for Great Britain, a lot of initial problems were overcome with the implementation of traditional policy which implied that authority over the course of each conflict was delegated to a single British representative (Hoffman & Taw, 1991, p. 7).

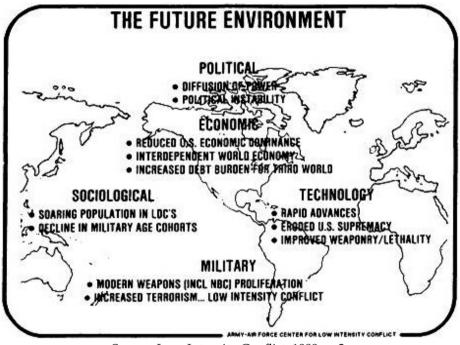
Generally, significant lesson learned from British actions in Malaya, Kenya and Cyprus were:

- Administration, police and military should be coordinated under a single individual;
- The value of intelligence should not be underestimated, and intelligence-gathering and collation should be coordinated under a single authority as well;
- Late recognition of an insurgency is costly, insofar as the insurgents have an opportunity to gain a foothold before facing any organized opposition;
- Large-scale formal operations should not be emphasized in lieu of special forces operations;
- Routine police work should continue;
- Without sufficient LIC-training for troops and appropriate material, the conflict will last longer and cost more to fight (Hoffman & Taw, 1991, pp. 8-9).

These lessons were applicable for strategic doctrine all over the world because they were the underlying principles of warfare in the modern social and international circumstances.

United States strategists, while analyzing heavy defeat in Vietnam, concluded that their collapse in that country in spite of operational, technological and logistic superiority happened due to political weaknesses in the strategy. At the beginning of the '80s, the US adopted a strategic doctrine of Low-Intensity Conflict, mostly based on British

experiences in engaging in counter in surgency in overseas colonies after the Second World War. The Strategy of Low-Intensity Conflict is basically oriented to the political dimension as a key determinant in overall policy towards a specific country (Dogu, 1990, pp. 9-10) in accordance with the conditions in international relations and intelligence preparation of the battlefield, as follow:



Map 1: Future Environment for LIC

Source: Low-Intensity Conflict, 1989, p. 2

There are a lot of definitions of the low-intensity conflict². The most common one is a definition adopted by U.S. Headquarters Departments of the Army and the Air Force: "Low-intensity conflict is a political-

² Low-intensity conflict is a limited political-military struggle to achieve political, social, economic or psychological objectives. It is often protracted and ranges from diplomatic, economic or psychosocial pressures through terrorism and insurgency. Low-intensity conflict is generally confined to a geographic area and is often characterized by constraints on the weaponry, tactics and the level of violence.

military confrontation between contending states or groups below conventional war and above the routine, peaceful competition among states" (Field Manual No. 100-20, 1990, p. 9). Traditional conflict or conventional war paradigm involves: reliance on the correlation of forces, firepower, and conventional tactics; faith in technological solutions and quantifications and a belief that war suspends politics. Low-intensity conflict frequently involves protracted struggles of competing principles and ideologies. Low-intensity conflict ranges from subversion to more or less the use of armed force. It is waged by a combination of foreign policy means, employing political, economic, informational, and military instruments. Low-intensity conflicts are often localized, generally in the Third World, but contain regional and global security implications.

The basic starting point of the strategy is the socio-political reality of the state concerned. According to US experts, the role of the US as a foreign actor is to apply strategic interest mostly by influence in the political and social system of a domestic country using political, economic, informational, philological and military instrument if necessary. The concept of this strategy - "control of territory", the number of "killed" and "captured"- do not represent the real indicators of success or failure. More important are the indicators showing the level of success in the political, social and psychological sphere (Dogu, 1990, pp. 9-10).

Addressing the challenge of low-intensity conflict requires confronting a host of political, military, economic, and informational problems. Add to these such uncertainties like the intellectual, legal, and moral questions raised by some individuals, and you begin to understand the complex and probably the prevalent form of warfare for the foreseeable future. One point to be made is that of perspective. Lowintensity conflict is only low from the perspective of the United States. To the people facing civil war and/or terrorism, it is anything but low (Low-Intensity Conflict, 1989, p. 2).

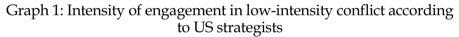
There are four types of external support to insurgency/ counterinsurgency according to the US military:

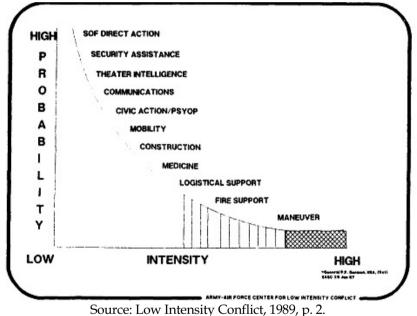
- Moral an acknowledgment of the insurgent cause as just and admirable.
- Political active promotion of the insurgent's strategic goals in international forums.
- Resources money, weapons, food, advisors, and training.

• Sanctuary - secure training, operational, and logistical bases (Field Manual No. 100-20, 1990, p. 24).

This classification will be used for analyzing US/NATO engagement in the crisis in K&M.

Psychological operations are to be predominantly implemented in moral and political sector of low-intensity conflict. It is visible in the following graph that the probability of using psychological operations is relatively high and obligatory coming after providing security assistance, theater intelligence and communication.





Psychological operations, civil affairs, public affairs, and public diplomacy programs are designed to exploit enemy vulnerabilities and target audiences whose support is crucial to gain strategic objectives. They are suited to both short-term and long-term involvements. To be effective in short-notice operations, these programs require continuous preparation, regional expertise and consistent coordination between civilian and military authorities (Field Manual No. 100-20, 1990, p. 71).

The effectiveness of deterrence hinges on US ability to influence the perceptions of others. Psychological operations (PSYOP) are planned operations to convey selected information and indicators to foreign audiences to influence their emotions, motives, objective reasoning, and ultimately the behavior of foreign governments, organizations, groups, and individuals. The purpose of PSYOP is to induce or reinforce foreign attitudes and behavior favorable to the originator's objectives. PSYOP are a vital part of the broad range of US diplomatic, informational, military, and economic activities. PSYOP characteristically are delivered as information for effect, used during peacetime and conflict, to inform and influence. When properly employed, PSYOP can save lives of friendly and/or adversary forces by reducing adversaries' will to fight. By lowering adversary morale and reducing their efficiency, PSYOP can also discourage aggressive actions and create dissidence and disaffection within their ranks, ultimately inducing surrender. (Doctrine for Joint Psychological Operations, 2003, p. 16)

THE BEGINNING OF THE CRISIS IN KOSOVO AND METOHIJA

Rethinking on the beginning of the Kosovo crisis without taking in account process of dissolution of the SFR Yugoslavia will not give us objective conclusions. Since the time of the First Serbian Uprising, the Western powers have established the position that Serbia is a key Russian ally in the Balkans and the natural extension of Russian interests in this region. Even then, the Western powers tried to suppress the strengthening of Russian influence in the Balkans and their exit to the Adriatic Sea. In that process, Serbia would certainly play a significant role in view of its image of "small Russians in the Balkans", which often did not have much justification in reality. The geopolitical disturbances of the tectonic character caused by the fall of the Berlin Wall and the historical discredit of the socialist concept gained a particularly destructive force in the Balkans, changing the basis of the political, value and cultural foundations of the SFR Yugoslavia. Leaders of the Republics were unable to agree on the future organization of the federal state, which was burdened with a bad economic situation and rising nationalism, among which the Albanians' efforts to get a status of a republic were especially emphasized.

The Republican political elites in their efforts to support the foreign factor for independence mostly resorted to the argument that the Serbs oppress the Albanians in Kosovo and other peoples in the federal state and that the Serbs are an instrument of Russia's foreign policy in the Balkans. Since the West has already had an awareness of the historical, cultural and religious affinity of the Serbs and the Russians, it was not difficult to persuade them of the reality of such allegations and at the same time emphasizing the efforts to join NATO and the European Union. The Serbs, naturally, tried to preserve the Yugoslav federation because it meant their existence in one state. The leadership of separatist republics succeeded to present the Serbian political elite as supporters of Marxism to the West.

It was done intentionally, with a calculation to gain the support of the West for separation from the SFR Yugoslavia, having in mind following statement of former US president Ronald Reagan: "We (US) seek to give effective support to those who have taken the initiative to resist Marxist-Leninist dictatorships so they can struggle for freedom. Support to resistance forces does not undermine our commitment to a negotiated settlement, on the contrary, strong resistance movements can only increase the likelihood of bringing communist rulers to the bargaining table" (Low Intensity Conflict, 1989, p. 31).

This was the ideological platform for "pushing" the Serbs into an image of the retrograde nation and, consequently, blame them for everything bad that happened in the Balkans, according to the strategic approach of the low-intensity conflict. The West supported secessionist republics, at first by political and diplomatic means, and when the wars in Slovenia, Croatia and Bosnia and Herzegovina started, that support gradually turned into the intelligence, economic and military assistance. NATO, for the first time in the history³, directly military intervened in Bosnia and Herzegovina by Air Force, with the aim to force the Serbian political elite to negotiate for peace by changing the military situation on the field. At the same time, the stigmatization of the Serbs on the international level was carried out; political, economic, military, and even sports sanctions have been introduced. After the Dayton Peace Agreement, President Milosević became for a while a "peacemaker" and sanctions were relaxed, but still in force. During the wars in Croatia and especially in Bosnia and Herzegovina, in western media and among

³ This was the first military engagement of NATO, although it is usually to consider the Kosovo campaign as the first one.

politicians and diplomats, the Serbs were charged with "ethnic cleansing", which was a new term introduced into a political dictionary to spin-off war crimes in Bosnia (Cigar, 1995, pp. 123-138).

Under Yugoslavia's 1974 Constitution, K&M had been made an autonomous province within Serbia and was given broad political authority nearly on a par with Yugoslavia's six republics. However, the ethnic Albanians continued to push for more extensive political rights, and Belgrade put down student demonstrations in 1981. Relations between the Serbs and the Albanians continued to erode with the rise of Slobodan Milosević on the political scene. Indeed, Milosević's extreme nationalist rhetoric, often directly targeted at the Albanians, propelled him to tremendous popularity in Serbia. Between 1989 and 1990, the Serbian Government was further cutting down the rights of the ethnic Albanian in the province, which culminated with the revoking of Kosovo's autonomous status in July 1990. Despite such pressures, the Albanians largely practiced nonviolent resistance amid growing calls for independence, despite constituting the majority of the province's population (Norris, 2005, p. xx).

With Yugoslavia splintering into smaller and smaller pieces at the end of the Cold War, Kosovo became destabilized. After watching the horrors in Bosnia, many Albanians were convinced that nonviolence would not loosen Belgrade's tight grip. By the mid-1990s, a poorly organized militant guerrilla movement began to spring up in the Albanian community. The most important of these groups, the KLA, was small and led by a motley collection of nationalists, clans, and criminals. The collapse of the government of neighboring Albania in 1997 then flooded Kosovo with cheap weapons and triggered harsh crackdowns by the Serbian police and paramilitary forces.

Kosovo occupied a clearly secondary place in the Western policy towards the region. Unlike Bosnia and Herzegovina, Croatia and the other former Yugoslav republics, Kosovo was regarded as an integral part of Serbia rather than a constituent part of the federation. Whereas the republics were regarded as new states that emerged from Yugoslavia's dissolution and thus enjoyed sovereign rights, this status did not apply to Serbia's autonomous province K&M even though it had enjoyed many of the same prerogatives the republics had, including its own constitution, government and judiciaries in Yugoslavia's eight-member federal presidency. The question of recognition of the former Yugoslav republic was seen as a primary political ground before a legal option had been given (Ker-Lindsey, 2012, p. 33). As a result, the issue for the Western policy in Kosovo was not self-determination or national rights, but how to protect minority and human rights" (Daalder & O'Hanlon, 2001, p. 9). It is obvious that this political decision was made according to the strategic doctrine of low- intensity conflict, precisely political (active promotion of the insurgent's strategic goals in international forums) and moral (an acknowledgment of the insurgent cause as just and admirable)⁴. Only 13 months before the first bombs fell on Serbia, the West had been making concessions in order to bring the FRY back into the international community and openly referring to the KLA as a terrorist organization. This process was "supported" by intensive media/information activities that can be presented in the following graph.



Source: The CNN Effect in Action, 2007, p. 32

The security situation continued to radicalize throughout 1998 with a steady stream of hit-and-run operations by the KLA. The Serbian police launched an attack against Jashari's home and kill 58 members of his family in the village Prekaze in March 1998. This police action was taken as an example for Serbian repression and the symbol of the Albanians' "just struggle" against the Serbian government. It was almost instantly published in numerous newspaper and international NGO reports which accused Milosević's regime of the "excessive use of force", and made

⁴ As the distinguish members of Brookings Institute Ivo Daalder and Michael O'Hanlon stated: "When Milosevic's forces engaged in a brutal crackdown on the KLA in early March 1998, the Clinton administration knew it had to act for political, strategic, and moral reasons".

connectivity with war crimes in Bosnia and Herzegovina. This was a typical psychological operation with high impact on the international level, the internal political struggle against the Serbian political elite and the security forces, and positive moral effects on the KLA members. Adem Jashari is nowadays a "symbol of the Albanian fight for Kosovo independence"⁵.

Against a backdrop of escalating violence, the United Nations reimposed an international arms embargo on Yugoslavia, and K&M became the subject of intense diplomatic discussions in the United Nations and the Contact Group⁶. A UN Security Council resolution called for a cease-fire and a drawdown in the number of the Yugoslav forces in Kosovo in September of 1998. This plea fell on deaf ears, and fighting between the Yugoslav forces and the KLA intensified. NATO authorized air strikes in October 1998 if the Yugoslav security forces were not pulled back from Kosovo. U.S. Ambassador Richard Holbrooke launched a diplomatic mission to Belgrade in "an effort to end the crisis". After a flurry of negotiations with Yugoslav President Milosević, Belgrade agreed to have international civilian monitors deployed in Kosovo (OSCE Kosovo Verification Mission⁷) and to pull back about one-third of its troops. NATO declared that air strikes would be launched if Milosević broke the agreement, and the KLA was expected to cease its attacks as well. While Belgrade initially lived up to the terms of the October accords,

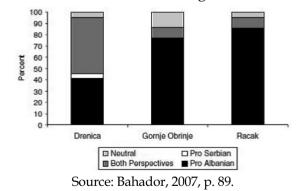
⁵ The football stadium in south Kosovska Mitrovica, the National Theatre in Pristina and Pristina International Airport and a lot of other public institutions in Kosovo and Metohija have been named after him.

⁶ The Contact Group was consisting of the United States, Russia, Britain, France, Germany, and Italy.

⁷ US "diplomat" William Walker was appointed to head the Kosovo Verification Mission, leading some 1400 international and 1500 local staff between October 1998 and June 1999 along with British Major General John Drewienkiewicz, Walker's military adviser. Walker had experiences in low-intensity conflict in Latin America, as well as in the Balkans. In August 1997, Walker was named a Special Representative of the UN Secretary General and was appointed to head the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES). He led a mission consisting of some 800 UN civilian and 2,500 military peacekeepers and administrators. The mission was responsible for overseeing the peaceful reintegration of this Serb-controlled region of eastern Slavonia into Croatia following the end of the Croatian War. At the time, he was perfect person for the job that followed in Kosovo and Metohija.

the KLA members quickly exploited the agreement and took control of military positions abandoned by the Serbs.

In December 1998 and January 1999, a series of high-profile killings by both Serbs and Albanians made clear that peace was not at hand. On 15th January 1999, in the village of Račak, 45 Albanian "civilians" were killed in police action. The facts as verified by the Kosovo Verification Mission include evidence of arbitrary detentions, extra-judicial killings and the mutilation of unarmed civilians by the security forces of the Federal Republic of Yugoslavia. The Kosovo Verification Mission has voiced the opinion of the international community that the FRY Government must immediately allow the International Criminal Tribunal for the Former Yugoslavia to come to Kosovo and investigate the incident⁸. The FRY Government has not responded positively (Massacre of Civilians in Račak, 2005, p. 1), and that incident was taken as a cause for reinforcement of the media re-satanization of the Serbs at the international level. Following the media reports on Račak massacre, Walker was putting pressure on forensic experts headed by Finnish pathologist Helena Ranta to name the perpetrators of the massacre, thus acquiring the justification in the international community for the later NATO bombing of Yugoslavia (Bahador, 2007, pp. 85-129).



Graph 3: American Television Framing of the Kosovo Conflict

⁸ The FR Yugoslavia Government made the head of the Kosovo Verification Mission William Volker persona non grata on January 18, 1999. A week later, on the intervention of the European Council and the Russian Federation, Prime Minister of FR Yugoslavia froze the decision.

It is obvious that the pro-Albanian framing accounted for 41 percent of all framing after the police operation in the village Prekaze and increased to 86 percent after the Račak. At the same time, the pro-Serbian framing disappeared and both perspective and neutral reporting become very rare.

During this period, the Western engagement in the crisis in K&M was not "only" political (active promotion of the insurgent's strategic goals in international forums) and moral activities (an acknowledgment of the insurgent cause as just and admirable), but also providing sanctuary for rebellion movement (secure training, operational, and logistical bases) mostly in the North-East part of Albania (Field Manual No. 100-20, 1990, p. 24).

During February 6-17, 1999, the Contact Group convened peace negotiations at Rambouillet, France, hoping to bring both Milosević and the Kosovo Albanian factions to terms. The Contact Group pushed to restore Kosovo's autonomous status, deploy an armed international peacekeeping presence under NATO's direction, and eventually hold a nonbinding referendum on Kosovo's status. Unfortunately, the Rambouillet talks, called by some a European version of the US-led Dayton Peace Accords, were doomed to fail. There was plenty of blame to go around. President Milosević did not participate directly in the negotiations, and the delegation he sent to Rambouillet had little authority. Milosević balked at serious talks as long as the Contact Group continued demanding NATO peacekeepers to be put on the ground. Despite the absence of Milosević, Yugoslavia's key decision-maker, the Contact Group made the questionable decision to forge ahead with the peace conference. (Norris, 2005, pp. xx-xxi).

OPERATION ALLIED FORCE

Every military operation begins with a plan, and Operation Allied Force began as NATO PLAN 10601. The official history says that preparation of 10601 began in response to a NATO directive in June 1998. Between the summer of 1998 and March 1999, NATO and US planners examined an assortment of alternatives, from the limited air response to a robust "US only" option called Nimble Lion, and even to "forced entry" ground campaigns. Psychological operations are an integral part of military operations and, as such, are an inherent responsibility of all military commanders. They have been used throughout history to influence foreign groups and leaders. Modern psychological operations are enhanced by the expansion of mass communications capabilities. Nations may multiply the effects of their military capabilities by communicating directly to their intended targets promises or threats of force or retaliation, conditions of surrender, safe passage for deserters, invitations to sabotage, support to resistance groups, and other messages. The effectiveness of this communication depends on the perception of the communicator's credibility and capability to carry out promises or threatened actions⁹. At two in the afternoon Washington time, 8:00 p.m. local time on March 24, 1999, NATO initiated offensive military operations against Yugoslavia. Thirteen (of 19) NATO members committed aircraft, and eight put their planes in action to bomb a sovereign nation that had attacked neither of alliance members nor its neighbors (Bacevich & Cohen, 2001, pp. 1-3). In that way, we witnessed the escalation of the intensity of low-intensity conflict with logistic support, fire support and maneuver, according to Graph No 2.

Yugoslav civilian casualties also proved an increasing irritation for NATO leaders. The estimates for "sensitive targets"¹⁰ were distributed directly to President Clinton, French President Jacques Chirac, and UK Prime Minister Tony Blair, who approved or canceled attacks, restricted the weapons employed or modified the timing (Bacevich & Cohen, 2001, p. 12).

On June 9, Operation Allied Force came to a close, 78 days after it had begun. In all, the Alliance had flown a total of 38,004 sorties, of which 10,484 involved strikes on "strategic" and "tactical" targets while another 3,100 were suppression of air-defense missions. By the end of the war, 829 aircraft from fourteen countries were available for tasking. Strike, electronic-warfare, reconnaissance, refueling, and support aircraft flew from some 47 locations in Europe and the United States (Bacevich & Cohen, 2001, p. 21).

At the level of strategic communications, NATO/US retained and intensified the goals and direction of the operation of psychological warfare, among which were efforts to influence the withdrawal of the

⁹ It is important not to confuse psychological impact with psychological operations. Actions such as demonstration of force or limited strikes may have a psychological impact, but they are not PSYOP unless the primary purpose is to influence the emotions, motives, objective reasoning, decision making, or behavior of the foreign target audience. (Doctrine for Joint Psychological Operations, 2003, p. 17)

¹⁰ The second phase of NATO bombing campaign increase targets on civilian communications, TV stations and infrastructure, and increase number of civilian casualties, so-called collateral casualties.

support for the current government in Serbia. At the operational-tactical level, they tried to spread defeatism in the units of the Yugoslav Army, especially in K&M. The following leaflets also point to this, and today we can analyze their credibility¹¹.



