

THE LEGACY OF KOSOVO:  
GERMAN POLITICS AND  
POLICIES IN THE BALKANS

Wolfgang-Uwe Friedrich  
editor

GERMAN ISSUES ■ 22

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IN THE BALKANS

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Wolfgang-Uwe Friedrich  
Wolfgang Ischinger  
Rudolf Scharping

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## *FOREWORD*

The challenge of creating durable stability in the Balkans has been part of Germany's agenda far longer than it has been an issue in the U.S. It was in Berlin that the Congress of 1878, under the guidance of Chancellor Bismarck, tried to broker a peace in Europe to forestall a war, which, despite the efforts made to prevent it, broke out thirty-six years later in the Balkans. More than a century later, Germany was again looking at the dissolution of the Balkans as an event that was as unpredictable in its course as it had been in the previous century. Germany was once more to be a central influence on the outcome as the twentieth century drew to a close. However, there was still no certain solution for a part of the world that had become synonymous with fragmentation and conflict.

Politics is about choices. The story of how Germany, the United States and many other nations became involved in the numerous crises in the Balkans during the last decade alone speaks volumes about how the range of those choices has evolved. During the spring of 1999, while NATO was celebrating its fiftieth anniversary, NATO forces were engaged in a bombing campaign in the Balkans. German armed forces were among the peacekeepers sent to halt the bloodshed in Kosovo. Only five years earlier, Germany had been debating whether it could allow its troops to be engaged in such a conflict. However, in the fall of 1999, a German general was put in command of KFOR to help implement a stabilization plan that had been developed by Germany's Foreign Minister and approved by the United Nations and the Group of Eight (G8) in Cologne three months earlier.

These accomplishments represent an extraordinary evolution in domestic thinking in Germany, happening less than a decade after facing the historic challenge of unifying itself at home while reassessing its role abroad. The leadership in Germany was required to respond to these challenges with little time to catch their breath. Beginning with the breakdown of Yugoslavia in the early 1990s, Germany's leadership—Chancellor Helmut Kohl and Foreign Minister Hans Dietrich Genscher, followed by Klaus Kinkel—saw choices emerging from the demise of Marshall Tito's federation. They decided to respond by vigorously

supporting independence for Croatia and Slovenia, pressing hard for the support of the European Union. The war in Bosnia brought a broad range of countries into the conflict, a conflict that took three years of major tragedy, genocide, and military confrontation on all sides to be resolved eventually in a small town in Ohio. Initial indecisiveness in Washington eventually led to close cooperation between the Germans and the Americans in generating the conditions for the Dayton Accords. Just as Germany and the European Union had initially been unsure how to back up their words with their resources in the Balkans, the U.S. experienced a similar evolution in its thinking about putting its muscle where its mouth was.

Yet the roots of the Balkan disease were not removed in Dayton. On March 24, 1999, NATO warplanes began bombing Belgrade in order to stop Serbian troops from sweeping through Kosovo in another attempt at ethnic cleansing designed to push Albanians out of the region. Three months later, NATO troops were establishing themselves in the area for an undetermined period. More than a year later, the status of Kosovo remains plagued by the same hatred between Serbs and Muslims that had spawned the conflict so deviously orchestrated by President Milosevic.

During this period, German leadership in Bonn/Berlin had changed. An SPD/Green coalition led by Chancellor Gerhard Schröder and Foreign Minister Joschka Fischer assumed responsibility for Germany six months before the NATO action in Kosovo began. The new government was immediately faced with a choice of helping to maintain the necessary cohesion within the Alliance as well as maintaining sufficient domestic support for such actions. It fell to a Red-Green government to lead Germany into its first armed conflict since the end of World War II.

However, the new government had made its choice and NATO was able to carry out a mission that, since its inception, had never before been undertaken.

What have we learned from this troubled decade in the Balkans? During the last two hundred years, the intervention of outside forces in the Balkans has always been part of the struggle to bring peace to the region. However, in contrast to the intention of asserting purely national interests, the UN and NATO's recent intervention was presented primarily

as the need to assert humanitarian values in the face of ethnic nationalist terror. In this case, the tension between respecting national sovereignty and maintaining human rights shifted in favor of the latter. Where this will lead in terms of future responses to world crises is unclear, but the impact on American, German and European Union policy considerations is significant. It will certainly be a continuing challenge to achieve a working consensus to assure the capability to respond to these crises. The current transatlantic debate over the U.S. initiative to create a National Missile Defense System is a current example of how difficult that process may be. Yet it is clear that the perception and reality of threats has evolved in a far more complicated world than many might have imagined less than a decade ago. The responses to the crises in the Balkans during the past decade, for better and for worse, have underscored both the importance of U.S.-European cooperation as well as the difficulties in achieving it.

In this framework, we are pleased to present three assessments of these developments which offer insights into the current German debate over the legacies of Kosovo and the Balkan wars.

Wolfgang-Uwe Friedrich offers an examination of how the German debate over the Balkan crises illustrates both continuity as well as a major shift in the foreign policy dialogue within Germany and within the European Union. He traces the transition of that dialogue as the SPD/Green government took over the helm of policy-making in the fall of 1998, demonstrating the central importance of Foreign Minister Joschka Fischer and Defense Minister Rudolf Scharping during this critical period. He suggests some potential implications for German and EU defense and security policies and a further impact on a transatlantic debate in light of future crises.

State Secretary Wolfgang Ischinger provides an eyewitness account of the unfolding crisis in Kosovo. Centrally involved in the negotiations during the entire period, Ischinger offers a cogent assessment of the evolution of events leading up to the war and to the ultimate agreement on creating the Stability Pact designed to provide a framework for peace for southeastern Europe. He also points out the continuing challenges to that effort.

