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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. report	Contact Group, London 22 January: Chairman's Conclusions. [Annotated on the back] (2 pages)	01/22/1999	P1/b(1)
002. map	Kosovo: Albanian Border Region. (1 page)	02/00/1999	P1/b(1)
003. map	Kosovo: Macedonian Border Region. (1 page)	02/00/1999	P1/b(1)
004. map	Yugoslav Army Units Garrisoned in Kosovo. (1 page)	10/00/1998	P1/b(1)
005. paper	Kosovo: Further Work on the Military Chapter (UK-French Paper). (6 pages)	03/03/1999	P1/b(1)
006. paper	UK Delegation Speaking Note. Kosovo: Air Strikes. (2 pages)	03/21/1999	P1/b(1)

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RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

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RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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OSCE

Divider Title: _____

AGREEMENT ON THE OSCE KOSOVO VERIFICATION MISSION

- Devoted to the respect of the principles of the UN Charter and to the Principles of the Helsinki Final Act on peace, stability and cooperation in Europe, as well as to the Paris Charter,
- Considering in particular the importance of reaching a peaceful, democratic and lasting solution of all existing problems in the Province of Kosovo and Metohija, based on the equality of all citizens and national and ethnic communities,
- Devoted to the respect of the sovereignty and territorial integrity of all states in the region,
- Agreeing to comply with and willing to contribute to the FRY implementation of Resolutions 1160 and 1199 of the UN Security Council,
- The Federal Government of the FR of Yugoslavia, on one side,
- and, The OSCE, on the other,
- have reached the following

AGREEMENT

I Establishment and Termination

1. The OSCE Kosovo Verification Mission will be established by the OSCE Permanent Council pursuant to a resolution of the United Nations Security Council calling upon OSCE to establish the Mission.
2. The FRY government has informed the OSCE Chairman-in-Office of its endorsement of the establishment of the Mission.

R.F.

59

3. OSCE will request member states to contribute personnel and funding for the Verification Mission in accordance with established procedures.
4. OSCE will establish coordination with other organizations it may deem appropriate to allow the Verification Mission to accomplish all its objectives most effectively.
5. KDOM will act in place of the OSCE Verification Mission pending its establishment. Once OSCE is operational, KDOM will be absorbed by the Verification Mission.
6. The FRY government hereby guarantees the safety and security of the Verification Mission and all its members.
7. In the event of an emergency situation in Kosovo which in the judgment of the Mission Director threatens the safety of members of the Verification Mission, the FRY shall permit and cooperate in the evacuation of Verification Mission members.
8. The FRY government will accept the OSCE Verification Mission as a diplomatic entity in terms of the Vienna Convention on Diplomatic Relations. The Mission will enjoy the privileges and immunities conferred by such status, as will its members, in accordance with the Vienna Convention.
9. The FRY government and its entities will designate formal liaison officers to work with the Verification Mission in Belgrade, Pristina and field locations. The FRY, Serbian and Kosovo authorities will undertake to provide full cooperation and support to the Verification Mission. This will include, but not be limited to, billets, frequency or frequencies, visas and documentation, customs facilities, vehicle registration, fuel, medical support, airspace access for support aircraft and access to Belgrade, Pristina and other airports in accordance with normal procedures.
10. The OSCE and the FRY agree on a Verification Mission for one year, with extensions upon the request of either the OSCE Chairman-in-Office or the FRY government.

R.E.

II. General Responsibilities, Roles and Missions

1. To verify compliance by all parties in Kosovo with UN Security Council Resolution 1199, and report instances of progress and/or non-compliance to the OSCE Permanent Council, the United Nations Security Council and other organizations. These reports will also be provided to the authorities of the FRY.
2. To establish permanent presences at as many locations throughout Kosovo as it deems necessary to fulfil its responsibilities;
3. To maintain close liaison with FRY, Serbian and, as appropriate, other Kosovo authorities, political parties and other organizations in Kosovo and accredited international and non-government organizations to assist in fulfilling its responsibilities;
4. To supervise elections in Kosovo to ensure their openness and fairness in accordance with regulations and procedures to be agreed. For the elections, the Mission may be augmented with elections support personnel;
5. To report and make recommendations to the OSCE Permanent Council, the UN Security Council and other organizations on areas covered by UN Security Council Resolution 1199.

III Specific Terms of Reference

1. The Verification Mission will travel throughout Kosovo to verify the maintenance of the cease-fire by all elements. It will investigate reports of cease-fire violations. Mission personnel will have full freedom of movement and access throughout Kosovo at all times.
2. The Verification Mission will receive weekly information from relevant FRY/Serbian military/police headquarters in Kosovo regarding movements of forces during the preceding week into, out of or within Kosovo. Upon request of the Verification Mission Director, Mission personnel may be invited to accompany police within Kosovo.

3. The Verification Mission will look for and report on roadblocks and other emplacements which influence lines of communication erected for purposes other than traffic or crime control. The Mission Director will contact the relevant authorities upon receipt of such reports. These authorities will explain the reasons for the emplacements or else direct that the emplacements be removed immediately. The Verification Mission will also receive notification should emergent circumstances lead to the establishment of a roadblock for other than traffic or crime control-related reasons. The Mission Director may request the removal of any roadblock.
4. The Verification Mission will maintain liaison with FRY authorities about border control activity and movement by units with border control responsibilities through areas of Kosovo away from the border. The Verification Mission, when invited by the FRY authorities or upon its request, will visit border control units and accompany them as they perform their normal border control roles.
5. When invited or upon request, the Verification Mission will accompany police units in Kosovo as they perform their normal policing roles.
6. The Verification Mission will, to the extent possible, assist UNHCR, ICRC and other international organizations in facilitating the return of displaced persons to their homes, the provision of facilitative and humanitarian assistance to them by the FRY, Serbian and Kosovo authorities as well as the humanitarian organizations and NGO's. The Mission will verify the level of cooperation and support provided by the FRY and its entities to the humanitarian organization and accredited NGO's in facilitating procedural requirements such as issuance of travel documentation, expedited customs clearance for humanitarian shipments and radio frequencies. The Mission will make such representations as it deems necessary to resolve problems it observes.
7. As the political settlement defining Kosovo's self-government is achieved and implementation begins, the Mission Director will assist, both with his own resources and with augmented OSCE implementation support, in areas such as elections supervision, assistance in the establishment of Kosovo institutions and police force development in Kosovo.

8. The Mission Director will receive periodic updates from the relevant authorities concerning eventual allegations of abusive actions by military or police personnel and status of disciplinary or legal actions against individuals implicated in such abuses.
9. The Verification Mission will maintain liaison with FRY, Serbian and, as appropriate, Kosovo authorities and with ICRC regarding ICRC access to detained persons.
10. The Mission Director will, as required, convene representatives of national communities and authorities to exchange information and provide guidance on implementation of the agreement establishing the Verification Mission.
11. The Mission Director will report instances of progress and/or non-compliance or lack of full cooperation from any side to the OSCE and other organizations.

IV Composition and Facilities

1. A Director, together with headquarters staff to be determined by Verification Mission requirements.
2. 2000 unarmed verifiers from OSCE member states will be permitted. Headquarters and support staff included in this total. The Mission may be augmented with technical experts provided by OSCE.
3. A headquarters in Pristina.
4. Field presence in locations around Kosovo to be determined by the Mission Director.
5. A small liaison office in Belgrade.
6. Vehicles, communications and other equipment along with locally-hired interpreters and support staff which the Director deems to be required for the performance of the responsibilities of the Mission.

V Field Presence

1. Coordination centers will be established in the capital of each *opstina* in Kosovo with specific areas of responsibility, under the Mission Director located in Pristina.
2. Many *opstina* coordination centers will have one or more sub-stations in smaller towns/villages in the *opstina*. The number and location of sub-stations will vary from *opstina* to *opstina*, depending on the verification environment and past conflict situation.
3. The chief of each coordination center will maintain a liaison relationship with the *opstina* authorities and the local leadership of the ethnic Albanian and other communities. Each sub-station will be responsible for coordination with the local authorities, including the local leadership of main ethnic groups.
4. The number of verification personnel assigned to each coordination center and sub-station would depend on the complexity of verification issues in the particular area.
5. Each coordination center and sub-station would have appropriately configured vehicles with which to patrol its assigned area of responsibility.

Done at Belgrade on 16 October 1998 in two original copies in the English and Serbian languages.

FOR THE ORGANIZATION
FOR SECURITY AND
COOPERATION IN EUROPE

H.E. Bronislaw Geremek
Chairman-in-Office

FOR THE FEDERAL
REPUBLIC OF YUGOSLAVIA

H.E. Zivadin Jovanovic
Minister of Foreign Affairs

SD

RE



KOSOVO VERIFICATION MISSION

17th January 1998

SPECIAL REPORT MASSACRE OF CIVILIANS IN RACAK

Summary.

On 15th January 1998, in the village of Racak, (Stimlje), 45 Albanian civilians were killed. The victims include one female and one boy. The facts as verified by the KVM 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 immediately come to Kosovo to investigate the incident. The FRY Government has not responded positively.

Background - Significant Incidents

8th January. The police informed the KVM of a KLA attack on police vehicles near Dulje (west of Stimlje). A KVM patrol already in the area had heard the shooting and on investigation found the scene of an ambush against police vehicles. Two policemen were dead and another two wounded. Three Albanian civilians in a taxi were also wounded. It appears they had inadvertently driven into the ambush. KVM evacuated an injured policeman and the three civilians to Prizren hospital. Later, KVM were informed that one of the wounded policeman had died, raising the total fatalities to three. Prizren Regional Centre comments that this was a well-prepared ambush. Camouflaged firing positions had been prepared for up to 15 men and there was evidence that these may have been occupied for several days. Small arms, heavy machine gun and rocket-propelled grenades had been fired at the police convoy.

10th January. The KVM followed up reports of an ambush on a police patrol in Slivovo (south of Stimlje) in which one policeman was said to be injured. The KVM patrol observed approximately 50 police in the village. The local police suggested that one "terrorist" had fired at the patrol from a cemetery. The KVM saw evidence of an exchange of small arms fire but could not confirm the police account of the incident. Once the police had left Slivovo the verifiers report that approximately 100 villagers returned from the mountains. One Albanian man claimed that Serb civilians had beaten him. He bore marks that supported his claim but the KVM cannot confirm his version of events.

12th January. Pristina Regional Centre report that the policeman ambushed at Slivovo as died in hospital.

Background - Security Force Build Up

12th January. KVM patrols from Pristina and Prizren confirm an increase of VJ activity in the Stimlje area. Movement of armoured vehicles, including tanks, has been observed. KDOM report that police in the same area at a high state of readiness. A patrol visiting Belince (west of Stimlje) saw tanks and towed artillery. In a meeting with local KLA leaders, the KVM

were told that over 1,000 civilians had left the villages of Belince, Racak, Petrova and Malopoljce and were now living in the hills. Verifiers were unable to confirm this but humanitarian organisations have been informed and KVM patrols are investigating.

13th January. Pristina Regional Centre visited villages in the Stimlje area following reports that residents had left and taken to the hills. Verifiers found 50 people in Belince, 350 in Racak, and 680 in Malopoljce. Residents informed them that no one was living in the woods at the moment. The KVM patrol was informed that many residents had left the villages in 1998/9 to live in either Stimlje or Urosevac. It was said that access to these towns was now a problem for the remaining villagers because of alleged harassment at police checkpoints.