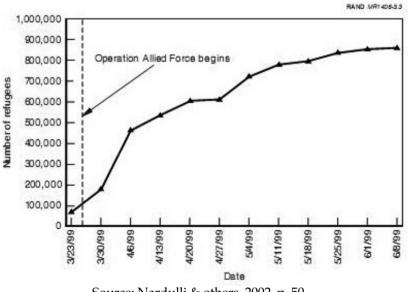


¹¹ **Translation**: NATO Attacks. In March 1998, the UN (United Nations) was searching for diplomatic solution of the Kosovo conflict. Since then, international community used all efforts for peaceful cooperation. The Kosovo Albanians agreed on a plan that envisioned the disarmament of the KLA and held Kosovo as an autonomous part of the FRY on 18th March 1999. However, your political leaders have neglected this opportunity and have increased the military campaign of oppression and violence against the entire Kosovo Albanian population. Interim political agreement – The road to peace.

¹² Translation: NATO is preparing more weapons for attacking and destroying units of the Army of Yugoslavia in Kosovo and Metohija. DON'T BE THERE WHEN THAT HAPPENS.

It was symbolic, perhaps, of a huge change in how the countries of the West thought about the conflict that Secretary-General Javier Solana could declare while announcing the bombing of Serbia "Let me be clear: NATO is not waging war against Yugoslavia." Some amount of disingenuousness characterizes most wars. But there is something more than usually disheartening in the quibbles, evasions, and semantic contortions that pervaded the Kosovo operation; war was not war, in which an absence of results signified progress, and in which a completely implausible objective was declared a precise and achievable "end state" (Bacevich & Cohen, 2001, p. 60).

Although, as NATO declared, the objective was to stop the crisis and suffering of civilians in Kosovo, the following graph showed the opposite data as the outcome of Operation Allied Force (Mitić, 2005, pp. 77-79).



Graph 5: Reports of the OSCE Kosovo Verification Mission

Source: Nardulli & others, 2002, p. 50.

Concerning the NATO/US Department of Defence daily reports on air attacks on the Serbian ground forces, after 20 years, it is clear that they were, at least, overestimated in terms of effectiveness. According to RAND research of Serbian casualties in weaponry, it was reported hundreds of "successful" actions, as follows (Nardulli & others, 2002, p. 542):

Source	Tanks and self- propelled artillery	Armored Personnel Carriers	Artillery & Mortars
Dept. of Defence/ Joint Staff	120	220	450
SHAPE	93	153	389

Graph 6: NATO Air Attacks on Fielded Forces

Source: Nardulli & others, 2002, p. 51.

RAND suggests "real" figures in the following graph that are the result of the NATO air campaign and the Albanians' ground actions on the field.

Graph 7: Yugoslav Army Annual Data Exchange According to Agreement on Sub-Regional Arms Control

Equipment Type or Category	1999	2000	Change
T-55 main battle tank	721	721	None
T-72 main battle tank	65	65	None
M-84 main battle tank (T-72 copy)	239	230	-9
Total for main battle tanks	1,025	1,016	-9
BOV VP M-86 armored personnel carrier	69	58	-11
OT M-60 armored personnel carrier	150	147	-3
BVP M -80 infantry combat vehicle	568	562	-6
Total for APC/IFV	787	767	-20
H 105mm M-56 (Yugoslav-built)	265	260	-5
H 122mm D-30	310	303	-7
H 122mm M-38	90	89	-1
H 155m m M-1	139	137	2
H 155m m M-65	6	6	None
T 130mm M-46	276	256	-20
TH 152mm D-20	25	25	None
TH 152mm NORA (Yugoslav-built -D-20)	52	52	None
SH 122mm 2S1 Gvozdika (self-propelled)	83	82	-1
Total for artillery	1,246	1,210	-36
MB82mm M-69	1,086	1,103	+17
MB120mm M-74	283	283	None
MB120mm M-75	798	802	+4
Total for mortars	2,167	2,188	+21
Total for artillery and mortars	3,413	3,398	-15

Source: Nardulli & others, 2002, p. 55.

Nevertheless, the outcome of Operation Allied Force is well-known, and Serbia is still suffering from its consequences.

CONCLUDING REMARKS

The United States does not differ from any other great imperial power, seeking to sustain its position by periodically employing military power to remind friends and foes alike of its capacity and willingness to exert its power. Like the imperial powers of bygone years, the United States throughout the first decade of the post–Cold War era used force for purposes that were not merely less than vital, but indirect. The hazard posed by an ethnically cleansed Kosovo on Balkan's stability is a good example of not a secondary but a tertiary interest.

The Serbian political elite, at the end of the 1980s and early 1990s, did not properly evaluate the extent of the end of the Cold War and the repercussions on the international relations that would follow. That is why the Serbian foreign policy was inert, directed to second-rate geopolitical players. At the same time, the separatist republics of the former Yugoslavia rationally and timely directed their foreign policy towards the West and positioned themselves as cooperative factors there. The Albanians leaders from K&M were following that foreign policy.

At the beginning of the Yugoslav crisis, the United States was abstained and left it to Europe to resolve the crisis. As the crisis escalated into armed conflict at the time when the Serbs had already had a negative international image, it seemed that it was not possible to adopt a different decision in Washington other than the one already accepted. This meant that the low-intensity conflict mechanisms were launched to a higher level. As we have already seen, it is a multitude of state and international bodies and organizations engaged in a low-intensity conflict that lasts till nowadays with more or less intensity.

The physiological operation was a part of low-intensity conflict before, during and after the military Operation Allied Force. Continuity of political and moral support to Albanian separatists can be followed till nowadays in diplomatic engagements for joining of so-called Kosovo in the UN, INTERPOL, UNESCO and other international organization and active promotion of "independence of government" in Priština.

Twenty years after, Operation Allied Force did not bring anything new, except that now the issue of K&M is handled by low-ranking officials and professionals in the State Department and the Pentagon. This is understandable, having in mind many crisis areas in the contemporary world. However, these actors act according to strategic directions, which essentially involve a low-intensity conflict matrix from the 1990s. Under such conditions, the US/West relations cannot be expected to be in line with the Serbian national interests. The change in the US policy towards the Serbs must necessarily be initiated from the very top of the US administration, which has no apparent interest in prioritizing this issue.

Recent speeches of Serbian President and Hashim Thaçi in the UN Security Council illustrate the different approaches to the problem of K&M, in which it is particularly interesting that the exposure of the representatives of the Albanians was calculated to influence the Western public opinion and represent the continuity of the psychological operation that began in the 1990s.

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CLASSICAL THEORIES OF AIRPOWER AND THE NATO WAR AGAINST THE FR YUGOSLAVIA IN 1999¹

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Abstract: The first part of the paper describes and explains the classical theories of airpower which occurred during the period between the two world wars. The main hypothesis of the paper is that the NATO war against the Federal Republic of Yugoslavia represented the actualization of the key assumptions of these theories and the predictions of their authors. The auxiliary hypotheses are contained in the view that NATO achieved its goals in the war primarily with a strategic bombing - destruction of infrastructure, electricity network and industrial potential. The FR Yugoslavia represented an ideal target for the conduct of the air warfare because due to its relative development, it was highly dependent on this infrastructure, networks and potentials, while on the other hand, it did not possess the capacity to defend itself from the NATO air strikes. One of the hypotheses of the paper is that the 1999 war has confirmed the convictions of the authors of the classical theories of airpower stating that the land forces are less relevant in modern armed conflicts involving technologically advanced nations. Finally, the paper also states that recourse to air warfare is only possible under certain (specific) conditions - complete isolation of the targeted country, its inadequate air defence system capacity, vulnerability to a significant degree of damage to its infrastructure.

Key words: air power, war, NATO, Yugoslavia, strategy.

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CLASSICAL THEORIES OF AIRPOWER

When it comes to the classical theories of airpower, we think first of the concepts of the use of aviation in war, which were elaborated between the two world wars, although deeper and more extensive reflections on this issue were published during the First World War. The most influential, most read and commonly quoted classical airpower theorists were Italian General Giulio Douhet (1869-1930), US Brigadier General William Mitchell (1879-1936) and American designer and theorist of Russian descent Alexander De Seversky (1894-1974). Although they intellectually matured under different circumstances, and their careers developed and ended differently, their views and predictions crystallized around a few almost identical key theses.

For Douhet, the development of military aviation and its use in armed conflicts represented a turning point in the preparation and conduct of an armed struggle. The wars of the earlier epoch, including to a greater extent the First World War, were wars that clearly distinguished the front line and the rear area. According to Douhet, "the battlefield was strictly defined; the armed forces were in a category distinct from civilians, who in their turn were more or less organized to fill the needs of a nation in the war" (Douhet, 1998, p. 9). Regarding the decision or outcome of the war, Douhet concludes "it was impossible to invade the enemy's territory without first breaking through his defensive lines", however, "now is possible to go far behind the fortified lines of defense without first breaking through them. It is air power which makes it possible" (Douhet, 1998, p. 9). Due to the use of airpower, warfare will not be limited to the ultimate range of artillery but will be directly felt hundreds of miles within the territory of the state-warring parties. The ultimate consequence of these tactical-operative circumstances will be, according to Duohet, that "there will be no distinction between soldiers and civilians" (Douhet, 1998, p. 10).

Instead of the direct (close) combat of one land-based army against the other, with the help of, of course, aviation, Douhet predicts (i.e., substantially proposes) the direct use of aviation, both against enemy aviation and its airports, and against a wide range of targets in the rear area. In his view, "aerial offensives will be directed against such targets as peacetime industrial and commercial establishments; important buildings, private and public; transport arteries and centers; and certain designated areas of the civilian population as well" (Douhet, 1998, p. 20). In addition, Douhet recommendsas a norm of the future air strikes that "the objective must be destroyed completely in one attack, making further attacks on the same target unnecessary". It should be

emphasized that Douhet published this opinion in 1921, that is, many decades before such a request could be fulfilled through the use of precision ammunition of immense destructive power, which, after all, was excessively used in the NATO war against the Federal Republic of Yugoslavia in 1999!

The precondition for such use of aviation is to acquire the command of the air. This notion according to Douhet denotes the ability to "cut an enemy's army and navy from their bases of operations and nullify their chances of winning the war" (Douhet, 1998, p. 23). On the other hand, to be defeated in the air, according to Douhet means, "to be at the mercy of the enemy, with no chance at all of defending oneself, compelled to accept whatever terms he sees fit to dictate" (Douhet, 1998, p. 23). The task of acquiring the command of the air can be realized exclusively by aviation organized as an independent form of armed forces. In other words, since, according to Douhet, in the future, the outcome of the war will be decided in the air, the key task of one state will be to acquire the command of the air, which is only possible with, as Douhet emphasizes, an independent air force of adequate power (Douhet, 1998, p. 32). In his perception, the independent air force implies an "entity capable of fighting on the new battlefield, where neither army nor navy can take part" (Douhet, 1998, p. 33). In future wars, which involve massive strikes on the enemy's rear area, Douhet devotes special attention to the radius of action of bombers, emphasizing that "a bombing plane's radius of action should, therefore, be the greatest possible; for the longer its radius of action, the deeper its penetration into enemy territory" (Douhet, 1998, p. 38).

The second advocate of the doctrine of airpower, William Mitchell, also defended the thesis on the strategic use of aviation in the wars of the future. According to Mitchell, "war is an attempt of one nation to impress its will on another nation by force after all other means of arriving at anadjustment of a dispute have failed" (Mitchell, 1930, p. 253). In a war, according to his understanding, it is crucial to gain control of the vital centers of the other that it will be powerless to defend itself. What are the vital centers? Mitchell states that they consist of "cities where people live, areas where their food and supplies are produced and the transport lines that carry these supplies from place to place" (Mitchell, 1930, p. 253).

The introduction of aviation into warfare, in his opinion, completely changes the order of priorities and goals that war aims to achieve. He said, a "hostile main army in the field is the false object, and the real objectives are the vital centers. The old theory that victory meant destruction of the hostile main army is untenable" (Mitchell, 1930, p. 255).

Mitchell is justifiably considered in the United States as one of the founders of the US Air Force Concept, which envisioned and sketched the development and use of aviation to gain global domination. Mitchell himself said, "there is no place on the world's surface that aircraft cannot go. They can easily fly from America to Europe and back, with military loads, or from Asia to America and back" (Mitchell, 1930, p. 256).

The third advocate of the concept of airpower mentioned in this paper is Alexander de Seversky, who, unlike Douhet and Mitchell, survived the Second World War, as well as the wars that the United States led in Korea and Vietnam. He lived to see the sudden development of aeronautical technique, nuclear weapons and ballistic missiles. His theses largely coincided with the views expressed by Douhet and Mitchell. After the Second World War, Seversky wrote the "new strategic truth was: that air power can weaken and neutralize armies to the point of impotence; that the conquest of the airspaces over enemy nation can by-pass and disarm its surface forces and impose surrender without a traditional showdown on the battlefields" (Seversky, 1950, p. 28). This Seversky's thesis was exceptionally important given the main thesis of this paper that the NATO war against the FR Yugoslavia was a demonstration and realization of the key premises of the classical theorists of airpower.

It is clear that Seversky, like Douhet and Mitchell, has defended the thesis of air strikes in the rear area (objects of strategic importance), while traditional land-based operations and battles are becoming increasingly irrelevant. Like these two thinkers, Seversky also considered the effects of air strikes on the urban and commercial centers of a potential enemy (after the Second World War, Seversky focused on the USSR as a potential enemy of the United States). One of the key theses of Seversky refers to the vulnerability of modern societies when stricken by airpower. Seversky says that "backward and primitive peoples can take to the woods and the caves and there survive a rain of air bombs" (Seversky, 1942, p. 9). On the other hand, modern industrial societies, like the US, are overly sensitive to massive and constant air strikes since "a few well-placed bombs blot out public utilities, cut off water supplies, bury a million city dwellers under debris of their skyscrapers, disrupt industrial life, and interrupt the flow of food and supplies" (Seversky, 1942, p. 10). This difference in the power of absorption of the effects of air strikes between a relatively primitive and technologically advanced society could at least partly explain why the United States and its allies, despite quality air strikes, were forced to engage ground troops and occupy Afghanistan in 2001, while two years earlier against the FR Yugoslavia the airborne operations were enough.

At the end of the 1940s, Seversky formulated some of the key postulations about the use of airpower which have remained cutting-edge to this day. In his opinion, air power can be more human than the traditional surface forces. It does not seek to eradicate the population, but to disarm the foe by crippling his industrial setup, fuel, transportation, and other military vitals (Seversky, 1950, p. 183). A little later, Seversky, speaking of a possible war with the USSR, stated that the US goal "should be to compromise the enemy regime by exposing its inability to defend and supply the needs of its people" (Seversky, 1950, pp. 187-188).

In his deliberations of a possible war between the US and the USSR, Seversky foresaw several tactical-operational principles of the air warfare operations that would be ongoing during the NATO's 1999 aggression. According to him, airpower is a flexible weapon, significant for psychological as well as for military offensive. He recommended that the "whole pattern of destruction should be designed as far as possible, to isolate the government from its subjects [...]. We shall destroy the regime's radio broadcasting facilities [...]" (Seversky, 1950, pp. 192-193). Seversky was one of the first authors to anticipate the so-called surgical strikes with precisely defined targets of relatively small areas and volumes. The bombing of facilities of Radio-Television of Serbia, as well as some facilities used by the highest civilian and military leaders of the FR of Yugoslavia by the NATO aviation, represented the realization of the Seversky's anticipations. That the Seversky's views were ahead of his time could be perceived in the fact that the opinions almost identical to his were represented more than half a century later. Thus, in one, otherwise critically intonated text on the possibilities of airpower, it is said "air power offers an economy of violent effort through its ability to precisely target key assets. It can attack strategic targets directly without having to engage the main body of enemy forces, thereby focusing attacks on the enemy leadership" (Mcinnes, 2001, pp. 43-44.).

Some common principles of the classical theory of airpower can be derived from the published statements of the authors quoted:

• atmosphere is an environment in which the outcome of future wars will be decided, and therefore mastering it is of key importance;

- operations of a land-based army and navy will go to a position of secondary importance; traditional land and sea battles are becoming increasingly irrelevant for the unfolding of the war;
- war can be won by air strikes in the deep rear area of the enemy engaging at its vital points – cities, industrial capacities, roads, electrical networks;
- air force should be a special (independent) type of armed force, and it should be used for strategic purposes – to contribute decisively to the outcome of the war.

THE NATO AIR WAR AGAINST THE FR YUGOSLAVIA – THE REALISED PREDICTIONS OF DOUHET, MITCHELL AND SEVERSKY

To begin with, we should briefly recall the fundamental features of the NATO aggression against Yugoslavia. The war launched by the Alliance against Yugoslavia, called Operation Allied Force, under the pretext of preventing a humanitarian catastrophe to which the Kosovo Albanians allegedly were exposed, lasted for 78 days. A total of 829 NATO aircraft were engaged, of which about 530 belonged to the USAF. Its basic characteristic were, considering the ambience in which operations were conducted, that it was purely an air war, without the use of land forces (excluding the fighting of Albanian insurgents with members of the Yugoslav Army on the borders of Yugoslavia and Albania in which the forces equivalent to one or two infantry brigades participated on both sides). Also, the extremely important feature was that one of the sides - NATO - ended this war without human losses. The opinions that the "air war over Serbia, in 1999, was revolutionary" (Haulman, 2015, p. 58) are frequent. If we were to observe the structure of the attacked targets, it could be said that in the first half of the war military objectives were predominant, while in the second half of the war, civilian targets of strategic importance were primarily destroyed. What was the cause of this? According to one opinion, "the very success of the Yugoslav armed forces in evading the NATO's air strikes, in turn, led NATO to a choice of bombing targets that destroyed much of the material infrastructure of Serbia's urban and industrial way of life" (Papasotiriou, 2002, p 51).

During 78 days, the NATO's aircrews flew more than 38,000 sorties of which more than 10,000 were strike sorties. 421 fixed targets in 11 categories were attacked during the 78-day course of Operation Allied Force, of which

35 percent were believed to have been destroyed, another 10 percent sustained no damage and the remaining suffered varying degrees of damage from light to severe. The largest single fixed-target category entailed groundforce facilities (106 targets), followed by command and control facilities (88 targets) and lines of communication, mostly bridges (68 targets). Other target categories included POL-related facilities (30 targets), industry (17 targets), airfields (8 targets), border posts (18 targets) and electrical power facilities (19 targets) (Lambeth, 2001, p. 62). One, essentially well-industrialized and urbanized country, such as Serbia, suffered in particular from attacks on the electricity network. On May 2, 1999, the F-117s dropped CBU-94 munitions on five transformer yards of the electric power grid of Belgrade, cutting off electricity to 70 percent of Yugoslavia (Haulman, 2015, p. 62). And again, the "Yugoslav electrical grid was severely damaged over the course of three consecutive nights starting on May 24. Those attacks, directed against electrical power facilities and related targets in Belgrade, Novi Sad and Nis, the three largest cities in Serbia, shut off the power to 80 percent of Serbia, leaving millions without electricity or water service" (Lambeth, 2001, p. 42). In late May, "NATO expanded the targeting list once again, and began to take the war to targets affecting the Serb people. Factories, communication systems, and power grids were damaged or destroyed, putting Serbia under more duress than it had felt up to that point" (Hebert, 2009, p. 45). Considering everything, the air campaign had a devastating effect. According to one estimate, "roads, rail lines and bridges across Yugoslavia had been knocked out, halting the normal flow of the civilian economy" (Grant, 1999, p. 37).

It seems that the most precise summary assessment of the position of Serbia (FR Yugoslavia) during the NATO bombing was given by Barry R. Posen, stating that "Serbia was in an unusually poor position, by historical standards, to resist systematic bombing of its industrial base. As an economically developed society, the Serb people depend on the industrial economy and associated infrastructure to survive" (Posen, 2000, p. 73). And this economy and the associated infrastructure, as we saw, was systematically destroyed, just as it was suggested by the classical theories of the airpower.

In the western scholarly literature during the first years after the war, there was a debate about the factors that influenced the then leadership of Serbia (Yugoslavia) to accept NATO's conditions for the end of the bombing, precisely at that time (early June) when it did so. Three hypotheses were in circulation – the absence of concrete support from the Russian Federation to Yugoslavia, the threat of NATO land invasion and, finally, the effects of strategic bombing.

Andrew Stigler analyzed the debate, various arguments, as well as firsthand testimony of senior political and military officials. Stigler concluded by analyzing in detail the available data, facts from the field, as well as the opinions of other authors, that "Milošević did not pull his forces out of Kosovo because of a NATO threat to launch a ground war" (Stigler, 2002-2003, p. 153). According to him, "he seems to have been primarily concerned with three other factors: (1) the credible threat of continued and intensified bombing by the alliance, (2) the bombing's growing domestic repercussions, and (3) the public loss of Russia's support" (Stigler, 2002-2003, p. 153). The general Stigler's conclusion was, that "the war over Kosovo demonstrates that coercive air power alone can achieve major political goals" (Stigler, 2002-2003, p. 155). A study he was referring to was drawn up by Stephen T. Hosmer in front of RAND. Hosmer, also after a detailed examination of Operation Allied Force, said in the final part of the study that "air power made three crucial contributions to the conflict's successful outcome" (from NATO's standpoint, N.V. & B. DJ.). In the first place, "the NATO bombing created a political climate in Serbia conducive to concessions on Kosovo" (Hosmer, 2001, p. 123). This meant that NATO, with the insistent and more intense bombing, forced politicians and ordinary citizens, who initially opposed the NATO concessions, to accept whatever was needed just to stop the air campaign. In addition, according to this author, the air strikes have influenced President Milošević and his elite to "perceive the air attacks as (1) causing a magnitude of damage to Serbia's infrastructure, economy and political stability that, if allowed to continue, might eventually threaten their regime's survival, and (2) creating stress, hardships, and costs for members of their own ruling elites" (Hosmer, 2001, p. 124). Finally, "the perception that NATO's future air attacks would be unconstrained made a settlement seem imperative" (Hosmer, 2001, p. 124).