Defense Minister Rudolf Scharping provides an assessment of the

impact of the Kosovo crisis on German defense policy and of the need for Europe to develop a greater capability to respond to such crises in the future. While emphasizing the need to carry out strategic reform within the *Bundeswehr*, he stresses the importance of maximizing the synergy between a more capable European security and defense policy and a NATO capable of implementing the Defense Capabilities Initiative agreed upon at the NATO Summit in April of 1999.

Supplementary to these three assessments, an analysis of the transformation of public opinion in Germany during the Kosovo conflict is presented by Detlef Puhl, Spokesman for the German Ministry of Defense.

For the past several years, AICGS has sponsored several programs which have examined challenges for German and American Foreign Policy. This publication is a continuation of that effort. I am grateful to Wolfgang-Uwe Friedrich for his contribution and editorial work, to Defense Minister Scharping and State Secretary Ischinger for providing us with their analyses, and to Detlef Puhl for his assessment of German public opinion. We wish to express our appreciation to the German Marshall Fund of the United States for its support of this publication.

Jackson Janes  
Executive Director

June 2000

## *ABOUT THE AUTHORS*

**Wolfgang-Uwe Friedrich** is Professor of Political Science and International Relations at the University of Hildesheim.

**Wolfgang Ischinger** is the State Secretary for the German Foreign Office.

**Rudolf Scharping** is Defense Minister for Germany.

**Detlef Puhl** is the Spokesman for the German Defense Ministry.



## KOSOVO AND THE EVOLUTION OF GERMAN FOREIGN POLICY IN THE BALKANS

Wolfgang-Uwe Friedrich

In more ways than one, the Kosovo conflict that led to NATO's intervention in March 1999 was a watershed in the political development of postwar Europe, especially for Germany. The reason for military intervention lay in massive human rights violations by a state that was sovereign from the standpoint of international law. For the first time in Europe, the Kosovo conflict saw the western community of nations rank human rights higher than sovereignty rights. Not least of all, one of the consequences is that Europe is increasingly acquiring the character of a juridical state based on the fundamental values of western civilization. Whoever violates these values has to reckon with grave sanctions. This does of course not apply to Russia, whose foreign policy was traditionally Slavophile during the Balkan conflict and which domestically (in Chechnya) violates human rights in a manner resembling Serbia in Kosovo (and, before that, in Bosnia-Herzegovina). Russia thereby remains outside the western community. However, based on its military power, it is able to remain a sovereign actor in the classical sense (i.e., free in both domestic and foreign policy). The new development, furthermore, does not apply to Turkey, whose membership in NATO and special relationship with the United States continue to facilitate different standards. For this reason, however, Turkey is also not yet part of the European juridical region now taking shape, and this hardly provides it with a foundation for being accepted into the European Union. Whether this step in Europe's postwar development also represents a turning point is something only the future can tell—namely, when there is proof that values have a higher priority than interests, that human rights fundamentally precede sovereignty, and that armies take on a role that rather corresponds to police duties in the domestic sphere.

The Kosovo conflict was simultaneously a watershed for German politics.<sup>1</sup> For the first time, the *Bundeswehr* participated in a military deployment. A fundamental component of the German foreign and security policy consensus over four decades, namely the conviction that German soldiers should not be deployed in combat except in the defense

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of the Alliance, was abandoned. More than that, the Kosovo deployment was led politically by a Red-Green federal government, a coalition whose junior partner never missed an opportunity in the past to criticize NATO. The party programs of the Social Democratic Party and Alliance '90/The Greens explicitly rejected actions like those that took place between March and June 1999. As recently as the Gulf War, Gerhard Schröder and Joschka Fischer had taken part in demonstrations against the U.S. Then, under the pressure of events, just after their great electoral victory but before their inauguration, both Schröder and Fischer, at their first meeting with President Clinton (on October 9, 1998), demonstrated their loyalty to the Alliance and then (three days later in Bonn) approved NATO military intervention. Advised by the experienced foreign policy expert Günter Verheugen, the former leftist critics of the western Alliance swung around to a pragmatic course.

This unconditional recognition of Germany's ties to the West represents an important watershed in party politics, meeting the military obligations resulting from the ties to the West was a serious turning point in Germany's domestic politics. On the other hand, the Federal Republic demonstrated continuity since the day of Konrad Adenauer in its basic foreign policy orientation through consistent loyalty to the Alliance. It is therefore not an exaggeration to cite three important factors underlying this development: The most important is the fact that the Federal Republic of Germany as a state is integrated into the western community, normatively (western community of values), institutionally (NATO, EU), and in terms of interests (security and prosperity). The state's integration, secondly, is critically correlated with the westernization of German society, the development of a mature, liberal and democratic political culture. A third important factor is the orientation of elites. The foreign policy and military elites of the Federal Republic clearly have a place in the community with the West, just like postwar Germany's economic and scientific elites. Diplomats and officers are shaped by the country's western integration. Never before in German history was there this kind of integration. The Kosovo conflict therefore marks a watershed with respect to the parties of the left, and in the same way also with respect to military deployments. In no way, however, does it represent a turning point in the foreign policy of the Federal Republic; rather, it demonstrates

its continuity.

