

Withdrawal/Redaction Sheet

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| DOCUMENT NO. AND TYPE | SUBJECT/TITLE | DATE | RESTRICTION |
|--------------------------|---|------------|----------------------------------|
| 001a. memo | Summary of Conclusions for Meeting of the NSC Principals Committee [Released in Part] (2 pages) | 01/15/1999 | P1/b(1), P3/b(3) KC 5/11/2011 |
| 001b. memo | [Duplicate of 001a] [Released in Part] (3 pages) | 01/15/1999 | P1/b(1), P3/b(3) KC 5/11/2011 |
| 002a. memo | Greg Schulte to Sandy Berger re: Friday's PC on Kosovo (5 pages) | 01/14/1999 | P1/b(1), P5 |
| 002b. report | Kosovo Strategy [Released in Part] (13 pages) | 01/14/1999 | P1/b(1) VZ 9/11/2023 |

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PC0325 [PC Meeting on Kosovo]

2009-0983-M
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January 14, 1999

Kosovo Strategy

Negotiations on a political settlement in Kosovo are at an impasse and the international community has little leverage over the key parties --Belgrade/Milosevic, the Kosovo Liberation Army, and Rugova's negotiators. Regardless of our efforts, we can expect a continued level of police harassment, KLA provocations and increasingly intense and destabilizing violence over the coming weeks. The essential challenge is to prevent this violence from escalating beyond a point that threatens our basic objectives, undercuts NATO credibility in advance of the summit, and destroys any chance for a political settlement. Our strategy cannot and should not rely on KVM successfully managing a series of crisis along the lines of the recent VJ prisoner situation. There is a high-risk of failure with each such undertaking, the ever-present possibility of escalation and the chance of verifiers being caught in the cross-fire.

Our fundamental strategic objectives remain unchanged:

- Promote regional stability and protect our investment in Bosnia;
- Prevent a resumption of hostilities in Kosovo and a renewed humanitarian crisis;
- Preserve U.S. and NATO credibility.

Building confidence in the negotiating process and in the broader role of the international community in Kosovo is essential to achieving these objectives. We intend to pursue progress on three independent, but inter-connected, tracks to advance prospects for a settlement and reduce the risk of serious violence. **We need to focus energies on:**

- Revitalizing the negotiating process;
- Creating positive change on the ground to build confidence;
- Building leverage on Belgrade and on the KLA.

Implementation of the Strategy

Once approved by the USG, State will present the program to members of the Contact Group plus Norway bilaterally as soon as possible. State will seek formal Contact Group endorsement and approval for immediate

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Per E.O. 13526

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implementation. This will almost certainly require a Contact Group meeting, probably an expert-level meeting followed by a meeting of Political Directors.

Russian can be expected to resist any activity that is not explicit in the OSCE KVM agreement including elections, police, KVM radio, and any XFOR activity. We should outline the proposal to the Russians in advance of Secretary Albright's January visit to Moscow. This will help avoid a log jam with the Russians in the Contact Group.

To be successful, however, this effort will need to be seen as more than a Contact Group proposal. As we work for Contact Group endorsement, we should also reach out to other key European states and continue to work aggressively with OSCE, NATO and KVM contributors to identify resources and build leverage on the parties.

The international community's engagement in Kosovo currently amounts to an unfunded mandate. This cannot be an all-American effort. We will need to engage potential donors in the process early on and push the Europeans to take the lead on program implementation in many areas. Careful coordination among donors will be essential to ensure that adequate resources are available to see the programs through to successful conclusion.

Track I: Revitalize the Negotiations

Chris Hill and EU Representative Petritsch are pressing forward with efforts to strengthen the Kosovo Albanian negotiating team and bring Belgrade and Pristina closer to resolution. There will be a number of opportunities in the weeks ahead to frame the negotiations and advance prospects for a settlement.

Next Steps

- Reinforce Hill team with senior advisors on policing and elections issues (not necessarily Americans).
- Contact Group to host a meeting of all Albanian parties in Vienna within the next two weeks. Hill and Petritsch to determine the timing, venue and invitees.