14th January. KVM patrols received reports of bombardments of the villages of Javor and Luznica (north west of Stimlje). Residents were alleged to be leaving the villages for the hills. Verifiers could hear the sound of tank, mortar, heavy machine gun and small arms fire but could not confirm the targets. The KVM were prevented access to the VJ position at Dulje heights (west of Stimlje). They spoke to a VJ liaison office who said that an armed confrontation had occurred nearby. He said neither side had sustained casualties. The exact location of the action was unknown.

15th January. KVM report that a 30 man VJ working party are constructing a new permanent observation position at Dulje. This is in the immediate vicinity of the KLA ambush of 8th January. Another permanent position was seen under construction near Crnoljevo.

15th January. The KVM reported a serious deterioration of the situation in the Stimlje area. Racak, Malopoljce, Petrova and Belince villages (south and west of Stimlje) were all affected. Verifiers saw houses burning in Racak and Malopoljce. KVM patrols witnessed VJ tanks and armoured vehicles firing directly into houses near Malopoljce and Petrova. VJ and police forces prevented KVM patrols from entering the area but late in the afternoon a KVM patrol did get to the village of Racak. Verifiers saw one dead Albanian civilian and five injured civilians including a woman and a boy suffering from gunshot wounds. The KVM also received unconfirmed reports of other deaths. Residents of Racak claimed that men had been segregated from women and children and that 20 males had been arrested and taken away. The verifiers took the details and evacuated the casualties before the onset of darkness. The wounded were taken to Pristina hospital. KVM was later denied access to the wounded in the hospital. KVM Headquarters protested this action to the FRY authorities in Pristina.

Racak Massacre

On 16th January, KVM teams that included human rights verifiers, went to Racak village. EU KDOM also sent patrols. By 1250 hours, the first confirmed reports were received of civilians having been killed.

The accounts of surviving residents said that the killing had taken place on the 15th January. They said that following VJ and police attacks, security forces had entered Racak at approximately 0700 hours. Some were dressed in police uniforms, others in black uniforms and ski masks. They claimed these forces had executed some residents and detained others. Additionally, the survivors reported that they recognised some of the policemen as being from Stimlje. They also said that they had recognised some of the assailants as being Serbian civilians from Stimlje dressed in police uniforms.

The first KVM teams to arrive in Racak on 16th January in the early morning and found the following.

High ground (ridge) behind the village.

23 adult males of various ages. Many shot at extremely close range, most shot in the front, back and top of the head. Villagers reported that these victims were last seen alive when the police were arresting them.

Ravine near the village.

1 adult male shot through the groin. He appeared to have been shot while running away.

3 adult males shot in various parts of their body including their backs. They appeared to have been shot when running away.

In the village (killed outside but some families had recovered the bodies to their homes).

1 adult male killed outside his house. The top of his head had been removed and was found approximately 15 feet away from his place of death. The wound appeared to have been caused by an axe, but may have been from a bullet.

5 adult males shot through the head.

1 adult male shot outside his house with his head missing. Pieces of skull were scattered about the yard.

1 adult male shot in head and decapitated. All the flesh was missing from the skull.

1 adult female shot in the back.

1 adult male (shot twice in the chest and once in the knee).

1 boy (12 years old) shot in the neck,

1 male late teens (shot in abdomen).

1 adult male 40 years old shot in chest.

5 adults killed in Racak had been removed by their family to Malopoljce.

Head of Mission's personal account

Ambassador Walker went to Racak arriving at 1300 hours accompanied by two Deputy Heads of Mission. They were met by surviving residents, some of whom had returned to the village and were just discovering the fate of family members. There were no security forces present. There was a heavy presence of uniformed KLA in the village.

Ambassador Walker met with area KLA representatives in a second village. The KLA articulated their frustration and anger at the attack. They expressed a desire for revenge but said that the KLA Headquarters had ordered them to continue restraint. The Head of Mission urged them not to take any action in order to avoid an escalation of violence. Specifically, he

urged that nothing be done that evening in Pristina that had earlier been indicated by the KLA as a possibility.

Having seen the site of the killings, the Head of Mission held a press conference in the KVM Headquarters. An extract of his statement was as follows.

"On arrival villagers guided me to a site where I saw, much to my horror and shock, the bodies of over twenty men who had obviously been executed where they lay. I do not have the words to describe my personal revulsion, or that of all those who were with me, at the sight of what can only be described as an unspeakable atrocity. Although I only saw the bodies of twenty, mostly elderly men - most shot in the front, back and top of the head. - KVM verifiers moved about and counted an additional number.

In all, 45 bodies were observed, including three women and one child. They were all in civilian clothes; all looked like humble village inhabitants. Although I am not a lawyer, from what I personally saw, I do not hesitate to describe the event as a massacre, a crime against humanity. Nor do I hesitate to accuse the government security forces of responsibility".

Demands on the FRY Government

Ambassador Walker informed the FRY Government that they must produce the names of all those involved in the police and VJ operations around Stimlje. The international community needs to know who gave the orders for the killing and who executed these orders. The International Criminal Tribunal for the Former Yugoslavia must immediately come to Kosovo with visas at the invitation of the FRY government, or without, to investigate this atrocity.

Response of the FRY Government

On 16th January, Ambassador Walker spoke to the office of President Milosevic and informed them of the demands of the international community. In Pristina, the Head of Mission met General Loncar (head of the FRY liaison office) who notified the KVM of the Yugoslav authorities intention to investigate the incident on 17th January. General Loncar insisted that the security forces would use whatever resources were necessary to carry out the investigation beginning at 0800 hours on 17th January.

The Chairman-in-Office called FRY Foreign Minister Jovanovic. The Foreign Minister said that the OSCE's account of the incident was wrong. He said that none of the "terrorists" were under the age of 18, and there were no women among the dead.

The FRY Ministry of Interior (MUP) released a statement saying that the police on 15th January engaged a terrorist group in Racak. One policeman was injured. According to the statement "several dozen terrorists were killed, the majority wearing uniforms with KLA insignia" The statement also claimed that on 16th January the KVM had hampered an investigating judge who was going to the scene of the killings.

After the intervention of the Chairman-in-Office and US Secretary of State Albright, FRY Foreign Minister Jovanovic promised that the police would not go to the scene of the killings. However, he insisted that an investigating judge would. The Chairman-in-Office accepted

this with the condition that the judge was accompanied by the KVM, but not by any security forces.

Conclusion.

The facts as verified by KVM include evidence of arbitrary detentions, extra-judicial killings and the mutilation of unarmed civilians of Albanian ethnic origin by the VJ and police. This constitutes clear violations of both international humanitarian law and international human rights law. Furthermore, these constitute clear violations of the commitments made by the FRY under the 16^m October Agreement and Security Council Resolutions 1199 and 1203.
End

Annex A to
Special Report. Massacre of Civilians in Racak.
KVM Human Rights Report

PRELIMINARY HUMAN RIGHTS ASSESSMENT INCIDENT IN RACAK 16th JANUARY 99

The Facts

On 15th January, MUP/VJ moved into the village of Racak and opened fire. The operation lasted until about 1530hrs when MUP/VJ withdrew. During the operation KVM verified that tanks fired into houses occupied by civilians. No firing was seen originating from the houses. Three houses were burned. When the KVM entered the village, they were led to the body of an elderly person who had been shot in his head. Five others were wounded. They were evacuated to Pristina hospital. The KVM has since been denied access into the hospital. On 16th January, KVM confirmed the killing of 36 persons. KDOM reported an additional nine bringing the recorded total to 45. Several of the dead had been mutilated. None of the victims were wearing military uniforms.

Applicable International Law

International Humanitarian Law. The Geneva Conventions¹ have been ratified by FRY and apply to situations of armed conflict. The Conventions stipulate that persons taking no active part in the hostilities shall be treated humanely and they expressly prohibit all acts constituting violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture. In addition, collective punishment, attacks against the civilian population and the destruction of civilian property are prohibited.

¹ Sec. Common Article 3 of the Four Geneva Conventions and Additional Protocol II

International Human Rights Law. Equally applicable are OSCE Human Dimension Commitments and international human rights standards, emanating principally from the International Covenant on Civil and Political Rights, that has also been ratified by FRY. The ICCPR protects the right to life and prohibits any arbitrary deprivation of life and torture, including mutilation. These provisions remain extant in time of public emergency. These rights are also protected by the International Convention on the Elimination of Racial Discrimination and by the UN Convention against Torture.

Human Rights Assessment

The facts as verified by KVM include evidence of arbitrary detentions, extra-judicial killings and the mutilation of unarmed civilians of Albanian ethnic origin in the village of Racak by MUP/VJ. They constitute clear violations of both international humanitarian law and international human rights law. Furthermore, these gross violations of international humanitarian law and international human rights law constitute clear violations of the commitments of FRY under the 16th October Agreement and Security Council Resolutions 1199 and 1203.

Recommendations for Action

1. The International Criminal Tribunal for the Former Yugoslavia (ICTY) has the jurisdiction and power to prosecute persons responsible for serious violations of international humanitarian law committed in Kosovo. KVM calls upon the Office of the Prosecutor to commence an immediate investigation into the crimes committed in Racak.
2. UN Security Council Resolutions 1199 and 1203 call upon the authorities of FRY and the leaders of the Kosovo Albanian community to cooperate fully with the Prosecutor of the ICTY in the investigation of possible violations within the jurisdiction of the Tribunal. KVM urges the leadership of both communities to provide such cooperation immediately.
3. Under international human rights law the FRY authorities must initiate an immediate and impartial investigation of the acts committed in Racak, must identify those responsible and prosecute and punish them. Furthermore, FRY must compensate the relatives of the victims and take all necessary measures to prevent such violations in the future.

KVM HQ Human Rights Division

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UN/ CG

Divider Title: _____

STATEMENT BY THE CO-CHAIRS, 19 MARCH 1999

1. The Rambouillet Accords are the only peaceful solution to the Kosovo problem.
2. In Paris, the Kosovo delegation seized this opportunity and, by their signature, have committed themselves to the Accords as a whole.
3. Far from seizing this opportunity, the Yugoslav delegation has tried to unravel the Rambouillet Accords.
4. Therefore, after consultation with our partners in the Contact Group (Germany, Italy, the Russian Federation, the United States, the European Union, the Chairman-in-Office of the OSCE), we consider there is no purpose in extending the talks any further. The negotiations are adjourned. The talks will not resume unless the Serbs express their acceptance of the Accords.
5. We will immediately engage in consultations with our partners and allies to be ready to act. We will be in contact with the Secretary General of NATO. We ask the Chairman-in-Office of the OSCE to take all appropriate measures for the safety of the KVM. The Contact Group will remain seized of the issue.
6. We solemnly warn the authorities in Belgrade against any military offensive on the ground and any impediment to the freedom of movement and of action of the KVM, which would contravene their commitments. Such violations would have the gravest consequences.

Schulte, Gregory L.

