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Folder Title:

POTUS-Way Ahead [1]

Staff Office-Individual:

Kosovo Office-Schulte, Gregory

Original OA/ID Number:

1709

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Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. draft	Paper. Alternative Outcomes and Strategies for Kosovo. (3 pages)	03/30/1999	P1/b(1)
002. paper	For the President from Samuel Berger. Subject: Staying the Course in Kosovo. [Record ID: 9902323] [Duplicate ke5807_001a and vz6280_006a, this case] (5 pages)	03/31/1999	P1/b(1)
003. paper	Some Thoughts on Kosovo at the NATO Summit. (3 pages)	04/15/1999	P1/b(1)
004. draft	Paper. Responding to a Milosevic Cease-fire. (3 pages)	03/03/1999	P1/b(1)
005. memo	For the President from Samuel Berger. Subject: Next Steps on Kosovo. [Record ID: 9903808] [Duplicate of rs1039_001, (1.34, 2014-0547-M)] (5 pages)	5/17/1999	P1/b(1)
006. paper	More "Out-of-the-Box" Thinking. (2 pages)	04/08/1999	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Kosovo Office (Schulte, Gregory)
OA/Box Number: 1709

FOLDER TITLE:

POTUS - Way Ahead [1]

2008-0994-F

vz6353

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]
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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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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20504

2323

March 31, 1999

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

FROM: GREG SCHULTE *JS*

SUBJECT: Staying the Course in Kosovo

I attach at your request a memorandum to the President based on yesterday's PC discussion.

RECOMMENDATION

That you sign the attached letter.

Attachment

Tab I Proposed Letter to the President

~~SECRET~~

Reason: 1.5(b,d)

Declassify On: 3/30/09

DECLASSIFIED
E.O. 13526
White House Guidelines, May 16, 2017
By *VZ* NARA, Date *5/6/2024*
2008-0994-F-3

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Kosovo: Looking Ahead

April 2, 1999

Day #10 of Air Strikes

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DECLASSIFIED

PER E.O. 13526

2014-0547-W (1.05)

5/6/2024 VL

U.S.Objectives

based on the President's speech at Norfolk Naval Station

- Restore the Kosovars to their homes with security and self-government
- Protect regional stability and prevent a wider war
- Demonstrate that the US and our allies will not allow aggression and atrocity to be committed with impunity

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Path I: Agreement

Means

- Intensify air campaign
 - seriously damage Belgrade's offensive capabilities
 - impose unacceptable cost until Milosevic accepts agreement
- Diplomatic strategy
 - keep allies together
 - limit damage to relationship with Russia
 - give Belgrade opportunity to say "yes"

Obstacles

- building and sustaining allied support for an intensified, long-term campaign
- sustaining domestic support, particularly in face of setbacks
- maintaining momentum if Milosevic unilaterally halts offensive with partial offer (could be soon)

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Optimum Agreement

- Cease-fire and withdrawal of all or most Serb security forces
- Safe return of refugees
- Self-government with local police
- Demilitarization of Kosovar Liberation Army
- International supervision and NATO-led implementation force

Assessment: Achieves objectives, though at price of negotiating with Milosevic and accepting long ground force commitment. However, getting Milosevic to “yes” may be difficult.

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Variations to Optimum Agreement

- Allow some Serb security forces to remain
 - October levels, Rambouillet levels or somewhere in between
- Change nature of implementation force
 - Different flag (e.g. UN, OSCE, coalition of the willing)
 - Different composition (e.g. no Americans, more Russians)
- Establish ethnic cantons (Serb and Albanian) or limit agreement to southern Kosovo (“partition”)
- Revert to 1974 constitution or leave political status subject to continued negotiation

Assessment: These variations might help Milosevic “save face” while bringing Moscow on board. However, they might also reduce acceptability to the Kosovar Albanians and ourselves.

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Diplomatic Avenues

- International conference under Contact Group or other auspices
- Third-party negotiation (e.g. Greece or Russia)
- US and Russia agree then impose a settlement
- Direct U.S. - Milosevic?

Issues: Morally and politically, can the United States still negotiate with Milosevic? Do we lose control of third-party negotiation? When is the right time?

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Path II: Alternative Strategies

if bombing fails to produce an agreement

- Oust Milosevic
- Enforce a Safe Haven
- Mount a Ground Campaign
- Contain and Isolate Serbia
- Train and Equip the KLA

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Oust Milosevic

after a sustained air campaign

- Snatch and bring to ICTY after an indictment
- Promote a military coup or popular uprising
 - psychological warfare
 - military-to-military contacts
 - third-country asylum for Milosevic
- Persuade Moscow that it is in their interest to remove a mutual problem

Assessment: Might be difficult to implement since conflict has allowed Milosevic to consolidate power. Even if he left, it is uncertain who would succeed him.

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Safe Haven

- Use NATO air power and ground forces to clear Serb forces from an area of Kosovo adjacent to Albania and Macedonia
- Assist in returning refugees to the safe haven and establishing provisional democratic institutions and local police
- Await political reform in Belgrade before re-opening negotiations on the status of Kosovo
- Could be combined with
 - a strategy to isolate and contain Serbia, or
 - a strategy to train and equip the Kosovar Albanians

Assessment: Creates secure environment for humanitarian relief and refugee return in part of Kosovo. However, without tacit acceptance by Milosevic, it could entail large force requirements, significant risks and a long-term commitment.

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A Ground Campaign to “Liberate” Kosovo

- After damaging FRY security forces from the air, launch a ground operation to clear them from Kosovo
- Leave a ground force in place to let refugees return and to keep FRY security forces out
- Redeploy NATO forces “over the horizon” after building local police and a territorial defense force
- With regard to Kosovo’s political status:
 - NATO countries could recognize an independent Kosovo, or
 - NATO could impose a UN protectorate pending political reform in Belgrade and a permanent settlement in Kosovo

Assessment: Could achieve objectives, but with high cost and risk. Significant time required to deploy NATO force. Could lead to indefinite military commitment with Milosevic still in Belgrade. Europeans hostile to independent Kosovo.

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Contain and Isolate Serbia

- Maintain no-fly zone over Kosovo and threat of air strikes
- Impose trade and additional sanctions on Serbia
- Cut off all contacts with Milosevic and assist ICTY in pursuing an indictment
- Step up efforts to undermine Milosevic and promote political opposition
- Protect refugees outside Kosovo rather than returning them in the near term to a hostile environment
- Stabilize the periphery through a long-term NATO presence in Bosnia, Macedonia and Albania

Assessment: Would not achieve objectives in short term. Might achieve them in longer term without the risk and costs of other strategies.

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Train and Equip

- After seriously damaging Belgrade's offensive capabilities, rebuild and rearm the Kosovo Liberation Army in training bases in Albania, Croatia or elsewhere
- Declare support for independent Kosovo and promote democratic government-in-exile
- Protect refugees outside Kosovo rather than returning them in the near term to a hostile environment
- Combine with efforts to stabilize the periphery and to contain and isolate Milosevic

Assessment: Does not achieve objectives in short term and may lead to further instability and violence in the longer term. Could split NATO and lead Russia to re-equip Serbs. However, a less risky and domestically more popular alternative to ground troops.

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Key Choices

- Do we continue an intensified bombing campaign after Milosevic has achieved his objectives?
- Are there any circumstances when we would consider ground forces?
- Can we accept leaving the Kosovars as refugees for an extended time and rely instead on long-term strategies, e.g. contain/isolate or train/equip?

~~SECRET~~

April 12, 1999

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER

SUBJECT: Kosovo - Further Thoughts Looking Ahead

DECLASSIFIED
PER E.O. 13526
2014-0547-M (1.16)
5/6/2024 RZPURPOSE

On April 6, I sent you a memorandum that addressed two paths ahead on Kosovo: first, the path that leads Milosevic, under continued air strikes, to accept our conditions, and second, the path in which he refuses to accept those conditions compelling us to achieve our objectives by other means. This memo provides further thoughts on these two paths, based upon two meetings of your Foreign Policy Team.

PATH I: MILOSEVIC MEETS OUR CONDITIONS

If we are to succeed in bringing Milosevic to accept our conditions, we will need to sustain an intense air campaign for a protracted period. Above all, this requires keeping the allies together and Congress essentially on board. Bill met with close allied counterparts last week and Madeleine is meeting with NATO Foreign Ministers this week precisely to keep the allies on the same track and there is a broad range of Congressional briefings this week to gain support for continued bombing, regardless of varied criticisms.

We are also working to ensure that General Clark has the military capabilities that he requires. The initial elements of Task Force Hawk (attack helicopters and rocket launchers) arrived in Albania last week, and Hugh assures me that we should have the initial capability this week. We will seek your approval before the systems are actually used. We and our allies are also committing additional air assets, including the UK's aircraft carrier HMS Invincible.