The Kosovo conflict was an important watershed in yet another respect. Once again, the Europeans were shown their own helplessness. Without the U.S., the Balkan conflict could not (and cannot) be solved. The European Union lacks the kind of strong military arm needed to run a security policy on its own continent. This obvious helplessness is what provoked a louder call for Europe to have its own security and defense identity, not least of all from German Defense Minister Rudolf Scharping. Here, too, only the future can tell what the actual consequences will be. What follows is a sketch of the transformation in the German context against the background of the Balkan crisis, the chronology of the Kosovo conflict with special attention to Germany's contribution, as well as the debates in the *Bundestag* and reactions of the German public.

## **1. THE BALKAN CRISIS AND THE GERMAN POLITICAL CONTEXT**

With the collapse of the Soviet empire, the search began for a new global peace order based on justice. The discussion about this became more significant as streams of refugees raised the question about the origins of the present mass migrations. In the 1990s Germany became the most important destination for refugees and asylum seekers in Europe. In 1992, the rise in the number of short term asylum seekers to over 400,000 led to a constitutional amendment, which resulted in a temporary decrease in this number to under 200,000 per annum. In their stead, the number of refugees, primarily from the former Yugoslavia, grew significantly. On December 31, 1995, 1.6 million refugees and asylum seekers were living in the Federal Republic, including 330,000 civil war refugees from Bosnia-Herzegovina. No other European country offered nearly so many people shelter. The city of Hamburg housed more refugees than all of Great Britain. As a result, Germany has a direct national interest in having an international migration policy, a subject that equally affects Germans and Americans. It is therefore no surprise that the migration problem is discussed in these two countries under the rubric of the right to good governance. In July 1998, according the United Nations High

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Commissioner for Human Rights, over 200,000 Albanians in Kosovo were in flight as a result of Serbian oppression. The potential consequences of the Kosovo crisis alarmed European governments.

**Table 1:** Refugees in Germany

1989	150,700
1991	383,900
1993	1,068,000
1996	1,266,000
1997	1,049,000
1998	949,200

Source: <http://www.unhcr.ch/world/euro/germany.htm>

**Table 2:** Refugees from Bosnia-Herzegovina 1996

Germany	330,000
Sweden	122,119
Austria	80,000
Netherlands	23,000
Switzerland	20,000
France	15,000
Britain	13,000
Italy	8,200
Hungary	8,000
Turkey	8,000

Source: *Die Fischer-Chronik, Deutschland '49-'99*. Frankfurt am Main 1999, p. 1017.

The collapse of the Soviet Union and of Yugoslavia reveals the new dilemma of international politics in exemplary fashion: International politics has to decide between implementing human rights, by force if need be, and respecting states' sovereignty. Neither the United Nations nor the OSCE as a European regional organization has offered a way out of this dilemma so far. So all that remains is ad hoc decision-making by those who are directly affected or feel responsible. Here the valid binding principles have to be a high degree of legitimization for political and military action, as well as the correlation of measures. In addition to the

right of self-defense embodied in the UN Charter (according to Article 51), decisions of the Security Council (according to Articles 39-50) acquire special significance. Beyond that, the Convention against Genocide of December 11, 1946 requires special consideration. Finally, the CSCE Final Acts and the OSCE as a regional system of collective security (according to Chapter VII of the UN Charter) have special significance for the problem of legitimate action. It was against this background that the extension of NATO's mission took place. Instead of being obligated solely to national defense in an Alliance context, NATO members took on the new challenges of peacekeeping and peacemaking during the Kosovo conflict.

In Germany there was hesitation about discussing these political questions after reunification in 1990. While security experts like Karl Kaiser and Uwe Nerlich urged a realistic assessment of military power, the political left remained strongly influenced by pacifism. The majority of public opinion also rejected out-of-area deployments of the *Bundeswehr*. Therefore, the Federal Republic did not participate directly in the Gulf War; like Japan, the other country that abstained from that war effort, Germany had to promptly make a major financial contribution. Expectations, especially from the U.S., of a stronger German engagement were publicly articulated increasingly clearly. For this reason a gradual course correction took place under the Kohl government, consequently supported by Foreign Minister Kinkel and Defense Minister R  he. The course correction included gradual steps toward increasing participation of *Bundeswehr* forces in international deployment, varying from providing humanitarian aid to the Kurds in Iran and medical support for UN peacekeeping operations in Cambodia, supplying helicopter units for UN sanctions control in Iraq, to participating in actions over Bosnia and in the Adriatic Sea. Volker R  he and Klaus Kinkel directed this new course. Wolfgang Ischinger, then chief of the planning staff in the foreign office, was a close foreign policy associate of Kinkel. R  he relied heavily on the chief of planning in the defense ministry, Vice Admiral Weisser. R  he's course was strongly supported by the *Bundeswehr's* inspector general, Klaus Naumann. During the Kosovo conflict, Ischinger held the post of state secretary in the foreign office, while Naumann was deputy to NATO's commanding general (*Stellvertreter des NATO-*

*Oberkommandierenden*).