One of the key factors for such outcomes was, according to Hosmer, that the Yugoslav Army "had no defense against the NATO's aircraft and missile strikes on fixed targets and could impose little if any cost on their attackers" (Hosmer, 2001, p. 127). Posen completely correctly observed that the "Serb air defense has done what they could, but the network itself had taken a beating, losing perhaps as much as half of its ability to launch surface-to-air missiles with no ability to replace lost air defense equipment. Unlike the North Vietnamese, the Serbs did not have a charge account in the arsenals of the Soviet Union, and they had never produced top-of-the-line air defense missile systems of fighter aircraft themselves" (Posen, 2000, p. 73). It should be emphasized that even after 78 days of intense bombing, the Yugoslav Army was operatively capable and able to provide solid resistance to the eventual land invasion of NATO. However, in the context of an overall destruction from the air (from which there was no defense), this fact was completely irrelevant at the beginning of June 1999.

A prominent Russian author and general Vladimir Slipchenko, writing a book about the wars of the sixth generation, noted that the NATO air campaign against the FR Yugoslavia represented a prototype of such a war, in which one warring side has destroyed the infrastructure and economy of another warring side with long-range precise weapons from a large distance, without the introduction of ground troops and violent crossing of the state border. Since there were no conventional military operations, neither fighting nor battles, there was no theater of operations. According to Slipchenko, the Yugoslav Army, based on the land forces, could not resist the opponent in such a war, and that was why instead of a theater of operations, there was only a theater of war dominated by only one side (Slipchenko, 2002, p. 97).

Western military officials and analysts were frustrated by the fact that, according to their criteria, the air war of NATO against the FR Yugoslavia lasted too long considering the huge asymmetry in the economic and technological strength and military capacities of the warring parties. From the angle of the classical theory of airpower, the explanation for the duration of this war can be found in its erroneous start. Instead of targeting smaller, moving aims of tactical importance, Douhet, Mitchell and Seversky would probably suggest to NATO campaign planners strikes on infrastructure from the very beginning of the operation. A similar opinion was advocated by retired British Air Marshal John Walker, who wrote after the end of the war that "militarily, the top priority target system in the case of Serbia should have been the electric power system. Not, it must be said, using graphite bombs that are little more than technocrat's ego-trip but by taking out the power station boilers. With no pressure, no generation. On the morning of 25 March, the Serbian state, from north to south and east to west, should have woken up to dark houses, cold breakfasts and a walk to work past stationary trams to machines lying silent in the workshops" (Walker, 1999, p. 17). An almost identical opinion was expressed by one of the NATO commanders in the war against the FR Yugoslavia, General Michael Short, who thought that with the bombing that from the beginning was focused on infrastructure, Operation Allied Force would last for three or four weeks (Hosmer, 2001, p 128). Nevertheless, it cannot be said with certainty whether

such a "robust" approach from the start of the operation would have caused its shorter duration.

As indicated previously, Seversky believed that airpower if properly used, can be more human than the traditional surface forces. For Seversky, "industrial potentials, not human beings, should be primary targets in the bombing. In the hands of civilized, technologically advanced countries, air power can be the most human of all military forces" (Seversky, 1950, p. 184). Large-scale destruction of infrastructure in Serbia during the NATO aggression was accompanied by relatively moderate human losses (about 1,000 soldiers and policemen, and about 2,000 civilians, of which 83 children), taking into account the amount of the murderous cargo that was thrown on the FR Yugoslavia. Such a proportion between the destruction of material goods and human casualties was achieved primarily through the use of highprecision ammunition. According to one opinion, "as a result of the American technical advances in the area of precision bombing during the 1990s, NATO was able on the whole to attain this fine balance in the damage that it inflicted upon Serbia. The advanced integrated military systems summarized by the C4+I formula (command, control, communications, computation and intelligence) permitted the United States to hit a large number of infrastructural and political targets in Serbia, while keeping civilian casualties to historically very low levels in relation to the firepower that was used" (Papasotiriou, 2002, p. 56). In this way, Seversky's prediction of "humane" air warfare he formulated in the late 1940s, was realized several decades later.

It should be emphasized that NATO air force pilots during the air strike against the FR Yugoslavia committed several crimes that have largely "spoiled" the "humane" character of the war in terms of a relatively moderate number of victims. Bearing in mind the advanced military technology of the US and other countries in the Alliance, praised by many Western authors, it is quite difficult to consider as a mistake the missile attack on a passenger train crossing the railway bridge on April 12, 1999, or the bombing of the city of Nis with cluster bombs on May 7, 1999.

Another vision of the authors whose works belonged to the classic theory of airpower was realized during 1999. Douhet imagined a plane that would have a large action radius and an air attack that would suffice to destroy completely one target. Seversky also advocated, in the early years of the Cold War, the formation of a strong strategic air force based on the American continent, and to a lesser extent on the British Isles, capable of attacking the Soviet infrastructure, industry and other facilities. It seems that their suggestions and visions would be completely fulfilled with the B-2 bomber, which was used for the first time in the NATO war against the FR Yugoslavia. The B-2 flew from Whiteman (USA) on 28- to 32-hour round-trip missions, delivering up to 16 global positioning systems (GPS)-guided GBU-31 joint direct-attack munitions (JDAMs) from 40,000 ft.⁴, usually through cloud cover, against enemy targets (Lambeth, 2001, p. 90). These bombers "were used against Serbia's integrated air defense system, command and control sites, runways and airfields, communications facilities, factories, bridges and other elements of infrastructure" (Tirpak, 1999b, p. 24). The same author stated that a single B-2 destroyed two airfields on the same mission. Airplanes were refueled twice en route – once over the Atlantic, and again just before entering the battle space. What makes this type of plane even more remarkable was that, according to Tirpak, "each B-2 could-and, in some cases, did-attack 16 targets in 16 different locations per mission" (Tirpak, 1999b, p. 27).

In any case, the NATO air war against the FR Yugoslavia demonstrated the validity of several key theses of the authors whose works belonged to the classical theory of airpower. First of all, the aviation imposed itself as the dominant form of the armed forces, while the role of other types, especially the land forces became secondary. NATO enjoyed indisputable domination in the air, which was a basic prerequisite for the entire operation. The strategic use of airpower against a wide range of targets - roads, power grids, factories, media houses - has led to NATO's desired goal. The Yugoslav Army, which in 78 days of the war lost less than 1% of its military manpower, in some earlier epochs, with such losses in the living force, would be the absolute victor in the conflict. In 1999, however, all the skill and courage of its formations could not reverse the outcome of the war against an incomparably superior air force. By applying various measures and procedures (masking, use of false targets, dispersion and mobility), the units of the Yugoslav Army have managed relatively well to protect themselves, but not hundreds of stationary civic targets on which depended the functioning of the entire country.

THE FR YUGOSLAVIA AS AN IDEAL TARGET

Why was the FR Yugoslavia an ideal target for air warfare? There are several reasons. For example, we can start with the size of the state itself.

⁴About 12000 meters.

With 102,173 km², the FR Yugoslavia belonged to small countries. Namely, according to the teaching of the Yugoslav (Serbian) military geography, the states can be divided by size to large (over 1,000,000 km²), medium (between 200,000 and 1,000,000 km²) and small (less than 200,000 km²) (Marjanović, 1983, p 63). The distance between the south and far north of the FR Yugoslavia was 484 km. A plane flying at a speed of one mAh (about 1200 km) travels this distance in less than 25 minutes (Pavlović, 1999, p. 22). The alongside distance on the line Bajina Basta - Zajecar 225 km length can be traveled in ten minutes! From such a relatively small space, the Alliance's airplanes easily flew away and quickly grounded in the territory of neighboring countries even when they were damaged. As observed in a domestic study on military geography, "the small dimensions of the battlefield negatively affects the dominance in the air, the air power support to the Armed Forces (KoV), Navy (RM) and Air Defence" (Pavlović, 1999, p. 66). The space of the FR of Yugoslavia was attacked almost from all directions, since all neighboring countries, aspirants for NATO membership, made available their airspace and infrastructure to the Alliance (Djordjević & Vuković, 2018, p. 25). US Defense Secretary William S. Cohen said that "NATO is encircling Yugoslavia and attacking from all directions" (Tirpak, 1999a, p. 25).

Such a small area, which was located in an operational-strategic encirclement, was defended by, in general opinion, an outdated and inadequate Yugoslav Air Force (RV) and Air Defence (PVO). With only one escadrille of modern MiG-29 (mostly not in good operational condition) and air defense systems, built around surface-to-air missiles SA-3 (S-125) and SA-6 (2K12 Kub), which were introduced for use some thirty years before the NATO attack on the FR Yugoslavia, it could not organize an adequate defense. Instead of causing the significant losses to the aviation of the attackers, the significant success was merely the "survival" of these systems on the ground in conditions of total domination in the air of the NATO forces. Given NATO's absolute supremacy in the air, the principle of the grouping of Air Defence Forces (because it is not possible to be equally strong everywhere) in defense of the most important objects and regions in political and strategic terms could not have been more efficiently applied.

The FR Yugoslavia, unlike some other examples of the confrontation of a small and large country, such as the war between North Vietnam and the United States, could not rely on the concrete support of some great power. North Vietnam was heavily supported by the People's Republic of China, the USSR and a number of other socialist countries supplying arms, food, medicines, and providing expert and intelligence assistance. Thus, this country could cope for years with the US, South Vietnam and their allies. The FR Yugoslavia resisted 78 days exclusively with the support of its own resources and reserves. Moreover, unlike North Vietnam in the 1960s and 1970s, the FR Yugoslavia did not enjoy political (diplomatic) support, whereas, in aggressor countries, there was no significant resistance to the air campaign (as was the case in the United States during the Vietnam War). Therefore, the ultimate solution (the Kumanovo Agreement) was accepted by the leadership of Serbia (FR Yugoslavia) in extremely unfavorable conditions, marked by blackmail and threats related to the extension of the destruction of the country.

Finally, the FR Yugoslavia as a relatively developed industrial country, with a significant percentage of the urban population, was extremely vulnerable to the NATO strategic air strikes. That was why the Alliance transferred the focus of the air strikes from the units on the ground to the infrastructure of Serbia. After all, the very creators of aggression confessed this. General Michael Short, for example, "commented that attacks on Serb forces in Kosovo did little to help achieve NATO's war aims. It was only when the emphasis was shifted to attacking strategic targets that the coercive pressure was successfully applied" (Mcinnes, 2001, p. 46). In connection with this, one Western author said that "the disturbing lesson of the air campaign may be that its most effective aspect involved hurting Serbia proper (including its population and government) rather than directly attacking Serb forces in Kosovo and protecting the Kosovars" (Roberts, 1999, p. 118). The opposite example was the US attack on Afghanistan in 2001, a country with a very poorly developed infrastructure, almost no industry and a rudimentary electricity network. The strategic air strikes on Afghanistan were excluded precisely because of its general underdevelopment, which in this case simultaneously meant its invulnerability.

Thus, the "pure" air war, with a successful outcome for the attacker, according to the principles suggested by Douhet, Mitchell and Seversky, is possible if the country-target of aggression is: 1) small in size, 2) has an outdated and inadequate Air Force or Air Defence, 3) does not receive material, military and political support of some great power, and 4) if due to economic and traffic development it is vulnerable to the strategic air strikes. From these settings, another far-reaching conclusion can be formulated. The classical theories of airpower have no universal validity – their validity is confirmed only in certain cases that are marked by a very specific network of circumstances. Unfortunately, in 1999, the FR of Yugoslavia was in exactly

such specific circumstances that enabled, among other things, the air war against it to be feasible and ultimately successful for the aggressor.

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CHAPTER V

THE FUTURE OF NATO AND THE BALANCE OF DESTRUCTION OF THE 1999 WAR

NATO: ESSENTIAL OR OBSOLETE?

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Abstract: During his presidential campaign in 2016 Donald J. Trump argued that NATO was 'obsolete'. Once elected president, Trump retreated and accepted that the alliance is here to stay, but as became clear at the Brussels Summit in July 2018, he adopted a much more transactional view of the alliance. This paper will put recent debates on the future of NATO in the context of the Second Cold War. What is the purpose of maintaining a security alliance in an era when the circumstances that prompted its creation have changed so dramatically? Does the Atlantic power system come into contradiction with the aspirations of the end of the Cold War creating a 'common European home' and a 'Europe whole and free'? More disturbingly, does the very continued existence of NATO create security dilemmas that justify its existence? The nature and purpose of the Atlantic Alliance will be examined, reviewing its development since 1989 and the consequences of its actions. The persistence of an anachronistic institutional and ideational security order in Europe contributes to the emergence of an anti-hegemonic alignment at the global level, where Russia, China and other partners are gradually creating an alternative global architecture intended not so much to challenge the historical West as to create a non-hierarchical and pluralist post-western alternative order.

Key words: NATO, European Union, cold peace, monism, conjugation, Greater Eurasia Partnership.

INTRODUCTION

European international relations have entered a period of flux. The pattern of world order established after the end of the First Cold War in 1989 is facing unprecedented pressure. This is part of an even deeper set of challenges in which the liberal world order created after the Second World War is facing new threats. The long period of stasis in which the institutional

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and ideational framework of world politics appeared to be settled is giving way to a new era. The period after 1945 was dominated by the First Cold War, and after 1989 this was followed by the 25 years of the cold peace, in which none of the fundamental problems of European security and sovereignty were resolved, and after 2014 we entered the era of the Second Cold War. The NATO assault against Serbia in 1999 was a symptom of the failure of the cold peace to establish a viable security order in Europe, and it was that failure which in the end gave way to the Second Cold War. In the cold peace years, there remained a belief that some sort of cooperative and inclusive security order could be established in Europe, but after 2014 these illusions gave way to a recognition that an enduring period of confrontation had returned. The continent was divided, and elements of a new iron curtain were built, running now not from Stettin on the Baltic to Trieste on the Adriatic, as Winston Churchill put it, but from Narva on the Baltic to Mariupol on the Sea of Azov.

The focus of this paper will be on NATO and its role in perpetuating the ideational and institutional framework of the First Cold War after the end of that conflict. Although NATO is a defensive alliance, and achieved effective 'victory' in 1989-91 without firing a shot, in the following period NATO came to represent a monist and expansive version of the post-Cold War order. By monism is meant the view that in some way the liberal international order as established in the post-war years was the only viable form of modernity in Europe and the world at large, and that the postcommunist countries needed to adapt to that order. Most of the former Soviet bloc countries did so with alacrity, as a way of consolidating their 'return to Europe', but for Russia adaptation was fraught with difficulties, and in the end proved impossible. It was not so much that Russia rejected the normative framework of that order, but its enduring commitment to the autonomous great power status meant that it came to reject the power system in which the liberal order was embedded. When Vladimir Putin returned to power for his third presidential term in 2012, he put an end to the 'new realism' phase of Russian foreign policy and instead pursued what can be called a neo-revisionist strategy: rejecting not the principles of the international system as developed since 1945, but the hegemonic practices of its dominant powers (Sakwa, 2017). This is why Putin's revisionism is 'neo' rather than out-and-out revisionism. This confrontational strategy provoked the Second Cold War from 2014, in which the Ukraine crisis was a symptom rather than the cause of the breakdown of an ill-formed post-Cold War order. A cold war is defined as a period of entrenched and even ontological hostility, but which all the parties wish to avoid becoming a direct hot war. If we are fortunate, the Second Cold War will be resolved as peacefully as the first, but the way that the first conflict ended will make it much harder for the second to end in the same way.

THE TRUMPIAN DISRUPTION

Although Donald J. Trump is a maverick politician by any standards, he is one of the few who dares to ask the big questions about the current stasis in international politics (Woodward, 2018). Trump is an outsider to the political establishment, having never served in an elected office before his unexpected victory in November 2016, but his populist insurgency is grounded in his long experience as a maverick business tycoon. His unorthodox views raised hopes in Moscow that he would bring some new ideas to the table, although Russian elites were well aware that he was unstable in his views and unpredictable in his behaviour. His Democratic opponent, Hillary Rodham Clinton, by contrast, represented policy continuity and intensified hostility towards Russia. Challenging the postwar consensus, Trump expressed the view that 'NATO is obsolete and it's extremely expensive for the United States, disproportionately so', and 'it should be readjusted to deal with terrorism' (Trump, 2016a). Whether he was aware of it or not, he was echoing the sentiment expressed by President Dwight Eisenhower, who at NATO's founding in 1949 argued that 'If Americans are still in Europe in ten years, the whole venture would have been a failure' (Cooper, 1992). Even more forthrightly, he stated: 'If NATO is still needed in ten years, it will have failed in its mission' (Howorth, 2017).

Trump later warned that he would only assist European nations during a Russian invasion if they first 'fulfilled their obligations to us'. He also noted that the US had 'to fix our own mess before trying to alter the behaviour of other nations': 'I don't think we have the right to lecture'. He also insisted that 'America first' was a 'brand-new, modern term', and did not signal isolationism of the sort advocated by Charles Lindbergh's America First Committee before the US entered the Second World War (Sanger & Haberman, 2016). Above all, candidate Trump adopted a radical position:

"We desire to live peacefully and in friendship with Russia. ... We have serious differences ... But we are not bound to be adversaries. We should seek common ground based on shared interests. Russia, for instance, has also seen the horror of Islamic terrorism. I believe an easing of tensions and improved relations with Russia – from a position of strength – are possible. Common sense says this cycle of hostility must end. Some say the Russians won't be reasonable. I intend to find out. If we can't make a good deal for America, then we will quickly walk from the table" (Trump, 2016b).

Trump's transactional and nationalist neo-isolationist strategy downplayed the expansion of American values through democracy promotion, and placed less emphasis on multilateral institutions (Donnan & Sevastopolu, 2017, p. 6). New thinking was in the air, raising hopes in Moscow for some sort of rapprochement.

In the event, these hopes were betrayed. The defenders of the old consensus rallied in defence of NATO and the established order. This was evident at the NATO summit in July 2018, when Trump was forced to accept a final document that was devoted in large part to a condemnation of Russia, although he insisted on America's European allies paying more for their defence (NATO, 2018). Yet change was in the air. Critics of NATO's post-First Cold War strategy of survival and expansion argued that the very existence of the organisation after the achievement of its original purpose perpetuated the structures of thinking and behaviour that could provoke a new confrontation (Parker, forthcoming 2019). The conditions that had given rise to NATO had drastically changed, yet the organisation sought to find a new purpose in 'out of area' conflict management until it returned its focus to Europe for a second bout of the Cold War. Defenders of the old order argue that NATO remains essential to deal with challenges, known and unknown, and above all what they term Russian revanchism and revisionism. Defenders of this position hoped that Trump's disruptive challenge was little more than a blip and that there would be a return to business as usual after his departure. This is possibly too sanguine a view, since Trump gave voice to concerns that had been raised by previous American leaders (above all, for greater 'burden-sharing'), albeit in a rather less confrontational manner. Trump is a particularly extravagant expression of the social contradictions in both the US and Europe. As Rein Müllerson puts it, "Donald Trump is not so much a cause of the current turmoil but rather a catalyst that is accelerating the coming of the unavoidable crisis that may be followed by recovery. It is the controversy and antagonism between liberal elites and conservatives" (Müllerson, 2018).

The challenge was particularly acute for the European Union (EU). There were various moments of turbulence in the EU's relations with the US in the past, notably over the Iraq war of 2003 when some 'old Europe'

states distanced themselves from the Anglo-American invasion, although soon after contributing to the effort. The Trumpian disruption was of a different order: 'This is different because Trump is qualitatively different from anything and anyone we have had before', commented Robert Cooper, a veteran British and EU diplomat who had drafted much of the planned EU Constitution of the 2000s. 'He is not just attacking Europe, he is attacking the world America built. He hates the EU, he dislikes the WTO (World Trade Organization), he hates multilateral trade. This is the postwar international order, if he is serious, then it is serious' (Barker, Brunson & Donnan, 2018, p. 2). Just at the time when many EU leaders considered that the challenge from a rising China required more Transatlantic unity, the traditional postulates of US global strategy were being discarded, prompting leaders like Angela Merkel to call for more European selfreliance. The French President, Emmanuel Macron, added his voice to the view that Europe needed to develop its own institutions, including those in the security and financial spheres, in conditions in which the US could no longer be relied on. This was in keeping with the aspiration vested in the EU's Global Strategy (EUGS) (2016), adopted by the European Council on 28 June of that year, for greater 'strategic autonomy'.