-- Objective is to broaden the base of the Kosovo Albanian negotiating team and reinforce the ability of the negotiators to compromise on outstanding issues. Keeping up the pressure on the KLA to engage in the negotiating process is critical. Rugova's team will be

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more inclined to move forward if the participants feel less isolated and exposed.

-- Too early to include KLA military commanders in the all-parties meeting, but political representatives -- i.e. "Demaci +1" -- should be invited.

-- U.S. and other CG member states should request the Albanian government also urge Demaci to participate in the conference.

- If the all-parties conference is successful, Hill and Petritsch should move rapidly toward face-to-face or proximity talks between Belgrade's team and a reinforced Kosovo Albanian negotiated team. Target time-frame should be early February.
- If the conference is unsuccessful or inconclusive, Hill and his team will look at options for imposing a solution -- including by circumventing the current Kosovo Albanian leadership.)
- In parallel, KVM head Walker should begin negotiations with Belgrade authorities on side agreements that would support the police training program and elections.

Alternatively, Chris Hill rather than Walker could focus his energies on negotiating the parallel agreements with Milosevic. Some argue that negotiations for an overall political settlement demonstrably cannot succeed in the required timeframe, given the fractiousness of the Albanians and the limited leverage on both sides. Indeed, the effort to obtain a comprehensive agreement may be an active impediment to progress in specific areas because it creates discord and mistrust. Thus, the best course would be to shift our focus to getting Milosevic's agreements on sectoral areas.

Focussing Hill on negotiating more limited agreements would almost necessarily mean putting aside efforts at achieving a larger political settlement. It would also mean a reduced role for the Kosovo Albanian negotiators, as most of the work would be done on a bilateral basis with Belgrade; that would be politically controversial. **A variant** would be to proceed with efforts to convene the all-Albanian meeting, but use it to rally the Albanians behind sectoral activities and reduce the divisive pressure on them for an overall settlement.

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Track II: Creating New Realities in Kosovo

While the negotiating process goes forward, the OSCE, through KVM, and other key parties (including USAID) will begin implementation of specific programs in Kosovo independent of the negotiating process. This will include implementing aspects of the draft settlement proposal that establish a basis for local administration in areas such as education, health care, social services, police, justice, etc.

Ideally, this will be done on the basis of agreement between the parties. Full implementation of programs related to police and justice issues in particular would almost certainly require the conclusion of formal agreements with Belgrade. Elections are another area in which Belgrade's acquiescence is essential. These are also the most critical areas for building confidence in the negotiating process among the Kosovo Albanian population and progress in these areas would demonstrate the advantages of working with the international community to achieve a political solution to the problems of Kosovo.

Even in the absence of agreement, however, we should be prepared to move forward on implementation as far as possible using Walker's personal authority and the authority of the KVM to provide the political support. While protecting the safety of its personnel, KVM should continue to take an active approach to verifying compliance, negotiating confidence-building measures, mediating disputes and using diplomatic tools to prevent and contain violence. To the degree feasible, KVM should aim to broker not only cease-fires when hostilities erupt but pull-backs by combatants from discrete areas of conflict. Verification patrols should follow up to keep these areas "demilitarized."

We should consolidate and focus our limited jump-start initiatives -- police training, civil society, and elections initiatives -- on selected communes with the full spectrum of our initiatives working in tandem. This will maximize the synergy among them and generate political momentum. It is more important to have fewer well-functioning demonstrations early on than to work towards Kosovo-wide coverage many months down the road." Proposals for action in specific program areas are outlined below.

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KVM Ramp-up

Goals

- Broad and intrusive international verification of the cease-fire and Serb security force activities.
- Foster confidence on the ground and an environment conducive to a negotiated solution.
- Maintain a separate USG presence in Kosovo to support Hill, the KVM and other U.S. priorities.

Critical Milestones

- January 12 - open final two regional centers in Pristina and Gnjilane, for a total of five centers.
- January 31 - KVM verifiers should exceed 1,000.
- February 28 - KVM should reach full strength by mid to late February.

-- Note: KVM currently budgeted for a full-strength complement of 1,650 personnel. As Mission grows, we will need to re-evaluate whether this complement is adequate for the task at hand.