An essential aspect of German policy was the Federal Constitutional Court's ruling of July 12, 1994 on the use of the *Bundeswehr* on foreign soil.<sup>2</sup> The court had been asked by SPD and FDP *Bundestag* members to rule on whether the Basic Law permitted *Bundeswehr* units to participate in the Adriatic Sea blockade, in AWACS flights over Bosnia, and in the UN Somalia action. The SPD first wanted to limit these activities by a constitutional amendment specifying that the *Bundeswehr* could be used "only for peacekeeping measures without military action" and for humanitarian or environmental aid. Each of these actions would also require separate authorizations by the *Bundestag*. The Greens brought in their own proposal for a constitutional amendment authorizing *Bundeswehr* participation in the peacekeeping operations of the UN only if the *Bundestag* approved each action by a two-thirds majority and the UN was reformed to eliminate the veto powers of the Security Council's permanent members. The post-communist PDS followed with its completely unrealistic proposal for an amendment strictly prohibiting the use of the *Bundeswehr* for any purpose other than self-defense. Finally, the CDU/CSU and FDP proposed that Germany be permitted to participate in peacekeeping and peacemaking measures based on UN Security Council decisions with a simple majority of the *Bundestag*, or on the basis of Article 51 of the UN Charter, which then would require a two-thirds majority. All these proposals became obsolete when the Court issued its ruling. The Constitutional Court based its decision on Article 24, Section 2 of the Basic Law and held that "safeguarding peace" permits Germany to participate in collective security, including the use of the *Bundeswehr* beyond the borders of Germany and NATO. The court ruled that "peacekeeping troops, and peace-securing measures, are part and parcel of the United Nations system of collective security to which Germany legally acceded in 1973, as the UN provisions have developed in their practical applications."

Participation in these activities, the Court ruled, requires parliamentary approval. Ten days later, 424 members of the *Bundestag* said "yes" to *Bundeswehr* participation regarding Bosnia-Herzegovina, while forty-eight members of Parliament (mostly Greens and PDS) voted "no," with sixteen abstentions. The SPD, led by Rudolf Scharping, agreed

with the CDU/CSU and FDP on the “basic orientations” of Germany’s foreign policy. In 1996 the SPD opposition joined the governing parties of the CDU/CSU and FDP to vote for German participation in the SFOR in Bosnia-Herzegovina. In 1995 the SPD had created a Commission on Foreign and Security Policy with Rudolf Scharping, Günter Verheugen and Karsten Voigt as leading members. Its report on foreign policy, adopted by the party, stated: “It is necessary to have the power and to be prepared to use military means in order to hinder the use of force” in international relations. The SPD’s electoral program of 1998 confirmed the new pragmatic course in that it no longer called for the dissolution of military alliances, as it did in 1989, but instead realistically assessed their significance for a European peace order: “NATO is indispensable for the security and stability of Europe,” the electoral program stated, continuing: “The *Bundeswehr* provides an indispensable service for our society.”<sup>3</sup>

The Greens took a different path, shaped more complicatedly by the party’s pacifist majority and the prospect of participating in governing in Bonn. The key figure here is Joschka Fischer. There were early indications of a profound change in Fischer’s position. He began to alter his course as early as 1979, when he used an article in the leftist journal *Kursbuch* to speak out against pacifism in light of the mass graves in Cambodia.<sup>4</sup> The Greens’ national party program, however, proclaimed a policy “free from power.” In 1981 the party executive accused Chancellor Schmidt and Foreign Minister Genscher of “preparing a war of aggression.” The party’s electoral program for 1987 demanded that West Germany leave NATO. In 1990 the electoral program once again toed the old anti-NATO line: “Disarmament now! For a Europe without military blocs.” Two specific political events pulled the Alliance ’90/Greens into foreign policy realism: the Balkan crisis and the process of European integration. In 1998 the Greens in the *Bundestag* voted for the European Economic and Monetary Union after two decades of fundamental opposition, a most important step. As to the change of attitude about the Balkan crisis, many more steps had to be taken by the Greens.

In 1991 the Green party *Bundestag* deputy Helmut Lippelt demanded the immediate recognition of Slovenian and Croatian independence as

well as measures to counter Serbian government aggression. In 1992, Lippelt called for the use of military power to liberate people held in concentration camps in the former Yugoslavia. Ralf Fücks, at the time a Green party senator in Bremen, insisted on the protection of human rights, “by military means, if necessary.”<sup>5</sup> Green fundamentalists (or “*Fundis*”), still a majority in the party, pejoratively labeled these realists (or “*Realos*”) “warmongers” (*Bellizisten*) and warned against a “militarization of German foreign policy.” Bosnia became the turning point for the Green party as a whole. Daniel Cohn-Bendit, Joschka Fischer’s close friend, demanded an aerial bombardment of Serbia in order to stop the policy of ethnic cleansing in Bosnia. Fischer—like Helmut Kohl—spoke of the role of history, which prevented Germany itself from getting actively involved in the Balkans. The massacre of Srebrenica in the summer of 1995 shocked many Greens. Fischer and the *Realos* now spoke out on behalf of military intervention. The Green *Bundestag* caucus was utterly divided when it came to the Dayton Accords. On December 6, 1995, twenty-two Green deputies voted for the government’s decision on German participation in implementing Dayton, while twenty-two voted against, with five members abstaining. During the Kosovo crisis, Fischer himself completed the change of course that had been underway within his party. Out of a sense of responsibility for human rights, and in order to prevent the mass murder of an entire population, he voted for German military engagement.

On June 8, 1998, at the start of the last federal election campaign, Joschka Fischer gave a speech on the fundamental principles of foreign policy in which he presented himself to the voting public as a future foreign minister. He promised continuity and spoke about “the fact of the existence of national interests,” consisting of the need for security, a democratic constitution, and basic values. “The completion of European unification is of the highest priority for our national interests, and for European interests as well.” Fischer described what he called the constants of Germany foreign policy: self-limitation, “*Westbindung*” (Germany’s close ties with the western world), European integration, peace, and human rights. He came out openly in favor of the EU and NATO, and ascribed other goals, such as climate protection and preventing overpopulation, to the UN.<sup>6</sup>

The electoral victory of the SPD and Alliance '90/The Greens on September 27, 1998, put into office two politicians, Rudolf Scharping and Joschka Fischer, who for years had been leading their parties toward a realistic agenda for German foreign and security policy. A change of course within both parties made policy continuity in the Atlantic Alliance possible. This also guaranteed that Germany's future Balkan policy would develop within the framework of NATO and the EU.