From: WHSR
Sent: Friday, March 05, 1999 12:28 PM
To: Allen, Charles A.; Bell, Robert G.; Blinken, Antony J.; Braden, Susan R.; Brown, Keirn C.; Butler, Lawrence E.; Clarke, Richard A.; Davidson, Leslie K.; Flanagan, Stephen J.; Guarnieri, Valerie N.; Hurley, C. Michael; Kaufman, Stuart J.; Sapiro, Miriam E.; Schulte, Gregory L.; Sigler, Ralph H.; Vaccaro, Jonathan M. (Matt)
Subject: COOK/VEDRINE STATEMENT ON KOSOVO
CLASS: ~~CONFIDENTIAL~~
DTG: 051643Z MAR 99
MSGTO: RUEHC/SECSTATE WASHDC IMMEDIATE 3732
ORIG: AMEMBASSY LONDON
PREC: IMMEDIATE
SSN: 2025
TOR: 990305122219 M3728670

DECLASSIFIED E.O. 13526
Department of State Guidelines, November 6, 2015
By VZ NARA, Date 5/1/2014
2004-0194-F-3

~~CONFIDENTIAL~~ LONDON 002025

DEPARTMENT PLEASE PASS TO SECRETARY'S PARTY

E.O. 12958: DECL: 03/05/09
TAGS: PREL, PGOV, SR, FR, UK
SUBJECT: COOK/VEDRINE STATEMENT ON KOSOVO

1. (U) CLASSIFIED BY: JUDITH JOHNSON, POLITICAL-MINISTER
COUNSELOR. REASON: 1.5(B) AND (D)

2. (S) FOREIGN SECRETARY ROBIN COOK AND HIS FRENCH
COUNTERPART, HUBERT VEDRINE, TODAY ISSUED THE FOLLOWING
STATEMENT ON KOSOVO, WHICH WE UNDERSTAND WAS COORDINATED IN
ADVANCE WITH EUR ASSISTANT SECRETARY GROSSMAN.

3. (U) BEGIN TEXT:

THE NEGOTIATORS HAVE BRIEFED THE BRITISH AND FRENCH CO-
CHAIRMEN ON THEIR DISCUSSIONS IN BELGRADE AND PRISTINA
FOLLOWING THE RAMBOUILLET CONFERENCE.

THE CO-CHAIRMEN NOTE THAT THE RAMBOUILLET ACCORDS HAVE PUT IN
PLACE THE POLITICAL FRAMEWORK FOR SUBSTANTIAL AUTONOMY FOR
KOSOVO, ON WHICH THERE WAS CONSENSUS AT RAMBOUILLET.

THE AIM OF THE FOLLOW-UP CONFERENCE WHICH WILL BEGIN ON 15
MARCH IS TO REACH FULL AGREEMENT ON ALL THE CIVILIAN AND
MILITARY ASPECTS OF IMPLEMENTATION OF THE ACCORDS.

THE CO-CHAIRMEN EMPHASISE THAT AN INVITED INTERNATIONAL
MILITARY FORCE IS AN INTEGRAL PART OF THE PACKAGE. THE
PRESENCE OF SUCH A FORCE, TO ENSURE SUCCESSFUL IMPLEMENTATION,
IS IN THE INTEREST OF THE PARTIES.

THE CO-CHAIRMEN EXPECT THE PARTIES TO COME TO THE FOLLOW-UP
CONFERENCE READY TO FINALISE THE INTERIM AGREEMENT, INCLUDING
THE ARRANGEMENTS FOR AN INTERNATIONAL MILITARY FORCE. THOSE
WHO PUT OBSTACLES IN THE WAY OF THE SUCCESSFUL REALISATION OF
THE RAMBOUILLET ACCORDS WILL BE HELD RESPONSIBLE.

THE TWO CO-CHAIRMEN ALSO NOTE WITH CONCERN THE SITUATION ON
THE GROUND IN KOSOVO. ANY WHO BY RECOURSE TO VIOLENCE
CONTRAVENE THE COMMITMENTS THEY HAVE MADE TO THE INTERNATIONAL
COMMUNITY WILL HAVE TO ANSWER FOR THEIR ACTIONS.
END TEXT.
LADER

Final

KOSOVO : RAMBOUILLET ACCORDS CO-CHAIRMEN'S CONCLUSIONS

1. Contact Group Ministers met in Rambouillet on 23 February at the end of more than two weeks of intensive efforts to reach an agreement on substantial autonomy for Kosovo, while respecting the national sovereignty and territorial integrity of the Federal Republic of Yugoslavia.
2. Ministers noted the historic nature of the Rambouillet Conference, which launched a process on the basis of the principles and basic elements adopted by the Contact Group in London on 29 January, bringing together those long divided by deep and bitter differences.
3. These have been complex and difficult negotiations, as we expected. The important efforts of the parties and the unstinting commitment of our negotiators Ambassadors Hill, Petritsch and Mayorsky, have led to a high degree of consensus on all the aspects of 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.
4. A political framework is now in place, as set out in the Rambouillet Accords, and the groundwork has thereby been laid for finalising the implementation Chapters of the Agreement, including the modalities of the ~~envisaged~~ invited international civilian and military presence in Kosovo. It is essential that the interim agreement be completed as a whole. In this spirit, the parties committed themselves to attend an implementation conference in France on 15 March, following consultations with the parties and relevant international organizations. We are determined to monitor closely that this commitment is fully respected, in order to complete the Rambouillet process.
5. The parties must abstain from any action which would undermine the achievements of Rambouillet. In particular, we expect the parties to honour fully and immediately the cease-fire which should be in place throughout Kosovo, to abstain from all provocative actions and to abide fully by their commitments of October 1998 and to comply with the relevant Security Council Resolutions. We fully support the mission and personnel of the OSCE's Kosovo Verification Mission, and we insist that the parties provide for the security of KVM and other international personnel, for which they will be held responsible.
6. We pledge ourselves to work together to achieve a settlement meeting the legitimate aspirations of all the people of Kosovo. Only such a settlement can create the conditions in which a humanitarian catastrophe can be avoided. Those who prevent the completion of the interim agreement for Kosovo, or who provoke further hostilities or who threaten the security of KVM, will be held fully accountable for their actions.

Chairman's conclusions

Contact Group Foreign Ministers met in Paris on 14 February following a week of negotiations for an interim political settlement in Kosovo on the basis of the principles and basic elements agreed in London on 29 January.

On the basis of a report from our three negociators, Ambassadors Hill, Petritsch and Mayorsky, we assessed the state of the negotiations. Progress has been slower than we had hoped when we met in London, but essential ground clearing work has been carried out. It is now crucial that the parties reach agreement on the hard issues outstanding.

On this basis we have decided, as provided for in the conclusions of our last meeting, to continue the negotiations. They must be concluded by 12 00 noon on Saturday 20 February.

We agreed that this is a decisive moment for peace efforts over Kosovo. Time is now very short to reach a negotiated settlement, which is the only way to avoid further large scale violence leading to humanitarian catastrophe. We consider that the Contact Group approach and the documents being tabled to the parties, provide the basis for the interim political settlement. We therefore expect both parties to use the few days to :

- agree very rapidly on the Contact Group's detailed proposals for self-government in Kosovo which have now been under negotiation for a week.

- accept the implementation arrangements needed to establish this self-government, including the development of a local police force, and measures to end the military confrontation in Kosovo.

We underlined our total support for our three negociators. We endorsed their determination to intensify the pace of negotiations so as to conclude them within a week at the latest. The two Co-Chairmen, Hubert Vedrine and Robin Cook, made clear their readiness to return to Rambouillet whenever necessary to work with the negociators in pushing the talks forward.

We agreed that the negociators have discretion to table the remaining annexes on the implementation of a settlement. Provided that the parties are ready to live up to their responsibilities to reach an interim political settlement, the international community is willing to devote significant civilian and military resources to helping all the people of Kosovo to rebuild their lives in conditions of security. But we reiterate what we said in London : we will hold both sides accountable if they fail to take this opportunity./.

Conclusions de la Présidence

Les ministres des affaires étrangères des pays membres du Groupe de contact se sont réunis à Paris, le 14 février 1999, après une semaine de négociations visant à la conclusion d'un accord politique intérimaire au Kosovo, sur la base des principes et des éléments agréés à Londres le 29 janvier 1999.

Nous avons procédé à l'évaluation de l'état d'avancement des négociations sur la base du rapport que nous ont fait nos trois négociateurs, les Ambassadeurs Hill, Petritsch et Mayorsky. Les progrès ont été plus lents que nous ne l'avions espéré quand nous nous sommes réunis à Londres, mais un travail essentiel de déblayage a été fait. Il est désormais crucial que les parties parviennent à un accord sur les points durs qui restent en suspens.

Sur cette base, nous avons décidé de prolonger les négociations d'une semaine supplémentaire au plus, comme convenu dans les conclusions de notre dernière réunion. Elles doivent être conclues le samedi 20 février à midi.

Il y a accord entre nous sur le fait qu'il s'agit d'un moment décisif pour la recherche de la paix pour le Kosovo. Le temps est désormais très limité pour parvenir à un règlement politique, seule voie permettant d'éviter de nouvelles violences à grande échelle qui conduiraient à une catastrophe humanitaire. Nous considérons que l'approche du Groupe de contact et les documents en cours de distribution aux parties constituent la base d'un règlement politique intérimaire. Nous attendons donc des deux parties qu'elles mettent à profit les quelques jours restant pour :

- accepter très rapidement les propositions détaillées du Groupe de contact pour une autonomie substantielle du Kosovo, qui ont fait l'objet des négociations depuis une semaine ;

- accepter les accords de mise en oeuvre nécessaires à l'établissement de cette autonomie substantielle, notamment la mise en place d'une force de police locale et des mesures nécessaires pour mettre fin aux affrontements militaires au Kosovo.

Nous réaffirmons l'entier soutien du Groupe de contact à nos trois négociateurs. Nous faisons nôtre leur détermination d'intensifier le rythme des négociations afin que celles-ci aboutissent d'ici à une semaine au plus tard. Les deux co-présidents, MM. Hubert Védrine et Robin Cook, ont réaffirmé leur disponibilité à retourner à Rambouillet, chaque fois que cela sera nécessaire, afin d'aider les négociateurs à faire progresser les négociations.

Nous sommes convenus que les négociateurs pourront présenter les annexes restantes relatives à la mise en oeuvre d'un règlement au moment qu'ils jugeront opportun.

Si les parties sont disposées à assumer leurs responsabilités pour aboutir à un accord politique intérimaire, la communauté internationale est prête à consacrer d'importants moyens civils et militaires qui aideront l'ensemble de la population du Kosovo à reconstruire son avenir dans la sécurité. Mais nous réaffirmons ce que nous avons déclaré à Londres : nous tiendrons les deux parties pour responsables si elles ne saisissent pas cette chance.

CONTACT GROUP MEETINGS WITH THE KOSOVO ALBANIANS/SERBS**Contact Group principles (agreed on 8 July)**

- the territorial integrity of the FRY and its neighbours must be respected;
- a solution to Kosovo's status must include special arrangements for Kosovo's self-governance;
- a mere enhancement of the current status of Kosovo would not adequately address the range of problems. The future status of Kosovo must also be guaranteed at the federal level;
- all citizens and all communities in Kosovo should be able to exercise their democratic rights and should be represented at all levels of administration and elected government. There should be clear arrangements to protect the rights of all ethnic groups;
- under its new status, Kosovo should have constitutionally protected significant legislative, executive and judicial powers, including control of local policing;
- Kosovo would be obligated not to secede unilaterally, and Belgrade would be obligated not to alter Kosovo's status unilaterally.

Key points of the Will draft

- three year interim agreement. Kosovo's status deferred but will be subject of a comprehensive review after three years;
- agreement provides democracy, local control, and protection of human rights;

- Kosovo political institutions will have authority over key government functions, including health care, taxes, financing, police, economic development, judicial system.
- national communities will protect ethnic identity;
- key unit of governance is the commune;
- citizens in Kosovo will be governed by Kosovo institutions;
- protection within institutions for defined national communities;
- Kosovo will have its own courts, including a Constitutional and a Supreme Court;
- democratic elections for all Kosovo institutions supervised by the OSCE;
- internationally selected ombudsman will work to ensure protection of human rights, as specified in the European Convention, and rights of members of national communities;
- key role for KVM

Benefits for each side

For Belgrade

- Kosovo remains within Serbia/the FRY;
- progressive relaxation of EU sanctions on implementation;
- clearer prospect of the FRY being allowed to participate fully in more international organisations.