DEFENDERS OF THE STATUS QUO

What are the criteria to measure obsolescence? How can we know when an institution has outlived its usefulness? One of the paradoxical features of the post-1989 era is that a moment pregnant with so many possibilities of change ended up only confirming a more radical version of the existing reality. Thus, capitalism became turbo-charged as Hayekian neo-liberalism triumphed and the role of the state was pushed back in society and the economy (but not security), allowing a nineteenth-century view of unfettered markets and self-regulating order became the ruling ideology. The EU also underwent a radicalisation. Internally, the emphasis now was less on Jacques Delors' vision of a 'social Europe', but on the Anglo-Saxon view of competition and competitiveness. Externally, a process of enlargement began that ultimately ended up challenging Russia in the socalled 'common neighbourhood'. Countries faced the unwelcome choice of maintaining traditional links with Moscow or establishing closer relations with Brussels - an invidious choice for many states with long-term friendship with Russia. Above all, the Western Cold War security order remained in place, institutionalised in the form of NATO. Here too a process of radicalisation took place as the organisation both deepened in the sense of taking on more commitments, including 'out of area', as well as enlarging.

The status quo radicalised to remain the same; but by radicalising, subverted the goals to which these bodies were originally committed. This undoubtedly represented not only hubris (Pabst, 2018) but also stasis: the defence of an anachronistic status quo. The dominant process was the enlargement, with the EU pushing far to the East and engaging in what ultimately became a geopolitical competition with Russia. In Ukraine, the EU was negligent of the power consequences of its actions. This is even truer of NATO. The question of enlargement was posed from the very first days of the post-Cold War era during the negotiations over German unification. Declassified documents released in December 2017 showed that western leaders had repeatedly promised their Soviet counterparts that NATO would not expand into Eastern Europe. Secretary of State James Baker's famous assurance in his meeting with Gorbachev on 9 February 1990 that NATO would not move 'one inch eastward' was only one of a plethora of western assurances throughout the period of German unification in 1990 and into 1991 (Savranskaya & Blanton, 2017). This sense of betraval and western lack of trustworthiness informs Putin's worldview. He reflects the Russian belief that the alliance's enlargement left Europe in a security limbo. A stark division emerged between those within the enlarged alliance and those outside, above all Russia, accompanied by zero-sum struggles over the countries in between.

One of the measures of obsolescence is the possibility of alternatives. Were other paths of development available after 1989? First, the Soviet leadership of the time insisted on a transformation of international politics, whereas the Atlantic power system advanced a policy of enlargement of the existing system. The reforming Soviet leadership, and in particular Gorbachev, called for a transformation based on a fundamental rethinking of the character of international relations. The New Political Thinking (NPT) had matured in the late Soviet years in the various institutes and policy centres in the Soviet Union and repudiated classical Marxist-Leninist notions of the inherently militaristic character of capitalist states and hence the inevitability of confrontation with socialist societies (Kubálková & Cruickshank, 1989; Light, 1987). The goal, in the end, was not to put an end to the historically contingent Cold War, but also to the deeper structures of the logic of conflict. This ultimately is what the EU had achieved in the Western part of the European continent, and there appeared no reason why this could not be replicated at the pan-continental level. The enormity of the

intellectual achievement of Gorbachev's reform communism is often forgotten. Perestroika, in the end, represented not just a repudiation of the philosophical basis of the Soviet end of the Cold War, but also rejected the ideology of the revolutionary socialist challenge to bourgeois democracy in its entirety. Gorbachev's transformative themes had long resonated in the West as well, notably in the various peace and protest movements, in the Non-Alignment Movement, and in academic writing (Linklater, 1998). In practical terms, Gorbachev failed to devise an adequate political mechanism to oversee his ambitious project to transform not only the Soviet Union but also international politics. Unlike the Chinese, who were chastened after the excesses of the Cultural Revolution and hence had little time for the idealism of reform communism and instead devised a 'communism of reform' (whereby the Communist Party oversaw the introduction of a statist form of capitalism). The USSR failed to devise a similar strategy, and instead not only dissolved the sinews of Communist Party power but its reforms, in the end, precipitated the disintegration of the country.

Second, in more practical terms, the idea of a 'common European home' may have sounded visionary when Gorbachev delivered his famous speech to the Council of Europe (CoE) in Strasbourg on 6 July 1989, but the idea of a 'Greater Europe' remains pertinent to this day. Gorbachev (1989) spoke of a 'common European home' stretching from the Atlantic to the Pacific, thus giving voice to the aspiration for pan-European unity that had already been voiced by Charles de Gaulle and other European leaders. Gorbachev's common European home speech warned that 'the states of Europe belong to different social systems' and admitted that there was uncertainty about the new 'architecture of our "common home"', but insisted that it would have many rooms. This was a model for an ideationally plural Europe comprised of several sovereign entities. This was a classic Gaullist idea, taken up by François Mitterrand in his plan for a 'European confederation', and by many others through plans for a Greater Europe. In the end, this new continentalism ran into the obdurate rock of Atlanticism, but in due course, that stone will crumble and European pan-continentalism will once again be placed on the agenda.

Third, and most importantly for our purposes, the failure to transform NATO and the post-Cold War security order led to the reproduction of the ideational and institutional practices of the Cold War. NATO was established to contain the Soviet Union, and after the disintegration of the USSR, the organisation sought to invent a new role for itself. Despite engagement in some out of area activities, notably in Afghanistan, in the

end, after 2014, NATO returned to what it been created for in the first place – containing Russia. On the way, NATO was deeply engaged in the Balkan conflicts in the 1990s, including the 78-day assault against Serbia in 1999. Trump is an ingénue in politics but a ruthless businessman, and he asks questions that have long hung in the air but for various reasons have been suppressed by the defenders of the status quo: "What is NATO for, if the Cold War had been declared to be over; why continue seeing Russia as an existential threat, while it is China that is threatening the American dominance of the world; aren't uncontrolled migration and the rise of Islamist extremism becoming global problems?" (Müllerson, 2018). These are pertinent questions, although hard-nosed realists argue that there was no reason to appease Russia at the end of the Cold War when it was weak and marginal (Wohlforth & Zubok, 2017); and even less now when it is strong and assertive.

Fourth, defenders of NATO embed their arguments in the larger context of the defence of the US-led liberal international order. Realist theory argues that a hegemon will seek to prevent the emergence of a peer competitor, something that is predicted to lead to confrontation if not war between the US and China (Mearsheimer, 2014). Paradoxically, even in the sphere of liberal institutionalism the same principle also appears to operate. The US took a hard line against China's Asian Infrastructure Investment Bank (AIIB), and a number of Western countries consider the Belt and Road Initiative (BRI) a challenge to the West's 'rules-based liberal order' (for example, The Economist, 28 July - 3 August 2018). In other words, NATO is at the heart not only the Atlantic security system but also provides the muscle for the liberal international order as a whole. The combination of these arguments suggests that as long as the power and value system in which NATO is embedded struggles to maintain its pre-eminence, NATO will not be obsolescent. However, this only begs the question about the obsolescence of the Atlantic power system (traditionally known as 'the West') as a whole.

NATO AND THE COLD PEACE

Recent archival material released from the Clinton Presidential Library shows how President Bill Clinton begged Boris Yeltsin not to allow the military campaign against Slobodan Milošević to spoil their partnership. The relationship, as Strobe Talbott so vividly demonstrated in his memoir of the period, was one-sided, with basically the US making demands and Russia acquiescing, although couched in the language of friendship and partnership (Talbott, 2003). Clinton supported Yeltsin in his showdown with the Russian parliament in October 1993, and held back from NATO enlargement until Yeltsin was successfully re-elected in mid-1996 (with the support of American money and advisers), but hardly wavered in his view that NATO would have to enlarge, if only to satisfy the demands of the former communist states in Eastern Europe.

As early as 15 June 1998 Clinton called Yeltsin to warn him that NATO was considering taking firm action against Milošević because of his actions in Kosovo. Yeltsin understood that such an action against Serbia would demonstrate Russia's inability to defend a traditional ally and reinforce its decline as a great power. Yeltsin insisted that 'Military action by NATO is unacceptable'. After some other contact on the issue, on 24 March 1999, Clinton informed Yeltsin that the US and some European powers would launch air strikes against Milosevic: "He has left us no choice. I know that you oppose what we are doing, but I want you to know that I am determined to do whatever I can to keep our disagreement from ruining everything else we have done and can do together in the coming years". By that time the prime minister, Yevgeny Primakov, had turned his plane back to Moscow from a planned meeting in Washington. Yeltsin condemned the assault, understanding that Clinton and his allies certainly had a choice, and warned that an attack without the sanction of the UN would have fateful consequences. As Yeltsin noted, "our people will certainly from now have a bad attitude with regard to America and with NATO". The war changed both the US and Russia: "By bypassing the Security Council and establishing the United States as the sole arbiter of good and evil, it paved the way for the war in Iraq, among other things". It also changed Russia, accelerating the turn away from aspirations to join the Atlantic community and intensifying feelings of alienation and humiliation (Gessen, 2018).

Putin understood the fundamental dilemma of an enlarging NATO from which Russia was excluded. Defenders of NATO are right to argue that the enlargement of the organisation was accompanied by the profound demilitarisation of the continent. Not only had the US provided billions of dollars to ensure that the nuclear weapons scattered across the former Soviet Union were returned to Russia, but most US troops were withdrawn and by 2014 it had no tanks stationed in Europe. "NATO enlargement was accompanied by the dismantlement of its capabilities for conventional warfare in the European theatre [...] It is hard to find another period in Russian history when its western border was as secure and free of the threat

of invasion as between 1989, when the Berlin Wall came down, and 2014, when Russia invaded Ukraine". It certainly does not serve Russia's interests to have "political paralysis in the United States and Germany, a divided European Union, and Poland and Hungary consumed by xenophobia and nationalism" (Rumer, 2018). But the choice is not so simple – either to accept NATO enlargement, which potentially would reach from the Baltic to the Caspian seas, or to oppose it and thus provoke the Second Cold War.

There are three alternatives to monist enlargement. The first is the one discussed above: the transformation of the European security system to create some new body (or based on an enhanced OSCE) along the lines of the European Security Treaty proposed by Medvedev in Berlin in June 2008. The second is for Russia to join NATO, a move that can be designated as pluralist enlargement. This was suggested by Putin (2000) in an interview with David Frost in March 2000, in which he argued "seeing NATO as an enemy is destructive for Russia" (Golts, 2000, p. 8). However, following the various interventions in Iraq and Libya, the perceived threat of regime change through Western democracy promotion strategies, and the development of missile defence installations in Eastern Europe, Putin changed his tune. Nevertheless, the idea of Russia joining the organisation, however fanciful it may now appear, has not gone away, and the idea advanced by some former senior German officials that NATO could reinvent itself at the centre of a strategic triangle of the US, Europe and Russia still has some relevance (Rühe, Naumann, Elbe & Weisser, 2010).

The third option is the abandonment of NATO altogether, something intimated by Trump but then abandoned. Instead, NATO remains committed to its enlargement agenda. NATO's Bucharest Declaration of April 2008 stressed that "NATO welcomes Ukraine's and Georgia's Euro-Atlantic aspirations for membership in NATO. We agreed today that these countries will become members of NATO" (NATO, 2008). The Russo-Georgia war of August that year, although in the short-term provoked by the Georgian assault on South Ossetia's capital, Tskhinvali, in the larger context can be seen as the first war to stop NATO enlargement, and Ukraine from 2014 was the second. Nevertheless, the incorporation of Montenegro in June 2017 and the potential membership of "North" Macedonia suggests that the process is unstoppable. In his account of the Reset and the subsequent chilling of relations, Michael McFaul (2018), who served as US ambassador to Moscow between 2012 and 2014, held Putin personally responsible for the deterioration in relations. In fact, Putin was if anything a restraining force, and there are plenty of hawks in the Kremlin and society who demand a tough response to what is considered the West's failure to take Russian strategic concerns into account.

GLOBAL CHANGES

The defenders of NATO make many important points, yet fail to provide convincing arguments about why NATO is the appropriate response to global challenges of the twenty-first century. Henry Kissinger, who is known to have advised Trump, lobbied the president and his sonin-law and advisor Jared Kushner to co-operate with Russia to constrain China (Suebsaeng, Desiderio, Stein & Allen-Ebrahimian, 2018). This is the reverse of his diplomatic coup of the early 1970s, in which Richard Nixon achieved a historic reconciliation with Communist China to exert pressure on what was at the time the more powerful USSR. The idea clearly appealed to Trump the businessman, used to manoeuvres of this kind, but it also reflected his hard-headed approach to international politics. The likelihood of the success today of the strategy of peeling Russia away from alignment with China is close to zero. The opportunity in the 1990s to build a strategic alliance with Russia had been missed, and instead, the NATO intervention in Serbia deeply alienated Russia. Despite this, in the early 2000s the new president, Putin, still tried to find a way to work with NATO, and he was even open to the idea of Russia joining the organisation. The invasion of Iraq and other events put an end to Putin's early idealism, but it was revived during the Reset by Dmitry Medvedev, although once again early hopes turned to ashes.

These experiences taught the Russian leadership that it is seemingly impossible to make a deal with the US-led West, and today's policy disagreements are compounded by a deepening cultural divide between the two. Disappointment at the failure to transform European international relations and the onset of the Second Cold War from 2014 accelerated the shift to what Moscow now calls the Greater Eurasia Partnership, comprising above all the conjugation (*sopryazhenie*) of the Eurasian Economic Union (EEU) and BRI. Attempts to drive a wedge between Russia and China, for example, by playing up the dangers of a demographic invasion from the East are dismissed as lacking a basis. In fact, Russia has become China's strategic rear, allowing it to focus on maritime and other concerns. Although China's economy far outweighs Russia's, Russia is by far the more powerful military state. The two have found ways to work cooperatively in Central Asia. There is a Sino-sceptic lobby in Russia, but it is relatively small, while the radical liberals calling for rapprochement with the West on any terms is even smaller. The quasi-alliance between Russia and China is now deeply embedded in economic and security relations, and Trumpian blandishments are far too insubstantial to be able to undermine relations. In any case, Trump in all likelihood will be unable to deliver. Even the tentative suggestion in 2018 that Russia could be invited back to the G8 and some easing of minor sanctions were greeted with outrage by 'Russiagate truthers' (Karlin, 2018). Obsolescent or not, NATO and the Atlantic system in which it is embedded will endure, and the Second Cold War, like the First, will last for a long time but not forever. Only when the Historical West becomes a Greater West through the addition of Russia will the obsolescence of NATO become a political reality.

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MOLDOVA'S EXPERIENCE WITH NATO: AN EXAMPLE OF NEUTRALITY POLICY

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Abstract: The following article is dedicated to the issue of interaction between the Republic of Moldova and the North Atlantic Treaty Organization (NATO) in the context of the country's status of permanent neutrality. The authors note that collaboration with NATO is one of the most important strategies in Moldova's external policy. Moldova's participation in the "Partnership for Peace" program and its adoption of the Individual Plan of Action "The Republic of Moldova - NATO" provide the framework that contributes to indepth multi-level collaboration and the fostering of national and regional security. The neutrality of Moldova was enshrined in the country's Constitution of 1994. However, the international procedures for the recognition of the state's neutral status have not been realized. According to the authors, the status of neutrality does not prevent collaboration with NATO, primarily in non-warfare related fields - science, ecology, combating natural cataclysms, terrorism, etc. The authors conclude that in general, the country's permanent status of neutrality and the multitude of NATO's resources (economic, financial, etc.) are beneficial for maintaining its national security, by creating political and economic conditions for solving Moldova's internal problems, as well as contributing to the fostering of peace and stability in the region.

Key words: Moldova, NATO, specificity of relations, neutrality, collaboration in non-warfare related fields.

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INTRODUCTION

On August 27th, 1991, the Moldovan Parliament adopted the Declaration of Independence, declaring the country a sovereign, independent, and democratic state that can "freely, and without external interference decide on its present and future in accordance to the ideals and aspirations of its people in the historical and ethnic space of its nationhood" [Deklaratsiia, 1991]. After declaring its independence, the Republic of Moldova met with the need to develop its own concept of external policy.

The Republic of Moldova is characterized by its difficult geopolitical location. Being located between Ukraine and Romania, Moldova is at the geopolitical border between Russia and the North Atlantic Treaty Organization (NATO)/the European Union (EU). The vicinity of the two centers of authority results in Moldova facing strong geopolitical pressure coming from both sides. The region is characterized by a security vacuum and Russia's dominating ambition to maintain the region within the field of its interests.

Geopolitical location is closely related to the geopolitical status that defines the place and role of the Moldovan state in the geopolitical regional space. Due to the difference in potentials that exists between the Republic of Moldova on one end, and NATO, the European Union and Russia on the other, it is becoming clear that Moldova is significantly geopolitically outweighed by them. As a result, Moldova is more an object, rather than a subject of geopolitical games (Croitoru, 2006, p. 135). One should add to this the lack of geostrategic vision for the country's external policy on the part of Chisinau's political class (Varzari, 2007, p. 175).

The difficult geopolitical position is worsened by no less difficult internal situation: a lack of important natural resources, the predominance of a rural population, a primarily agrarian economy, low living standards of the overwhelming majority of Moldovan citizens, the high level of corruption and the violation of the country's territorial integrity.

Therefore, the strategy of the Republic of Moldova's external policy had to be developed based on a complex analysis of the country's geopolitical regional context, and of its internal geopolitical situation. For the sake of excluding the geopolitical risks, Chisinau must build and maintain relations with all the participants present in this space.

In February 1995, the Parliament of the Republic of Moldova adopted the Concept of the Republic of Moldova's external policy that declared the country's permanent status of neutrality (Hotărîre, 1995). At the same time, within the document was stated that with the purpose of fostering national, regional, and international security, Moldova was emphasizing its collaboration with NATO (Hotărîre, 1995), and its participation in the different programs and projects implemented by the North Atlantic Alliance. Does the Republic of Moldova's status of a neutral state contradict its collaboration with NATO? This article is the answer to this question.

THE REPUBLIC OF MOLDOVA - NATO COLLABORATION

The first NATO body dedicated to collaborating with the Eastern European countries was the North Atlantic Partnership Council (NAPC) that was initiated on December 20th, 1991. Initially, only the nine former member-states of the Warsaw Treaty Organization were invited to collaborate with NATO. However, after the fall of the USSR, the post-Soviet states were also invited. The Republic of Moldova joined the NAPC in January of 1994. At the time, the NAPC was but a forum that played a consultative role, namely on topics of common policy and security. Starting with 1993, within the framework of the NAPC, alongside dialogue and collaboration in relations with the NAPC countries, the concept of "partnership" has been proposed (Varzari, 2007, pp. 176-177).

With the purpose of increasing stability and security in Europe, in January 1994, NATO officially launched the "Partnership for Peace" (PfP) program. It should be acknowledged that the Alliance managed to develop a rather effective mechanism of collaboration with many of the state subjects. As such, the PfP includes 26 countries, each different from a political, geographic, economic and cultural point of view, having different security aspirations and demands. NATO's policy of collaboration is developed with consideration of each partner's particularities. It is basically these programs of partnership and collaboration that contribute to the establishment of control over the internal political processes in the partnercountries, which allows the use of their utmost potential in coalition missions (Timakova, 2015).

By becoming an associated member of the NATO Parliamentary Assembly in 1994, the Republic of Moldova joined the "Partnership for Peace" program. This turned out to be a significant step for our country and conditioned its continued collaboration with the Euro-Atlantic bodies. The Republic of Moldova's affiliation with the PfP program happened in three stages (Varzari, 2007, pp. 178-180).

The first stage consisted in signing the Framework Document on March 16th, 1994, through which our country took on the responsibilities of maintaining the development of a democratic society, of the principles of international law, the UN Charter and the Universal Declaration of Human Rights, not to resort to the use of force or threats of the use of force in its foreign relations, to respect the existing international borders, and to regulate conflicts peacefully. The Document states that Moldova is establishing military collaboration with NATO, as well as other forces that are compatible with the Alliance's interests, so as to be able to participate in peacekeeping missions with its allies.

The second stage consisted of the development of the Presentation document and putting it at NATO's disposal. In accordance with this Document, our country took upon itself the following specific obligations: to train a subdivision for peacekeeping operations under the auspices of the UN; to train military medical personnel for participation in peacekeeping operations; to train a group of military observers for participation in UN missions; to provide the Marculesti airport for aircraft landing and parking, in accordance with the Partnership activities; to create the conditions for training and tactical exercises within the framework of the PfP at the "Bulboaca" training grounds; to prepare one cargo and two transport planes for action within the framework of the PfP.

As a consequence (*the third stage*), based on the Framework Document, the Individual Programme of the Partnership was developed in 1995. It focuses on such priority directions as democratic control over the armed forces; control over armament and disarmament; civil protection, crisis prevention and resolution; planning and conducting of joint peacekeeping operations; training of staff, linguistic training, and other aspects of military activity (Moldova, 1995).

Starting with 1997, the Republic of Moldova has established contact with NATO on a permanent basis: the Moldovan Ambassador Extraordinary and Plenipotentiary to Belgium became the Republic of Moldova's representative to NATO.

It should be noted that during this period, the interactions between Moldova and NATO would primarily be limited to the scientific and ecological collaboration. In 1994, our country began to take part in scientific activities, organized with the aid of NATO. Since 1997, Moldova has expanded its cooperation with NATO in the scientific area. Thus, at that time, NATO supported two projects of the Academy of Sciences of Moldova worth about 153 thousand U.S. dollars on the access of the Academy of Sciences to the Internet and its further development.

In 1999, with the financial support of NATO, the project for creating the information network of the Academy of Sciences was completed. The Alliance also provided financial support for "The Information Network of the Polytechnic Community" project, developed by the Academy of Sciences and the Polytechnic University of Moldova. In June, with the help of NATO was created the RENAM Association which has an educational-informational purpose. Scientific researchers from Moldova have been granted scholarships in Italy, Canada, and in other countries.