The decisive factor in Balkan policy, however, was Belgrade's policy. It looked as if the Bosnian drama was about to be repeated in Kosovo. The preconditions for the Kosovo conflict included systematic violation of the Albanian population's human rights in the former Yugoslavia at the hands of the Milosevic regime, the Kosovo-Albanian demand for independence and UN Security Council Resolutions 1160 (March 31, 1998), 1199 (September 23, 1998) and 1203 (October 24, 1998). In these resolutions the Security Council criticized massive human rights violations in Kosovo while simultaneously ascertaining a "threat to peace and security in the region." Conditions for a peaceful solution were sketched out in seventeen points and the OSCE was assigned an important role in implementing the resolutions.

As early as 1989, Belgrade had de facto rescinded the autonomy created for Kosovo in 1974. On Vidovdan, June 28, 1989, hundreds of thousands of Serbs held a demonstration on the "Field of Blackbirds" (the historic battle site of Kosovo Polje), where Serbian communist leader Slobodan Milosevic gave an emotionally driven nationalistic speech. This was followed by increasing attacks on the Albanian population. Toward the end of 1989 Ibrahim Rugova founded the LDK, whose main political demand was initially the creation of an "independent and equal entity within the framework of the Yugoslav federation." In 1990, pressure on the Albanian population intensified. Tens of thousands lost their civil service jobs. The regional parliament was dissolved by Belgrade. As a consequence, the Albanians began building their own underground movement. On the basis of three events—an underground movement referendum in September 1991, in which 87 percent of the Albanians are supposed to have participated (99 percent of whom voted for independence), a parliamentary election in May 1992, also organized by the underground (which the LDK won) as well as a presidential election—

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the Republic of Kosovo was proclaimed. A government was formed under the leadership of Bujar Bukoshi and Ibrahim Rugova was elected president. Serbia refused to recognize the elections, and the international community of states (with the exception of the Republic of Albania) also withheld recognition. On the other hand, the Kosovo Albanians, largely as a result of generous donations from Albanian migrants in Germany and elsewhere, succeeded in constructing their own school and social system in Kosovo. There were only sporadic open outbreaks of violence. The Dayton Agreement in 1995 split the Albanian political leadership. EU recognition for the state now known as the Former Republic of Yugoslavia (FRY), including Kosovo, and Germany's intention to send back some 130,000 Kosovo Albanian refugees led to criticism of Rugova's course of peaceful resistance. In 1996, the UCK began its violent resistance. More and more villages came under its control, while at the same time Serbian special police units began killing Albanians with greater frequency. In February 1998, a massacre of Albanian civilians took place in Drenica. According to information from the UNHCR, the result was that 14,000 Albanians fled this region, with several thousand arriving at points as far as Montenegro. The nightmare of yet another Serb-led ethnic cleansing, this time directed against the ethnic Albanians in Kosovo, turned into the credible scenario of a threatening of war. The media was talking about the beginnings of genocide.

In March 1998, at the London meeting of the Contact Group, the EU and U.S. called for a withdrawal of the Serbian special units from Kosovo. That same month the Contact Group met again in Bonn and demanded autonomy for Kosovo. Rugova was confirmed as president in new elections. The UN Security Council passed Resolution 1160, in which Serbia was charged with excessive abuse of power. In an April 1998 referendum, 94 percent of the Serbs came out against international mediation. A major Serb offensive began in May, which led to military control over the entire region by October 1998. Hundreds of villages were burned to the ground. Between 200,000 and 300,000 people were in flight. Reports about massacres accumulated. Attempts by western governments to push Milosevic toward a peaceful policy failed. In the summer of 1998, as in the earlier Bosnian conflict, Milosevic received visitors, made promises, expressed a willingness to negotiate, and then,

in spite of it all, gave his military apparatus free rein to act extremely brutally against the civilian population. In September 1998, NATO began military maneuvers in Macedonia. At the same time, the defense ministers of the Alliance agreed upon “Act Warn,” an activation on warning whereby member states prepared military contingents for action. The Federal Republic declared that it was prepared to make fourteen Tornado jets available for deployment. In October 1998, the UN General Secretary reported that Belgrade was not complying with the demands of previous resolutions. As a result, NATO authorized “Activation Request” on October 6. Through this activation of request the member states were committing themselves to a military deployment. This was followed on October 13 by “Act Ord,” the operational order for limited air strikes against the FRY. Milosevic, having negotiated without result with Richard Holbrooke on October 7, now had to formally accept the withdrawal of Serbian armed forces from the civil war zone. On October 16 he agreed to have the OSCE send 2,000 observers to watch over the cease-fire and repatriation of the refugees and to help prepare for elections. The German government approved the participation of two hundred German observers in the mission. Also, in October 1998 NATO authorized “Operation Eagle Eye,” an aerial surveillance in which 350 *Bundeswehr* soldiers were to participate. Finally, the federal government approved sending a military contingent to Macedonia to protect OSCE observers (Extraction Force). On October 16, 1998, the thirteenth German *Bundestag* approved the NATO aerial operations with five hundred “yes” against sixty-two “no” votes and eighteen abstentions. The “no” votes came overwhelmingly from the PDS, which to this day maintains its opposition to NATO and the EU. Twenty-nine Green party deputies voted “yes,” nine “no” and eight abstained (including Ludger Volmer and Angelika Beer). Twenty-one “no” votes came from the SPD. The vote was taken before the newly elected fourteenth *Bundestag* had been duly constituted. The Kohl/Kinkel government had, however, consulted with Schröder and Fischer before the vote, on October 12. It was reported that Fischer said, “We had fifteen minutes to decide on a matter of war and peace.”<sup>7</sup> That statement captures just half the truth. To be sure, the question was new, but the answer lay in the logic of previous German policy and in the logic of the new foreign policy course of the SPD and the Greens, which Scharping and Fischer

had prescribed.