Wes has asked for a further task force of rocket launchers to be deployed in Croatia to assist in suppressing air defense systems

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Reason: 1.5(b,d)
Declassify on: 4/11/09

cc: Vice President
Chief of Staff

in northern Serbia. The Pentagon is currently considering this proposal, although Madeleine and Dick are concerned that deploying such systems into Croatia could widen the war, reignite Croat-Serb fighting and undercut Dayton.

Our upcoming supplemental request, although undoubtedly controversial, might provide one of the strongest signals that we can send to Milosevic. It provides budgeting for air operations to the end of the fiscal year, i.e. another six months. We'll make sure that Milosevic learns of this fact.

We are seeking to complement military operations with diplomatic and economic activities designed to weaken Milosevic and his war machine. We're approaching neighboring countries asking that they limit supplies of fuel or other dual-use materials to Serbia (Croatia has already done so). State is also working with Treasury, OVP and various allies to determine ways to disrupt the Yugoslav economy and limit Milosevic's access to offshore accounts.

As we step up military and economic pressure on Milosevic, we have tried to be clear about our objectives, while retaining some flexibility. We are now calling for an "international security force" rather than a "NATO-led implementation force". (Although any U.S. participation presupposes a NATO core, we are looking at ways in which we could design the Russians "in"). We've also moved away from insisting on acceptance of the Rambouillet accords per se as a precondition to stop bombing; instead we're insisting that Milosevic be willing to work on the basis of the key principles of Rambouillet [autonomy and security] without the need to embrace an agreement which has been "overtaken by events".

We are seeking to engage the Russians in our diplomatic strategy, encouraged by Moscow's agreement in the G-8 to what are effectively NATO's conditions. The Russians are trying to pull matters back into the UN Security Council, where they will inevitably try to drive NATO out of the "international security presence" but this could be a workable problem (as long as NATO command and control is retained for us) and we should encourage the Russians to press Milosevic to agree to the NAC/Annan/G-8 points.

Bringing the Russians on board, with an undiminished show of Alliance unity behind an ever-intensifying air campaign, is at this point our best strategy to bring Milosevic to meet our conditions.

PATH II: ALTERNATIVE STRATEGIES

My last memorandum described five alternative strategies should it become apparent in the weeks ahead that Milosevic won't accede to our demands, or should we lose the allied or domestic support necessary to sustain the air strikes. These strategies included: seeking to oust Milosevic; enforcing a safe haven in southern Kosovo (partition); mounting a ground campaign to "liberate" Kosovo; containing and isolating Serbia, while leaving the refugees out of Kosovo in the interim; and training and equipping the Kosovar Albanians. Over the last week, the Foreign Policy Team has assessed these alternatives against our objective of returning the refugees to Kosovo with security and self-government.

Unless we lower our sights, and seek success measured in years not months, we probably can rule out the strategies exclusively aimed at ousting Milosevic or containing and isolating Serbia. Elements of these approaches most definitely should be incorporated into our current strategy, and any alternative, but as we've seen from Saddam, they are at best long-term enterprises. All of your Foreign Policy Team (except General Kerrick who you should hear from) agree that shifting toward a containment strategy alone would be seen as a major defeat for the United States and the Alliance.

Another alternate strategy involves recognizing the independence of Kosovo and training and equipping the Kosovar Albanians so that they can push a degraded Serb force out of Kosovo, or at least raise the cost of keeping Kosovo so that Milosevic decides to pull the forces out himself. Supporting the KLA could have support at home, particularly as an alternative to introducing American troops into Kosovo. However, the Principals are concerned about creating an armed force we cannot control and which could become a future source of instability, terrorism, and criminal activity in the region. There is real concern about breaking with our allies and encouraging the Russians to give corresponding military assistance to the Serbs.

This faces us with the very difficult decision of whether an alternative strategy needs to involve the deployment of ground forces into a non-permissive environment, i.e. without Belgrade's explicit agreement. All of your advisors approach this with serious reservations, some more disposed than others.

We could introduce ground forces only after a protracted air campaign designed to create a "submissive" environment, one in which FRY forces would be more likely to withdraw in the face of NATO ground forces rather than to stand and fight. In any event, Hugh warns that the campaign would be "ugly" and produce casualties, though NATO would certainly succeed in driving Serb forces out of Kosovo.

Under this scenario, NATO would need to be prepared to help rebuild Kosovo and provide security for the returning refugees within the territory of the FRY. A final political settlement would ultimately depend on political reform in Serbia. Until then, we would continue our efforts to contain and isolate Serbia, and to undermine Milosevic.

According to one view, preparing for this strategy would increase the pressure on Milosevic to accept our conditions rather than face a pitched battle with NATO forces. It could give our allies greater motivation to sustain the current air campaign to avoid this option. However, a second view holds that visible preparations for forced entry actually would harden Serb attitudes and further rally the Serb people around Milosevic, as well as create a divisive debate in the U.S.

We do not need to decide now on whether to launch NATO ground forces into Kosovo. However, we do need to decide soon whether we should plan for this option. One line of attack from the Hill (e.g. McCain) is that we are not even planning for this contingency; thus we face the choice of capitulation by Milosevic or defeat. We attempted to reposition our rhetoric on this on Sunday by noting that, while we still have no intention of deploying ground forces into a non-permissive environment, NATO did an assessment in the Fall and could rather quickly update it if necessary.

Beyond our rhetorical posture, however, we need to decide whether you want formal planning to go forward (recognizing that it would take roughly 3 months to deployment, says Hugh). The dilemma is this: without further planning, the options to "defeat" Milosovic, in the event that several more weeks of bombing do not succeed, are limited. On the other hand, initiating formal planning could be seen as an acknowledgement that the air campaign won't work (something none of your advisors or military commanders accept) and could head us down a slippery slope, if patience with the air campaign wanes.

One further and potentially useful idea that we are developing is to set as NATO's political objective establishment of Kosovo as an "internationally protected area" - within Serbia for purposes of sovereignty but under the authority of the international community (UN? OSCE?). This is an end-state which gives greater clarity to our objectives (Serbs out, refugees in, international force in) and might be seen as a post-colonial (post-crisis) trusteeship. If embraced by the Russians and empowered by a UN mandate, it would have solid international standing. If the Russians (or others) could get Milosevic to agree (doubtful but not impossible), we could consider arrangements for an international force that was less-visibly "NATO" (e.g. OSCE "on the door" but NATO "inside", as long as they meet our, and Congress' requirements for "unity of command"). Of course, if Milosevic does not agree, we still face the same options for getting the refugees back in the absence of Milosevic's acquiescence.

As you know, I have serious questions about the efficacy of ground forces in achieving our objectives at an acceptable cost. Invading Kosovo would have serious risks and likely require us to "occupy" Kosovo for a protracted period, perhaps with Milosevic still in Belgrade. Securing and sustaining the necessary support at home and with allies could be very difficult, and we could find ourselves in an even more difficult situation with Russia. All the more important, therefore, to stay with the air campaign over an extended and unrelenting period, and to convey the confidence that it will succeed. Alternatively, we may be faced with the choice of intervention in a "submissive" environment or something less than victory.

April 6

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER

SUBJECT: Kosovo -- Looking Ahead

DECLASSIFIED**PER E.O. 13526**

2014-0549-M (1.01)

5/6/2024 v2

Purpose

To address: (1) how to respond to a Milosevic "peace offensive" in the coming days; (2) whether there is a "deal" that is minimally acceptable to us and to Milosevic; and (3) alternative strategies if bombing fails to produce an agreement.

RESPONDING TO A MILOSEVIC "PEACE OFFENSIVE"

George Tenet has outlined a scenario in which Milosevic decides that he has achieved enough of his objectives, then declares a "cease-fire" in an effort to blunt NATO's will to continue the air campaign. This might be combined with a promise of a partial pull-back of forces and renewed political negotiations if NATO stops in air operations. Once widespread violence and expulsions stop, it will be more difficult to sustain both allied and domestic support for sustaining air operations. There will be increasing questions over whether continued air strikes can achieve our stated objective of returning the refugees to their homes with security and self-government.

Our current intention is to sustain air strikes despite a "peace offensive" until Milosevic accepts our conditions or we substantially damage his offensive capabilities. To that end, we are seeking from NATO Foreign Ministers a **pre-emptive** demonstration of NATO's resolve by making clear what is necessary to stop the bombing, i.e.: withdrawing from Kosovo Serb military, police and paramilitary forces; accepting the deployment of an international security force; and making it possible for all refugees to return -- all as we move toward a political framework for Kosovo on the basis of the Rambouillet accords.

~~SECRET~~

Reason: 1.5(b,d)
Declassify On: 3/5/09

cc: Vice President
Chief of Staff

We will also want to:

- ensure that our air operations inflict as much damage as possible prior to any Serb "peace offensive";
- warn our allies and public of a "peace offensive", explain in advance why it would be unacceptable, and prepare them for sustained operations;
- consider raising questions about Kosovar Albanians like Rugova who might be associated with a "peace offensive";
- remind the public of the hollowness of past Milosevic promises such as the October cease-fire;
- highlight Serb atrocities and the need to create truly secure conditions for refugees to return.