Additionally, in the scientific dimension, a number of projects related to environmental security have been achieved with the support of the Alliance. One of these relates to the water management of the Prut and Nistru rivers, which consists in establishing a mechanism for continually testing the level of the two rivers pollution, and alert if this level would exceed the critical parameters (Ministry, 1999).

Following the idea of deepening relations between NATO and its partners, at the 2002 Summit in Prague, the idea of Individual Partnership Action Plans (IPAP) was launched. These Plans are intended for individualization, systematization, and particularization of relations and to initiate dialogue and consulting between the Partners and the Alliance at inter-state and interdepartmental levels. The IPAP is an effective mechanism and capable of organizing the priority directions of collaboration between NATO and the partner-countries; to coordinate international aid in conducting internal reforms; to develop the most effective strategies for reform in the military field; to improve budget procedures in the field of defense and to institutionalize an effective coordination of inter-institutional and interdepartmental efforts.

In 2004, at the NATO Summit in Istanbul, the new strategy of Euro-Atlantic Partnership based on reorientation and renewal was adopted, and priority attention was given to aiding the countries that implement the partnership plans of action: Individual Partnership Action Plan (IPAP), Partnership Action Plan on Defense Institution Building (PAP-DIB), Partnership Action Plan against Terrorism (PAP - T). NATO's commitment to collaborating with Moldova has been confirmed in the Final declaration of the North Atlantic Council Summit (NATO, 2004).

The Republic of Moldova signed the Individual Partnership Action Plan (IPAP) with NATO in 2006. The IPAP was developed in such a way to support the strategic goal of the Republic of Moldova's European integration and become an addition to the Plan of Action "EU - Republic of Moldova". From the European point of view, this reform plan for the security sector is an indispensable part of the idea of Moldova's democratic institutional renewal in accordance with European standards. It has become a strategic document that envisages the need to reform different fields of internal and external policy - the law, government control, human rights, the military sector, and security and information bodies (Juc & Ungureanu 2012, pp.181-182). In accordance with the Individual Partnership Action Plan, the main strategic goals of the Republic of Moldova are: integration with the European Union and enhancing dialogue and deepening relations with the Euro-Atlantic bodies, primarily with the purpose of realizing reforms in the security sector. The IPAP focuses on directions that concern the Republic of Moldova's territorial integrity, the fight against terrorism and organized crime, the democratic control over armed forces and the implementation of reforms. This document envisages the reforming of the country's state bodies in accordance with Euro-Atlantic standards (Planul, 2006).

In the opinion of the Moldovan experts P. Varzari and V. Varzari, the document is more about reforming the country's national defense system (consolidated through the possibility of international military collaboration in case of crisis) than about reforming the entire system of national security. There is an explanation for this - NATO is a political-military bloc, therefore, the policy coordinated by its member- and partner-states is implemented primarily in the military and political sectors. And this is a boon for Moldova because the EU does not preoccupy itself with such questions. Once our authorities understand that the collaboration with NATO will help reform the military sector and collaboration with the EU will help reform the economic, social, and ecological spheres, our national security will only win from it. If we admit that the social, economic, and ecological sectors require continuous reform, if we remember that each individual must be protected, and the goal of national security is to create conditions for development and prosperity, then the realization of the IPAP will indeed be beneficial for the Republic of Moldova.

On the other hand, a reform of the military sector is possible only in a democratic country which is governed by the rule of law and where the implementation of economic and social reforms contributes to the promotion of compatibility and the improvement of the business-field, to the fortification of economic and energy security and the development of collaboration with international financial organizations (Varzari, 2007, p. 185).

After the pro-Western coalition came to power in Moldova, in 2009, a reworking of the Individual Plan of Action for the "Republic of Moldova - NATO" Collaboration began. In the context of the needs and priorities of fostering the Republic of Moldova's national security, in 2010, the IPAP was edited an updated. The Document envisages activities that concern the fostering of democratic control over the armed forces, national and technological collaboration, and civil defense in crisis situations. The new stipulations clarify and develop on the previously planned actions. The main difference consists in including a new objective for the security and defense sector reform, with the purpose of improving the level of its transparency and efficiency (Juc & Ungureanu, 2012, p. 183).

The Individual Partnership Action Plan "Republic of Moldova – NATO" for 2017-2019 (Hotărîre, 2017) is currently in effect. In the framework of realization of the IPAP 2017-2019, measures are taken to reform and modernize the security sector, to develop the armed forces, to combat the new threats to security, to promote public diplomacy, and to inform the public.

N. Stercul underlines the importance of the informational component in the two-way collaboration between Moldova and NATO (Stercul, 2015, p.140). The opening of the NATO Information and Documentation Centers (today, there are four such centers in Moldova), regular briefings, editing of magazines and brochures on NATO's activity and the meetings held between NATO officials and the wider public in the partner-countries, have all played their role in spreading information on the main directions of NATO activity, and in promoting the positive image of the North Atlantic Alliance among the Moldovan population.

The specific character of the relations between Moldova and NATO is manifested in their collaboration, their dialogue in the non-military spheres, but also in the absence of a military and political integration. In these relations, the North Atlantic Alliance acts as the active side, constantly providing support, consulting and help to Moldova within the framework of the Initiative for Defense and Security Capacity Building.

Considering that the North Atlantic Alliance has at its disposal adequate specter of military, political, and financial mechanisms, the two-way relations between Moldova and NATO are quite diverse and reaching into different areas. One can outline the following, main directions:

- The fight against terrorism, collaboration in the field of increased control over dual-use goods; combating human and drug trafficking, money laundering, and organized crime;
- Collaboration in the field of science and the environment. From 2007 to 2018, a NATO Trust Fund project helped Moldova safely dispose of 1.269 tons of prohibited pesticides and dangerous chemicals;

Current cooperation under the Science for Peace and Security (SPS) Programme focuses on defense against chemical, biological, radiological and nuclear agents, as well as activities on cyber defense, counterterrorism, and border security.

Also, with assistance from the SPS Programme, the Moldovan government developed its first multi-agency National Action Plan in March 2018 to promote the role of women in defense and security (NATO, 2018):

- Cooperation in the field of promotion of peace and security (participation in peacekeeping operations); Moldova has been contributing troops to the Kosovo Force (KFOR) since March 2014;
- Collaboration in the field of management and operative solution of crisis situations. Moldova is developing its national civil emergency and disaster management capabilities through participation in activities organized by NATO's Euro-Atlantic Disaster Response Coordination Centre. The Allies have also supported Moldova in establishing a civil crisis information system to coordinate the national authorities' response to emergencies;
- Collaboration in solving the Transnistrian conflict. NATO has no direct role in the conflict resolution process in the region of Transnistria. However, the Allies closely follow the developments in the region and fully expect Russia to abide by its international obligations, including respecting the territorial integrity of neighboring countries and their right to choose their own security agreements (NATO, 2018);
- Collaboration in informing the population on NATO's activity and in promoting the Alliance's positive image. Furthermore, in December 2017, at the request of the Moldovan government, a civilian NATO Liaison Office in Chisinau was established to promote practical cooperation and facilitate support for the country's reforms.

As such, one can draw the conclusion that despite its close collaboration with the North Atlantic Alliance, the Republic of Moldova is not seeking military and political integration with NATO. It does not strive for it, as it is promoting the neutral state status that is enshrined in its Constitution. The collaboration between Moldova and NATO contributes to providing the state's national security without violating the constitutional clause on the country's status of permanent neutrality.

THE REPUBLIC OF MOLDOVA'S STATUS OF NEUTRALITY

The Republic of Moldova's permanent status of neutrality is one of the most controversial and discussed topics within the political and scientific communities. One of the reasons for this is the absence of a consensus among the Moldovan political elite, its intellectuals, and its population.

The term 'neutrality' includes in itself a state's international status, in accordance to which the country is obliged not to take part in armed conflicts, not to take part in military alliances, and not to permit the establishment of foreign military bases in its territory. Neutrality can also imply the unbiased position taken by third countries in relations with other belligerent states or the states recognized as belligerent, i.e. the position that brings about rights and obligations in relations among states (Tamaş, 1993, p. 188; Simickin, 2000, p. 34).

In accordance with Article 11 of the Constitution, the Republic of Moldova declares its permanent status of neutrality and does not permit the presence of other states' armed forces in its territory (Constitution, 1994). The concept of Moldova's foreign policy supports this status, stating that "The Republic of Moldova pursues a policy of permanent neutrality, taking upon itself the responsibilities to not take part in armed conflicts; in political, military, or economic unions whose goal is preparation for warfare; not to use its territory for placement of foreign military bases; not to possess, produce or test nuclear weaponry" (Conceptia, 1995). The status of permanent neutrality of the Moldovan state is fixed in Moldova's Concept of National Security (Conceptia, 2008) and in the National Security Strategy (Strategia, 2011).

In promoting the policy of permanent neutrality, the Republic of Moldova is guided by the idea that as an independent state, it has the sovereign right to take appropriate decisions in regard to the strategy of its policy of neutrality that is manifested in different fields: political, diplomatic, military, economic, and in the framework of international organizations (Cebotari, 2002, p. 21).

Moldova's adoption of permanent neutrality as one of the principles of national security was conditioned by the following:

- The Republic of Moldova is a new independent state that previously did not face the question of independent identification of national security issues;
- The absence of experience, and of a professional staff of diplomats and lawyers specializing in international issues;
- The strive to counteract the numerous attempts to draw Moldova into military-political alliances of different geopolitical orientations, such as of pro-NATO or pro-Russian orientation;
- The anti-bloc orientation of the Moldovan mass consciousness. Public opinion is against joining military-political alliances of any kind (Mosneaga & Rusnac, 1993, pp. 5-6).

S. Cebotari notes that the status of neutrality has become a suitable means to protect the sovereignty and independence of the Republic of Moldova. Firstly, Moldova's status of neutrality can be considered as a strategy of tacking between two big forces, as well as an answer to the pressure coming from Russia, who could demand that our country be a member of different military bodies. Secondly, neutrality supposed to be an argument for Russia to withdraw its military and military equipment from our country's eastern regions (Cebotari, 2009; Croitoru, 2014). However, according to certain researchers, the Republic of Moldova's neutrality that has been declared in a unilateral manner, was supported by a volitional decision, did not lead to the desired result - the withdrawal of the Russian armed forces, and the resolution of the Transnistrian conflict (Juc & Ungureanu 2012, p. 176).

According to the opinion of V. Croitoru, the inclusion of the article on neutrality into the Constitution was more a condition set by Moscow and less a desire of Chisinau. Russia was interested in maintaining Moldova's neutrality as this would give it the ability to keep the country within its sphere of influence. Moldova's status of neutrality guarantees to Russia that Moldova will refuse to sign military-political agreements with other states and international organizations, namely with NATO (Croitoru, 2014, p. 205). We consider that the status of neutrality has satisfied and still satisfies Moldova's aspirations and its understanding of its role and place in the regional security system.

The constitutional article on Moldova's permanent neutrality was adopted by the parliament majority less for geopolitical security reasons, but rather out of the desire to provide the Republic of Moldova's internal stability, to support the balance between the externally-oriented political forces: pro-Romanian on the one side and pro-Russian on the other (Nedelciuc, 1997, p. 8). The recent events – NATO's expansion east and the Russian Federation's efforts to fortify its own military bloc – have led to the fact that Moldova's undefined status of neutrality began to play an important role.

After declaring independence, the political leadership of Chisinau strove to follow the principle of neutrality in its relations with the world's powers and international organizations. Being located on the geopolitical border between two centers of power, the Republic of Moldova considers that the realization of the policy of permanent neutrality will be the most effective way to ensure the satisfaction of the country's national interests and make the most realistic contribution to fostering peace and stability both within its territory, and in the region. On the other hand, by declaring its neutrality, the Republic of Moldova took upon itself the responsibility to correspond to the demands that are presented to states that hold such status (Cebotari, 2009, p. 143).

The legal framework that exists in the Republic of Moldova is directed at securing the safety of the state and its people, at preventing wars and armed conflicts with the help of international law. In order to reach this goal, the Republic of Moldova considers it necessary to use a system of measures of global, regional, and national character.

At a global scale, Moldova is taking part in the activity of the international community in the prevention of wars and armed conflicts and the peaceful resolution of controversial topics; the creation of conditions that, in case of an external military threat, will assure the Republic of Moldova's right to obtain aid from international organizations; the constructing of the unique international system of collective security. At a regional level, the Republic of Moldova is establishing friendly two-way and multilateral relations with the states in the region that provide a high level of mutual trust, as well as mutual aid in case of a threat to collective security. At a national level, Moldova is attempting to create the military-political potential to assure the state's security (Cebotari, 2009, pp. 143-144).

S. Cebotari notes that even though the majority of intellectuals, who constitute Moldova's main reformist and democratic powers, understand that the Republic of Moldova's safety cannot be assured without the consideration of the interests of the neighboring states that have joined NATO and the European Union, the formation of a single, holistic and adequate perception of national security in our country is a difficult and complex task. At the same time, she notes that the documents directed at solving the problem of the Republic of Moldova's neutrality adopted in the mid-1990s, no longer correspond to the current realities and require reviewing (Cebotari, 2009, p. 145). The time factor is pointed by V. Plesca as well, who considers that every country that holds a permanent status of neutrality must offer its own form of neutrality that satisfies the state's internal and external demands and can change as time goes on (Plesca, 2008).

In the opinion of V. Croitoru, the Republic of Moldova's policy of neutrality must be viewed from the perspective of its geographical and geopolitical location since it is radically different from other countries that have a neutral status (Finland, Sweden, Austria and Switzerland). However, the regional context of Moldova's geopolitical location allows it to develop its neutrality not from the perspective of specific risks, but also of possibilities.

According to the same author, for a long time, Moldova's neutrality has been pro-Russian because pro-Russian powers have been in charge. With 2009, the balance shifted westward. Despite being enshrined in the Constitution, the Republic of Moldova's concept of permanent neutrality has not been internationally recognized since it was not confirmed by international agreements, and everybody – the European Union, NATO, Russia, and Moldova itself - was satisfied with the neutral state status that has been kept incompletely formalized for a long time. When the pro-European parties (Democrat party and Liberal Democrat Party) came to power in 2009, they too did not force the process of international recognition of Moldova's status of permanent neutrality.

The recent events in Ukraine (the annexation of Crimea by Russia, the civil war in the country's southeast) have demonstrated that the Ukrainian crisis concerns not only Ukraine. It is a warning to the whole region including to Moldova. There is a factual threat that its territory could become a new space for violent conflict that will lead to the state's dissolution.

The war in Ukraine revealed for the Republic of Moldova a number of frightening tendencies, both from the perspective of possibilities of management and behavior. Firstly, Moldova stepped onto the geopolitical path of "either, or", being forced to choose between two different projects of regional integration – the EU or the Eurasian Economic Union. Secondly,

Moldova is slowly losing its ability to influence the events that are happening both in its own territory and in the near vicinity. The state is becoming vulnerable to external challenges over which it has no possibility of management, and which can have dire consequences for the state. Thirdly, the continuous decrease of the Moldovan authorities' capabilities for autonomous decision-making is taking place. The government is becoming less and less capable to solve the problems that exist both within and outside the country.

V. Croitoru notes that the Republic of Moldova's policy of neutrality affects neighboring Ukraine and vice-versa, as well as Russia's behavior in regard to Chisinau and Kiev. Ukraine coming under Russian control means the same control for Moldova. The degree of geopolitical pressure on the Moldovan state coming from Russia depends on the degree of Ukraine's opposition (Croitoru, 2014, p. 203).

The events in Ukraine have provoked an increase of anti-Russian attitudes among the Moldovan liberal intelligentsia (the intellectuals). After the events of 2014, the attitude towards Moldova's status of a neutral state is changing; there is a noted desire to minimize it. As a consequence, there is a search for protection from possible Russian aggression under the NATO's umbrella, the demand that Moldova abandons its status of a neutral state.

A number of researchers consider Moldova's national security can be provided most effectively under the conditions of Euro-Atlantic integration. According to them, the development and implementation of the strategy for Moldova's Euro-Atlantic integration must become the focus of attention for many government and non-government bodies. It is important to demonstrate that NATO turned out to be the most viable organization from the point of view of providing protection and that it is connected not only to the military-political dimension but also to a significant share of investment policy (Pîrţac, 2018, p. 182). In the opinion of V. Lupan, NATO is the only organization that has the experience necessary for the quality democratic and European reforming of the security sector, as well as the necessary resources to help Moldova in this endeavor (Lupan, 2009).

However, the geopolitical situation at the beginning of the 21st century changed. The current regional situation provides the reasons for a review of the policy of neutrality, constitutionally enshrined in 1994, in the context of the new threats, risks, and vulnerabilities the Republic of Moldova is facing. Even today, Russia controls Moldova's foreign policy; it regulates Moldova's political and economic relations, uses different instruments, striving to prevent Chisinau's independence from Moscow. The situation in Ukraine causes Moldova to search for new approaches regarding its policy of neutrality, approaches that must result from security concerns, through the activation of its collaboration with NATO (Croitoru, 2014, p. 205). Moldova seeks to contribute to stability in the region while maintaining its neutrality, but the current circumstances demand that it rethinks this policy, as a result of the events that have taken place in its eastern neighborhood.

It should be noted that even after 2014, among the Moldovan political elites, there is still no univocal opinion on the country's status of permanent neutrality and collaboration with NATO. Moldova's President I. Dodon, and the Socialists' Party speak in favor of the status of a neutral state and NATO's aid only in non-warfare fields. Within the framework of his meeting with the delegation of the NATO Parliamentary Assembly, the country's president stated that "Moldova strictly abides by the constitutional principle of permanent neutrality, and based on this it builds a leveled policy, directed at maintaining mutually-profitable partner relations with both the West and the East" (Vlasti, 2018).

At the meeting with the NATO Parliamentary Assembly, the country's prime-minister P. Filip expressed a different view. He considered that "the fact the Republic of Moldova is constitutionally a neutral state does not mean that we want to be an isolated state. Quite the opposite, we favor close collaboration with NATO, we want to learn, want to train our military and want to participate in joint international exercises" (Vlasti, 2018).

Today, nobody speaks of Moldova joining NATO. Currently, NATO is not ready to open its doors for Moldova, whereas Moldova does not correspond to the demands posed before the countries willing to join NATO. But, according to the opinion of certain researchers, participation in NATO programs allows Moldova to maintain its status of neutrality (Pîrțac, 2018, p. 175).

In July 2014, the chairman of the NATO Parliamentary Assembly – Hugh Bayley – spoke of the collaboration between the Republic of Moldova and NATO with Moldova maintaining its neutral status. During his visit to Moldova, the official underlined there were no incompatibilities between the Republic of Moldova's status of neutrality and the development of the country's partnership with the North Atlantic Alliance. "NATO respects the Republic of Moldova's status of neutrality. The Moldovan authorities need to decide on the level of collaboration with the Alliance. As to us, we want to contribute to the fortification of the Republic of Moldova's national security" – Hugh Bayley stated (President, 2014).

As such, based on its geopolitical location, the Republic of Moldova is at the junction of big world players' interests and has to maintain a policy of permanent neutrality that will satisfy its national interests to the fullest and contribute to the fortification of security in the region. But Moldova's neutrality should not be viewed as an obstacle to its collaboration with NATO, who, having at its disposal a large specter of political, financial, and other mechanisms, supports our country in its process of democratization and solving the internal problems that it encounters.

MOLDOVA'S PUBLIC OPINION: NEUTRALITY OR NATO?

Public opinion is a significant component of a country's political life. With the help of public opinion, a country's political elites, power and opposition identify the public assessment of their activity, of the policies they promote. In the Republic of Moldova, it has become a tradition to research the public opinion of the country's population on the current issues that provoke the attention and interest of the community. This concerns, among other things, the country's external policy.

The attitude of the Moldovan population on the issue of neutrality or collaboration with NATO is very interesting. In 2003, in favor of joining NATO were 20%, whereas the idea of the Moldovan state's neutrality was supported by 17% of the respondents. There has been a clear increasing trend in public opinion since 2006 - the sympathies of Moldovan citizens are leaning steadily towards the status of neutrality of the Moldovan state. In 2007, the number of adepts of Moldova's neutrality, according to public opinion polls, is steadily between 52% and 63%, whereas those who support Moldova's potential membership in NATO range from 29% (April 2005) and 8% (May 2012). In recent years, their number does not surpass 17% (Barometrul, 2014).

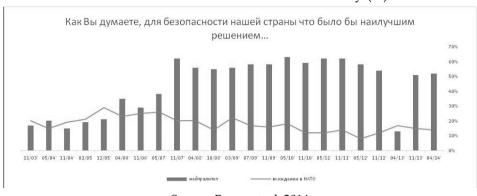
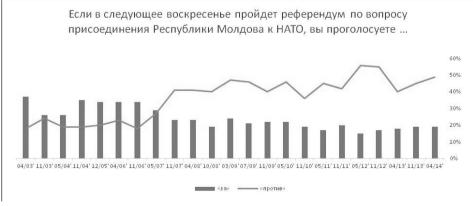


Diagram 1: The dynamic of respondents' replies to the question on the best solution for Moldova's security (%)

Source: Barometrul, 2014

The April poll (2014) shows that 19% of Moldovan citizens would vote in favor of joining NATO; voting "against", that is, for maintaining Moldova's status of neutrality would be 49% (Barometrul, 2014). These numbers show that almost half of all Moldovan citizens are in favor of Moldova's neutral state status.