For the Kosovo Albanians

- Kosovo Albanians gain control over their own lives;
- Kosovo secures representative, province-wide political institutions, exercising legislative, executive and judicial authority;
- prospect of a local police force under control of elected Kosovo authorities. As a result, an end to police repression;
- the promise of reconstruction assistance, including an early donors conference;
- the continued involvement of the international community in implementation of a settlement;
- the settlement is interim only. No options are absolutely excluded after three years;
- those favoured by the electorate (including the UCK) would exercise real influence in the administration of Kosovo. A settlement therefore offers a real opportunity for the UCK to achieve legitimacy.

Key issues for negotiation

- review clause (the key issue)
- exact status of Kosovo within the FRY/Serbia
- dispute resolution mechanisms: judicial, parliamentary
- Kosovo figurehead (President/Presidency)

TOTAL P.05

- representation of Kosovo at the Federal level
- nomenclature, eg Government vs Administrative Body
- organisation and powers of local police
- role of the international community
- finance

CONTACT GROUP, LONDON: 29 JANUARY 1999

1. Contact Group Ministers met in London on 29 January to consider the critical situation in Kosovo, which remains a threat to peace and security in the region, raising the prospect of a humanitarian catastrophe.

2. Despite the intensive efforts of the international community, violence remains a daily occurrence in Kosovo. Ministers unreservedly condemned the massacre of Kosovo Albanians at Racak which resulted in several thousand people fleeing their homes. The escalation in violence - for which both Belgrade's security forces and the KLA are responsible - must be stopped. Repression of civilians by the security forces must end and those forces must be withdrawn. Ministers of the Contact Group deplore the failure of the parties to make progress towards a political settlement, and cannot accept that this should permit the crisis to continue. Time is of the essence in reaching a solution, and the Contact Group is therefore assuming its responsibility.

3. Ministers called on both sides to end the cycle of violence and to commit themselves to a process of negotiation leading to a political settlement. To that end, the Contact Group:

- insisted that the parties accept that the basis for a fair settlement must include the principles set out by the Contact Group;
- considered that the proposals drafted by the negotiators contained the elements for a substantial autonomy for Kosovo and asked the negotiators to refine them further to serve as the framework for agreement between the parties;
- recognised that the work done by the negotiators had identified the limited number of points which required final negotiation between the parties;
- agreed to summon representatives from the Federal Yugoslav

and Serbian Governments and representatives of the Kosovo Albanians to Rambouillet by 6 February, under the co-Chairmanship of Hubert Vedrine and Robin Cook, to begin negotiations with the direct involvement of the Contact Group. The Contact Group recognised the legitimate rights of other communities within Kosovo. In the context of these negotiations, it will work to ensure their interests are fully reflected in a settlement;

agreed that the participants should work to conclude negotiations within seven days. The negotiators should then report to Contact Group Ministers who will assess whether the progress made justifies a further period of less than one week to bring the negotiations to a successful conclusion.

4. The Contact Group demanded that the parties seize this opportunity to reach a settlement offering peace to the people of Kosovo. The Contact Group praised the present role of the OSCE Kosovo Verification Mission in working to reduce tensions in Kosovo and create the conditions for political dialogue, and recognised the continuing role of KVM. The Contact Group recognised that continuing international engagement would be necessary to help the parties implement a settlement and rebuild the shattered province. It required that the parties accept the level and nature of international presence deemed appropriate by the international community.

5. In the meantime, the Contact Group demands that the FRY:

- stop all offensive actions/repression in Kosovo;

- comply fully with the OSCE/FRY and NATO/FRY agreements and relevant SCRs;

- promote the safe return of all those who have been forced to flee their homes as a result of the conflict. This includes full cooperation with humanitarian agencies and NGOs bringing much needed relief to Kosovo;

- cooperate fully with the OSCE and permit the KVM and its Chief of Mission to continue to carry out their responsibilities unhindered;
- cooperate fully with ICTY as required by relevant SCRs;
- conduct a full investigation of Racak with the participation of ICTY, allowing the Chief Prosecutor and ICTY investigators to enter and work in Kosovo to participate in the investigation of the massacre;
- identify and suspend the VJ/MUP officers operating in Racak at the time of the massacre until the results of the investigation become available;
- mitigate the sentences of those imprisoned in connection with the conflict and provide due process to all detainees.

6. The Contact Group emphasised that compliance with SCRs 1160, 1199 and 1203 applied equally to the Kosovo Albanians. It condemned all provocations by the UCK which could only fuel the cycle of violence, and insisted that all hostages should be released. The Contact Group believes that the framework it has set out meets the legitimate aspirations of the Kosovo Albanians and demanded that their leaders rally behind negotiations to reach a settlement and end provocative actions which would impede the political process.

7. The Contact Group asked Robin Cook to travel to Belgrade and Pristina to transmit these messages to the parties.

8. The future of the people of Kosovo is in the hands of leaders in Belgrade and Kosovo. They must commit themselves now to complete the negotiations on a political settlement within 21 days to bring peace to Kosovo. The Contact Group will hold both sides accountable if they fail to take the opportunity now offered to them, just as the Group stands ready to work with both sides to realise the benefits for them of a peaceful solution.

1/26/95
US - Russian
Statement

STATEMENT ON KOSOVO

Secretary Albright and Foreign Minister Ivanov expressed their preoccupation with the recent deterioration in the situation in Kosovo. They noted positively the outcome of the Contact Group Political Directors meeting in London January 22. The sides in Kosovo must work harder to achieve an interim political settlement providing substantial autonomy for Kosovo and should engage in meaningful intensive negotiations for that purpose. Such a settlement should respect the territorial integrity and sovereignty of the FRY. Russia and the United States, backing the efforts of Ambassadors Hill and Petritsch, will continue to press the sides to agree on such a political settlement, and will collaborate in the Contact Group toward that end.

Secretary Albright and Foreign Minister Ivanov expressed their complete commitment to the unimpeded functioning of the OSCE Kosovo Verification Mission under the leadership of Ambassador William Walker. All attacks on and threats to the OSCE KVM must cease immediately. It is incumbent upon everyone in Kosovo to ensure the safety of KVM and other international personnel. They call on FRY authorities and media to create a supportive atmosphere for the activities of the KVM and its Head of Mission. The FRY authorities should facilitate the work of the KVM by fulfilling the Head of Mission's requests for adequate security arrangements and other measures to make fully effective the agreement between the OSCE and the FRY.

The United States and Russia firmly demand that the FRY comply fully with the resolutions of the UN Security Council, particularly with regard to police and military units, and its agreements with the OSCE and other international entities. They call on the FRY to do so without delay.

The United States and Russia reiterate their indignation at the massacre of Kosovar Albanians in Racak, which cannot be justified. Those responsible must be brought to justice.

The FRY authorities must give their full cooperation to the International Criminal Tribunal for the Former Yugoslavia, as required by resolutions of the UN Security Council. The FRY authorities must conduct a full investigation of what happened at Racak with the participation of the Tribunal. Judge Louise Arbour and ICTY investigators should be allowed to enter and work in Kosovo, to participate in the investigation of the massacre at Racak. The FRY authorities should identify the officers operating in Racak at the time

of the massacre and suspend them until the results of the investigation become available.

The United States and Russia urge the Kosovo Albanians to fulfil all their obligations and commitments. "Kosovo Liberation Army" provocations have contributed significantly to the renewed deep tensions in Kosovo. The United States and Russia condemn such provocations and demand they end immediately. Measures should be developed to discourage such activity whenever feasible, in the interest of ensuring full compliance with the commitments and obligations undertaken by the sides, including implementing the arms embargo under the relevant UN Security Council resolutions.

Hostage taking must cease. All hostages should be released. Secretary Albright and Foreign Minister Ivanov appreciated the work of the KVM in such situations. They called upon the Serbian authorities to carry out the commitments in their 11 point Statement of Principles of a Political Settlement of October 13, 1998, in particular to mitigate the sentences of persons detained in connection with the Kosovo conflict and to provide due process to all detainees. Such steps would contribute to easing tensions.

Recent escalated hostilities in Kosovo have displaced thousands more civilians. This has put at risk progress made since last year in averting a humanitarian catastrophe. The sides must avoid actions that affect the civilian population and must facilitate the work of international and non-governmental organizations providing humanitarian assistance. The FRY authorities should provide all necessary facilities including radio communication to humanitarian organizations and remove impediments they have encountered.

Secretary Albright and Foreign Minister Ivanov decided to maintain close contacts on the matter of Kosovo in order to coordinate U.S. and Russian support for a resolution of the crisis.

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001. report	Contact Group, London 22 January: Chairman's Conclusions. [Annotated on the back] (2 pages)	01/22/1999	P1/b(1)

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- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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**United
Nations**

Russia & China
abstained

S/RES/1203 (1998)

24 October 1998

RESOLUTION 1203 (1998)

Adopted by the Security Council at its 3937th meeting,
on 24 October 1998

The Security Council,

Recalling its resolutions 1160 (1998) of 31 March 1998 and 1199 (1998) of 23 September 1998, and the importance of the peaceful resolution of the problem of Kosovo, Federal Republic of Yugoslavia,

Having considered the reports of the Secretary-General pursuant to those resolutions, in particular his report of 5 October 1998 (S/1998/912),

Welcoming the agreement signed in Belgrade on 16 October 1998 by the Minister of Foreign Affairs of the Federal Republic of Yugoslavia and the Chairman-in-Office of the Organization for Security and Cooperation in Europe (OSCE) providing for the OSCE to establish a verification mission in Kosovo (S/1998/978), including the undertaking of the Federal Republic of Yugoslavia to comply with resolutions 1160 (1998) and 1199 (1998),

Welcoming also the agreement signed in Belgrade on 15 October 1998 by the Chief of General Staff of the Federal Republic of Yugoslavia and the Supreme Allied Commander, Europe, of the North Atlantic Treaty Organization (NATO) providing for the establishment of an air verification mission over Kosovo (S/1998/991, annex), complementing the OSCE Verification Mission,

Welcoming also the decision of the Permanent Council of the OSCE of 15 October 1998 (S/1998/959, annex),

Welcoming the decision of the Secretary-General to send a mission to the Federal Republic of Yugoslavia to establish a first-hand capacity to assess developments on the ground in Kosovo,

Reaffirming that, under the Charter of the United Nations, primary responsibility for the maintenance of international peace and security is conferred on the Security Council,

Recalling the objectives of resolution 1160 (1998), in which the Council expressed support for a peaceful resolution of the Kosovo problem which would include an enhanced status for Kosovo, a substantially greater degree of autonomy, and meaningful self-administration,

Condemning all acts of violence by any party, as well as terrorism in pursuit of political goals by any group or individual, and all external support for such activities in Kosovo, including the supply of arms and training for terrorist activities in Kosovo, and expressing concern at the reports of continuing violations of the prohibitions imposed by resolution 1160 (1998),

Deeply concerned at the recent closure by the authorities of the Federal Republic of Yugoslavia of independent media outlets in the Federal Republic of Yugoslavia, and emphasizing the need for these to be allowed freely to resume their operations,

Deeply alarmed and concerned at the continuing grave humanitarian situation throughout Kosovo and the impending humanitarian catastrophe, and re-emphasizing the need to prevent this from happening,

Stressing the importance of proper coordination of humanitarian initiatives undertaken by States, the United Nations High Commissioner for Refugees and international organizations in Kosovo,

phasizing the need to ensure the safety and security of members of the Verification Mission in Kosovo and the Air Verification Mission over Kosovo,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia,