There is, nonetheless, a risk of waning allied support in face of a "peace offensive." In this case, if there is a true cease-fire, there are two **alternatives** which we could consider (but only if there is a real danger of divisions within the Alliance):

- First, NATO could respond by **adjusting targeting** and announcing it publicly. Specifically, NATO could announce that it would no longer attack FRY security forces withdrawing from Kosovo or returning to their barracks. It might also withhold strikes on targets in and around Belgrade for a limited period of time, but with automatic resumption if our full conditions are not met. Such adjustments in the scope and scale of NATO air strikes could, in theory, encourage the withdrawal of forces and promote acceptance of a political settlement. On the other hand, such adjustments might be difficult to execute and the associated signaling might be either seen as weakness or lost in the "fog of war." The US and NATO would face all the difficulties and risks associated with continuing air strikes, but without benefiting from their full effect on Belgrade's military capabilities.
- Second, we could initiate a **reciprocal pause** for a limited time (e.g. 1-2 days) during which we would test Milosevic's willingness to accept our full conditions. Resumption of air strikes would need to be automatic if the conditions were not met. Milosevic could be "tested" through public statements or the dispatch of an envoy, such as Secretary General Solana. In the case of Solana, he would be dispatched with authority to restart (or even escalate) air strikes upon his return. This approach would demonstrate to the allies and our public

that we had not given up on diplomacy. If Milosevic refused to accept our conditions, it could help to underscore the reasons for continuing air strikes. On the other hand, a "partial offer" by Milosevic during the pause could weaken or fracture allied support for continued air strikes.

THE ENDGAME

The conditions we have established for ending air strikes (as described above) are consistent with our goal of returning the Kosovars displaced by the Serb offensive back to their homes with security and self-government. However, they also set the bar very high for acceptance by Milosevic. Setting the bar high is useful in inoculating our allies against a Milosevic "peace offensive". It is also a good starting point for any subsequent negotiations. However, the bar may not be achievable as an ultimate outcome, even after NATO's air operations inflict additional damage to Belgrade's military forces and national infrastructure.

Last Friday's briefing to you (Tab A) identified some ways to move away from the Rambouillet framework that might make an agreed outcome more likely:

- allowing some Serb security forces to remain, e.g., somewhere between the Rambouillet and October levels;
- changing the nature of the implementation forces, e.g., giving it a different flag or composition (although less NATO may mean less US);
- establishing ethnic cantons or limiting the agreement to southern Kosovo as an interim solution;
- focusing on security arrangements while leaving Kosovo's political status subject to further negotiations.

Such changes might make it more acceptable to Milosevic; however, we would need to avoid crossing any of our own "red lines". For example, even if the force were formally deployed under UN or OSCE auspices, we would want to ensure that it was NATO at the core if U.S. forces are to be included. We would also want to ensure that any residual presence of Serb forces was so circumscribed that they could not pose a threat to either the force or the returning refugees. Finally, we would want to ensure that the final outcome would be assessed as a NATO "victory" that met our twin goals of security and self-government.

If we are prepared to adapt the bar, we will need to consider how and when to do so. We should wait until we have inflicted more pain on Milosevic so he does not interpret a new diplomatic approach as a sign of weakness. There are several possible diplomatic avenues for negotiating an agreement. These include convening an international conference, asking George Papandreou or another third party to negotiate, or agreeing the contents of a settlement with Moscow then having Russia sell it to Belgrade. We could also consider sending a U.S. envoy, either publicly or secretly, but only if we feel comfortable in dealing directly with a man we now are now so strongly condemning.

ALTERNATIVE STRATEGIES

The best approach still is the one that we are following, i.e. to sustain and intensify the NATO air campaign in order to inflict such damage that Milosevic will change his calculations and accept our conditions, or we will seriously diminish his capacity to maintain his control and impose his will on Kosovo.

If bombing fails to produce an agreement, i.e. if the Vice President's exploratory hypothesis is correct that force may not affect Milosevic's behavior at any level, we need to examine a number of alternative strategies. Ideally these would be pursued after NATO's air campaign had achieved its military objective of substantially damaging Belgrade's capacity to conduct offensive operations or maintain province-wide military control. However, we also have to prepare ourselves to shift to the second track if we lose the necessary allied or domestic support for a sustained bombing campaign, for example, if there are major setbacks or if Milosevic declares a "cease-fire" and makes an effective partial offer.

The first strategy is directed toward **ousting Milosevic**. We have already been involved in efforts to promote democracy in Serbia; this would shift our approach to "strangling" Milosevic by systematically attacking his sources of power, including the security forces, the media, the economy and economic elite. This could entail accelerated efforts to obtain an indictment, overt or covert efforts to promote a military coup or popular uprising, or targeted sanctions designed to undercut support for Milosevic among Serbia's economic elite. It might even be possible to persuade Moscow that it is in their interest to help remove an individual who has become a mutual problem, perhaps by persuading him to accept an offer of third-country asylum.

- *Advantages:* This strategy is aimed at the individual who has been at the root of the Kosovo conflict and is the most culpable for its atrocities. Milosevic's removal could pave the way for the democratization of Serbia and its eventual integration into Europe. This options would probably be supported domestically and on the Hill.
- *Disadvantages:* Ousting Milosevic might be difficult now, in that he has used the conflict to consolidate his power. Moreover, it is uncertain who would succeed Milosevic and whether that individual would be more amenable to an acceptable settlement. Ousting Milosevic by itself is not guaranteed to achieve our goal of returning refugees with security and self-government, and in any event would delay achievement of that goal.

A second strategy is to create a **safe haven** by using NATO air and ground forces to clear Serb forces from part of Kosovo adjacent to Albania and Macedonia. This could create a secure environment for humanitarian relief and refugee return in part of Kosovo, as well as for the establishment of provisional democratic institutions and local police in the area secured by NATO. We would await for political reform in Belgrade (i.e. Milosevic's removal) before re-opening negotiations on the status of Kosovo. Under this or the next option, we would need to begin now to reposition our rhetoric by not arguing *against* a ground force, but stating that deploying one is not our current intention.

- *Advantages:* The successful creation of a safe haven could be seen as a victory for NATO and a defeat for Milosevic. It would also allow refugees to return, easing the burden on neighboring countries, while providing a safe place for Serbs within the northern part of Kosovo.
- *Disadvantages:* Without tacit acceptance by Milosevic, imposing a safe haven could entail large force requirements, significant risks and a long-term commitment without a clear exit strategy. Joe Biden has said that bombing could create a "practical permissive environment" -- but in fact there would still be many Serbs with guns. A fairly robust force would be necessary, with no particular end point (unless the Milosevic regime falls). Moreover, we might need to enlarge the "safe haven" progressively to fend off attacks or provocations from Serbian forces. The longer-term outcome could be Kosovo's partition, with Milosevic still in power.

A third strategy is to launch a full-scale NATO **ground campaign** to "liberate" all of Kosovo, driving out Serb forces after severely damaging them from the air. NATO forces would remain in place to let refugees return and to keep FRY security forces out, then redeploy "over the horizon" once local police and a territorial defense force are in place. Under this option, Kosovo could be placed under some form of international supervision (international protectorate or trusteeship) pending political reform in Belgrade and a permanent settlement for Kosovo.

- *Advantages:* This strategy carries the highest assurance of achieving our political goals if Milosevic refuses to accept an agreement. There currently is also some measure of bipartisan support on the Hill for the use of ground forces.
- *Disadvantages:* This strategy has the highest cost and risk of all the alternatives. Last year, NATO had estimated that 75,000 troops would be required to seize Kosovo (this before Belgrade had amassed 40,000 troops in and around Kosovo and the bombing campaign heightened bitterness) and over 200,000 to move into the rest of Serbia. Opening this option to full scale debate would itself create serious division at home, perhaps emboldening Milosovic. This strategy could lead to an indefinite military commitment with Milosevic still in Belgrade; or, alternatively, proceed to continue the ground campaign to Belgrade to oust Milosevic.

A fourth strategy is to **contain and isolate Serbia**, while leaving refugees indefinitely resettled outside Kosovo. We could maintain a no-fly zone over Kosovo and a threat of air strikes to encourage some refugee return, impose additional trade and other sanctions on Serbia, cut off all contacts with Milosevic and take additional steps to undermine his sources of power. We would probably also need to stabilize the periphery through a long-term NATO presence in Bosnia, Macedonia and Albania.

- *Advantages:* This strategy has lower risk and cost than the other alternatives, and it might achieve our overall goals in the long-term. Moreover, a strategy of isolation might contribute to the eventual removal of Milosevic. A containment strategy would be appealing to that part of the public and Congress that questions whether the United States has important interests at stake in Kosovo.