Diagram 2: The dynamic of respondents' replies to the question on Moldova joining NATO (%)



Source: Mosneaga, Turcan & Bajor, 2015, pp. 128-129.

These data are confirmed by the previous years' poll results. Thus, in November 2015, those who would vote in favor of Moldova joining NATO made up 19%, whereas those would vote against it made up 47% of the respondents. In favor of maintaining neutrality was 52%, whereas for collaboration with NATO was 16% of the respondents (Barometrul, 2015).

In November 2016, the number of those who would vote in favor of Moldova joining NATO decreased to 15.3%, whereas the number of those who were categorically against it, increased to 60.8%. The number of those who support the country's neutral status increased, and made up 58.3% of the respondents. The number of citizens who were in favor of collaboration with NATO decreased to 11.4% (Barometrul, 2016).

In one year (in November 2017), the number of those who would vote to join the North Atlantic Alliance remained at almost the same level as in the previous year - 15.9%, but the number of those who were against it, decreased significantly, and now made up 51%. The number of respondents who were in favor of Moldova's neutrality remained unchanged (58.3%), but the number of adepts for collaboration with NATO increased to 14.2% (Barometrul, 2017).

In April 2018, those who were in favor of Moldova joining NATO increased and now made up 21%, the amount of those who were against Moldova joining this military-political bloc increased to 53%. The number of adepts of maintaining the country's neutrality is rather stable (56%), whereas the number of those who are in favor of collaboration with the North Atlantic Alliance continues to increase (18%) (Barometrul, 2018).

The presented data show the number of Moldovan citizens who support the status of neutrality is significantly higher than those who are in favor of joining NATO. Some researchers consider this is tied to the neutrality status' positive image that is promoted by the mass media, and by certain leaders of public opinion (Croitoru, 2014, p. 204). They likewise consider that another reason for the Moldovan citizens' reluctance to collaborate with the Alliance lies in the lack of an objective and widespread informing of the population on the role of NATO, its activity, achievements, and on the advantages of the Republic of Moldova – NATO collaboration (Pîrțac, 2018, pp. 182-183).

In a certain way, these arguments make sense, but the problem is most likely bigger than this. We have already spoken of the anti-bloc direction of the Moldovan mass consciousness. Furthermore, for Moldovan citizens, the topic of collaboration with NATO is not the top priority. They are more concerned with internal problems – low salaries and pensions, poverty, low standards in education and medicine, high level of corruption, et al., in other words, the things they have to deal with every day.

As the results of a poll that was conducted in "Eastern Partnership" countries (Azerbaijan, Armenia, Belarus, Georgia, Moldova, and Ukraine) shows, the "Trust for NATO" index is one of the lowest in Moldova – 24% (EU Neighbours East, 2017). Slightly lower is the index of Belarus (21%), which is, in many ways, tied to the country's peculiar participation in this European project.

	1	2	3	4	5	6	7
Positive relations with the EU	76	68	54	83	68	58	61
Positive image of the EU	48	47	35	59	43	43	44
Trust for the EU	65	51	52	66	54	58	57
Trust for the EEU	50	26	46	25	44	19	26
Trust for the UN	56	35	46	56	34	51	48
Trust for NATO	35	32	21	54	24	46	40
Knowledge of the EU's financial support	65	33	39	58	79	56	53
The EU's support is effective	67	65	47	74	37	36	43

Table 1: Primary results of the 2017 poll (%)

Notes: 1 – *Azerbaijan;* 2 – *Armenia;* 3 – *Belarus;* 4 – *Georgia;* 5 – *Moldova;* 6 – *Ukraine;* 7 – *Average index in the region.*

Source: EU, Neighbours East. 2017

Different results are presented in the research conducted by the NATO Information and Research Center in the Republic Moldova in November 2017 – January 2018. Under the condition of the hypothetical possibility of joining NATO, 30% of the Republic of Moldova's population would have voted against it, 29% – in favor, and 29% would not participate in the vote. The number of respondents who have a positive attitude towards the NATO military bloc is 39%. This index is higher than that of the people who manifest a negative attitude for NATO – 34%. The research data shows that the citizens who will vote in favor of NATO membership are under 30 years of age, male, reside in the capital, and do not watch Russian mass media (Opros, 2018). In the opinion of the director of the company "Magenta Consulting" that conducted the polling, "the discrepancies between polls are a normal phenomenon" (Opros, 2018). In our opinion, in this case, considering the many years of monitoring, the existing tendencies and the results of other sociological services, there is deliberate manipulation of sociological research results.

In general, the concept of neutrality of the Republic of Moldova has a calming effect on Moldova's population and suits both the politicians and the main regional political actors.

CONCLUSION

In this article, we tried to highlight the relationship between the Republic of Moldova and NATO in the context of the country's status of permanent neutrality and answer the question whether the collaboration with the North Atlantic Alliance conflicts with the country's neutral status or not.

Ergo, in the regional geopolitical context, the Republic of Moldova is in a difficult situation as the geopolitical border of two centers of power - the European Union and NATO on one side, and the Russian Federation on the other. With the goal of excluding geopolitical risks, Chisinau must establish and maintain relations with all participants of the regional geopolitical space.

Collaboration with NATO is one of the important strategies of Moldova's foreign policy. Moldova's participation in the "Partnership for Peace" program, and its adoption of the Individual Plan of Action "Moldova – NATO", provide the framework that contributes to multifaceted collaboration and the fortification of national and regional security. The successful realization of the IPAP provisions allows Moldova to receive the West's support in conducting internal reforms directed at improving the country's economic, political, social, and ecological situation.

At the same time, the Republic of Moldova's status of neutrality was enshrined in the Constitution of 1994. However, the international procedures for the recognition of the neutral state status have not been finalized. In the opinion of a number of researchers, the neutral state status does not permit collaboration with NATO. And yet, this status does not forbid collaboration with NATO, primarily in non-military spheres – science, ecology, in combating natural cataclysms, terrorism, etc. In general, the status of permanent neutrality and NATO's many resources (economic, financial, and others) are beneficial for Moldova's national security since they create the political and economic conditions for the solution of the country's internal problems and contribute to promoting peace and stability in the region.

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ECONOMIC, ENVIRONMENTAL AND HEALTH EFFECTS OF THE 1999 NATO BOMBING – SURVEY

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Abstract: This article presents a synthetic survey on the economic, environmental and health effects of the 1999 NATO military aggression. The aim of the article is to remind, once again, of the costs and consequences of the bombing for Serbia's economy, aenvironment and the health of people. The recent arguments refer to an attempt to quantify the costs of the long-term health effects for people who were exposed to depleted uranium and other hazardous chemicals in Serbia. It could be the starting point for possible compensation payment to sick people and the families of those who died of the NATO Alliance bombing effects. Besides Introduction, Conclusion and Reference List, the article includes parts that refer to the synthetic evaluation of the costs and effects of the military aggression for the economy, environment and the health of people in Serbia and the Autonomous Province of Kosovo and Metohija.

Key words: battle damage, depleted uranium, environmental effects of the bombing, NATO aggression, human losses (casualties), economic effects of the bombing, health effects of the bombing.

INTRODUCTION

The reason for the NATO bombing was allegedly the humanitarian disaster of the Albanians in Kosovo caused by armed conflicts and efforts made by Serbia's state authorities to prevent forced separation of the Province of Kosovo and Metohija during the armed riots. The air strikes lasted from March 24, 1999, until June 10, 1999, when the Military Technical Agreement in Kumanovo was signed. Collapsed peace talks at Rambouillet near Paris,

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where the USA-led international community requested factual capitulation of Serbia and surrender of Kosovo and Metohija to the Albanian secessionists, preceded the air strikes. The NATO air strikes, which were the first NATO operation in Europe after World War II, lasted 78 days (Bakrač, Klem, & Milanović, 2018, p. 476)³. It should be emphasized that there was no legal basis for intervention because the United Nations Security Council did not approve it. Consequently, the Province of Kosovo and Metohija was occupied by KFOR, Resolution 1244 adopted by the UN Security Council preserving the territorial integrity and sovereignty of Serbian Kosovo and Metohija, the 2006 Constitution of Serbia was adopted (according to which the Province of Kosovo and Metohija has been an integral part of Serbia) and Kosovo's independence proclaimed in 2008. The self-proclaimed independence has been recognized by most of the Western countries that took part in the military aggression against Serbia (The Federal Republic of Yugoslavia). Kosovo's independence acquiring process has not been finalized yet, it is still the quasi-state having a long-lasting unresolved statehood.

According to evaluations, during the NATO aggression there were 36,000 sorties, 2,300 air strikes with 1,200 fighter aircraft; 22,000 tons of explosive, 152 containers of cluster bombs (Radovanović, 2015, p. 6),⁴ also graffitibombs⁵, thermo-visual and especially depleted uranium bombs were thrown (Pejanović, 2015, p. 33); 113 locations were hit with depleted uranium bombs (U235) and about 13 tons of a deadly load in 5,800 projectiles were dropped. It is estimated that around 1,000 soldiers and 2,000 civilians were killed, whereas the radiation effects could last for 100 - 150 years.

There have been different battle damage assessments. The first assessment was made by the G17 group of economists in their survey *Final Report* (Dinkić, Antić, & Grupa 17, 1999, p. 30), where direct and indirect damage has been estimated at about \$30 billion. Subsequently, the FRY Government (Report, July 1999; Đorđević, 2002) estimated direct and indirect bomb damage at about \$100 billion, but in more recent assessments that have taken into account casualties, the long-term environmental and

³ It is interesting to notice that the NATO operation code name was "Operation Allied Force", whereas the USA called it "Operation Nobel Anvil".

⁴ Using the cluster bombs constitutes the war crime because they are very inhuman. The bizarre fact is that they were used by Wehrmacht during the Barbarossa operation in 1941- the German invasion of the Soviet Union.

⁵ They were experimentally used in the FRY area to disable electrical power systems causing a long-lasting damage to electrical power infrastructure.

health hazardous effects and battle damage has been estimated at about US\$ 300 billion.

In this article we will provide a detailed survey of the costs and damages caused by the bombing, but only some basic facts are stated in the short introduction; about 25,000 apartment buildings, 470 kilometers of roads, 600 kilometers of railways, 44 bridges, 40 hospitals and health-care centers, 118 radio/TV broadcast towers, 120 power supply facilities, 3,500 infrastructure facilities, 14 airports, 18 kindergartens, 69 schools, 176 monuments, 148 building constructions, 1,026 facilities, whereof 128 commercial and 89 industrial facilities were damaged or destroyed, and 200 towns throughout the then FRY (Radovanović, 2015, pp. 1–10; Smiljanović, 2009, pp. 70–73) were bombed.

According to the Resolution on battle damage assessment (Đorđević, 2002; Skupština Savezne Republike Jugoslavije, 1999), the battle damage types are classified as follows:

- 1) Direct battle damage;
- Indirect battle damage (economic, environmental, health);
- 3) Costs and expenditures of the FRY caused by military conflicts;
- 4) Costs and expenditures related to *human health and life* (medication, lost salary);
- 5) Costs and damages related to the *human environment* (pollution and environmental restoration).

The battle damage assessment can be expressed in values and natural indicators, territorially (per local self-government), per resources and property, for legal entities and natural persons.

According to the G17 methodology (Dinkić et al., 1999, p. 120), there are three basic types of battle damage:

- 1) *Direct damage*: infrastructure, commercial and non-commercial property, losses of natural resources;
- 2) Loss of human capital;
- 3) *Macroeconomic consequences of war*, whereof the most important are GDP loss and social effects of the bombing.

Our article is divided into several logical sections: introduction; economic effects of air strikes; environmental effects; health effects (timedelay and long-term effects); assessment of possible battle damage level, information on establishment of a special commission by the Serbia's Assembly for investigation of the NATO bombing health effects; conclusion and a list of references.

ECONOMIC EFFECTS OF THE BOMBING

The economic effects of the bombing can be presented based on two synthetic tables, whereof the first one shows the value effects of battle damage and the second one shows the material-natural indicators of the NATO military aggression.

Table 1: Assessment of the economic effects of the NATO military
aggression against the FRY

AREA	Total Damage (in million US\$)
A. INFRASTRUCTURE	805.4
A.1. Traffic infrastructure	355.0
A.2. Power supply infrastructure	270.0
A.3.Other infrastructure	180.4
B. COMMERCIAL PROPERTY	2,884.2
B.1. Industrial plants	2,762.2
B.2. Agriculture	39.0
B.3. Tourism& Catering	45.0
B.4. Other commercial activities	38.0
C. NON-COMMERCIAL CIVIL PROPERTY	373.3
C.1.Historic-cultural monuments (restoration costs)	100.0
C.2.Public sector property	72.3
C.3.Private property (housing property)	201.0
D. DESTROYED NATURAL RESOURCES	-
E. LOSSES OF NATURAL RESOURCES (A+B+C+D)	4,062.9
F. HUMAN CAPITAL LOSS	2,300.0
G. SOCIAL PRODUCT LOSS THAT IS NOT RESULT OF DESTRUCTED CAPITAL	23,245.6
(E+F+G) TOTAL ECONOMIC DAMAGE	29,608.5

Source: Dinkić et al., 1999, p. 9

Table 1 is taken from the *Final Report, Economic Impacts of the NATO Bombing,* which was written by the G17 economists immediately after the air strikes during 1999, and which is probably one of the best and most detailed assessments of both direct and indirect economic damage within a short period of time. As indicated, the total damage is divided into *three categories* and estimated at *US\$ 29.6 billion:*

1) Direct economic effects - national resources loss: US\$ 4 billion

- 2) Human capital loss: US\$ 23 billion
- 3) Macroeconomic effects (potential Gross Social Product loss): US\$ 23.2 billion.

To more details, those economic indicators are as follows:

A) Traffic infrastructure – US\$ 355 million:6

- Bridges and overpasses,
- Roads, railways and tunnels,
- Civil airports.
- B) *Power-supply infrastructure -* US\$ 270 million.
- C) *Other infrastructure -*US\$ 180 million:
 - RTV infrastructure -US\$ 98 million,
 - Telecommunication equipment -US\$ 75 million,
 - Heating plants US\$ 5.3 million,
 - Water supply and sewage systems US\$ 2 million.
- D) Commercial property -US\$ 2.9 billion:
 - Industry US\$ 2.7 billion,
 - Agriculture approx. US\$ 40 million,(Ševarlić, 2001)
 - Tourism and catering US\$ 45 million,
 - Other economy US\$ 38million.
- E) Non-commercial civil property:
 - Churches and monasteries approx. US\$ 100 million,
 - Schools approx. US\$ 6 million,
 - Hospitals and health care centers approx. US\$ 3.5 million,

⁶ The book includes specification of all destroyed and damaged infrastructural facilities, commercial and industrial property, non-commercial and civilian property, etc., but it will not be mentioned in the article because its purpose is different.

- Office buildings US\$ 63 million,
- Apartment buildings (exclusive of Kosovo and Metohija) US\$ 201million (1,200 destroyed apartments, 8,500 severely damaged, approx. 50,000 less damaged),
- Apartment buildings in Kosovo and Metohija approx. US\$ 2 billion (destroyed or damaged around 320,000 apartment buildings).

Accordingly, the total loss of natural resources amounts to approx. US\$ 4 billion, whereof the infrastructure takes US\$ 805 million, commercial property US\$ 2.88 billion and non-commercial property US\$ 373 million.

The human capital loss is estimated at US\$ 2.3 billion, including (Dinkić et al., 1999, pp. 43–45):

- 1) Investments in education US\$ 663 million;
- 2) Investments in health protection of injured people and capable-ofworking migrants -US\$ 154 million, and
- 3) Investments in basic costs of living US\$ 1.48 billion.

The authors have taken the initial numbers of 6,500 persons killed, whereof 5,000 soldiers and 1,500 civilians, 18,300 wounded people and almost 100 thousand people that have permanently left the country (according to some other assessments there are 1,000 killed soldiers and 2,000 killed civilians).

Now, if we start with an approximate assessment of the value of human life, which is ethically conditional, we will take into account the fact that the Italian courts have paid compensation to the families of soldiers killed in the NATO air strikes awarding them nearly $\in 600,000$, which could be a conditional parameter for possible compensation for civilians in the FRY case (Medijska Kutija, 2018)⁷:

• Let the claim for compensation for persons killed amount to US\$ 500 thousand (the U.S. dollar is weaker than the Euro);

⁷ The courts in Napoli and Kalari determined the compensation for the family of a fallen soldier in the following way: father and mother got a payout of €233,000 each, brother and sister €58,000 each. Our calculation has been made on this basis because Italy (as far as we know) is the first country whose courts have decided in favor of the fallen soldiers who served in the NATO forces. Considering that the Report of the Italian Parliament has been the basis for the work of our commission for investigation of the 1999 NATO bombing consequences, it is wise to assume that also the court decisions could be relevant for damage assessment of the civilian casualties in Serbia. We have reduced the assessed amount of compensation.

- Let the claim for compensation for wounded amounts to one-third of the above-mentioned amount -US\$ 160 thousand;
- Account a smaller number of killed soldiers and civilians (3,000 persons).

In such a case, the claim for compensation amounts to US\$ 4.5 *billion* that is to be added to the amount of US\$ 2.3 billion. If the number of killed persons is 6,500, the claim for total compensation will increase reaching nearly US\$ 6.2 *billion*; those numbers have not been mentioned in the surveys. This could be regarded as the major imperfection of this excellent analytical report.

The third part of the survey refers to the macroeconomic effects of the war including the following:

- A) *Gross Domestic Product loss* which aggregate effect is estimated at approximately US\$ *23.2billion*. The calculation has been made based on the estimation that during 1999 the GDP loss amounted to approx. US\$ 7 billion (the GDP and industrial production decline is estimated to be approx. 40%) and the amount for infrastructure has been deducted to avoid double calculation of loss; then the amount has been discounted at 7% interest rate p.a. (the interest rate for the foreign debt of the FRY at that moment) for the ten-year period (assumed 10-year long bombing effects). Thus, the determined amount per year (the value of potentially lost GDP caused by the air strikes is reduced to its present value) has resulted in the above-mentioned loss amount (Dinkić et al., 1999, pp. 117–123).
- B) *Negative effects on the balance of payments* (the drop in export and import and loss of export revenues) are estimated at US\$ 1.6 *billion.*⁸
- C) Effects on public finances are estimated at approximately US\$ 1.5 billion of reduction of revenues based on a budget deficit of US\$ 0.8 billion and deficit in social insurance funds of US\$ 0.7 billion. The total public finance deficit is estimated at approximately US\$ 700 million producing a negative impact on the FRY public debt and repayment capacity.

⁸ Note that negative effects on the balance of payments and public finance are not included in the aggregate amount of US\$ 29.6 billion. If added, the sum of economic losses will reach US\$ 32.7 billion exclusive of compensation for the killed civilians and fallen soldiers and the assessment of social and unemployment losses.

The fourth part of the survey refers to social effects of the war (assessment of possible negative effects based on the decline in Gross Social Product) (Dinkić et al., 1999, pp. 63–66):

- 72,000 employees have lost equipment for work,
- Productive employment decline by 700,000 persons,
- Hidden employment increase by 500,000 persons,
- 200-250 unemployed persons,
- Unemployment rate increase from 25% to 33%,
- Real salary drop by one-third (US\$ 60 then),
- Structural divergence has deepened in the labor market,
- Employment drop in the informal economy,
- Economic emigration increase,
- Humanitarian crisis,
- General poverty increase: the poverty rate increases from 17% in 1988 to more than 20% in 1999, and more than 2 million people live below the poverty threshold.⁹

Table 2 shows destroyed and damaged civil property (economy, industry, power supply, infrastructure, health care and education, religious, culture and sports facilities) and also a number of attacks per property some of which had no devastating effects.

⁹ Djordjevic (2002, pp. 231-245) reports that the NATO military aggression endangered lives of more than 300 thousand children, left 600 thousand people without jobs and more than 2 million FRY people with insufficient amount of money for basic needs.

FACILITY	NUMBER OF ATTACTS	DAMAGED	DESTROYED	TOTAL
INDUSTRY	174	82	7	89
COMMERCIAL PROPERTY	182	23	5	128
POWER SUPPLY FACILITIES	231	109	11	120
INFRASTRUCTURE	794	270	87	357
HEALTHCARE CENTERS	51	47	1	48
EDUCATIONAL INSTITUTIONS	122	100	1	101
RELIGIOUS, CULTURE AND SPORTS FACILITIES	437	176	7	183
TOTAL	1,991	907	119	1,026

Table 2: Total number of destroyed and damaged facilities during	
the NATO military aggression against the FRY	

Source: Smiljanić, 2009, pp. 70–73

The Table needs no comment. These data are to be supplemented with data on the destroyed apartment buildings in the FRY without Kosovo and Metohija and in Kosovo and Metohija. The assessment of these material effects is given in the first part of this section.