## 2. GERMANY AND THE KOSOVO CONFLICT

After Generals Clark and Naumann explained the military consequences of Serbian aggression against Kosovo's Albanian population to Milosevic in Belgrade on October 24, 1998, Milosevic began withdrawing his security forces. The military threat had a short-term impact. Many refugees returned to their villages. To be sure, Belgrade refused to grant travel permits to a delegation from the International Criminal Tribunal for the Former Yugoslavia (ICTY), but the first OSCE observers were able to travel unhindered into the region on November 24, 1998. Their movements were partly controlled by UCK fighters, partly by FRY troops. As the UCK's power grew by December, there were tougher battles again between them and Serbian units. In Macedonia, the first NATO units of the Extraction Force landed under French command. Negotiations in Belgrade by American diplomat Christopher Hill, however, were not showing signs of success, not least of all because the clause on a very restricted form of autonomy was vehemently rejected by the Kosovo Albanians. The new German government hoped for a peaceful resolution and therefore rejected the Albanians' demand for independence. But even in the Albanians' ranks there were voices, like that of Adem Demaci, the UCK's political representative, willing to postpone the demand for independence in November in order to secure peace.

Under the impression that there was a possibility of peaceful resolution, the new German defense minister, Rudolf Scharping, spoke out in the *Bundestag* on November 10, 1998, for "continuity in the foundations of German foreign policy" and requested approval for aerial surveillance on the basis of UN Resolution 1203 and the OSCE's commission.<sup>8</sup> He praised the role of NATO, which "helped us enormously in Germany—initially in the West, and then later on with German unity," and drew a connection between German and European security. The two were mutually reinforcing. In the same debate Joschka Fischer also spoke of "continuity" and "calculability" in German foreign policy. He vehemently contested that it was now a question of securing the peace

militarily. “But what’s decisive is that we find ourselves now in a classical peacekeeping situation with the OSCE, which is being used there for the first time in an historically new dimension.” Three days later, the *Bundestag* approved German participation in NATO aerial surveillance operations by a vote of 540 to 30 with 12 abstentions. Not a single SPD deputy, and only one Green party deputy, voted “no.” Fischer spoke about “civil peacekeeping,” and with respect to the Albanians’ demands, he declared: “The position of the West, of the Federal Republic of Germany, of the previous government, and of this chamber has always been that we do not support secession and independence, but rather that we support the implementation of human rights and a far-reaching autonomy statute.” The opposition agreed, even if CDU deputy Paul Breuer alluded ironically to the Greens’ “internal and external adaptability” and “learning process,” and FDP deputy Ulrich Irmer expressed similar criticism. In addition, Irmer wanted a discussion about how to make progress in international law, since it, in its present form, does not provide a means of resolving “conflicts within states.” On November 19, the *Bundestag* added its approval of *Bundeswehr* participation in the Extraction Force. While Foreign Minister Fischer emphasized the limited mission of these troops (evacuating OSCE observers in case of emergency), CSU deputy Christian Schmidt called for stronger participation by NATO, without which there could be no peace. Schmidt urged a kind of SFOR for Kosovo. Defense Minister Scharping explained that NATO was involved in all military decisions and offered special praise for the strong French engagement (“a significant step forward politically”). The *Bundestag* approved German participation in the Extraction Force by 553 to 35 with 2 abstentions. There was one “no” vote each from the SPD and Alliance ’90/The Greens.

Hopes for peace were dashed. On Christmas Day Yugoslav troops began a new offensive, whereupon the UCK declared an end to the cease-fire. On January 6 the NATO Council ascertained that there had been an increase in violence in Kosovo. On January 16, forty-five civilians were found murdered near Racak. The “Massacre of Racak” was widely publicized. In light of heightened tensions, the foreign ministers of the Balkan Contact Group (U.S., Great Britain, France, Germany, Italy, and Russia) met on January 29 in London and called for an immediate

cessation of hostilities and the opening of direct talks.

These peace talks began on February 6, 1999 in Rambouillet, outside Paris. Shortly before the talks, the NATO Council had authorized General Secretary Solana to order limited air strikes against the FRY. Russia was opposed. France and Great Britain took over chairing the meetings in Rambouillet. The negotiations between Serbs and Albanians were conducted by the American Christopher Hill, the Russian Boris Majorskij, and—for the EU—the Austrian Wolfgang Petritsch. Germany did not, as in the Dayton negotiations, assume a central role. Operating in the background were the new political director of the Foreign Office, Gunter Pleuger, and the brilliant Balkan expert Christian Pauls. The foundation for the talks was a ten-point plan that promised the Albanians “substantial autonomy” but intended to preserve Yugoslavia’s territorial integrity. The Contact Group’s foreign ministers frequently intervened directly in the consultations. While they were able to extract a willingness to make concessions from the Albanians, even the Russians ran up against Milosevic’s inflexibility.