- *Disadvantages:* This strategy does not reverse Belgrade's ethnic cleansing in the short term or relieve the humanitarian crisis in Kosovo. A more permanent resettlement of refugees in neighboring countries could strain their economic resources and destabilize their societies and governments. Additional sanctions on the FRY could also penalize the neighboring countries.

A final strategy is to **train and equip** the Kosovar Albanians, and create a democratic government-in-exile, after seriously damaging Belgrade's military capabilities. This could be combined with efforts to undermine Milosevic, contain and isolate Serbia and stabilize the periphery, while resettling refugees outside Kosovo.

- *Advantages:* This strategy would increase the pressure on Milosevic and the cost of waging war in Kosovo. It is likely the KLA will carry on the fight regardless of what we do, given the radicalization of the Albanian population in the weakened condition of the Serb military following our bombing. It is a less costly alternative to a NATO ground force and, partly on this basis, would probably receive significant public and Congressional support.
- *Disadvantages:* Since it would take time to build up the capabilities of the Kosovar Albanians, this strategy does not address the immediate humanitarian crisis. Furthermore, it could lead to further instability and violence in the longer term through a long-term guerrilla insurgency possibly culminating in an independent Kosovo. By violating the UN arms embargo, this strategy could split NATO and encourage Russia to re-equip the Serbs.

All of these strategies are facilitated by continuous, strenuous pursuit of the air campaign for as long as possible. However, a clear understanding on the "what-if" is important if we are to begin to shape public opinion. For example, if you were to choose one of the longer term strategies (i.e., contain and isolate; train and equip), we could begin reducing public expectations now.

Attachment

Tab A Briefing to the President

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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20504

3808
LIMITED ACCESS

May 17, 1999

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

FROM: GREG SCHULTE *MS*
SUBJECT: Next Steps on Kosovo

I attach the memorandum to the President that you requested last night on this subject. I would appreciate your guidance on its content and direction, and whether you would like any parts to be further developed.

RECOMMENDATION

That you sign the attached memorandum.

Attachments

Tab I Memorandum for the President
Tab A Two Memoranda from Richard Holbrooke

~~SECRET~~

Reason: 1.5 (a), (d)
Declassify On: May 17, 2009

DECLASSIFIED
E.O. 13526
White House Guidelines, May 16, 2017
By *VR* NARA, Date *5/6/2024*
208-094-F-3

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
005. memo	For the President from Samuel Berger. Subject: Next Steps on Kosovo. [Record ID: 9903808] [Duplicate of rs1039_001, (1.34, 2014-0547-M)] (5 pages)	5/17/1999	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
Kosovo Office (Schulte, Gregory)
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FOLDER TITLE:

POTUS - Way Ahead [1]

2008-0994-F
vz6353

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]
- 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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REVISED AND UPDATED: May 1, 1999

MEMORANDUM TO: The Secretary of State
The National Security Advisor

SUBJECT: Some Thoughts about Slobodan Milosevic

1. Has he lost his mind? Recent Serb behavior is so extreme, erratic and stupid that it raises questions--admittedly of a highly speculative nature--about the stability of Milosevic. Until now, while often reprehensible, his behavior was coolly and cruelly calculating. It no longer is. Recent actions, especially the bizarre reversals in the refugee flow, suggest an increasingly (but not wholly) irrational pattern. Perhaps this is driven by rage and early signs of desperation--a sense that he has trapped himself.

His goals at the time of Dayton were clear: he would throw the Bosnian and Croatian Serbs over the side of his boat, and work out a deal acceptable to us on Bosnia, in order to bring Yugoslavia back into the community of civilized European nations. His personal high point was surely the ceremonies at the Elysee Palace, when he was treated with some degree of respect as an equal member of the Dayton process, and talked face to face with Presidents Clinton and Chirac, Kohl and other world leaders. Proud of his background as a banker who had negotiated with some of the leading money center bankers in the world, he foresaw international recognition for his regime, membership in the major international institutions, and substantial business opportunities.

At first he made real progress toward these goals. Most of the EU recognized Yugoslavia over our objections. The Italians and Greeks made a grotesque deal with him for a large stake in the state telecom company, netting Milosevic \$1 billion in cash, money he could use to pay the army, bribe people, and perhaps move partly off-shore for his own uses and future protection. In 1996-97 the United States and the Contact Group offered him a "road map" in which, in return for implementation of Dayton, he would get the "outer wall" sanctions lifted or suspended on a rolling basis.

This policy was well underway when it was derailed by Kosovo. His dreams for rejoining Europe as a full-fledged and accepted member are now gone forever.

As this realization sinks in, I suspect that it will significantly affect Milosevic. He will never again be the man of Dayton, the Elysee, and the road map--and he surely knows it. He is will never again eat the Packy's All-Sports Bar in Dayton, or even be able to leave his country without risking arrest. Milosevic must realize that he has crossed an invisible line and cannot get back again. Trapped by the enormity of what his forces have done, at his instructions, he is isolated for the rest of his days inside Yugoslavia.

DECLASSIFIED

PER E.O. 13526

2014-0547-M (1.24)

2/27/2017 KBH

With this bleak prospect facing him--one I suspect he is beginning to understand--his behavior has shown far less of its previous cleverness or tactical flexibility--not, at least, until he released the three American POWs to Jesse Jackson. Although both General Anderson and I told him and his senior generals that the bombing would be "swift, severe, and sustained," it is quite possible (as Jim O'Brien suggested during our trip) that he thought it would be something along the lines of Desert Fox--short and survivable. Now that he realizes the extraordinary level of destruction his country faces, he must also begin to realize that he cannot survive long enough to re-build Yugoslavia's economy, that the international community will never give Belgrade financial assistance until he is removed, and that he will probably lose power either during or after the bombing ends.

Perhaps for this reason Milosevic has pursued a policy in Kosovo that will cause the Albanians the maximum pain in the shortest possible time frame, but surely doom him in the long term. It is one of the theses of this memorandum that he understands what he has done, and has embarked on this policy even though, at some level, he knows he cannot survive it.

Although it may not have been a conscious policy, he seems to have decided to destroy the Albanians as fast as possible; no more creeping repression from Belgrade, just real, all-out murderous ethnic cleansing. Have deeply hostile psychological factors in his make-up taken over from his rational sense? He never showed any remorse or concern for human suffering, which takes place far from his clean and isolated presidential palaces and villas. The Milosevic we negotiated with, while dangerous and cruel, was rational. The behavior of the man who launched Operation Horseshoe is not. The fact that both his parents committed suicide may be particularly relevant now. It is my guess that Milosevic will not survive these events, that one way or another he will not only fall, but die as a result. This does not, however, answer the critical questions of when and how.

2. What About His Associates? The men around him are not strong or courageous. While they all owe their current positions to Milosevic, many of them have told Chris Hill, Wes Clark, and me over the years that they held views different from those of their leader. At times each tried to suggest to us that he held "softer," more reasonable views than Milosevic.

In the end, facing the abyss, almost all of them would seek to save their own skins. Whatever their individual views on the sacredness of Serb soil in Kosovo, they are not likely to be ready to sacrifice themselves on the altar of Prince Lazar. I believe that the early signs of dissension within Serb ranks (and with Montenegro) are real, and probably reflect even greater unhappiness than we are aware of. This may be an exploitable opportunity, but must be handled with extreme care and confidentiality.

ADDITION ON MAY 1:

In rereading this memo, which was written in great haste, I realize that I omitted a critical caveat regarding Milosevic, and thereby may have left a misleading impression of my view as to what he might do.

The fact is that it is impossible to predict what Milosevic will do. Broadly speaking, he faces two choices: first, try to survive and perhaps even retain power through a negotiation; or second, hold to his current position (with relatively minor adjustments) no matter what happens, thus assuring his ultimate destruction. The key rests inside his own head, where no one can go. We cannot discount the possibility that, if he feels he is doomed anyway, he may choose to take as many Albanians with him, while disregarding the suffering of the Serb people. (This was how Hitler reacted when he realized that the war was lost: kill as many Jews as possible and the hell with the destruction of Germany itself.)

On the other hand, if his associates, including the military, understand that they can bring the war to an end by removing Milosevic, they may be willing to act. It is therefore critical that those with the power to remove or undermine Milosevic understand that if they act, they will receive a receptive response from NATO and Washington.

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April 20, 1999

MEMORANDUM FOR: THE SECRETARY OF STATE
THE NATIONAL SECURITY ADVISOR
THE SECRETARY OF DEFENSE

FROM: RICHARD HOLBROOKE

SUBJECT: KOSOVO: NEXT STEPS

As the bombing ends its fourth week, allow me to offer some thoughts on the choices that lie before us:

PART ONE: His Choices, Our Choices

I. Sloba's Choices. While we control the bombing, Milosevic controls the timing and nature of the first political/diplomatic response. However, none of his options are attractive:

--First choice: he refuses to blink--and continues his current defiance of NATO;

--Second choice: he accepts our terms, in effect, surrendering--or else is replaced by a group who accept our position;

--Third choice: having emptied most of Kosovo of Albanians, Milosevic announces that he is ready to negotiate and makes a half-serious offer in an effort to split the Alliance and the Contact Group.