Affirming that the unresolved situation in Kosovo, Federal Republic of Yugoslavia, constitutes a continuing threat to peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. Endorses and supports the agreements signed in Belgrade on 16 October 1998 between the Federal Republic of Yugoslavia and the OSCE, and on 15 October 1998 between the Federal Republic of Yugoslavia and NATO, concerning the verification of compliance by the Federal Republic of Yugoslavia and all others concerned in Kosovo with the requirements of its resolution 1199 (1998), and demands the full and prompt implementation of these agreements by the Federal Republic of Yugoslavia;
2. Notes the endorsement by the Government of Serbia of the accord reached by the President of the Federal Republic of Yugoslavia and the United States Special Envoy (S/1998/953, annex), and the public commitment of the Federal Republic of Yugoslavia to complete negotiations on a framework for a political settlement by 2 November 1998, and calls for the full implementation of these commitments;
3. Demands that the Federal Republic of Yugoslavia comply fully and swiftly with resolutions 1160 (1998) and 1199 (1998) and cooperate fully with the OSCE Verification Mission in Kosovo and the NATO Air Verification Mission over Kosovo according to the terms of the agreements referred to in paragraph 1 above;
4. Demands also that the Kosovo Albanian leadership and all other elements of the Kosovo Albanian community comply fully and swiftly with resolutions 1160 (1998) and 1199 (1998) and cooperate fully with the OSCE Verification Mission in Kosovo;
5. Stresses the urgent need for the authorities in the Federal Republic of Yugoslavia and the Kosovo Albanian leadership to enter immediately to a meaningful dialogue without preconditions and with international involvement, and to a clear timetable, leading to an end of the crisis and to a negotiated political solution to the issue of Kosovo;
6. Demands that the authorities of the Federal Republic of Yugoslavia, the Kosovo Albanian leadership and all others concerned respect the freedom of movement of the OSCE Verification Mission and other international personnel;
7. Urges States and international organizations to make available personnel to the OSCE Verification Mission in Kosovo;
8. Reminds the Federal Republic of Yugoslavia that it has the primary responsibility for the safety and security of all diplomatic personnel accredited to the Federal Republic of Yugoslavia, including members of the OSCE Verification Mission, as well as the safety and security of all international and non-governmental humanitarian personnel in the Federal Republic of Yugoslavia, and calls upon the authorities of the Federal Republic of Yugoslavia, and all others concerned throughout the Federal Republic of Yugoslavia including the Kosovo Albanian leadership, to take all appropriate steps to ensure that personnel performing functions under this resolution and the agreements referred to in paragraph 1 above are not subject to the threat or use of force or interference of any kind;
9. Welcomes in this context the commitment of the Federal Republic of Yugoslavia to guarantee the safety and security of the Verification Missions as contained in the agreements referred to in paragraph 1 above, notes that, to this end, the OSCE is considering arrangements to be implemented in cooperation with other organizations, and affirms that, in the event of an emergency, action may be needed to ensure their safety and freedom of movement as envisaged in the agreements referred to in paragraph 1 above;
10. Insists that the Kosovo Albanian leadership condemn all terrorist actions, demands that such actions cease immediately and emphasizes that all elements in the Kosovo Albanian community should pursue their goals by peaceful means only;
11. Demands immediate action from the authorities of the Federal Republic of Yugoslavia and the Kosovo Albanian leadership to cooperate with international efforts to improve the humanitarian situation and to avert the impending humanitarian catastrophe;
12. Reaffirms the right of all refugees and displaced persons to return to their homes in safety, and underlines the responsibility of the Federal Republic of Yugoslavia for creating the conditions which allow them to do so;
13. Urges Member States and others concerned to provide adequate resources for humanitarian assistance in the region and to respond

promptly and generously to the United Nations Consolidated Inter-Agency Appeal for Humanitarian Assistance Related to the Kosovo crisis;

14. Calls for prompt and complete investigation, including international supervision and participation, of all atrocities committed against civilians and full cooperation with the International Tribunal for the former Yugoslavia, including compliance with its orders, requests for information and investigations;

15. Decides that the prohibitions imposed by paragraph 8 of resolution 1160 (1998) shall not apply to relevant equipment for the sole use of the Verification Missions in accordance with the agreements referred to in paragraph 1 above;

16. Requests the Secretary-General, acting in consultation with the parties concerned with the agreements referred to in paragraph 1 above, to report regularly to the Council regarding implementation of this resolution;

17. Decides to remain seized of the matter.



**United
Nations**

S/RES/1199 (1998)

23 September 1998

RESOLUTION 1199 (1998)

Adopted by the Security Council at its 3930th meeting on 23 September 1998

The Security Council,

Recalling its resolution 1160 (1998) of 31 March 1998,

Having considered the reports of the Secretary-General pursuant to that resolution, and in particular his report of 4 September 1998 (S/1998/834 and Add.1),

Noting with appreciation the statement of the Foreign Ministers of France, Germany, Italy, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America (the Contact Group) of 12 June 1998 at the conclusion of the Contact Group's meeting with the Foreign Ministers of Canada and Japan (S/1998/567, annex), and the further statement of the Contact Group made in Bonn on 8 July 1998 (S/1998/657),

Noting also with appreciation the joint statement by the Presidents of the Russian Federation and the Federal Republic of Yugoslavia of 16 June 1998 (S/1998/526),

Noting further the communication by the Prosecutor of the International Tribunal for the Former Yugoslavia to the Contact Group on 7 July 1998, expressing the view that the situation in Kosovo represents an armed conflict within the terms of the mandate of the Tribunal,

Gravely concerned at the recent intense fighting in Kosovo and in particular the excessive and indiscriminate use of force by Serbian security forces and the Yugoslav Army which have resulted in numerous civilian casualties and, according to the estimate of the Secretary-General, the displacement of over 230,000 persons from their homes,

Deeply concerned by the flow of refugees into northern Albania, Bosnia and Herzegovina and other European countries as a result of the use of force in Kosovo, as well as by the increasing numbers of displaced persons within Kosovo, and other parts of the Federal Republic of Yugoslavia, up to 50,000 of whom the United Nations High Commissioner for Refugees has estimated are without shelter and other basic necessities,

Reaffirming the right of all refugees and displaced persons to return to their homes in safety, and underlining the responsibility of the Federal Republic of Yugoslavia for creating the conditions which allow them to do so,

Condemning all acts of violence by any party, as well as terrorism in pursuit of political goals by any group or individual, and all external support for such activities in Kosovo, including the supply of arms and training for terrorist activities in Kosovo and expressing concern at the reports of continuing violations of the prohibitions imposed by resolution 1160 (1998),

Deeply concerned by the rapid deterioration in the humanitarian situation throughout Kosovo, alarmed at the impending humanitarian catastrophe as described in the report of the Secretary-General, and emphasizing the need to prevent this from happening,

Deeply concerned also by reports of increasing violations of human rights and of international humanitarian law, and emphasizing the need to

ensure that the rights of all inhabitants of Kosovo are respected,

reaffirming the objectives of resolution 1160 (1998), in which the Council expressed support for a peaceful resolution of the Kosovo problem which would include an enhanced status for Kosovo, a substantially greater degree of autonomy, and meaningful self-administration,

Reaffirming also the commitment of all Member States to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia,

Affirming that the deterioration of the situation in Kosovo, Federal Republic of Yugoslavia, constitutes a threat to peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. Demands that all parties, groups and individuals immediately cease hostilities and maintain a ceasefire in Kosovo, Federal Republic of Yugoslavia, which would enhance the prospects for a meaningful dialogue between the authorities of the Federal Republic of Yugoslavia and the Kosovo Albanian leadership and reduce the risks of a humanitarian catastrophe;
2. Demands also that the authorities of the Federal Republic of Yugoslavia and the Kosovo Albanian leadership take immediate steps to improve the humanitarian situation and to avert the impending humanitarian catastrophe;
3. Calls upon the authorities in the Federal Republic of Yugoslavia and the Kosovo Albanian leadership to enter immediately into a meaningful dialogue without preconditions and with international involvement, and to a clear timetable, leading to an end of the crisis and to a negotiated political solution to the issue of Kosovo, and welcomes the current efforts aimed at facilitating such a dialogue;
4. Demands further that the Federal Republic of Yugoslavia, in addition to the measures called for under resolution 1160 (1998), implement immediately the following concrete measures towards achieving a political solution to the situation in Kosovo as contained in the Contact Group statement of 12 June 1998:
 - (a) cease all action by the security forces affecting the civilian population and order the withdrawal of security units used for civilian repression;
 - (b) enable effective and continuous international monitoring in Kosovo by the European Community Monitoring Mission and diplomatic missions accredited to the Federal Republic of Yugoslavia, including access and complete freedom of movement of such monitors to, from and within Kosovo unimpeded by government authorities, and expeditious issuance of appropriate travel documents to international personnel contributing to the monitoring;
 - (c) facilitate, in agreement with the UNHCR and the International Committee of the Red Cross (ICRC), the safe return of refugees and displaced persons to their homes and allow free and unimpeded access for humanitarian organizations and supplies to Kosovo;
 - (d) make rapid progress to a clear timetable, in the dialogue referred to in paragraph 3 with the Kosovo Albanian community called for in resolution 1160 (1998), with the aim of agreeing confidence-building measures and finding a political solution to the problems of Kosovo;
5. Notes, in this connection, the commitments of the President of the Federal Republic of Yugoslavia, in his joint statement with the President of the Russian Federation of 16 June 1998:
 - (a) to resolve existing problems by political means on the basis of equality for all citizens and ethnic communities in Kosovo;
 - (b) not to carry out any repressive actions against the peaceful population;
 - (c) to provide full freedom of movement for and ensure that there will be no restrictions on representatives of foreign States and international institutions accredited to the Federal Republic of Yugoslavia monitoring the situation in Kosovo;
 - (d) to ensure full and unimpeded access for humanitarian organizations, the ICRC and the UNHCR, and delivery of humanitarian supplies;
 - (e) to facilitate the unimpeded return of refugees and displaced persons under programmes agreed with the UNHCR and the ICRC, providing State aid for the reconstruction of destroyed homes,

and calls for the full implementation of these commitments;
6. Insists that the Kosovo Albanian leadership condemn all terrorist action, and emphasizes that all elements in the Kosovo Albanian community should pursue their goals by peaceful means only;

7. Recalls the obligations of all States to implement fully the prohibitions imposed by resolution 1160 (1998);
8. Endorses the steps taken to establish effective international monitoring of the situation in Kosovo, and in this connection welcomes the establishment of the Kosovo Diplomatic Observer Mission;
9. Urges States and international organizations represented in the Federal Republic of Yugoslavia to make available personnel to fulfil the responsibility of carrying out effective and continuous international monitoring in Kosovo until the objectives of this resolution and those of resolution 1160 (1998) are achieved;
10. Reminds the Federal Republic of Yugoslavia that it has the primary responsibility for the security of all diplomatic personnel accredited to the Federal Republic of Yugoslavia as well as the safety and security of all international and non-governmental humanitarian personnel in the Federal Republic of Yugoslavia and calls upon the authorities of the Federal Republic of Yugoslavia and all others concerned in the Federal Republic of Yugoslavia to take all appropriate steps to ensure that monitoring personnel performing functions under this resolution are not subject to the threat or use of force or interference of any kind;
11. Requests States to pursue all means consistent with their domestic legislation and relevant international law to prevent funds collected on their territory being used to contravene resolution 1160 (1998);
12. Calls upon Member States and others concerned to provide adequate resources for humanitarian assistance in the region and to respond promptly and generously to the United Nations Consolidated Inter-Agency Appeal for Humanitarian Assistance Related to the Kosovo Crisis;
13. Calls upon the authorities of the Federal Republic of Yugoslavia, the leaders of the Kosovo Albanian community and all others concerned to cooperate fully with the Prosecutor of the International Tribunal for the Former Yugoslavia in the investigation of possible violations within the jurisdiction of the Tribunal;
14. Underlines also the need for the authorities of the Federal Republic of Yugoslavia to bring to justice those members of the security forces who have been involved in the mistreatment of civilians and the deliberate destruction of property;
15. Requests the Secretary-General to provide regular reports to the Council as necessary on his assessment of compliance with this resolution by the authorities of the Federal Republic of Yugoslavia and all elements in the Kosovo Albanian community, including through his regular reports on compliance with resolution 1160 (1998);
16. Decides, should the concrete measures demanded in this resolution and resolution 1160 (1998) not be taken, to consider further action and additional measures to maintain or restore peace and stability in the region;
17. Decides to remain seized of the matter.