Police

Absent formal agreement with Belgrade on police, new "recruits" can accompany KVM police monitors, combining on-the-job training with visibility for the police program. Police monitors and trainees should also deploy to communities targeted for other jump-start initiatives.

Goals

- Establish a locally-based police force representative of the population and responsible to democratically-elected local authorities.
- Reduce abuses by Serbian police against the civilian population.
- Use the build up of local police to achieve additional withdrawal of MUP forces from Kosovo.

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Critical Milestones

- January 27 - Begin implementation of pilot police training program
- By January 31 - All 51 U.S. police verifiers deployed to Kosovo
- February 17 - Pilot Program concludes
- February 14-20 - Identify/Screen candidates for training course
- March 3 - Begin first course for 300-400 recruits
- March 24 - First group of trainees graduates
- By May 5 - 1,000 local police trained and on the job
- By August 4 - 2,700 local police (may require additional firearm training)

Early Local Elections

Goals

- Build civilian confidence in the reality of democratic change.
- Establish local authorities (town councils, mayors) with mandate to implement reconstruction programs, oversee police, etc.
- Lay the groundwork for future elections to institutions established by the political settlement.

Critical Milestones

The timetable below is longer than optimal. But a minimum six months preparation time is required for elections to be fully credible and transparent. In the absence of any progress on an agreement with Belgrade that would allow formal elections to go forward, we should proceed with accelerated local elections on an informal and ad hoc basis. Funding for assistance projects and police training programs should be targeted to support those municipalities in which early elections are held. Benchmarks for a more formal elections procedure should include:

- January 29 - establish Rules and Regulations; Identify offices for which to hold elections
- Mid-February - Begin voter registration process
- March - Complete voter registration. Begin training poll commissions

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- March 15 - International supervisors arrive
- April 15 - Survey of polling sites begins; party/candidate application period ends
- April and May - Voter civic education; training poll commissions; media campaign
- June 30 - Election Day

Press/Public Affairs

Goals

- Establish a KVM Radio station quickly to provide a platform for supporting the cease-fire and progress on a political settlement.
- Foster the development of independent media in Kosovo.

Critical Milestones

- Week of January 11: Norwegian CiO to press Milosevic on frequencies for KVM Radio, as well as for indigenous Kosovo stations.
- January 12 - Complete installation of radio broadcast tower in Montenegro able to reach 70% of Kosovo
- January 15 - Begin negotiations with radio/TV Tirana in Albania on broadcasting a weekly program about KVM's work in Kosovo.
- January 31 - KVM radio to begin broadcasting.
- If frequencies are not granted, KVM should broadcast through the Montenegrin facilities or via satellite
- February -- KVM begins producing radio and TV spots at the studios of the U.S. Information Service in Belgrade for distribution throughout Serbia, including Kosovo, by the ANEM network.

Civil Society Development

Communities selected for this initiative should also be the platforms for other jump-start programs. This initiative has progressed the furthest, enjoys quick turnaround in results, and in the near-term is best funded. Police and elections initiatives should piggy-back on this program.

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Goals

- Engage broadest possible segments of Albanian community to participate in local governance and community improvement through the establishment of up to 120 local governance councils.
- Provide a focus for the activities of elected local officials (town councils, etc.) in project implementation.
- Develop and implement quick-impact projects -- such as health clinic repair, agricultural inputs, or school refurbishing -- with the assistance of international contractors.
- Identify adequate resources to fund 400 projects by the end of May. To date, only \$5.1 million has been allocated for a program that will require an estimated \$15 million in capitalization.

Critical Milestones

- *By January 10* - Deployment of trained international staff to Kosovo;
- *By end of January* - estimated 20 councils established, 10-20 projects underway
- *By end of February* - estimated total of 45 councils established, total of 80 projects underway
- *By end of March* - estimated total of 60 councils established, total of 180 projects underway
- *By end of April* - estimated total of 90 councils established, total of 270 projects underway
- *By end of May* - estimated total of 120 councils established, total of 400 projects underway

Humanitarian Initiatives

Goals

- Ensure that aid agencies are able to maintain their ability to address humanitarian needs.
- Build up adequate stockpiles to prepare for a possible upsurge in violence/large number of IDPs.
- Promote IDP/refugee returns to places of origin.