II. Our Choices--keyed to his three choices:

1. In the event that Belgrade continues to stand up to the air campaign: We have three courses, broadly speaking:

--end the bombing without achieving our objectives. Result: Milosevic wins.

--send ground troops to Yugoslavia in a "non-permissive environment"--that is, invade and occupy at least part of Yugoslavia. Result: Potentially open-ended conflict and hostile occupation of large portion of Yugoslavia.

--continue to bomb. This leaves the situation unresolved--in effect, taking us back to the starting point of this memo.

If the Administration wishes to avoid being pushed by events into either defeat or invasion, the bombing must intensify--and continue until the Serbs change their position, preferably by changing their leader.

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2/27/2017 KBN

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2. In the event that Belgrade accepts our terms or loses power, then we achieve our objectives. Result: We win.

3. In the event that Milosevic makes a semi-serious offer that still falls short of our core goals, we will face some complicated decisions which could strain relations with our Contact Group and NATO colleagues:

--Should we negotiate with Milosevic at all? Dayton may have been a deal with the devil, but it ended a war on acceptable terms. Milosevic kept enough of his word, especially regarding no NATO/American casualties in Bosnia, so as to justify continued dealings with him. But at the same time he was re-legitimized and re-empowered politically, and he then strengthened his economy with big international deals.

--But after Kosovo he is not the same person he was after Dayton. Whatever the details of an agreement, his sole goals will be to retain power, retain Kosovo, and avoid punishment for his own deeds. Can we allow that after Kosovo? Can Milosevic, the most disruptive person in Europe in half a century, become the co-guarantor of Kosovo's future?

--After the war is over, the world is going to demand justice. There will be widespread public opposition to any deal, no matter how good, that leaves Milosevic in power. This time, the War Crimes Tribunal will need to be satisfied. We will not be able to let indicted war criminals run loose, as is the case with Karadzic and Mladic. And I assume that Louise Arbour will indict Milosevic.

Our real goal: Regime change. Our real goal, whether stated or not, must be a change in the leadership of Yugoslavia. While there is no hard information that suggests such an outcome, we should not preclude it. I have an instinct that Milosevic is finished, but cannot foresee how or when¹.

--Nothing in wartime is more difficult than effecting a regime change. Even Churchill ignored several promising opportunities to help anti-Hitler plotters. Milosevic, however, runs a "soft dictatorship," more like Marcos than Saddam or Ceaucescu. The Serbs are not the North Vietnamese or the Iraqis; Milosevic is not popular and Serb unity, while it may exist at the moment, is not a long-term Serb thing. The men around him might look for ways to distance themselves from him; one way to do this would be to re-open lines of communication with Western officials. However, it would require the active support of the Army and some powerful business interests to remove him. There is also the danger

¹ See separate memorandum, "Has Milosevic Lost His Mind?"

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that he might be replaced, at least at the outset, by an even harder line ultra-nationalist, but that is a risk worth taking.

While Milosevic's departure from power is the optimum outcome, policy must be based on the likelihood that he cannot be dislodged, at least not in the time frame we seek, and it may therefore become necessary to negotiate with his regime once again. Thus the current Administration position of remaining vague on the issue in public is correct.

If negotiating with him or a regime he still controls is unavoidable, here are some important considerations:

A. Bombing must continue while the discussions take place. Milosevic is certain to try to link the opening of talks to the cessation of bombing². The Russians and perhaps some of our NATO allies will support him, but we must be unyielding.

B. Should the talks be with Milosevic, or with a subordinate? We do not wish to enhance his stature by sitting down with him again, but as long as he is in power only he can actually make a deal. Nonetheless, it would be preferable to deal with other people, if possible--including close subordinates who might look for ways to save themselves.

C. Where should talks be held? Milosevic will never leave Yugoslavia again, for fear that he will either be arrested by the War Crimes Tribunal or overthrown while he is away. So direct talks with him would have to be in Belgrade while NATO is bombing--not a good arrangement.

D. Who should conduct these talks? We are, as usual, constrained by Alliance and Contact Group politics. We cannot exclude our partners, yet we cannot conduct a serious negotiation if they participate on an equal basis. A conference can be formally co-chaired by the United States, Russia and a single EU representative, but real negotiations must be conducted in private--without the press watching every step--by the United States, which can keep the others informed. The planes are mostly ours; same with the negotiations.

--It seems likely Milosevic will offer to negotiate with someone other than the United States--the Russians, Kofi Annan, Carl Bildt, the Greeks, the Ukrainians, the Chinese, etc. If he succeeds in such a ploy, we would be allowing other parties to determine what the air war was for--that is,

² The exact position the North Vietnamese took in 1965-68, incidentally.

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what our war aims are. This strikes me as unthinkable.

E. Where? This time around, the United States is probably out. France, which had its shot and botched it badly, should not be given a second chance. Moscow will surely offer its lovely hotels and conference rooms, but that would be absurd. Geneva reeks of history's failures, and it is virtually impossible to keep the press and the international community out of the way. A remote place somewhere in Europe that can be sealed off and controlled would have to be found.

--Given these considerations, my recommendation is that any talks with the Yugoslav government be conducted not with Milosevic, but outside Yugoslavia with empowered subordinates, while we continue to look for ways to undermine him or encourage his removal.

PART TWO: War Aims

NATO has been criticized for lack of clarity or precision about the purposes of the bombing. But this is neither surprising nor troubling in the early stages of such a fluid situation. War aims often evolve as facts on the ground change. In this case, the original stated aims of the bombing had to change once the atrocities became apparent.

The current statements of our goals seems correct to me. We should continue to stress the three most urgent: the refugees go home; the Yugoslav security forces leave; and an international security force moves into Kosovo in a permissive environment. In turn, the KLA must agree to a cease-fire. (Disarming them, a key part of Rambouillet, will be a more difficult matter.)

Of course, Milosevic's proposals will fall far short of these goals. He will seek conditions that discourage refugee return; insist on leaving some of his security and border forces and offer to return to either the October or the Rambouillet levels; and oppose any international security force, then offer to allow one that has no NATO troops. All these ploys, and others too numerous to anticipate, should be rejected.

As for the political issues, which are more complex, we are unlikely to settle them in the first phase of negotiations, although we should try to make as much progress as possible. Rambouillet will no longer satisfy the KLA, which is now in substantial control of the Kosovar political situation. But most of the principles of Rambouillet are still valid, and should be part of the general framework agreement that accompanies the end of the bombing.

PART THREE: The Post-bombing Status of Kosovo and other Considerations.

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The post-bombing status of Kosovo might be a Trusteeship, under Chapter VII authority from the UN Security Council. This would not formally change the international status of Kosovo as part of Yugoslavia, but it would remove it from the political control of Belgrade for a specified period of time. Partition of Kosovo strikes me as a bad idea, but I would not rule out completely the possibility of dividing Kosovo into different zones of temporary control, along the lines of the West Bank agreements.

Humanitarian Issues. The dimensions of this problem defy quantification at this early date, when we still do not know precisely what has happened inside Kosovo. But already we know that it will be far beyond anything Europe has seen since 1945:

--Housing and infrastructure have been destroyed. The rural population will not be able to re-establish itself before the planting season. Farm animals and wells have been destroyed. Winter is less than six months away. The costs will be staggering, higher than the highest current estimate. The international community will probably have to provide temporary housing for about one million people through the winter of 1999-2000, then provide security and a reconstruction program for years to come--an extraordinarily sad way, incidentally, to usher in the brave new millennium.

--Given this situation, we should consider immediately establishing a special high-level coordinator for humanitarian assistance in Kosovo, with authority to cut across interagency lines.

Regional Issues. The rest of the region will also need more attention, which will also be expensive. But the alternative is further instability and, ultimately, risks of further wars. Albania and Macedonia are, in different ways, close to the edge, and need immediate help far beyond what they are getting. The other near neighbors, plus Montenegro, have paid a huge price for the crisis, and also need assistance. And Bosnia must remain at the top of our agenda, since a setback there would raise questions about our entire policy.

Looking further down the road, there will also be a need to help with reconstruction within non-Kosovo Yugoslavia. It is clearly premature to think of helping the Serbs, yet in the long run building a viable, democratic Serbia is an essential goal for the European Union, Russia, and the United States.

Russia. The Russians seem to have realized that they should not let their own future be tied to the actions of a man who does not give a damn about them. The Secretary's successful Oslo talks, and the fact that the Russians have left their troops in Bosnia, are indications that Moscow is looking for ways to keep the strains within acceptable--and primarily rhetorical--limits, while dealing

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with its domestic opponents who are exploiting the issue.