On February 25, 2000, the *Bundestag* debated the Rambouillet negotiation. Rudolf Scharping opened the debate with a warning that the Balkans was being threatened by a humanitarian catastrophe “with the worst possible impact on the population and with a new torrent of refugees as well.” He called for Parliament to approve a German contribution to an international peace troop for Kosovo that would be under NATO command. Speaking for the CDU/CSU opposition, Volker Rühle asserted that there was still no Kosovo accord, but that the opposition would agree to the strengthening of the Extraction Force. A similar line of argument was presented by Ulrich Irmer from the FDP, who spoke critically about a “provisional resolution.” In the name of the PDS, Gregor Gysi rejected any kind of military engagement. Speaking for a majority of the Greens, Helmut Lippelt came out in favor of the government’s proposal, since the negotiations would fail without military pressure. Hans-Christian Ströbele, on behalf of a minority of the Greens, rejected the proposal on the grounds that it lacked a foundation in international law. He also criticized excessive concern for the position of the U.S. Ultimately 553 deputies came out in favor of a military implementation of the Rambouillet accord, forty-one voted against it (including two Social Democrats and

five Greens), and ten abstained. This vote laid the foundation for *Bundeswehr* participation in KFOR.

Contrary to all hopeful expectations, the negotiations in Rambouillet remained stuck. Over two rounds of negotiations, Serbs and Albanians argued over minority rights and elections. During pauses in the negotiations on March 8, 10 and 13, respectively, Fischer, Holbrooke, and the Russian Foreign Minister Ivanov visited Belgrade. Milosevic rejected in particular the stationing of peacekeeping troops in Kosovo. On March 15, the negotiations resumed in Paris. While the Albanians and their spokesman, Hashim Thaci from the UCK, ultimately signed the resulting accord on March 18, the Serbian delegation under Milan Milutinovic rejected it. As formal grounds for their rejection, the Serbs cited Appendix B of the accord, which envisioned stationing peacekeeping troops of the “Kosovo Force” (KFOR), that, however, had not been a subject of the negotiations.

Since the situation in Kosovo further intensified and reached the point of assaults on OSCE observers, the latter left the territory on March 20. On March 23, a final attempt at mediation by Richard Holbrooke foundered on Milosevic’s inflexibility. On the same day NATO General Secretary Javier Solana ordered the implementation of aerial strikes against targets in Yugoslavia, starting on March 24. While Russia, China and Namibia condemned this action in the UN Security Council, the other members approved. The heads of state and government within the European Union also supported the aerial attacks. The Federal Republic took part in the operations with four ECR Tornados that flew out of Piacenza in Italy. There was no formal declaration of war by NATO; instead, the bombing was characterized as a military action to prevent a humanitarian catastrophe. In fact, terror and evictions of the Albanian population had already started before the air strikes. As was the case in Bosnia, the Serbian actions served the purpose of “ethnic cleansing.” By means of threats, devastation, plunder, ill treatment, and murder, the Albanians were to be forced to flee their homeland. NATO did not initially succeed in stopping the Serbian militias and army units, so the attacks were systematically escalated. Except for Greece (whose geographical proximity and a precarious domestic political situation called for restraint), Iceland, Luxembourg, and new members Poland, the Czech Republic,

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and Hungary, all NATO members took part in the military actions. While Russia as well as China condemned the military action, Romania and Bulgaria granted fly-over rights. Macedonia and Albania went further in permitting troops to be stationed there. Yet, regardless of widespread international approval of the aerial attacks extending across the whole of Serbia, which destroyed the central infrastructure, Milosevic remained inflexible. By the end of March, more than 500,000 Kosovars were in flight, and in April the number (according to UNHCR figures) rose to around 900,000 people. Refugee camps in Macedonia and Albania could not be adequately supplied with provisions. By May, 440,000 refugees had found refuge in Albania, 250,000 in Macedonia, 66,000 in Montenegro, and 22,000 in Bosnia-Herzegovina. Seventy thousand refugees were evacuated to other countries, most of them (20,000) coming to Germany.

NATO flew a total of 37,000 missions without any of its servicemen being killed in action. Only two planes were lost, but many bombs had been released into the Adriatic because of bad weather or difficulties locating targets. Although there was a priority on protecting the civilian population, several tragic accidents occurred, including forty-five deaths when a bus was mistakenly attacked. The NATO bombs inflicted heavy damage on Serbian military units, yet they were unable to drive them out or destroy them. The question of a ground war was contentiously discussed. Military officials who openly posed this question, such as General Klaus Naumann, encountered rejection from politicians who were afraid of a campaign with heavy losses. Because of this, the air war was escalated. The destruction of industrial facilities and oil refineries impaired everyday life in Serbia. On May 7, NATO bombs hit the Chinese embassy in Belgrade. This resulted in serious tensions among the major powers. Chancellor Schröder was forced to change his state visit to Beijing, at which extensive economic negotiations were supposed to be conducted, into a short working visit, so that he could deliver an apology from himself and NATO General Secretary Solana. This contributed to furthering China's willingness not to diplomatically block a solution by the UN Security Council.

German diplomacy played a highly important role in resolving the conflict, abetted by the fact that the Federal Republic held the EU chair

in the first half of 1999 and by the special character of German-Russian relations. State Secretary Wolfgang Ischinger called it an essential goal of the “dual strategy” Germany pursued in March 1999, involving, on the one hand, diplomatic efforts at all levels and a special effort to “bring Russia on board,” as well as a determination to maintain military pressure on Milosevic in order to force him to relent, “for otherwise [the cause of] human rights would have been the loser.”<sup>9</sup> Gaining Russian support was the result, not least of all, of Ischinger’s personal involvement, as well as that of Strobe Talbott and Finnish President Martti Ahtisaari.