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Critical Milestones

- *January* - Secure Presidential approval for \$25 million drawdown of Emergency Refugee and Migration Assistance Account to fund UN and NGO efforts.
- *January* - Respond to the UN Consolidated Appeal for former Yugoslavia, including UNHCR, WFP, and other International Organizations.
- *Ongoing* - Press Europeans and other donor countries to provide funding to UN agencies and NGOs.

Human Rights

Goals

- Significant improvement in the human rights environment in Kosovo.
- Ensure that KVM includes human rights concerns -- monitoring, reporting, verification, and intervention in all areas governed by the OSCE KVM agreement -- among its highest priorities.
- Continue to press for a general amnesty in Kosovo and the release of detainees.

Critical Milestones

- *January 15* - KVM press conference to provide initial assessment of the human rights climate, "success stories," and a statement of mission goals.
- *January 15* - DOS-funded senior human rights expert attached to KVM to advise Walker on organizing human rights mission and establish priority issues.
- *January 18* - Demarche to COE countries pressing them to follow through on manpower and resource commitments.
- *By January 31* - First tranche of USG-funded human rights officers seconded to KVM through the DynCorp contract.
- *February 15* - KVM human rights element to be fully staffed (12 human rights experts per regional center).

Track III: Building Leverage

We should attempt to capitalize on the positive resolution of the latest mini-crisis in Kosovo to underscore with both sides their mutual interest in (1) taking steps to

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avoid further such incidents, (2) cooperating with the KVM, and (3) supporting progress on Tracks I and II of our strategy.

Belgrade

On Track II, we are attempting to build off vague -- and in some cases minimal -- commitments by Milosevic to push aggressively on implementation of specific programs. Fully implementing the programs above will require the active cooperation of the Belgrade government, and the acquiescence of President Milosevic. Under current conditions, it is unlikely that such cooperation will be forthcoming. There is an urgent need to identify new sources of leverage against the Milosevic regime that can be used in support of both the negotiations and program implementation.

The first step is to re-establish and profile Belgrade's record on non-compliance. This is essential for shoring up allied unity and building a base for future punitive or leverage-building actions against the FRY.

- Publicize the Clark-Naumann agreement spelling out in detail what Belgrade agreed to and what specific violations have been observed. Efforts to build international consensus on Serb non-compliance are hampered by our inability to use the force levels established by the Clark-Naumann agreement as a public benchmark.
- Encourage Bill Walker to submit frequent OSCE/KVM reports detailing incidents and patterns of Serb non-compliance with its obligations, including specific reference to the Clark-Naumann agreement as well as UNSCRs 1199 and 1203.
- Frequent public statements -- U.S., OSCE, Contact Group, UNSC, NATO, etc -- condemning Serb patterns of non-compliance. Press Norway as OSCE CIO, as well as Solana and Annan, to issue periodic "cumulative judgments" on FRY non-compliance.
- Continue efforts to press for action in the UNSC (i.e. ICTY sanctions resolution), independent NATO action on compliance assessments, etc.

Second, we should look for opportunities to exploit those factors which motivate Milosevic. The FRY President

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cares primarily about maintaining his grip on power and enhancing his personal prestige--particularly with the US. Milosevic is sensitive to the level of interaction with him, and he reads virtually all international press reports related to him and his regime. We should aggressively promote democratic alternatives to Milosevic in the FRY. In private, we should intimate to Milosevic that the United States will shift its position on independence for Kosovo if Belgrade does not improve cooperation with the KVM.

In addition to building new realities in Kosovo, we need to continue efforts to open up the political system and support movement toward our longer-term goal of a democratic FRY. We should also consider whether it will be possible to employ positive incentives with Belgrade as well as negative leverage. Milosevic is more likely to respond constructively to pressure when he sees a way forward. Some have suggested using the prospect of FRY participation in OSCE, conditioned on both progress on Kosovo and on acceptance and implementation of OSCE standards, as a vehicle to secure an OSCE mission in FRY to drive democratization.