While we need to work closely with Moscow, it is a dream to think they will bail us out. In fact, giving them a central role in a negotiation would probably backfire, because they would support compromises that would be unacceptable to us. Our public rejection of these proposals could then increase the strain between us. In short, we should keep in constant and close communication with Moscow, but not let them become deeply involved in a serious negotiation--for the sake of the U.S.-Russian relationship.

PART FOUR: Ground Troops.

We have been outmaneuvered by our critics on this issue, primarily because of three factors: first, the widespread theory that air campaigns alone never succeed; second, the general impatience of the public and the press; and third, the ability of Administration critics, especially Senator McCain, to hammer NATO for "not even having a plan."

The theory (almost universally held by the chattering classes and the Sunday pundits) that the air campaign has failed is not proven. While there are definitely limits to what air power alone can accomplish, it is too early to conclude that this campaign will not achieve its objectives, especially given the campaign's slow start. Comparisons are useful but can be misleading: in Vietnam most of the bombs fell in rural areas, and the economy was far less vulnerable to targeted bombing. In fact, there are already signs that the bombing is beginning to affect the thinking of business and leadership elements. Premature obituaries for the bombing will only drive the policy into a rush to a ground troop invasion--a step of historic import.

As for ground troops, our critics scored an easy point without having to support an invasion by hammering the lack of a plan. This has left the impression that we are opposed to rational and prudent planning. Yet a plan does not commit anyone; it is simply planning.

In fact, planning might highlight the costs and dangers of sending troops into Kosovo in a "non-permissive environment." Few advocates of sending ground troops into Kosovo have examined the potential costs and consequences of such a decision, which would be the most fateful any American President has taken since June-July 1965, when, after a week of intense secret debate, Lyndon Johnson told the American public that he would send 75,000 combat ground troops to Vietnam. Throughout the spring of 1965, Johnson had refused to discuss honestly with the Congress and the American public the situation, although the air war against North Vietnam had started in February. Before June, he literally tried to sneak military units into Vietnam under the fiction that they were not going into combat but merely protecting the air bases. All in all,

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it was probably the most devious act of any President in our time, with the most adverse consequences (including the beginning of an inflationary spiral at home.)

This is not, of course, an argument against the NATO-led peace-keeping force: one way or another, there will almost certainly be NATO ground troops in Kosovo later this year. And once there, they will stay a long time. But everything depends on whether they enter by invitation, along the lines of Dayton, with the formal agreement of the national authority in Belgrade--or whether they enter as an invasion force which will then become an occupation force. Talk about something in between a "permissive" and "non-permissive" force is wishful thinking; in the real world the troops are either invited in--which means low or no casualties--or they have to fight their way in. If they invade, they will not be able to stop in Kosovo; given the realities of the situation, they will have to pursue Serb forces deep into the rest of Serbia and Montenegro, perhaps as far as Belgrade itself. Under the permissive scenario, they should be able to restrict themselves to Kosovo (as well as Macedonia, Albania and perhaps Montenegro), and take low casualties as in Bosnia.

An invasion can, of course, succeed, but only at substantial cost. NATO is far too powerful, and the Serbs far too weak, to repel an invasion. If we undertake such a policy, we will surely prevail. But it could mean serious casualties, and at the end of the process NATO will "own" Yugoslavia, Albania, and Macedonia just as surely as the World War II victors owned Germany and Japan. They will have to occupy the land and defend themselves against possible attacks, including Somalia and Beirut-style terrorism. To be sure, even without an invasion NATO will be in the region for the indefinite future. But how they enter makes a huge difference. To put it somewhat melodramatically, will it be Dayton or D-Day?

PART FIVE: Summation

To summarize:

- Our most important goal should be to encourage a regime change.
- If that is not achieved before Milosevic makes a credible negotiating offer, then we should negotiate with someone other than him, in a site outside Yugoslavia.
- If Belgrade does not make a credible negotiating offer, we should intensify the bombing until it does.
- Bombing should continue during the negotiations.
- We should not compromise on our three core goals, but defer most political issues for a later date if necessary.
- We should make plans for a ground troop invasion of Kosovo, but recognize that it is a step from which there may be no exit.
- The planning effort should be made known to the public so as

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to allow its effect to be felt in Belgrade--and its costs and risks understood publicly.

--We should do more to deal with the worst humanitarian crisis Europe has seen since 1945, recognizing that it will get even worse once we gain access to Kosovo itself.

--We should start planning for trusteeship or protectorate status for Kosovo, and obtain full Contact Group endorsement for this general concept, without getting bogged down in the details.

To mention a few other important issues not covered in this memo:

--More economic pressure on Yugoslavia--as quickly as possible;

--More public information to reach the Serbs about what their troops are really doing in Kosovo: this is the area of greatest current urgency;

--Set up a separate operation for KLA handling; it is currently in danger of becoming an orphan of our policy, yet it will be critical.

--Finally, there is the question of justice. For some, especially the Kosovar Albanians, this will also be a search for revenge. We should not underestimate the anger that will exist after the war. Not only should we re-double our efforts on behalf of the War Crimes Tribunal now, but we must anticipate even greater demands for justice later. There will be fierce criticism of any negotiation with Milosevic, no matter what the deal. The world will demand justice for Milosevic after the war, if he is still alive.

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REVISED AND UPDATED: May 1, 1999

MEMORANDUM TO: The Secretary of State
The National Security Advisor

SUBJECT: Some Thoughts about Slobodan Milosevic

1. Has he lost his mind? Recent Serb behavior is so extreme, erratic and stupid that it raises questions--admittedly of a highly speculative nature--about the stability of Milosevic. Until now, while often reprehensible, his behavior was coolly and cruelly calculating. It no longer is. Recent actions, especially the bizarre reversals in the refugee flow, suggest an increasingly (but not wholly) irrational pattern. Perhaps this is driven by rage and early signs of desperation--a sense that he has trapped himself.

His goals at the time of Dayton were clear: he would throw the Bosnian and Croatian Serbs over the side of his boat, and work out a deal acceptable to us on Bosnia, in order to bring Yugoslavia back into the community of civilized European nations. His personal high point was surely the ceremonies at the Elysee Palace, when he was treated with some degree of respect as an equal member of the Dayton process, and talked face to face with Presidents Clinton and Chirac, Kohl and other world leaders. Proud of his background as a banker who had negotiated with some of the leading money center bankers in the world, he foresaw international recognition for his regime, membership in the major international institutions, and substantial business opportunities.

At first he made real progress toward these goals. Most of the EU recognized Yugoslavia over our objections. The Italians and Greeks made a grotesque deal with him for a large stake in the state telecom company, netting Milosevic \$1 billion in cash, money he could use to pay the army, bribe people, and perhaps move partly off-shore for his own uses and future protection. In 1996-97 the United States and the Contact Group offered him a "road map" in which, in return for implementation of Dayton, he would get the "outer wall" sanctions lifted or suspended on a rolling basis.

This policy was well underway when it was derailed by Kosovo. His dreams for rejoining Europe as a full-fledged and accepted member are now gone forever.

As this realization sinks in, I suspect that it will significantly affect Milosevic. He will never again be the man of Dayton, the Elysee, and the road map--and he surely knows it. He will never again eat the Packy's All-Sports Bar in Dayton, or even be able to leave his country without risking arrest. Milosevic must realize that he has crossed an invisible line and cannot get back again. Trapped by the enormity of what his forces have done, at his instructions, he is isolated for the rest of his days inside Yugoslavia.

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PER E.O. 13526

2014-0547-M (1.24)

2/27/2017 KBH

With this bleak prospect facing him--one I suspect he is beginning to understand--his behavior has shown far less of its previous cleverness or tactical flexibility--not, at least, until he released the three American POWs to Jesse Jackson. Although both General Anderson and I told him and his senior generals that the bombing would be "swift, severe, and sustained," it is quite possible (as Jim O'Brien suggested during our trip) that he thought it would be something along the lines of Desert Fox--short and survivable. Now that he realizes the extraordinary level of destruction his country faces, he must also begin to realize that he cannot survive long enough to re-build Yugoslavia's economy, that the international community will never give Belgrade financial assistance until he is removed, and that he will probably lose power either during or after the bombing ends.

Perhaps for this reason Milosevic has pursued a policy in Kosovo that will cause the Albanians the maximum pain in the shortest possible time frame, but surely doom him in the long term. It is one of the theses of this memorandum that he understands what he has done, and has embarked on this policy even though, at some level, he knows he cannot survive it.

Although it may not have been a conscious policy, he seems to have decided to destroy the Albanians as fast as possible; no more creeping repression from Belgrade, just real, all-out murderous ethnic cleansing. Have deeply hostile psychological factors in his make-up taken over from his rational sense? He never showed any remorse or concern for human suffering, which takes place far from his clean and isolated presidential palaces and villas. The Milosevic we negotiated with, while dangerous and cruel, was rational. The behavior of the man who launched Operation Horseshoe is not. The fact that both his parents committed suicide may be particularly relevant now. It is my guess that Milosevic will not survive these events, that one way or another he will not only fall, but die as a result. This does not, however, answer the critical questions of when and how.