ENVIRONMENTAL EFFECTS OF THE BOMBING

As for the environmental effects of the bombing, the most important among the basic ones are the following (Bakrač et al., 2018; Vujić & Antić, 2015):

- 1) Effects on the human environment
- 2) Effects on atmosphere
- 3) Effects on natural watercourses
- 4) Effects on land

5) Effects on biodiversity

6) *Effects on population*

From an ethical point of view and especially from a legal point of view (which could be of importance for potential battle damage), we point out that several international conventions, protocols and resolutions on the laws of war have been violated (Bakrač et al., 2018, p. 477; Radovanović, 2015, p. 1):

- The 1949 Geneva Convention
- The 1977 Environmental Modification Convention
- The 1982 World Heritage Convention
- The 1972 Stockholm Declaration on Protection of Human Environment
- Convention on Prohibitions on the Use of Certain Conventional Weapons
- The Convention on Climate Change
- The 1985 Vienna Convention for the Protection of the Ozone Layer
- The 1987 Montreal Protocol on Substances that Deplete the Ozone Layer
- The 1997 Chemical Weapons Convention

There are many more conventions that precisely regulate those issues.¹⁰According to one assessment,¹¹ the environmental damage amounts to approximately US\$ *3,6 billion*. According to another assessment (Skupština Savezne Republike Jugoslavije, 1999), the environmental damage amounts to approximately US\$ *10 billion*. The indirect damages decades after having delay effects which endanger the lives and health of people should be considered; their effects could hardly be quantified. Therefore, the following are brief theoretical and methodological notes:

• The environmental damage can hardly be quantified in terms of economy because it implies: a) *direct costs of pollution and* b) *costs of restoration of the human environment* and several decades have to pass; also, the environmental pollution causes both long-term and short-term health consequences, which result in many methodological (and ethical) questions: what is a human life worth, what is a value of missed salaries

¹⁰ Radovanovic (2015. p. 7) noticed that the NATO's military operations in the territory of the FRY during 1999 were even contrary to the North Atlantic Treaty Organization Charter.

¹¹ Environmental Protection Institute, The Republic of Serbia Ministry of Science, Belgrade.

during the human life span and of lost contributions to the Gross Social Product growth, how big the costs of education, medication and other forms of social protection are. The assessment of the environmental economic damage is made by applying *the objectively conditioned assessments – a shadow price –* which are applied where there is no precise economic estimation of specific losses; for example, a precise market price of specific losses; how to access costs related to biodiversity, devastation of rare plant and animal species, undermining the life quality, devastation of the national parks and other environments important for human life, but also for tourism and the local economy; there is also a problem of determining the social discount rate and other factors it depends on (Stiglic, 2004, pp. 280–300).¹² Therefore, we will focus on listing the basic environmental effects of the NATO air strikes without more concrete assessment of material effects (Bakrač et al., 2018; Kassim & Barceló, 2009; Radovanović, 2015; Vujić & Antić, 2015):

- The bombs were dropped on many industrial locations having extremely harmful health effects and also the environmental effects because of chemical emission;
- Oil Refinery in Novi Sad (74,000 tons of oil with toxic effects on water, air and land);
- Heating Plant in Novi Beograd and Thermal Power Station *"Kolubara A"* with the environmental effects;
- In Pancevo the bombs were dropped on Fertilizer Plant, Oil Refinery, Ammonia Plant ("Azotara", "Rafinerija nafte" and HIP "Petrohemija"); oil, crude oil, ammonia, chlorine, polyvinyl chloride, vinyl chloride monomers were released to the environment, tires were set on fire producing toxic environmental effects;
- The bombs were dropped on Oil Depot "Jugopetrol" in Prahovo, Mining and Smelting Combine Bor, Car Manufacturing Plant "Zastava"-Kragujevac (transformer oil, paint waste, polychlorinated biphenyls, sulphur were released to the environment);
- According to the UNEP Report (United Nations Environment Programme, 1999), hotspots have been Pancevo, Baric, Novi Sad, Lucani, Krusevac, Kragujevac;

¹² There is a lot of literature about these effects, but we refer the readers to Joseph E. Stiglitz, a Nobel laureate in economics.

- In the atmosphere has been detected an increased concentration of carbon monoxide, phosgene, phenyl chloride monomers, ammonia, hydrochloric acid as extremely toxic chemicals; the concentration of heavy metals, soot, sulfur dioxide, pyran and other substances with toxic effects; those effects have weakened the ozone layer making UV radiation stronger;
- Watercourse effects are caused by the toxic chemicals spills and consequential sedimentation; the sediments subsequently have come into the water through soil and air; large quantities of toxic and cancercausing substances have been released in the Danube, the rivers of Velika Morava, Kolubara, and Lepenica and in many rivers in Kosovo and Metohija; the World Wide Fund's assessment has shown that 10 million people, who use drinking water from the Danube, have been endangered due to the bombing of the area of the Danube lower course (Bakrač et al., 2018, p. 487);
- Large areas of land are poisoned due to intensive military operations producing the long-lasting effects;
- The following national parks and nature parks are damaged: Kopaonik, Fruska Gora (these two national parks have been heavily damaged), Sarplanina, Tara, Palic, Deliblatska Dune, Stara Planina, Vrsac, Zlatibor, Divcibare, Ovcarsko-Kablarska gorge; in those areas the biodiversity has been much devastated and economic quantification could hardly be made;

- Especially strong were health effects explained in the following section.

It should be emphasized that many articles have been written about these effects; in 2001 the International Conference on Environmental Recovery of Yugoslavia (ENRY 2001) was held, where more than 140 works from 320 authors were presented (Vujić & Antić, 2015). It was concluded that thousands of tons of cancer-causing, toxic and mutagenic chemicals were released in the environment most of which are in the list of chemicals prohibited by international conventions (Anđelković-Lukić, 2018).

HEALTH EFFECTS OF THE BOMBING

The longest-lasting and the most hazardous are the health effects. It has been discovered that 12 tons - 15 tons of depleted uranium were dropped on the FRY territory (especially Kosovo and Metohija) producing the long-lasting and cancer-causing effects. Those were U₂₃₅ and U₂₃₆, used in

projectiles because of high density aimed at penetrating the armoured military vehicles, tanks, combat vehicles and military fortifications. Depleted uranium was used in the so-called penetrators many of which came into land and after several years were released into the air, soil and drinking water (Vujić & Antić, 2015). This radioactive element precipitates in the lungs and can cause malignant diseases and sterility, and also genetic mutations (Čikarić, 2015). Depleted uranium is formally used for military reasons, but considering its hazardous effects and strict prohibition by international conventions it could be reasonably assumed that the NATO aviation used it for somehow genocide purpose.

Numerous field research works, surveys and some official reports of the international institutions have proved that depleted uranium was used in the First Gulf War (1991), the Second Gulf War (2003), in air strikes on the Federal Republic of Yugoslavia in 1999, and probably in many other wars in the Near East and Africa led by the USA and their allies (Afghanistan, Libya, Syria, Yemen). The NATO provided the UN with data which proved that around 30,000 projectiles with depleted uranium were dropped on the FRY. According to the World Health Organization, the penetrator official decay-rate is 500 years, but they corrode and emit radiation after several years which is proved by the samples collected from the field. The major quantity (9-10 tons) of depleted uranium was dropped on Kosovo and Metohija, some depleted uranium missiles were dropped on the South of Serbia, Belgrade and other towns in Serbia. The fact has been proved in the reports made within the UN Programme of Environmental Protection (UNEP).¹³ The samples were collected from the field three times (Vujić & Antić, 2015): in November 2000, November 2001 and October 2002. However, according to the reports from 2000 and 2001, those quantities of depleted uranium had no significant health effects (United Nations Environment Programme, 1999; World Health Organization. Regional Office for Europe, 2001); even nowadays it is an official opinion of the NATO (see Jens Stoltenberg speech in Belgrade by the end of 2018). Nevertheless, the United Nations Environment Programme (UNEP) Report proclaimed Bor, Kragujevac, Vranje, Pancevo and Novi Sad the environmental hotspots in Europe, whereas the Institute for Energy and Environmental Research (IEER) of Maryland (USA) (Medijska Kutija, 2018) concluded that large quantities of toxic substances with long-lasting health

¹³ The UN Environmental Programme and Post Conflict and Disaster Menagement Branch, http://postconflict.unep.ch/

effects were dropped during the NATO air strikes. Some reports of the international institutions (UNEP), the World Health Organization, the International Atomic Energy Agency (IAEA) – have minimized the hazardous health effects of the NATO air strikes in Serbia (Pejanović, 2015, p. 33; Vujić & Antić, 2015), but later it has been found out that even in June 1999 the UN expert Bakary Kante submitted a report stating extremely negative health effects of the 1999 military aggression (Pejanović, 2015, p. 33). However, this report was concealed, so the public has never known about it. Even in 2009, the publishing house Springer published the collection of papers about the environmental effects of the Gulf War and the military aggression on Serbia, entitled *Environmental Consequences of War and Aftermaths* where several papers proved the hazardous effects of the military operations.

The Table below shows an increase in a number of people sick and died of cancer in the period after the year 2000 in Serbia presented in the book *Environment and the War* written by Zorka Vukmirović, Ph.D. and prepared by Vukašin Pavlović, Ph.D.:

YEAR	CANCER SICK	DIED	YEAR	CANCER SICK	DIED
1990	9,898	9,814	2001	23,359	12,702
1991	9,175	9,961	2002	23,898	13,067
1992	8,591	10,627	2003	23,944	13,487
1993	6,254	10,674	2004	24,755	13,708
1994	5,858	10,715	2005	24,369	14,000
1995	7,056	11,194	2006	24,597	14,114
1996	17,223	11,407	2007	25,662	14,373
1997	17,974	11,768	2008	25,235	14,655
1998	18,841	12,162	2009	26,663	15,042
1999	19,625	12,312	2010	26,152	15,053
2000	22,123	12,653	2011	33.000*	21,007

Table 3: Number of cancer deaths in Serbia in 1990-2011

^{*} Projection Source: Vujić & Antić, 2015

The Table shows that a number of cancer sick people increased three times in the period of 21 years, whereas a number of deceased people increased more than *twice*. According to 2014 data, the cancer incidence is 2.5 times higher in Serbia than the world average, whereas in Kosovo and Metohija the number of cancer sick people increased by 50% in 2014 compared to 2013. President of the Serbian Society for Fight against Cancer, Dr. Slobodan Čikarić (Cikarić, 2015) said: "the cancer mortality rate in Serbia is the highest in Europe, which is partly the consequence of the NATO airstrikes [...]." According to him, Serbia has 5,500 new cancer patients per 1 million inhabitants, whereas the global average of new cases is 2,000 per 1 million inhabitants. In the period 2005-2010, the number of cases increased compared to 2001 – 2005, which is a serious indication bearing in mind that the latency period is about 7.5 years, starting from the exposure to a cancerogen until the appearance of a tumor (Medijska Kutija, 2018). After 2006, the number of cases has increased by 59%, whereas the number of leukemia and lymphoma caused deaths increased by 118%. Dr. Čikarić stated that the number of new cases could be expected to increase in the next three years to 75,000, and birth defects in newborn babies could last over a period of 800 years. Similar data on cancer rate growth have been confirmed by Dr. Danica Grujičić (Čikarić, 2015).

On this occasion, we will mention two examples the first of which is the Gulf War and the second one is the participation of the Italian soldiers in KFOR in Kosovo immediately after the military aggression from June 1999. In the First Gulf War in 1991 participated 584,000 American soldiers. The research works after 2000 showed that 325,000 have had some form of disability, 11,000 soldiers died, more than 50% of those who participated in the Gulf War have had fertility problems so far (Čikarić, 2015). One should bear in mind that those were aggressors but not victims who are much more and longer exposed to military operations. 2,500 Italian soldiers participating in KFOR in Kosovo and Metohija got Hodgkin lymphoma, more than 300 died and the Italian courts have already resolved the claims for compensation (Pejanović, 2015, p. 33).

ASSESSMENT OF POSSIBLE BATTLE DAMAGE

During 1999, the FRY filed lawsuits against the NATO military aggression before the International Court of Justice (judicial organ of the United Nations), but the Court declared as incompetent because the FRY was not a member of the United Nations in that period (Radovanović, 2015)

due to sanctions and international isolation. After 2000, the Serbian authorities have not filed any claims for compensation before the international courts. The lawyer, Srdjan Aleksic, head of a legal team that has been collecting evidence for a connection between the depleted uranium bombing and cancer incidence increase in Serbia, expects the National Assembly of Serbia to adopt soon the *Law on compensation for cancer patients and families of those who died of cancer* caused by radiation in the zones of military operations (Medijska Kutija, 2018). The aforesaid could make a legal basis for the individual filing of the lawsuits against NATO and the countries that took part in the military aggression on the FRY.

The Italian Parliament has set up a special commission for investigating the hazardous effects of the NATO air strikes on the Italian soldiers, and during 2010 and 2011 the courts in Napoli and Kalari decided on a compensation payment to deceased soldiers' families. The family members have been paid compensation of €600,000. So far there are already 43 such verdicts whereof 13 verdicts have already become effective (Medijska Kutija, 2018).

In 2018, the Assembly of Serbia set up a *special commission for investigating the hazardous health effects of the 1999 NATO air strikes in Serbia,* which is bound to present the citizens if the NATO air strikes have endangered health and environment. The investigation of the commission has been based on the respective reports of the Italian Parliament. All those decisions could make a basis for filing lawsuits before the international and domestic courts; hereinafter no details or legal aspects will be elaborated.

At the end of this section is given an approximate conditional estimation of war damage compensation payment to families of deceased persons or cancer patients in Serbia under the following assumptions:

- a compensation of \$160 thousand per cancer patient;
- a compensation of \$500 thousand per deceased person;
- the 50-year time span for assessment of military operation;
- according to Table 3 an average annual increase of the deceased due to military operations is 5,000 and 5,500 of cancer patients (sick and deceased persons whose numbers increased due to the NATO military aggression), which resulted in:
 - 275 thousand new cancer patients and 250 thousand deceased persons due to war effects.

- *–* \$44 billion compensation for cancer patients (275,000 persons x \$160,000) and
- *–* \$125 billion compensation for deceased persons (250,000 persons x \$500,000).

It could possibly be the total amount of \$170 billion that should be added to the amount of \$29-33 billion (the G17 assessment did not include depleted uranium effects because it was not possible then). This amount does not include the costs of the environmental restoration because they cannot be quantified but could reach tens of billions of dollars.¹⁴

CONCLUSION

The survey shows the economic, environmental and health effects of the NATO military aggression against the Federal Republic of Yugoslavia in 1999. The assessment has been made based on previous surveys; the costs related to wounded and killed people during the military operations have been attributed, so the originally assessed damage compensatory amount has increased to \$33-\$35 billion. The environmental effects are assessed at \$3.5 - \$10 billion, although, in our opinion, those costs are much higher considering that the environmental restoration will take decades and cost tens of billions of dollars. The third section of the survey shows some basic long-lasting health effects; unfortunately, those effects (diseases and death outcomes) will last for decades in Serbia. Quantification of those costs based on comparative compensatory amounts decided by the Italian courts could be a starting point for further assessment. In that respect, the assessment of possible claims for compensation for the period of at least 50 years could reach even \$170 billion based on which the Serbian citizens may individually file lawsuits against the military aggressors in 1999 including the North Atlantic Alliance as a legal entity. Therefore, it seems that some previous assessments have illustrated the long-term effects of nearly \$300 billion, which is not too high but indicates extremely strong and tragic

¹⁴ There should be considered some verdicts for large environmental disasters to indicate the possible costs related to the bombing of the FRY and the environmental devastation. For example, in case of the Exxon Valdez oil spill off the Alaskan coast in 1989, the USA Supreme Court awarded \$507.5 million in compensatory damages, and then the Court of San Francisco ordered Exxon to pay an additional US\$500 million in interest on their delayed punitive damage awards. The size of the spill is estimated at 2000 km², which cannot be compared to the costs of the FRY environmental devastation by 78-day intensive bombing.

effects of the depleted uranium bombing and of other toxic chemicals radiation on health as the most precious resource. Accordingly, the military aggression has had some elements of biological and chemical warfare that is strictly prohibited by international conventions. The potential payment of compensation for battle damage and punishment of those who have taken part in the military aggression (although it seems impossible in terms of current political and legal relationships in the international community) might be the best prevention from any possible similar military aggression in the future.

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ARCHITECTURAL HERITAGE OF SERBIA: VICTIM OF NATO ATTACK

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Abstract: The aim of this paper is to present the architectural heritage of Serbia bombarded by the NATO alliance and to point at numerous issues and problems in Serbia caused by the bombing. The paper is divided into four chapters: Introduction, Destroyed and Damaged Architectural Heritage, Breaking of International Conventions and the last one – The Army Headquarters Building: Reconstruction or remembrance of Crime like a Pledge of Peace in the Future. Among the numerous worthy architectural objects designed by internationally recognized architects and significant examples of Yugoslavia post - WWII modernization, NATO has destroyed objects-symbols of anti-fascist struggle. Moreover, many temples were damaged, even those of exceptional significance under the protection of UNESCO. Since the military operation took the humanitarian character, so far there is no liability accepted for human victims, as well as the demolition of cultural and historical heritage as they fall under "collateral damage".

Key words: architecture, heritage, aggression, Serbia, NATO

INTRODUCTION

At the end of the 20th century, following the conflicts in the former Yugoslavia (SFRY), as both indirect and direct participant Serbia and its territory, people, infrastructure, and architecture were bombed by the NATO Pact – the military alliance of 19 member states from Europe and North America. Among other losses, the destruction of the architectural heritage by an alliance of states which proclaims democracy, political

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freedoms, independence, peace, security, and the rule of law, raises today numerous issues and problems in Serbia such as relations with this alliance and its member states, as well as those related to the treatment of certain damaged buildings.

The destruction of the architectural heritage is an inevitable consequence of all modern wars and the application of powerful weapons. The territory of Serbia, due to a specific position divides and connects diverse civilizations of Eastern and Central Europe: Orthodox, Catholic and Muslim worlds. Serbia was frequently the crossroads of interests of many nations, a site of many wars and destruction of cities and other architectural heritage.

In the 20th century, Serbia sustained enormous destruction. Serbian cities were devastated throughout the First and Second World War by invading armies and Serbia's allies (allied aerial bombings of 1943 and 1944), and finally at the end of the century by the NATO Alliance. Since the agents of destruction were different (hostile or allied or again hostile powers), the goals were different. First, it was the destruction of army forces and infrastructure of Yugoslavia and its submission to Nazi Germany in 1941, then the elimination of German military bases in Serbia in 1944 and its liberation, and finally – an allegedly humanitarian purpose characterized as establishing peace in Kosovo in 1999 through mutilation of the Yugoslav Army. This NATO operation was the most intense and sustained military operation which has been conducted in Europe since the end of the Second World War (RAND, 2001).

The bombing of Serbia, the alleged prevention of the humanitarian catastrophe of the Kosovo Albanians, was carried out solely from the air and its declared goal was disabling of the Yugoslav Army. In the multitude of contradictions and controversies that have accompanied this "bombing for peace", when it comes to architectural heritage, we can recognize that many destroyed buildings have mostly been unattached to the armed forces.

Among the numerous worthy architectural objects designed by internationally recognized architects and significant examples of Yugoslavia post – WWII modernization, NATO has destroyed objects-symbols of antifascist struggle. These damaged buildings, besides the problem of further treatment (adaptation, demolition or preservation), have additionally raised the question what guided the military commanders in Brussels whose task was also to take care of the protection of cultural heritage during the air strikes?

Since the military operation was declared humanitarian, so far no one has accepted liability for human victims, as well as for the demolition of cultural and historical heritage since they fall under "collateral damage". The negative propaganda against Serbia composed during the nineties of the twentieth century contributed to the indifference of the world public both for human victims and for the decimation of their cultural and historical heritage.

DESTROYED AND DAMAGED ARCHITECTURAL HERITAGE

Cruise and other guided missiles, along with payloads from approximately 2,300 air sorties were thrown on about 200 towns and settlements in Serbia. Approximately 1,150 combat aircraft launched nearly 22,000 tons of 420,000 projectiles. Cluster bombs, forbidden under the International law, were dropped 60 times. The bombing destroyed or damaged: 25,000 housing units, 470 km of roads and 595 km of railroad tracks, 14 airports, 19 hospitals, 20 health centers, 18 kindergartens, 69 schools, 176 cultural monuments, and 44 bridges (Vreme, 1999; B92, 2007; Švarm & Ćebić, 2014).

NATO commanders divided targets into strategic and tactical. Strategic targets included: air defense, military forces, command and control facilities, roads, supplies, bridges, power plants, oil refineries, and administrative buildings. Tactical targets were tanks, armored vehicle conveyors, fire positions, radars, etc. (Clark, 1999).

Novi Sad was among the most affected cities. Because of its geopolitical position, it has always been considered a "bridge – city," a metaphor describing the connection between different areas and cultures. However, in years after the three bridges connecting the Danube shores of Novi Sad had been destroyed, this metaphor reminded of the tragic sufferings of the city.

After the Second World War, on the ruins of the former "Prince Tomislav Bridge" in Novi Sad, the "Marshal Tito Bridge" was built as the first permanent steel bridge built after the Second World War in Europe. It was open for traffic on 20 January 1946. This original road-rail bridge was 344 meters long and built in the shape of a free beam which stood for 53 years before NATO bombs destroyed it on 1 April 1999. In late 1999, the remains of the old bridge were removed, and during 2000 a new bridge was constructed which was named the "Varadin Bridge."