Broader engagement within the OSCE framework could help promote conditions that would encourage the Kosovar Albanians to accept an interim status within a more democratic FRY, and encourage stronger European support for the negotiations. While Milosevic would certainly like to get into the OSCE, however, experience demonstrates that he is not likely to pay much for the privilege. We would also need to be careful that FRY membership in the OSCE neither damages the Outer Wall of sanctions, which includes membership in international organizations nor allows the FRY to use the organization's consensus rule to take other OSCE priorities hostage.

In the longer run, we will need to sustain in Milosevic's mind the potential for NATO action -- including air strikes -- if we are to contain the violence in Kosovo and move Belgrade on key issues. NATO and our allies must frequently reiterate that we are still demanding full and sustained compliance with UNSCR 1199 and the Clark-Naumann agreement and that we are keeping FRY compliance under continuous review. The U.S. should ask NATO to consider enhancing its regional exercise program, both air and ground, to emphasize NATO's continued interest in FRY compliance and in the security of KVM verifiers.

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The KLA

Recent developments highlight the urgent need to develop leverage over this organization and may help us deal with the political downsides of sanctioning the KLA. The goals would be to induce KLA compliance on the ground and collaboration in the entire process and to isolate the more extremist elements within the KLA from the rest of the KLA and its popular support base.

Positive incentives for the KLA are at least as important as negative leverage. We have offered them the possibility to engage in the political process conditioned on restraint on the ground, and have assured them that our goal is to "get Serbia out of Kosovo." They express interest. Our conversations, however, lead to the conclusion that the KLA will not be motivated by the prospect of elections or Community Improvement Councils. It wants Serbia out visibly and progressively -- i.e., MUP/VJ . withdrawals -- and it wants Albanian prisoners released. Those require leverage on Belgrade. Establishing meaningful positive incentives for the KLA is therefore a function of building effective leverage over Milosevic. If we cannot show we are getting "Serbia out of Kosovo," all indications are that they will keep preparing to fight for it themselves.

While we seek to build leverage on Belgrade that can increase our positive leverage with the KLA, which will take time, the U.S. -- in coordination with allies -- should take immediate steps to interfere with KLA fund-raising activities,

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We should also work with the Albanian American community to establish a diaspora donors fund supporting civil society development projects in Kosovo. This would ensure legitimate funding could still flow through clean channels and help develop the broadest possible base of support for the CICs and associated program activity among the general population of Kosovo.

Other avenues for building leverage on the KLA that we should take action on include:

- Offering inclusion in the political process
- Pressing for Serbian pullouts
- Pushing Belgrade on Albanian prisoners
- Warning of the potential for a pullout of KDOM/KVM
- Threatening the KLA with ICTY action

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Other options, including interfering with KLA arms flows, should be kept in reserve.

Actions If Hostilities Resume

A complete breakdown of the cease-fire in Kosovo would likely unfold in a series of stages rather than in an immediate collapse. At each stage, the international community will intervene to reduce tensions, negotiate local or Kosovo-wide cease fire arrangements, and limit the impact of the violence on the civilian population. As always, an ounce of prevention is worth a pound of cure, and we should continue efforts to minimize the risk of a breakdown in the cease-fire. VJ/MUP cross border operations in Albania are a particular concern and could widen the Kosovo conflict.

If the cease-fire breaks down:

- KVM will continue to negotiate local cease-fire arrangements;
- The OSCE CiO and the PC will be asked to respond rapidly and forcefully to cease-fire violations and recommend actions to end local conflicts and ease tensions;
- OSCE and NATO issue assessments on compliance and begin to build a case for the use of force. U.S. to press for early engagement of the NAC and UNSC;
- OSCE must be prepared to threaten both sides that it will withdraw from Kosovo if the security situation deteriorates beyond the level of acceptable risk or if FRY non-cooperation makes it impossible for the KVM to do its job. The KVM should pull out before casualties or hostages are taken and use the withdrawal as "shock therapy" for the parties;
- U.S. should move on an urgent basis to build consensus in the Alliance for possible NATO intervention as OSCE considers withdrawal.

The OSCE should continue to operate in Kosovo until the security environment or FRY non-cooperation have deteriorated to a point where the risk to verification personnel is unacceptable and the mission can no longer be effective.

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