2. What About His Associates? The men around him are not strong or courageous. While they all owe their current positions to Milosevic, many of them have told Chris Hill, Wes Clark, and me over the years that they held views different from those of their leader. At times each tried to suggest to us that he held "softer," more reasonable views than Milosevic.

In the end, facing the abyss, almost all of them would seek to save their own skins. Whatever their individual views on the sacredness of Serb soil in Kosovo, they are not likely to be ready to sacrifice themselves on the altar of Prince Lazar. I believe that the early signs of dissension within Serb ranks (and with Montenegro) are real, and probably reflect even greater unhappiness than we are aware of. This may be an exploitable opportunity, but must be handled with extreme care and confidentiality.

ADDITION ON MAY 1:

In rereading this memo, which was written in great haste, I realize that I omitted a critical caveat regarding Milosevic, and thereby may have left a misleading impression of my view as to what he might do.

The fact is that it is impossible to predict what Milosevic will do. Broadly speaking, he faces two choices: first, try to survive and perhaps even retain power through a negotiation; or second, hold to his current position (with relatively minor adjustments) no matter what happens, thus assuring his ultimate destruction. The key rests inside his own head, where no one can go. We cannot discount the possibility that, if he feels he is doomed anyway, he may choose to take as many Albanians with him, while disregarding the suffering of the Serb people. (This was how Hitler reacted when he realized that the war was lost: kill as many Jews as possible and the hell with the destruction of Germany itself.)

On the other hand, if his associates, including the military, understand that they can bring the war to an end by removing Milosevic, they may be willing to act. It is therefore critical that those with the power to remove or undermine Milosevic understand that if they act, they will receive a receptive response from NATO and Washington.

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April 20, 1999

MEMORANDUM FOR: THE SECRETARY OF STATE
THE NATIONAL SECURITY ADVISOR
THE SECRETARY OF DEFENSE

FROM: RICHARD HOLBROOKE

SUBJECT: KOSOVO: NEXT STEPS

As the bombing ends its fourth week, allow me to offer some thoughts on the choices that lie before us:

PART ONE: His Choices, Our Choices

I. Sloba's Choices. While we control the bombing, Milosevic controls the timing and nature of the first political/diplomatic response. However, none of his options are attractive:

--First choice: he refuses to blink--and continues his current defiance of NATO;

--Second choice: he accepts our terms, in effect, surrendering--or else is replaced by a group who accept our position;

--Third choice: having emptied most of Kosovo of Albanians, Milosevic announces that he is ready to negotiate and makes a half-serious offer in an effort to split the Alliance and the Contact Group.

II. Our Choices--keyed to his three choices:

1. In the event that Belgrade continues to stand up to the air campaign: We have three courses, broadly speaking:

--end the bombing without achieving our objectives. Result: Milosevic wins.

--send ground troops to Yugoslavia in a "non-permissive environment"--that is, invade and occupy at least part of Yugoslavia. Result: Potentially open-ended conflict and hostile occupation of large portion of Yugoslavia.

--continue to bomb. This leaves the situation unresolved--in effect, taking us back to the starting point of this memo.

If the Administration wishes to avoid being pushed by events into either defeat or invasion, the bombing must intensify--and continue until the Serbs change their position, preferably by changing their leader.

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2. In the event that Belgrade accepts our terms or loses power, then we achieve our objectives. Result: We win.

3. In the event that Milosevic makes a semi-serious offer that still falls short of our core goals, we will face some complicated decisions which could strain relations with our Contact Group and NATO colleagues:

--Should we negotiate with Milosevic at all? Dayton may have been a deal with the devil, but it ended a war on acceptable terms. Milosevic kept enough of his word, especially regarding no NATO/American casualties in Bosnia, so as to justify continued dealings with him. But at the same time he was re-legitimized and re-empowered politically, and he then strengthened his economy with big international deals.

--But after Kosovo he is not the same person he was after Dayton. Whatever the details of an agreement, his sole goals will be to retain power, retain Kosovo, and avoid punishment for his own deeds. Can we allow that after Kosovo? Can Milosevic, the most disruptive person in Europe in half a century, become the co-guarantor of Kosovo's future?

--After the war is over, the world is going to demand justice. There will be widespread public opposition to any deal, no matter how good, that leaves Milosevic in power. This time, the War Crimes Tribunal will need to be satisfied. We will not be able to let indicted war criminals run loose, as is the case with Karadzic and Mladic. And I assume that Louise Arbour will indict Milosevic.

Our real goal: Regime change. Our real goal, whether stated or not, must be a change in the leadership of Yugoslavia. While there is no hard information that suggests such an outcome, we should not preclude it. I have an instinct that Milosevic is finished, but cannot foresee how or when¹.

--Nothing in wartime is more difficult than effecting a regime change. Even Churchill ignored several promising opportunities to help anti-Hitler plotters. Milosevic, however, runs a "soft dictatorship," more like Marcos than Saddam or Ceausescu. The Serbs are not the North Vietnamese or the Iraqis; Milosevic is not popular and Serb unity, while it may exist at the moment, is not a long-term Serb thing. The men around him might look for ways to distance themselves from him; one way to do this would be to re-open lines of communication with Western officials. However, it would require the active support of the Army and some powerful business interests to remove him. There is also the danger

¹ See separate memorandum, "Has Milosevic Lost His Mind?"

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that he might be replaced, at least at the outset, by an even harder line ultra-nationalist, but that is a risk worth taking.

While Milosevic's departure from power is the optimum outcome, policy must be based on the likelihood that he cannot be dislodged, at least not in the time frame we seek, and it may therefore become necessary to negotiate with his regime once again. Thus the current Administration position of remaining vague on the issue in public is correct.

If negotiating with him or a regime he still controls is unavoidable, here are some important considerations:

A. Bombing must continue while the discussions take place. Milosevic is certain to try to link the opening of talks to the cessation of bombing². The Russians and perhaps some of our NATO allies will support him, but we must be unyielding.

B. Should the talks be with Milosevic, or with a subordinate? We do not wish to enhance his stature by sitting down with him again, but as long as he is in power only he can actually make a deal. Nonetheless, it would be preferable to deal with other people, if possible--including close subordinates who might look for ways to save themselves.

C. Where should talks be held? Milosevic will never leave Yugoslavia again, for fear that he will either be arrested by the War Crimes Tribunal or overthrown while he is away. So direct talks with him would have to be in Belgrade while NATO is bombing--not a good arrangement.

D. Who should conduct these talks? We are, as usual, constrained by Alliance and Contact Group politics. We cannot exclude our partners, yet we cannot conduct a serious negotiation if they participate on an equal basis. A conference can be formally co-chaired by the United States, Russia and a single EU representative, but real negotiations must be conducted in private--without the press watching every step--by the United States, which can keep the others informed. The planes are mostly ours; same with the negotiations.

--It seems likely Milosevic will offer to negotiate with someone other than the United States--the Russians, Kofi Annan, Carl Bildt, the Greeks, the Ukrainians, the Chinese, etc. If he succeeds in such a ploy, we would be allowing other parties to determine what the air war was for--that is,

² The exact position the North Vietnamese took in 1965-68, incidentally.

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what our war aims are. This strikes me as unthinkable.

E. Where? This time around, the United States is probably out. France, which had its shot and botched it badly, should not be given a second chance. Moscow will surely offer its lovely hotels and conference rooms, but that would be absurd. Geneva reeks of history's failures, and it is virtually impossible to keep the press and the international community out of the way. A remote place somewhere in Europe that can be sealed off and controlled would have to be found.

--Given these considerations, my recommendation is that any talks with the Yugoslav government be conducted not with Milosevic, but outside Yugoslavia with empowered subordinates, while we continue to look for ways to undermine him or encourage his removal.

PART TWO: War Aims

NATO has been criticized for lack of clarity or precision about the purposes of the bombing. But this is neither surprising nor troubling in the early stages of such a fluid situation. War aims often evolve as facts on the ground change. In this case, the original stated aims of the bombing had to change once the atrocities became apparent.

The current statements of our goals seems correct to me. We should continue to stress the three most urgent: the refugees go home; the Yugoslav security forces leave; and an international security force moves into Kosovo in a permissive environment. In turn, the KLA must agree to a cease-fire. (Disarming them, a key part of Rambouillet, will be a more difficult matter.)

Of course, Milosevic's proposals will fall far short of these goals. He will seek conditions that discourage refugee return; insist on leaving some of his security and border forces and offer to return to either the October or the Rambouillet levels; and oppose any international security force, then offer to allow one that has no NATO troops. All these ploys, and others too numerous to anticipate, should be rejected.