Downstream from the Varadin Bridge, a railway bridge was built between 1957 and 1961 as a unique example of construction utilizing overstressed concrete. Until 1999 it was the only railway bridge in Novi Sad, designed by an academic, construction engineer and scientist Branko Žeželj (1910-1995), the constructor and designer of around 24 realized patents and a dozen of bridges and halls – among other the bridge in Beška also damaged in the NATO bombing (Muravljov, 2010, pp. 7-37).

In the first phase, the arches were built and then a driveway attached by steel cables to the arches of the bridge, followed by the railway tracks. The bridge became the landmark of Novi Sad. The bridge was 466 meters long, 19 meters wide, with two large-scale concrete ports. However, the bombing cut all domestic and international transit lines. It was destroyed on 26 April with six deadly missiles, after being shot at least 12 times before that. In 2018, the major reconstruction of the bridge was completed and transit fully restored.



Picture 1: Destroyed Varadin and Žeželj's bridges

Source: https://www.in4s.net/godisnjica-nato-rusenja-zezeljevog-mosta-u-novomsadu/?lang=lat

The Liberty Bridge was the third bridge across the Danube in Novi Sad that was knocked by the NATO bombing. It was designed by an engineer

and academician Nikola Hajdin³, with the help of engineers Gojko Nenadović and Predrag Želalić and it implemented "two-pylon system". The bridge was opened on 23 October 1981 and was devastated on 3 April 1999. It was reconstructed and reopened for the traffic in October 2005.

Picture 2: Destroyed Liberty Bridge



Source: http://nsuzivo.rs/novi-sad/prelistavamo-sttare-fotografije-i-snimkepogledajte-kako-je-gradjen-i-srusen-most-slobode

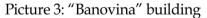
The bridge in Beška over the Danube was also damaged by the NATO bombing, resulting in interruption of traffic on the E-75 highway between Belgrade and the Serbian-Hungarian border. The bridge was erected as part of the Belgrade – Novi Sad – Subotica highway from 1971 to 1975, according to the projects of Branko Žeželj. The total length of the bridge is 2,250 m, and the width 14,4 m. The bridge has three lanes for road traffic (full profile for one side) and two pedestrian tracks with a width of 1.7 m. The bridge's design includes a 2.3% slope because of the noticeable difference between the left and right Danube shores. During the period of middle water level, the bridge raises 51 m above the Danube. Among the other bridges damaged by the NATO bombings was the railroad bridge in the Grdelička gorge near Leskovac and the bridge in Varvarin.

³ Nikola Hajdin (1923-) is a member of the European Academy of Sciences and Arts, the Slovenian Academy of Sciences and Arts, a Honorary Member of the Greek National Society for Theoretical and Applied Mechanics, a member of the Swiss Association for Steel Constructions, a Honorary Doctor of the National Technical University of Athens and honorary member of the Yugoslav Society for Theoretical and Applied Mechanics. He is a regular member of the Serbian Academy of Science and Arts (SANU) since 1976.

During the bombing, NATO damaged 20 hospitals and 40 other medical facilities, including the University Hospital Center "Dr. Dragiša Mišović" in Belgrade, a Gerontology center, a Lung disease sanatorium, and a pavilion for refugees from Croatia in Surdulica. Among the damaged industrial buildings were the production facilities of Zastava Automobiles, Petrohemija in Pančevo, and the Oil Refinery in Novi Sad that caused a severe ecological disaster. Moreover, NATO targeted the thermal power plant Obrenovac, electricity installations near Kostolac, Novi Sad and Niš, the Airport in Batajnica, the Military-aviation institute in Žarkovo and the Military-Technical Academy in Belgrade.

NATO bombed TV and radio stations (and their transmitters) loyal to the former regime such as the technical department of the Radio Television of Serbia building in Belgrade, the Information Center office in the Building of the Executive Council "Banovina", the Television Novi Sad and the Avala Tower.

The monumental "Banovina" building, the administrative center of the Danube Banovina during the Kingdom of Yugoslavia (today the building of the Executive Council of Vojvodina), built by architect Dragiša Brašovan (1887-1965), a member of the Serbian Academy of Sciences and Arts and one of the most influential Serbian architects before the Second World War, represented an architectural masterpiece and one of the most striking buildings in Novi Sad. It has been considered by many as the city landmark. The building is a symbiosis of various stylistic influences, luxuriously furnished and with a facade made from famous stone from the island of Brač (Stančić & Lazović, 1998).





Source: https://luftika.rs/foto-prica-novi-sad-iz-vazduha/

The building of Television Novi Sad, a total of 20,000 square meters of studios and broadcasting equipment ended destroyed after five raids. The foundation stone for the home of Television Novi Sad in Mišeluk was placed on 22 June 1973, and the last part of the complex of over 23,000 square meters was finished in 1996.⁴ The completion of new building construction, which began in November 2017, is envisaged for 2019 (Conić, 2016).

Picture 4: The building of Television Novi Sad destroyed in 1999



Source: http://www.rtv.rs/sr_lat/vojvodina/novi-sad/nova-zgrada-rtv-2019.godine_762032.html

The most important and architectonically significant telecommunication facility in Serbia – The Avala TV tower, collapsed after bombing damage. Architects Uglješa Bogunović (1922-1994) and Slobodan Janjić in cooperation with the architect Milan Kostić designed this tower during 1959 and 1960. Built from 1961 to 1965, the tower was a 202.8m structure of more than 4,000 tons of reinforced concrete. It was the unique shape of the equal triangle (almost a sculpture) of the old Serbian tripod stool (Arsić, 1997). A

⁴ Radio Novi Sad was founded by the decision of the Main Executive Committee of the National Assembly of Vojvodina in 1949, and the radio program was originally conceived in five languages: Serbo-Croatian, Hungarian, Slovakian, Romanian and Ruthenian. In 1972, the Assembly of AP Vojvodina made a decision on the transformation of radio stations into Radio Television Novi Sad (Popov, 2003; Popov, 2007).

replica of the old tower was built later. The TV tower near Irig, erected in 1975, was also demolished by the NATO air operations.



Pictures 5. and 6: Avala TV tower

Source: https://novi.ba/clanak/67432/sedamnaest-godina-od-rusenja-tornja-na-avali

The building of the Central Committee of the League of Communists of Yugoslavia, built on the left bank of the Sava River in Belgrade, was severely damaged by the NATO bombing. After the collapse of the communist regime in 1990, it became a business center with offices of many domestic and foreign businesses, as well as television and media. After being damaged, it was renovated in 2005 and now is known as the "Palace of the Ušće."

The competition for the "Building of social-political organizations" was called for in 1947, 1959, and finally awarded to architect Mihailo Janković (1911-1976) in 1960. This 24-story tower (23 floors and console canopy on the 24th floor, but only 106m high) and a circular pavilion with a conference hall were built from 1962 to 1964. The designer was engineer Milan Krstić, and the headquarters of the Communist Party assumed a form of corporate capitalism symbol. Architect Vladimir Kulić evokes that this building only seemed like a metal built, but it was actually an over-stressed concrete structure. The scope of 1.80m between the outer pillars was cut in half by the insertion of "fake" columns to highlight the vertical appearance and symbolism of the structure. Even the facade is not what it seems to be - it

contains regular walls of masked aluminum to give the metallic appearance and the impression of technological progress (Kulić, 2007, pp. 290-301).



Picture 7: Building of the Central Committee of the League of Communists of Yugoslavia after air strike

Source: https://www.telegraf.rs/english/2168546-25-minutes-of-truth-aboutbombing-of-serbia-in-1999-new-documentary-reveals-everything-video

The building of the former Federal Ministry of Interior in Kneza Miloša Street, also damaged by the NATO bombing, is the work of the architect Ludvig Timori. He was a student of Josip Plečnik whose influences were clearly distinct in the elegant stone facades, volume grading and monumentality in composition. The building was heavily damaged and finally demolished in 2016, erasing part of the city history (Anđelković, 2016, p. 15).



Picture 8: The building of the former Federal Ministry of Interior after air strike

Source: http://www.politika.rs/sr/clanak/364864/Beograd/Pocinje-rusenjezgrade-bivseg-MUP-a

The urbanistic and architectural complex of the buildings of the Yugoslav Army Headquarters and the Ministry of Defense in Belgrade (popularly known as the Army Headquarters), built in 1965 according to the awarded project of Nikola Dobrović, was also damaged during the NATO bombing. Destruction of the Annexes on building B and of the central building A, has significantly changed the visual identity of this part of Belgrade.

The buildings of the Army Headquarters erected between 1955 and 1965 as a two-part ensemble were the lifetime achievement of a great Serbian and Yugoslav architect Nikola Dobrović (1897-1967), a permanent member of the Serbian Academy of Sciences and Arts since 1965 and an honorary correspondent member of the Royal Institute of British Architects. (Kovačević, 2001). The complex is defined by two monumental stepped ends which cascaded down to Nemanjina Street, creating an urban symbol of the city gate. The entrance to these tracts (slightly retracted in relation to the regulation line of Knez Miloša Street) is realized with two grand porticoes. In addition to the expressive cascades, the facade is distinguished by the use of contrasting materials: robust dark-red stone from Kosjerić and white marble slabs from the island of Brač. The most striking visual motif is the window banners on the facades.



Pictures 9. and 10: The buildings of the Army Headquarters



Sources: http://www.bina.rs/bina-tribina-zastitari-projektanti-kako-obnovitidobrovicev-generalstab;

http://mondo.rs/a882129/Info/Drustvo/Ministarstvo-odbrane-Zgrada-Generalstaba-Vojske-Srbije-ne-zraci.html

The complex area is 49,235 m2 (12,654 m2 for Building A and 36,581 m2 for Building B). The building complex of the Army Headquarters is a masterpiece of modern architecture and one of the most important in the former SFRY, and also a unique and rounded architectural achievement in the style of Kamil Zite and Central European urbanism that shaped the urban landscape of Belgrade. However, the building complex of the Army Headquarters has not been recognized as a historic site.

The bombing wrecked the residential areas in Belgrade's Vračar municipality, the center of Niš, residential buildings in Novi Pazar, the Kololeč village in Kosovska Kamenica municipality, in Sremska Kamenica, Detelinara settlement of Novi Sad, and many others in towns and cities. The Chinese Embassy was severely damaged, but China was compensated for it.

Monasteries of the Patriarchate in Peć, Rakovica, Vojlovica near Pančevo, Novo Hopovo and Šišatovac on Fruška Gora, St. Nikola and St. Petka near Kuršumlija, churches in Vranje, Leskovac, Vladičin Han, as well as the temples of St. Marko and the Holy Trinity in Belgrade were damaged.

The residence of the President of the Federal Republic of Yugoslavia Slobodan Milošević in Užička 15 Street in Belgrade, once a pre-war villa of the Acović family and after the Second World War the residence of Josip Broz Tito, was razed to the ground during the NATO bombing. The Acović family villa, on a plot in more than a 100-acre park, was a design of the architect Vladislav Vladisavljević from 1933/34. After the Second World War, the residence underwent several major architectural modifications of which the most important was the reconstruction of 1970/72 according to the projects of architects Dragan Bešir and Branko Bon. There were several objects within the park, like Billiard and Hunting House, along with many sculptures of prominent Yugoslav sculptors. Paintings, works of applied arts and furniture of high value that Tito received from foreign statesmen during his life were saved at the last moment (Miletić-Abramović, 2002, pp. 225-226).



Picture 11: The Residence of Josip Broz Tito and Slobodan Milošević destroyed

Source: https://www.vreme.com/cms/view.php?id=955029

BREAKING OF INTERNATIONAL CONVENTIONS

The 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict is guided by the principles concerning the protection of cultural property during armed conflicts, as established in the Conventions of The Hague of 1899 and 1907, and in the Washington Pact of 15 April 1935. The Convention states that the contracting parties have agreed to its provisions being convinced that damage to cultural property belonging to any people whatsoever means damage to the cultural heritage of all mankind since each people makes its contribution to the culture of the world.

For the purposes of the Convention, the term "cultural property" cover, irrespective of origin or ownership: (a) movable or immovable property of great importance to the cultural heritage of every people, such as monuments of architecture, art or history, whether religious or secular; archaeological sites; groups of buildings which, as a whole, are of historical or artistic interest; works of art; manuscripts, books and other objects of artistic, historical or archaeological interest; as well as scientific collections and important collections of books or archives or of reproductions of the property defined above, etc.

Most of the buildings destroyed during the NATO aggression (partially or entirely) were built in modern-architecture style, mainly in the decades after the Second World War. Despite their architectural and culturalhistorical significance, they did not enjoy legal protection and were not declared cultural property because their architecture was not considered old and endangered. The building of the Army Headquarters was proclaimed a cultural asset in 2005, after being damaged during the NATO aggression. Nevertheless, numerous buildings, above all "Banovina" building and the buildings of the Army Headquarters are exceptional examples of the pre-war and post-war modern architectures whose value is internationally recognized.

NATO bombs damaged the temples, even those of exceptional significance under the protection of UNESCO. By bombarding the barracks in the vicinity of Novi Pazar, some of the most important and oldest spiritual and cultural monuments in Serbia, but also of Europe- the Đurđevi Stupovi Church, the Church of St. Peter, the Sopoćani Monastery- were shaken.

Approximately 38% of the bombed buildings were of civilian purpose. For many damaged buildings, it is difficult to classify the strategic value. In addition, schools and health facilities, residential houses near targeted buildings were often affected. Several monumental buildings close to each other – the Federal Ministry of Interior and the Army Headquarters were bombarded at the same time risking a large-scale fire in the center of Belgrade. The question is whether the takeover of such a risk by the NATO leadership and states that supported them was necessary and to what extent the destruction was intentional.

NATO attempted knocking down the building of the former Central Committee because several TV and radio stations had antennas at the top. The Institute for the Protection of Monuments of Cultural Heritage of Belgrade protected the building of the Central Committee as the part of the unit under previous protection. According to the words of Vladimir Kulić, "only marginally damaging Milošević's propaganda and having no military effect whatsoever, this bombing was a show more than anything else: focused on one single building, but highly visible from many parts of Belgrade and looking particularly spectacular on TV; for citizens of Serbia it was warning of their own vulnerability in the face of a superior military power" (Kulić, 2007, pp. 290-301).

The building of the Executive Council of Vojvodina became a legitimate target because the building accommodated the offices of the Information Center. Television Novi Sad was under the influence of the regime, but it has also reflected and transmitted national versatility in the areas where multi-culturalism was something natural and unquestioned for over half a century.

Objectively, these monumental buildings, especially empty ones, did not represent the targets of strategic value. The striking fact was that these buildings were symbols of the power of the old (communist) regime which was created in the anti-fascist struggle (Jovanović-Weiss, 2000-2001). The reasons for their destruction could only be symbolic – removal from the skyline, the punishment of a state, its regime, but also of the people and its cultural and historical heritage due to the role in the previous conflicts of the SFRY. However, this has raised the questions whether these reasons are legitimate and whether the fact that no one was held responsible for destruction and sufferings can bring better relations between Serbia and NATO members.

The consequences of the NATO bombing include the appropriation and cancellation of the Serbian cultural heritage in Kosovo. KFOR was stationed in Kosovo from June 1999, and since then over a hundred churches were destroyed. In only three days, from 16-19 March 2004, 35 churches and monasteries were burned, totally or significantly damaged by looting, desecration, demolition, removing of building material from damaged churches and undermining of the foundations. Later, new buildings were built on churches sites, or they were converted into a green surface (Mileusnić, 2006, pp. 57-59). Lately, there are increasingly frequent demands by the so-called Kosovo government to become the owner of the Serbian cultural heritage, primarily of the churches in Kosovo, as a member of the UNESCO something that Serbian public sharply opposes.



Pictures 12. and 13: The Bogorodica Ljeviška Churche, 1307



Sources: http://www.avantartmagazin.com/bogorodica-ljeviska-crkva-koja-seuznela-na-nebo/ http://spc.rs/old//Vesti-2004/03/ljeviska/ljeviska1-v.jpg

Decennial anti-Serbian propaganda in Western Europe and the US, as well as blaming Serbia (and Montenegro) as the only responsible for the civil war on the territory of the former Yugoslavia, made the world public quite indifferent when it came to the NATO bombing of Serbia. They accepted the viewpoint that Serbia deserved it, regardless of the facts that people and their cultural heritage were killed and destroyed. Also, the NATO bombing of Serbia and Montenegro testifies that not only the integrity and sovereignty of West European countries are considered more valuable than the integrity and sovereignty of other states (Serbia), but also that the cultural heritage of western nations is more precious than the legacy of others.

THE BUILDING OF THE ARMY HEADQUARTERS: RECONSTRUCTION OR REMEMBRANCE OF CRIME LIKE A PLEDGE OF PEACE IN THE FUTURE

The damaged buildings of the Army Headquarters have attracted the most public attention over the last two decades. From the point of the modern architecture, this complex was among the most significant buildings after the Second World War in Belgrade, and its fate raises the question of the future of the capital's center. In Serbia, one of the burning topics of discussions, lectures, and newspapers is the question of the future of this complex: how will the buildings be reconstructed and used?

According to the words of the architect, conservator, professor of architectural history at Massachusetts College of Art and Design in Boston Tanja Damljanović Conley, criteria for protection and valorization of the buildings are design, aesthetics, form, composition and materialization. Although the building complex of the Army Headquarters has been declared a cultural asset, it is not yet categorized because the value of a constructive framework is not determined, which is why these buildings are under the partial protection. The internal construction should be conditioned by future purpose (BINA Tribina, 2017).

There are many concepts and interested parties for the fate of these buildings and the obtainment of the exclusive location in the city center. For now, the ideas differ from the proposals that the buildings should be re-adapted to a hotel, for the monument complex dedicated to the Serbian Middle Ages or that the ownership rights should be returned to the Serbian Armed Forces. There is also a proposal that the "Building A" of the complex (the one right across the Government of Serbia building) should be demolished. Further, the idea that the Republic of Serbia should be obliged (since the building is under the protection) to rebuild it in original form once it provides the funds is facing much disapproval. Many architects advocate the protection of the complex from the impact of daily politics and business interests.

Tanja Damljanović Conley believes that everything visual and designed should be rehabilitated and returned to its original condition during the process of restoration. That is in accord with proclaiming the Army Headquarters a Cultural Monument. The restoration should include restoring the original state of complex shapes visible from Knez Mihajlova and Nemanjina Streets. The experts should reconstruct an authentic representation of the Army Headquarters composition from the first historic period (1965-70). The decision-makers who would determine the new use of the building should take into account the broader urban development plan of the area as a significant historical site and a notable urban benchmark of the modern development of Belgrade. A complete reconstruction is not feasible because there is no way to fund it. A sustainable solution is required, such as restoring the original condition with the possibility of upgrading (commercialization of spaces in the yard or lower floors for example) (BINA Tribina, 2017).

Architects from the Association of Belgrade Architects (Društvo arhitekata Beograda – DAB) expressed the view that a creative reconstruction and upgrade of the necessary parts, and also an eventual change of the levels that would not damage the building is acceptable. They advise the creation of interactive space, but with the preservation of the original building (BINA Tribina, 2017).

The preservation of the Army Headquarters buildings is equally significant because of the broader context in which they reside with their position and function. As the historian of architecture and professor at the Faculty of Philosophy in Belgrade Aleksandar Kadijević explained, the place in which they were built was the military-administrative center of the Principality of Serbia, the Kingdom of Serbia and the Kingdom of Yugoslavia. The state buildings, administrative and ministerial palaces have been built at this place since the time of the Principality. In the part near the Sava River, the Ministry of Agriculture, Forestry and Water Economy of the Republic of Serbia was situated, while across the road the old building of the Army Headquarters, designed by the architect Vasilij Baumgarten, and the building of The Ministry of Construction, Transportation, and Infrastructure of the Republic of Serbia. The above-mentioned architectural plan culminated with the building of the Army Headquarters complex at the time of socialist Yugoslavia. The construction of the Army Headquarters building complex was a highlight of the political and cultural thinking of Serbia at the time. That was also the time of the rise and prosperity of designer architecture in Serbia - supported at all levels. This heritage is in danger because of the absence of political interests, the lack of social and cultural responsibility, the inefficiency of architectural and historical institutions. The demolition of these buildings would devastate history and remembrance (BINA Tribina, 2017).

Architect Bojan Kovačević believes the future of the buildings of the Army Headquarters should be considered in a pragmatic way, not as a remembrance. The first problem in every reconstruction is the condition and the range of the construction, and "testing the functional capacity of a particular form has to precede any other decision." He also believes that a research study should examine what the state and experts can do with this construction at this location (BINA Tribina, 2017).

Some architects, like Slobodan Maldini, believe the building complex of the Army Headquarters should be preserved in the current state – as a permanent wreck - because it is the lasting and visible testimony of the suffering of the Serbian people during the NATO aggression. Typically, the objects damaged in NATO attacks were demolished afterward, and new buildings erected in their place. "The Army Headquarters buildings should be preserved as the last architectural testimony from which younger generations can learn about the modern Serbian history" (Večernje novosti, 2017). Many of the world and European cities damaged during the Second World War preserved some wrecked buildings to testify the brutality of war destruction.

The Association of Serbian Architects (ASA) with more than 200 active members fully supports the idea of Slobodan Maldini. Zoran Manević, a historian of architecture, said about this idea: "bombing and demolition are always the crime, no matter from what side it comes from, and the memory of the crime is a supply of peace in the future" (Večernje novosti, 2017). The ownership of the building of the Army Headquarters was taken over by the Serbian Armed Forces, and its future is still uncertain.

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