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Divider Title: _____

17 March 1999

Report of the EU forensic expert team on the Racak incident

These comments are based on the medicolegal investigations by the EU Forensic Expert Team in Pristina as locally authorised by the District Court of Pristina in accordance with the Yugoslav Law on Criminal Procedure. It should be emphasized, that medicolegal investigations constitute only a part - but do not cover the whole spectrum - of criminal investigations. The comments represent the personal view of the author, Dr. Helena Ranta, and should not in any manner be construed as an authorised communication on behalf of the Department of Forensic Medicine, University of Helsinki or the EU Forensic Expert Team.

1. TERMS OF REFERENCE OF THE EU FORENSIC EXPERT TEAM

The EU Forensic Expert Team consisting of Finnish experts has been involved in the investigation of alleged atrocities in Kosovo since October 1998. When the Racak tragedy was discovered on 16 January 1999, the OSCE turned to the European Union for assistance. Since an EU Forensic Team was already available, it was decided that the Team should also embark on the investigation of the Racak victims.

It should be emphasized that the terms of reference of the EU Forensic Team cover solely the medicolegal autopsies of the 40 victims brought to the hospital. They do not concern the full scale of criminal investigations. Accordingly, to mention one important example - there was no possibility to conduct scene investigations at the actual site of the presumed crime - which could have rendered important additional information concerning the manner of death of the victims. The findings by the experts are therefore based almost entirely on information derived by investigating the bodies at the morgue. Furthermore, the investigation of the bodies at the hospital was greatly complicated by the fact that the start of autopsies by the EU experts became possible only approximately a week from the estimated time of death of the victims. More importantly, there was no chain of custody by the EU forensic experts of the bodies from the moment of death until the time the investigations started on 22 January 1999 in Pristina. What may or may not have happened to the bodies during that time is difficult to establish in connection with the autopsies with absolute certainty.

It should be noted that the EU experts now have completed only a part of the overall investigations concerning the events in Racak - namely the medicolegal investigation of the victims. For a more complete picture of what took place in Racak a full criminal investigation into the events would be required, combining scene investigations, interrogation of witnesses and analysis of the evidence with the autopsy findings of the EU experts.

The original mission of the EU forensic experts was authorized to investigate in an impartial and independent manner, sites of alleged killings of civilians in Kosovo, i.a. In Glodjane, Golubovac, Gornje Obrinje, Klecka, Orahovac and Volujak. The investigations concerning Klecka and Volujak, initiated last year, are to be completed by the end of March 1999 when the DNA analysis will be available. Thereafter, the Team will as soon as possible resume preparations for the investigations with respect to Glodjane, Golubovac, Gornje Obrinje and Orahovac.

The first crucial step that one would normally expect to be implemented at any alleged crime scene would be the isolation of the area and the exclusion of unauthorized access. The scene should then be photographed and videotaped, any evidence be collected and victims localized and marked at site. This step should also include sampling for a gunshot residue (GSR) analysis. Victims should then be placed in individual body bags for transport to the morgue. With respect to Racak none of this was done at all - or was done only partially or improperly. Therefore, important information at the site may have been lost.

2. DETAILS OF THE RACAK INCIDENT

According to various sources of information, the incident in Racak most probably took place on or around 15 January 1999. The EU forensic experts only started working in Pristina on 22 January when the bodies had already been brought to the morgue. The Team therefore has no first hand information on the events at Racak. Concerning the site of the events and the circumstances surrounding the deaths of the victims the Team has to rely entirely on the information from the OSCE/KVM and EU/KDOM observers who visited the site on 16 January 1999, and from reports in the media. According to these sources altogether some 45 bodies were found in Racak. Yet, only 40 were taken to the Department of Forensic Medicine, University of Pristina to be investigated.

Based on the information obtained from the KVM and KDOM observers the total of 22 men were found in a gully close to the village of Racak. They were most likely shot where found. Most of them have been turned over at some stage. The rest of the victims were found at or close to the village and had either been turned over or moved after death into houses in the village.

The more time elapses, the more difficult it usually becomes to establish the assumed time of death. When the Finnish experts had the possibility to start investigations, more than a week had already passed since the discovery of the bodies at Racak. However, the temperature both at the mosque in Racak, where the bodies were first brought, and at the Pristina hospital morgue was close to 0° C, which has contributed to their preservation. Most that can be said is that the victims appear to have died approximately at the same time.

Most of the victims wore several warm jackets and pullovers. No ammunition was found in the pockets. It is likely that no looting of the bodies has occurred, because money (bank notes) was found on them. The clothing bore no identifying badges or insignia of any

military unit. No indication of removal of badges or insignia was evident. Based on autopsy findings (e.g. bullet holes, coagulated blood) and photographs of the scenes, it is highly unlikely that clothes could have been changed or removed. Shoes of some of the victims, however, had been taken off, possibly before the bodies were carried inside the mosque. Among those autopsied, there were several elderly men and only one woman. There were no indications of the people being other than unarmed civilians.

The Racak events have been described as a "massacre". However, such a conclusion does not fall within the competence of the EU Forensic Team or any other person having participated solely in the investigation of the bodies. The term "massacre" cannot be based on medicolegal facts only but is a legal description of the circumstances surrounding the death of persons as judged from a comprehensive analysis of all available information. Thus, the use of this term is better suited to be used by organs conducting criminal investigations for the purpose of initiating legal proceedings. Moreover, medicolegal investigations cannot give a conclusive answer to the question whether there was a battle or whether the victims died under some other circumstances. A full criminal investigation combined with the interrogation of witnesses by appropriate investigative entities could shed more light on the circumstances prior to and at the time of the death.

It should be noted that especially persons not familiar with criminal investigations may have a natural tendency to interpret some observations made at the site of the tragedy as signs of post-mortem mutilation. These, however, are most likely related to animal activity - such as stray dogs, which are in abundance in the area, and other wild animals - or traces on the dead bodies caused by the high pressure of projectiles. No indication of tampering or fabrication of evidence was detected.

Traditionally, a paraffin test has been used in gunshot residue analysis (GSR). To remove residues from the hand, casting with paraffin has been suggested. This test lacks specificity, however, and at the Interpol meeting in 1968 it was officially stated that it no longer should be used. The most successful technique to date for the analysis of GSR analysis is without doubt the Scanning Electron Microscope with an Energy Dispersive X-Ray Analyzer (SEM-EDX). Only this method has the ability of determining the metallic content without concern about environmental contamination. With the SEM-EDX, the sample is virtually unaffected by the analysis and can be re-examined, if necessary, many times. The sample for the GSR analysis is collected by means of a tape-lift taking into consideration routine precautions (contamination). Paraffin test was for the above reasons not used by the Finnish Team. Test samples for SEM-EDX were taken and they proved to be negative.

3. CO-OPERATION BETWEEN ORGANS AND TECHNICAL ARRANGEMENTS

At the professional level, the Team experienced no problems in collaboration with Yugoslavian or Belorussian pathologists. After a demonstration autopsy, all agreed upon common methods and procedures. Furthermore, local criminal and autopsy technicians contributed to the cooperative working atmosphere. The Team was able to complete its investigations without any outside pressure put upon it in Yugoslavia or elsewhere.

In Finland, the presence of media in autopsy theatres is unacceptable. Prior to initiating the autopsies it was agreed that media coverage should be minimised. Nevertheless, the Head of the Pristina Institute of Forensic Medicine, Professor Dobricanin, allowed television teams and photographers to enter the premises. When asked, he confirmed that this was in accordance with his instructions.

Confusion has been caused by statements and premature conclusions drawn by local experts while the investigations were not completed. In Finland, on-going investigations are not commented upon. After the completion of the autopsies in January, the Serbian and Belorussian pathologists decided to draw up common reports summarising their findings. The Finnish Team declined to sign these which was erroneously interpreted as disagreement on the findings between the local experts and the Finnish Team. The view of the Finnish Team is that no professional conclusions on the basis of the autopsies should be made without a comprehensive analysis of the data gathered from the corpses. The analysis and tests were conducted at the Helsinki University Department of Forensic Medicine only after the Team returned from Kosovo. Therefore, arriving at conclusions or signing of reports in January would have been premature and thus out of place.

Bearing in mind the complex nature of the investigations, it is the view of the Finnish experts that nothing could have been achieved by unnecessarily speeding up procedure. The involvement of the Team began after 16 autopsies had already been performed by local pathologists. With respect to these corpses, the EU experts were in the position only to verify that the work had been done properly. There was no information available from the scene of the alleged crime at the time when autopsies were being performed, which further complicated a systematic approach. All histological, toxicological, and DNA analysis had to be performed afterwards in Helsinki. For safety reasons films had to be developed in Helsinki. All radiographs were digitized and incorporated into a data base. In all, more than 3000 photos were taken and 10 hrs of videofilm taped.

There is court order by the Investigative Judge authorising the Team to conduct the medicolegal autopsies. According to Yugoslav law the autopsy reports will therefore have to be handed over to the District Court of Pristina. A copy of the autopsy reports will also be conveyed to the Department of Forensic Medicine, University of Pristina. The European Union Presidency will be notified of the results of the investigations accordingly.

It should be emphasized that the medicolegal investigations undertaken by the EU forensic experts constitute only part of the normal investigation of alleged crimes. Comprehensive picture over the sequence of events in Racak can only be achieved by combining the medicolegal findings of the EU Forensic Team with other possible information from different sources eventually available at a later stage.

UNCLASSIFIED TALKING POINTS

Security Forces Conduct Preliminary Operation Prior to Main Attack

Yugoslav Army (VJ) and Serbian Ministry of Internal Affairs (MUP) forces launched a significant operation against Kosovo Liberation Army (UCK) forces in northeastern Kosovo on 20 March, involving several thousand army and police troops as well as a large number of tanks and other armored vehicles.

- This move probably is a preliminary attack to secure road networks prior to initiating the main offensive against the UCK. All of the attacks came along vital roads connecting important towns.
- Belgrade claims that the operation is in response to UCK attacks on police stations in three key towns in northern and central Kosovo. However, given the scale and relative complexity of this coordinated assault by Serb Army and police forces, the operation clearly was planned well in advance to immediately exploit the withdrawal of international monitors. There is no evidence that the UCK conducted any attacks on 19 March as alleged by Belgrade.

Belgrade has massed 40,000 army and police forces in and around Kosovo and more than 300 tanks for a major offensive aimed at crushing the KLA. This force is substantively larger--with considerably more firepower--than the force Belgrade fielded at the height of the fighting last fall.

-- This offensive will begin with virtually no warning--almost everything is in place and ready to go.