As for the political issues, which are more complex, we are unlikely to settle them in the first phase of negotiations, although we should try to make as much progress as possible. Rambouillet will no longer satisfy the KLA, which is now in substantial control of the Kosovar political situation. But most of the principles of Rambouillet are still valid, and should be part of the general framework agreement that accompanies the end of the bombing.

PART THREE: The Post-bombing Status of Kosovo and other Considerations.

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The post-bombing status of Kosovo might be a Trusteeship, under Chapter VII authority from the UN Security Council. This would not formally change the international status of Kosovo as part of Yugoslavia, but it would remove it from the political control of Belgrade for a specified period of time. Partition of Kosovo strikes me as a bad idea, but I would not rule out completely the possibility of dividing Kosovo into different zones of temporary control, along the lines of the West Bank agreements.

Humanitarian Issues. The dimensions of this problem defy quantification at this early date, when we still do not know precisely what has happened inside Kosovo. But already we know that it will be far beyond anything Europe has seen since 1945:

--Housing and infrastructure have been destroyed. The rural population will not be able to re-establish itself before the planting season. Farm animals and wells have been destroyed. Winter is less than six months away. The costs will be staggering, higher than the highest current estimate. The international community will probably have to provide temporary housing for about one million people through the winter of 1999-2000, then provide security and a reconstruction program for years to come--an extraordinarily sad way, incidentally, to usher in the brave new millennium.

--Given this situation, we should consider immediately establishing a special high-level coordinator for humanitarian assistance in Kosovo, with authority to cut across interagency lines.

Regional Issues. The rest of the region will also need more attention, which will also be expensive. But the alternative is further instability and, ultimately, risks of further wars. Albania and Macedonia are, in different ways, close to the edge, and need immediate help far beyond what they are getting. The other near neighbors, plus Montenegro, have paid a huge price for the crisis, and also need assistance. And Bosnia must remain at the top of our agenda, since a setback there would raise questions about our entire policy.

Looking further down the road, there will also be a need to help with reconstruction within non-Kosovo Yugoslavia. It is clearly premature to think of helping the Serbs, yet in the long run building a viable, democratic Serbia is an essential goal for the European Union, Russia, and the United States.

Russia. The Russians seem to have realized that they should not let their own future be tied to the actions of a man who does not give a damn about them. The Secretary's successful Oslo talks, and the fact that the Russians have left their troops in Bosnia, are indications that Moscow is looking for ways to keep the strains within acceptable--and primarily rhetorical--limits, while dealing

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with its domestic opponents who are exploiting the issue.

While we need to work closely with Moscow, it is a dream to think they will bail us out. In fact, giving them a central role in a negotiation would probably backfire, because they would support compromises that would be unacceptable to us. Our public rejection of these proposals could then increase the strain between us. In short, we should keep in constant and close communication with Moscow, but not let them become deeply involved in a serious negotiation--for the sake of the U.S.-Russian relationship.

PART FOUR: Ground Troops.

We have been outmaneuvered by our critics on this issue, primarily because of three factors: first, the widespread theory that air campaigns alone never succeed; second, the general impatience of the public and the press; and third, the ability of Administration critics, especially Senator McCain, to hammer NATO for "not even having a plan."

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PART FIVE: Summation

To summarize:

- Our most important goal should be to encourage a regime change.
- If that is not achieved before Milosevic makes a credible negotiating offer, then we should negotiate with someone other than him, in a site outside Yugoslavia.
- If Belgrade does not make a credible negotiating offer, we should intensify the bombing until it does.
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--We should do more to deal with the worst humanitarian crisis Europe has seen since 1945, recognizing that it will get even worse once we gain access to Kosovo itself.

--We should start planning for trusteeship or protectorate status for Kosovo, and obtain full Contact Group endorsement for this general concept, without getting bogged down in the details.

To mention a few other important issues not covered in this memo:

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--More public information to reach the Serbs about what their troops are really doing in Kosovo: this is the area of greatest current urgency;

--Set up a separate operation for KLA handling; it is currently in danger of becoming an orphan of our policy, yet it will be critical.

--Finally, there is the question of justice. For some, especially the Kosovar Albanians, this will also be a search for revenge. We should not underestimate the anger that will exist after the war. Not only should we re-double our efforts on behalf of the War Crimes Tribunal now, but we must anticipate even greater demands for justice later. There will be fierce criticism of any negotiation with Milosevic, no matter what the deal. The world will demand justice for Milosevic after the war, if he is still alive.

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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20504

April 6, 1999

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

FROM: GREG SCHULTE *JS*

SUBJECT: Kosovo -- Further Thoughts Looking Head

At your request, I attach a memorandum to the President following today's meeting of NSC Principals.

RECOMMENDATION

That you sign the attached memorandum.

Attachment

Tab I Proposed memorandum to the President

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Reason: 1.5(b,d)

Declassify On: 4/6/09

DECLASSIFIED
E.O. 13526
White House Guidelines, May 16, 2017
By VZ NARA, Date 9/6/2024
2008-0994-F-3

THE WHITE HOUSE
WASHINGTONINFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER

SUBJECT: Kosovo - Further Thoughts Looking Ahead

DECLASSIFIED

PER E.O. 13526

2014-0547-M (1.08)

5/6/2024 v2

Purpose

Today your Foreign Policy Team reflected on the issues that I raised in this morning's memorandum on Kosovo. This note provides further reflections based on our meeting.

RESPONDING TO A MILOSEVIC "PEACE OFFENSIVE"

The "peace offensive" that I wrote about this morning materialized later in the day when Belgrade announced: (1) a unilateral cease-fire to mark Orthodox Easter -- but conditioned on KLA restraint; (2) negotiations toward a political agreement with Dr. Rugova -- though providing for ethnic instead of territorial self-government; and (3) preparation of a refugee return program with the UNHCR and ICRC.

Principals quickly agreed that this announcement was insufficient to meet our conditions, and Secretary General Solana announced this same conclusion after meeting with the NATO Council. Madeleine has agreed with her key allied counterparts to raise publicly a series of questions about Belgrade's announcement, including whether Milosevic is prepared to withdraw his forces from Kosovo and accept an international security presence.

Despite NATO's rapid rejection of Belgrade's announcement, we can expect allied calls for NATO to undertake a diplomatic initiative, particularly if the cease-fire seems to be real. We discussed **two options** for a diplomatic initiative during Orthodox Easter:

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Reason: 1.5(b,d)

Declassify On: 4/6/09

cc: Vice President
Chief of Staff

- a two- or three-night "challenge pause", during which we would insist on a real cease-fire, access for humanitarian relief and acceptance of NATO's conditions; this might be combined with dispatch of an envoy to Belgrade;
- an "goodwill" pause, without any conditions, in respect for Orthodox Easter.

For either option, we would want the allies' agreement that air strikes would resume automatically if our full conditions were not met. We would also want to insist in advance on a strong restatement of our conditions at the meeting of NATO Foreign Ministers that we have requested for Monday, April 12th.

We propose to maintain a public posture of skepticism about Belgrade's "peace offensive" in the coming days. Later this week, we will reconsider options for a NATO initiative. In any event, we would not want to portray a pause in NATO air strikes as a response to a Serb "cease-fire".

THE ENDGAME AND ALTERNATIVE STRATEGIES

While today's announcement fell far short of our conditions, Dick Holbrooke thought that it might indicate some willingness by Milosevic to negotiate, based on a growing realization that NATO was serious in inflicting serious damage. Dick thinks that we will see more forward movement toward our positions as the air strikes continue.

That said, there is still the risk that a loss of allied will or of domestic support will bring air strikes to an end before we achieve an agreement. And we are also conscious of the Vice President's concern that Milosevic will never agree to our conditions, regardless of the damage inflicted by NATO.

After reviewing the alternative strategies described in this morning's memorandum, we were unable to establish a preference. Several of the options - ousting Milosevic, containing and isolating Serbia, and training and equipping the Kosovar Albanians - would delay success as we define it today. However those options that have a greater probability of success - ground operations to enforce a "safe haven" or to "liberate" Kosovo - would carry significant risks and likely lead to a long-term commitment.

A number of observations from our meeting are worth reporting:

- Any strategy that does not allow refugees to return to Kosovo will be seen as a defeat for the United States and NATO.
- If the Kosovars cannot return secure from repression, we should expect a long-term intifada. This will lead to continued violence in Kosovo and growing instability in the region. The KLA will train and equip, whether or not we provide support.
- Prospects for Albanians and Serbs living together in multi-ethnic communities are low after the current violence. Thus any stable solution in Kosovo is likely to involve some form of ethnic partition, whether de facto or de jure.
- Whether we reach an agreement with Milosevic, or adopt an alternate strategy, we should step up our efforts to promote his removal.

I intend to have another meeting of your Foreign Policy Team before coming back to you later this week to discuss our longer-term strategy in the absence of an agreement. In the meantime, we all agree that the best course is the one we are on, particularly in light of the alternatives.

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