-- Based on Serb operations in Kosovo last year and in Bosnia, we expect the army to make indiscriminate use of its huge firepower advantage to destroy fixed KLA positions throughout central and western Kosovo.

-- The full force of this offensive will be absorbed by the Albanian civilian population--they will suffer heavy casualties and the wholesale destruction of their homes and villages.

-- It is likely that the number of refugees and displaced persons will exceed the more than 250,000 IDPs and refugees who were driven from their homes last year.

Days	VJ	Special Police	Other MUP	Current Total Security Forces	KLA
EIF	14,000	2,800	9,200	26,000	8,000
EIF+10	13,000 (A&AD withdrawal complete)	2,800	9,200 (MUP to cantonments)	25,000	8,000
K+5	13,000 (all but Border Guards in cantonment)	800	9,200 (all in cantonment)	23,000	8,000 (vacate/close positions; establish & register weapon storage sites)
K+14	13,000 (2,500 Border Guards in Border Zone; remainder in cantonment)	800	9,200	23,000	8,000
K+20	13,000	0	9,200	22,200	8,000
K+30	13,000	0	9,200	22,200	8,000 (weapons in storage; cease wear of military uniforms)
K+60	13,000	0	4,600 (of which 2,500 on duty and 2,100 in cantonment)	17,600	8,000
+ 90	7,250 (of which 1,500 Border Guards and 5,750 in cantonment; most heavy weapons gone; COMKFOR decision on Border Guard strength)	0	4,600	11,850	8,000 (weapon storage sites under KFOR control)
K+ 120	7,250	0	2,500	9,750	KLA demilitarized (KFOR destroys weapons)
K+180	2,500 Border Guards (all other personnel and equipment gone)	0	2,500	5,000	0
EIF+ 360	2,500	0	0 (MUP out of Kosovo)	2,500	0

As of: 131101 Feb 99

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Requirements and Commitments on FRY Forces

The FRY has committed to the following requirements on security forces. Sources are in parentheses¹.

General

- Comply unconditionally with UNSCR 1199² (10/25 Statement)

Cease-fire

- Cease all action by security forces affecting the civilian population ³(1199)

Limitations on Security Forces - General

- Order the withdrawal of units used for civilian repression (1199)
- Bring down level of presence and equipment of security forces to normal levels i.e. levels preceding outbreak of violence (10/25 Statement)
- Bring to justice members of security forces involved in mistreatment of civilians and deliberate destruction of property.

Limitations on Police

- Withdraw special police units deployed after February 1998 (10/25 Statement)
- In particular, withdraw MUP SAJ Unit, RDB unit, 36th and 37th Special Police Detachments. (10/15 Solana)
- Withdraw stationary police forces from Dragobilje, Ostrozub, Opterusa, Dobrodeljane, Studencani, Samodraza, Pecane, and Kecka. ⁴(10/25 Statement)
- Reduce combined police/special police strength to February 1998 level (10/25 Statement)
- Withdraw or return to VJ any additional heavy weapons (12.7 mm+) or equipment brought into Kosovo or transferred from VJ to police or special police (10/25 Statement)
- Return heavy weapons or equipment remaining under MUP control to cantonments and police stations ⁵(10/25 Statement)
- Police/special police to resume normal peacetime activities ⁶(10/25 Statement)

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Reason: Multiple sources
Declassify: 11/3/08

DECLASSIFIED E.O. 13526
Department of State Guidelines, November 6, 2015

By 12 NARA, Date 5/2/2024
7008-0994-5.3

Limitations on VJ

- Withdraw VJ units and equipment brought into Kosovo after February 1998. (10/25 Statement)
- In particular, withdraw 211th Armored Brigade and 3rd MP Battalion (10/15 Solana)
- Return to garrison all VJ units not augmenting border guards except for 3 company sized teams to guard key LOCs ⁷(10/25 Statement)
- Border guards remain in position along international border and conduct ongoing border security operations (10/25 Statement)
- In first phase of 3 phase plan, reduce Serb security forces in 2 key areas to promote the return of IDPs and refugees ⁸(Clark 10/20)

Limitations on Air Forces and Air Defense Weapons

- No combat flight operations in 25km mutual safety zone encompassing Kosovo airspace during NATO reconnaissance flights (AVM)
- Remove all SAMs and air defense weapons from Kosovo and the safety zone or place them in cantonment sites in non-operational status (AVM)
- No SAMs or air defense weapons may be brought into Kosovo (AVM)
- No acquisition, target tracking, or illuminating NATO aircraft (AVM)

Access

- Enable effective and continuous international monitoring in Kosovo by ECMM and KDOM including access, complete FOM, and expeditious issuance of travel documents ⁹(1199)
- Upon request, allow KVM to accompany police units in Kosovo or to visit/accompany border units. (OSCE)
- Dismantle all check-points but establish 27 observation points on LOCs, keeping number under review with KDOM/KVM with view toward final intent of dismantling them completely (10/25 Statement)
- Agree that Malisevo-Orahovac road must remain fully open at all times for unimpeded and free traffic and flow of people and goods (10/25 Statement)

Humanitarian

- Facilitate, in agreement with UNHCR and ICRC, safe return of refugees and IDPs and allow unimpeded access to humanitarian orgs (1199)

Reporting

- Provide an inventory of military and police units (10/15 Solana)
- Provide detailed weekly reports to KDOM/KVM of manning, weapons, and activities of forces ¹⁰(10/25 Statement)
- Provide weekly information on movements of forces (OSCE)
- Provide updates concerning allegations and actions regarding abusive actions by police or military (OSCE)
- Notify KVM of any "emergency" roadblocks (OSCE)
- Provide notifications of any deployments contrary to these provisions (10/25 Statement)

¹ Source key: 1199 = UNSCR 1199, 10/25 Statement = FRY Statement agreed with Clark and Naumann on October 25, 10/15 Solana = verbal commitments made to SYG Solana on October 15, 10/20 Clark = verbal commitments made to Clark on October 20, AVM = NATO Air Verification Mission Agreement, OSCE = OSCE Kosovo Verification Mission Agreement.

² Commitment to comply retains, as last resort, right to respond adequately and proportionately to any form of terrorist activity.

³ NATO-approved Solana letter delivered on 10/24 was more robust: observe full, effective, unconditional cease-fire.

⁴ This provision states that FRY can police in Malisevo, Orahovac, Zociste, Restane, Suba Reka, and Dulje.

⁵ Provision notes that in case of incidents or increased tensions, police will have right, upon notifying KDOM/KVM, to patrol in armored vehicles with machine guns up to 7.9mm, to be used in self-defense with restraint.

⁶ Holbrooke TOR was more strict, only allowing continued MUP policing role during transition to Kosovar police.

⁷ LoC locations are a) Pec-Lapushnik-Pristina; b) Dakovica-Klina; c) Prizren-Suba Reka-Pristina. The 3 VJ companies will return to garrison following a political agreement.

⁸ This agreement also calls for KDOM to press UCK leaders in each area to abide by cease-fire. This would be Phase I of a three-phase pull-back of forces, with details of phases 2 and 3 to be worked out by NATO and FRY military officials.

⁹ Holbrooke TOR expanded this to including ending all restrictions of food, fuel, and other staple shipments into Kosovo.

¹⁰ Holbrooke TOR called for daily reports to KDOM on activities of military and police units in Kosovo as well as for FRY to report to international monitors on any attacks against Serb forces.

Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. map	Kosovo: Albanian Border Region. (1 page)	02/00/1999	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Kosovo Office (Schulte, Gregory)
OA/Box Number: 1708

FOLDER TITLE:

Post Racak [to] Rambouillet [2]

2008-0994-F

vz6348

RESTRICTION CODES**Presidential Records Act - [44 U.S.C. 2204(a)]**

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

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- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003. map	Kosovo: Macedonian Border Region. (1 page)	02/00/1999	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Kosovo Office (Schulte, Gregory)
OA/Box Number: 1708

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
004. map	Yugoslav Army Units Garrisoned in Kosovo. (1 page)	10/00/1998	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Kosovo Office (Schulte, Gregory)
OA/Box Number: 1708

FOLDER TITLE:

Post Racak [to] Rambouillet [2]

2008-0994-F

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Subgroup/Office of Origin	Kosovo Office	Subseries	Schulte, Gregory		
Folder Title	Post Racak [to] Rambouillet [2]	OA Number	1708	Box Number	

Description of Item(s)	Map. 17" x 11". Paper. Serbian MUP Organization in Kosovo. 11/1998.
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Police & Other Annex

Divider Title: _____

Summary of Annex 2 – Police Issues

General KVM Authorities

- Monitor and supervise implementation of Annex 2 and related provisions
- Issue binding directives to ensure compliance
- Monitor, observe, inspect, accompany and advise law enforcement activities and personnel, including the MUP, new local police, border police, customs units, and associated judicial activities and personnel
- Train law enforcement personnel
- Assess public order threats in coordination with KFOR and provide related advice
- Dismiss and discipline non-compliant law enforcement personnel
- Request law enforcement support from the international community
- Wear uniforms and potentially carry weapons¹ for self defense

New Kosovar Law Enforcement Structures

- 3,000-member Communal Police Force²
 - based at commune and municipal level
 - primary responsibility for law enforcement in Kosovo including patrols, crime prevention, investigations, arrest and detention of criminal suspects, crowd control and traffic
 - national communities to be fairly represented
 - *prior* political activities not a bar to service
 - initially trained by KVM, which also will supervise regular personnel reviews
 - limited in their possession and use of long-barreled weapons
- Criminal Justice Administration (CJA)
 - Administrative Body of Kosovo
 - coordinates law enforcement operations, including the police academy and inter-communal issues³
- Interim police academy
 - mandatory and professional development training
 - Federal/Republic police training facilities cease operations at EIF + 6 months
- Criminal Justice Commissions
 - at the Kosovo and communal levels
 - chaired by the KVM
 - includes representatives of the national communities
 - provides forums for cooperation, coordination, and resolution of disputes regarding law enforcement and civil public security
- Prisons and jails to be established

¹ The Annex does not specifically address whether or not KVM will be armed. State Department lawyers interpret the text as not precluding the arming of the KVM.

² The Head of the KVM may increase or decrease this number based on operational needs.

³ The Head of the KVM may override CJA directives.

Restrictions on Federal/Republic Law Enforcement Activities in Kosovo

- Phased MUP drawdown specified in military annex
- During phased drawdown, MUP can conduct only civil police functions under supervision and control of head of KVM
- KVM may dismiss or discipline MUP personnel obstructing implementation of Agreement
- Border issues: by EIF + 14, only 75 Republic border police⁴ may remain at the official border crossings in Kosovo
 - shall be supplemented by new recruits so as to be representative of Kosovo population
 - must attend training in Kosovo within 18 months of EIF
- Customs issues: by EIF + 14, only 50 FRY customs personnel⁵ may remain at official border crossings and related facilities
 - KVM can adjust composition of customs units
 - Kosovar Albanian officers to be trained and compensated by FRY
- Except as otherwise specified in Annex, Federal and Republic law enforcement authorities may only act in Kosovo in cases of hot pursuit for serious criminal offenses, subject to limitations on type of personnel involved, weapons and vehicles used and notification requirements.

Administration of Justice

- Persons arrested in Kosovo will be subject to jurisdiction of Kosovo courts⁶
- Kosovo will create an Office of the Prosecutor, with its head appointed and removed by CJA in consultation with KVM
- KVM may monitor, observe, inspect, and, when necessary, direct operations of the Prosecutor's office

⁴ The Head of the KVM may increase or decrease this number based on operational needs.

⁵ The Head of the KVM may increase or decrease this number based on operational needs.

⁶ Exceptions for hot pursuit and border police/customs arrests.

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Military Annex

Divider Title: _____

Chapter 7 Requirements

Day	Albanians	VJ	MUP
EIF	<ul style="list-style-type: none"> - Refrain from hostile/provocative acts - No X-border movement/smuggling - Publicly commit to demilitarize and to respect FRY international borders 	<ul style="list-style-type: none"> - Refrain from hostile/provocative acts 	<ul style="list-style-type: none"> - Refrain from hostile/provocative acts
+5	<ul style="list-style-type: none"> - Weapons ban -- 1 KM zones - Weapons storage sites established - Checkpoints/fighting positions closed - Status report to KFOR Commander 	<ul style="list-style-type: none"> - Move to cantonment (except Border Guards) - Report status to KFOR Commander 	<ul style="list-style-type: none"> - Move to cantonment - Report status to KFOR Commander - Non-Kosovo based Special Police withdrawn
+10		<ul style="list-style-type: none"> - Air Defense weapons withdrawn 	
+14		<ul style="list-style-type: none"> - Border Zone demarcated (2500 VJ w/Border Police) 	
+20			<ul style="list-style-type: none"> - All remaining special police withdrawn
+30	<ul style="list-style-type: none"> - No wearing uniforms/insignia - No carry prohibited/auto weapons - Store prohibited/auto weapons 		
+60			<ul style="list-style-type: none"> - 50% of remaining MUP withdrawn (can extend to 90 days)
+90	<ul style="list-style-type: none"> - Transfer weapons storage sites to KFOR 	<ul style="list-style-type: none"> - 50% of VJ withdrawn (with offensive assets) 	
+120	<ul style="list-style-type: none"> - KLA Demilitarization complete 		<ul style="list-style-type: none"> - MUP withdrawn to 2500 (can extend to 180 days)
+180		<ul style="list-style-type: none"> - Remaining VJ withdrawn (2500 border guards remain) 	

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
005. paper	Kosovo: Further Work on the Military Chapter (UK-French Paper). (6 pages)	03/03/1999	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Kosovo Office (Schulte, Gregory)
OA/Box Number: 1708

FOLDER TITLE:

Post Racak [to] Rambouillet [2]

2008-0994-F
vz6348

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
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- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Main Points of Military Annex

Main Points

- Immediate cease-fire (upon EIF¹), including no provocative actions;
- The Parties:
 - Invite NATO to deploy a military force, under NATO command and control (KFOR), authorized to use necessary force to ensure compliance with Annex, to protect international agencies involved with implementation, and to contribute to a secure environment;
 - Reaffirm the sovereignty and territorial integrity of the FRY;
 - Seek to recreate normal conditions of life as soon as possible;
 - Exchange prisoners by EIF+21, under ICRC supervision;
- VJ to be in cantonment by K+5, except for 2500 Border Guard forces;
- MUP to drawdown to 2500 by K+120, and to carry-out only civil police duties;
- UCK to demilitarize by K+120;
- No-Fly-Zone established at EIF (over Kosovo, and in FRY airspace in a “Mutual Safety Zone” radiating 25 km out from Kosovo/FRY boundary);
- UN is “invited” to pass a Chapter VII resolution “endorsing and adopting the arrangements set forth in” the Annex;

VJ Restrictions (Article IV)

- EIF+10: Yugoslav Air Forces (personnel, aircraft, and anti-aircraft weaponry) withdrawn from Kosovo;
- K-Day+5: complete redeployment to designated cantonments (except 2500 Border Guard forces);
- K-Day+90: withdraw from Kosovo 50% of men and materiel, and most all offensive weapons (tanks, heavy weapons, etc.);
- K-Day+180: all VJ army personnel out of Kosovo (except 2500 Border Guard forces);
- VJ Border Guard forces:
 - Total of 2500 permitted;
 - 1500 permitted only within 5 km Border Zone adjacent to international borders, or at bases in 3 locations (Djakovica, Prizren and Urosevac); this number to be reached by K+14;
 - only to protect international border;
 - may only possess weapons of 82 mm and below;
 - 1000 permitted to carryout headquarters functions, based in Pristina;
 - COMKFOR may adjust force level after 90 days, with aim of reaching minimum size necessary for border security;

¹ EIF = Entry Into Force, which will occur upon signature of the overall Agreement. K-Day = the date of activation of KFOR. Obligations must be completed no later than dates specified in paper, not on that date.

MUP Restrictions (Article VI)

- Defined to include all MUP/police except for Border Police;
- K-Day + 5: all Kosovo-based MUP in cantonments; all MUP units that were not in Kosovo as of 1 Feb 98 withdrawn;
- K-Day + 20: All special police (PJP, SAJ and JSO) and their equipment withdrawn;
- K-Day + 60: 50% of remaining MUP withdrawn (KVM may extend by 30 days);
- K-Day + 120: drawdown to 2500 (KVM may extend by 60 days);
- MUP may leave cantonments to carry-out only civil policing duties under supervision and control of KVM;
- Transition of responsibilities from MUP to local communal police as local capacity develops; KVM to organize transition;
- EIF + 1 year: transition complete; all MUP out of Kosovo (KVM may extend by 1 year);
- MUP to wear new insignia;

UCK Restrictions (Article V; UCK referred to as “Other Forces” in Annex)

- EIF: renounce violence and publicly commit to demilitarization; refrain from any cross border (international or domestic) movement;
- K-Day: cease carrying weapons within 1 km of VJ and MUP cantonments, within 1 km of specified main routes, and within 6 km of international borders;
- K-Day + 5: abandon and close all fighting positions and check points; establish weapons storage sites;
- K-Day + 30: store all prohibited² and automatic weapons in storage sites; cease carrying such weapons; cease wearing uniforms/insignia;
- K-Day + 90: KFOR takes control of weapons storage sites; UCK prohibited to possess weapons;
- K-Day + 120: demilitarization complete;

KFOR (Article VIII)

- Authority to “take all necessary action to help ensure compliance with this Annex”;
- KFOR specifically authorized to use military force, if required, to:
 - enforce VJ and MUP reductions;
 - enforce UCK demilitarization;
 - enforce restrictions on VJ, MUP and UCK activities and movement;
- “Silver Bullet” clause: KFOR may use force to respond to any threat or potential threat;
- KFOR may monitor and inspect any facility associated with military or police forces;
- KFOR may fulfill supporting tasks, within means and abilities; KFOR may:
 - help create secure conditions for others to carry-out their tasks, such as elections;
 - assist in movement of humanitarian organizations;
 - “assist international agencies in fulfilling their responsibilities”;
 - prevent interference with movements of civilian populations;
 - respond to deliberate threat to life and person;
- KFOR to Chair Joint Military Commissions;
 - Forum for resolving disputes.

END../

² “Any weapon 12.7mm or larger, any anti-tank or anti-aircraft weapons, grenades, mines or explosives.”

14 February 1999
1340 hrs

VJ Border Guards: A Primer

The Yugoslav Army has had three border guard battalions in Kosovo to secure FRY borders with Albania and Macedonia. These three units – the 53rd, 55th, and 57th Border guard battalions – each had about 400 troops assigned prior to February 1998 when hostilities broke out in Kosovo for a total of about 1,200.

- Since then, each of these units has been augmented by about 100 additional troops, raising the overall border guard force to about 1,500.
- Since mid-summer 1998 when the VJ began large operations in central and western Kosovo, the border guards have been reinforced with additional troops from ground force units subordinate to the Pristina Corps, currently as many as 2,000 additional troops.
- Mines were only introduced to the border region after the conflict began. Prior to that time, the VJ had not used minefields to try to control smuggling.

With the signing of an agreement the fighting will end. The VJ can return to pre-conflict levels to control the border, 1,500 border guards. The agreement also provides for an additional 1,000 command and control, headquarters, and logistics personnel. Under this force structure, all of the 1,500 can be used in a traditional border guard role, whereas previously these support troops were part of the historical 1,200.

In lieu of raising the force levels in the agreement to those recommended by the OSCE, once on-the-ground COMKFOR has the authority to adjust the number of border guards in order to accomplish the border guard mission of securing the border. With this authority he can increase the border guards upward if he feels it is necessary.

- Other considerations could be to provide the border guards with acceptable force multipliers such as technical surveillance measures, improved trafficability between border posts, helicopters for observation and rapid transport, and tighter controls on the Albanian side of the border.

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Notional Timeline

As of March 20, 1999, 5:00 PM

	19-Mar FRI	20-Mar SAT	21-Mar SUN	22-Mar MON	23-Mar TUE	24-Mar WED	25-Mar THU	26-Mar FRI	27-Mar SAT
Diplomatic Track	TALKS ADJOURNED. CG blames FRY. KVM and CG remind KLA not to provoke Serbs.		Holbrooke Go/No Go decision. Travel begins in evening.	Hill, Petritsch, Mayorskiy to Belgrade (TBD). Holbrooke in Belgrade.					
Military/NATO	NAC confirms NATO determination.		NAC. Solana consults Allies on Air Strikes.	NAC; give Solana key for Phase 2 and response options. Solana gives Phase 1 key to SACEUR. Increase SFOR security posture in RS.	NATO Air Liaison Team (NALT) evacuates with Embassy Core Staff.	AIR STRIKES could begin at night.	Possible second night of strikes.	Possible third night of strikes.	
Drawdowns	Embassy drawdown; coordinates evac of AmCits. Allied Embassies drawdown.	KVM evacuates. Relief agencies begin evacuation. Embassy at Core Staff; prep for Embassy closure. Embassy Sarajevo coordinates evac of AmCits from RS.	Relief agencies continue evacuation.		Core staff evacuates. Relief agencies complete evac.				
Russia					Primakov Visit to Wash, DC.	POTUS-Primakov meeting.	VP-Primakov meeting.	Primakov visit to NY.	
Administration Actions	Foreign Policy Team Mtg; Brief diplomatic strategy and Air Strikes to POTUS; approval of strategy and targets.	PC. SecState calls to counterparts. Military Brief to POTUS. Decide Primakov issue.	POTUS calls Chirac, Blair, Schroeder.			POTUS final go-ahead to initial strikes. High-level calls to key Allies if diplomatic mission fails.	High-level calls to Allies to stay the course.		
							POTUS WEST COAST TRIP (March 25-27)		
Congress-related Action	POTUS meet with Leaders and key Members at WH.		SecState calls Leaders. Staff calls.	If NO Holbrooke trip, POTUS meets with Leaders.	If Holbrooke trip, POTUS meets with Leaders.	POTUS calls Leaders prior to strikes.	POTUS calls Leaders.		Congress goes out of session.
Public Diplomacy	Paris press conference. POTUS press conference; 4PM EST Strong NATO statement.	Coverage of KVM withdrawal.	CIA provides talking points on situation. SRB on Face the Nation. Announce Holbrooke trip.	POTUS Oval Office address to Nation. NATO Statement--"Key Passed" Principal on NewsHour. Calls to Validators.	Coverage of diplomatic mission.	POTUS-Primakov Press Availability. POTUS Address to the Nation as strikes begin. Berger/Albright at WH press room. Cohen/Shelton operational update from Pentagon.	VP-Primakov Press Conference. High-level DoD operational update at Pentagon.	DoD operational update.	

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E.O. 13526
White House Guidelines, May 16, 2017
By VL NARA, Date 5/2/2024
2008-0944-1-3

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
006. paper	UK Delegation Speaking Note. Kosovo: Air Strikes. (2 pages)	03/21/1999	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Kosovo Office (Schulte, Gregory)
OA/Box Number: 1708

FOLDER TITLE:

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