On April 8, 1999 the EU agreed upon the following five-point demands on Milosevic: the immediate cessation of acts of violence, the withdrawal of Serbian military forces (including police and paramilitary troops), the stationing of international peacekeeping-forces, the return of refugees, and a political framework agreement based on the Rambouillet negotiation. UN General Secretary Kofi Annan made very similar statements on April 9 in Geneva. At a meeting between Annan and EU heads of state and government, the consensus was confirmed and, beyond that, the desire for cooperation with Russia was underlined. Fischer, Ischinger, and especially Scharping sought support among the German public for this dual strategy. It was controversial because critics could point to the lack of a clear UN mandate and thereby cast doubts on the foundation for this political action in international law. Scharping sought public support in numerous press conferences, by visiting refugee camps, and by presenting photographic evidence. Here he had to learn from bitter experience that American photographic sources were only made available with great reluctance. On April 15, an agitated Rudolf Scharping stood at the speaker’s lectern of the German Parliament and held up pictures of Serbian crimes and characterized these as the major motive for his political actions. On the whole, however, NATO’s public relations work did not prove very effective in Germany. The daily press conferences in Brussels did not resonate strongly with the public, not least of all owing to their technocratic language. Furthermore, “proof” was too often missing. The defense and foreign minister, along with many others, had to compensate for the shortcomings of the Alliance and their larger partners by way of indefatigable engagement. This engagement paid off. Not only did Joschka Fischer and Rudolf Scharping advance in the polls among

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Germany's five most popular politicians, but Germany's Kosovo policy also found acceptance by a majority of the population, albeit with clear differences between western and eastern Germany.

Public opinion was initially hesitant to offer approval. Rejection predominated among supporters of the Greens, whereas among SPD, CDU/CSU and FDP voters the government's policy met with broad support. The most decisive opponents were supporters of the PDS, whose parliamentary chairman Gregor Gysi even undertook a severely criticized and fruitless visit to Milosevic. The actual data on the Kosovo deployment fit plausibly into the larger context.

The Allensbach Opinion Research Institute discovered the following rates of approval for the Federal Republic's membership in NATO: 59 percent in 1991, 61 percent in 1993, 68 percent in 1994, 67 percent in 1995, and 63 percent at the beginning of 1999. Estimates of views about the *Bundeswehr's* right to exist were similar, with positive figures always much stronger in the west than in the east. A majority of around 60 percent of Germans approved the Kosovo deployment on the whole, but only a minority of east Germans did. Twenty-four percent of west Germans, but 57 percent of east Germans rejected the Kosovo deployment. While 48 percent of west Germans saw more advantages in NATO membership, and only 17 percent saw more disadvantages, only 24 percent of east Germans saw more advantages, 32 percent (by contrast) saw more disadvantages. The Kosovo War made Germans feel insecure: 39 percent of west Germans and 44 percent of east Germans were undecided at the last polling.<sup>10</sup> The results of an Emnid survey, however, showed that 73 percent of Germans at the end of June were of the opinion that the *Bundeswehr's* deployment made a positive contribution to resolving the Kosovo conflict.<sup>11</sup>

In the *Bundestag*, the number of those opposing the Kosovo policy remained significantly smaller. On March 25, PDS politician Gregor Gysi attacked the federal government and NATO, "which had started an attack on a sovereign state." On the radical-pacifist wing of the Greens, Hans-Christian Ströbele condemned the government without saying a single word about the crimes in Kosovo: "I don't understand my parliamentary faction ... I am ashamed for my country that is again conducting war in Kosovo and again throwing bombs on Belgrade." With the word "again"

Ströbele drew a parallel to Nazi Germany's Balkan war, a demagogic line of argument especially popular among Germany's post-communists. By contrast, Defense Minister Scharping never tired of pointing to the causes, "to the results of the Yugoslav army's brutal action against the population in Kosovo." The parliamentary party leader of the CDU/CSU at the time, Wolfgang Schäuble, fully agreed with the foreign minister: "If we take our responsibility for peace, freedom, and human rights seriously, we have no alternative. Therefore our united appeal to the aggressor has to be: The murdering in Europe has to cease!"<sup>12</sup> Scharping and Schäuble earned applause for their speeches from the SPD, CDU/CSU, FDP and a majority of Alliance '90/The Greens.

Chancellor Gerhard Schröder also placed the moral argument at the heart of his presentation to members of the SPD. At the SPD's special convention in Bonn on April 12 and 13, he was elected party chairman with a not particularly impressive majority of 76 percent and thereby became the successor to Lafontaine, who had cited differences of opinion over Kosovo policy as one of the reasons for his resignation (a statement not supported by discussions in the federal cabinet). However, Schröder's support for the West's Kosovo policy received significant approval, not least of all because a once prominent social democrat in the peace movement who admitted his earlier opposition to NATO strategy now supported the NATO deployment. Erhard Eppler received great applause for his criticism of the "gigantic scale of violence" that was now also dominant in Kosovo. With respect to the refugees he said: "Only the military can get the people to go home again." Eighty-five percent of the SPD party delegates approved the federal government's Kosovo policy.

The Greens' special convention ("extraordinary federal delegate conference") in Bielefeld on May 14, 1999, by contrast, was suffused with tension. Joschka Fischer and others had to be protected by the police and security officers. Nevertheless, Fischer became the victim of an attack in which he was lightly wounded by a bag of paint. By a slim majority (440 of 800 delegates), a compromise proposal was adopted calling for a limited cease-fire. Fischer had earlier declared that he was going to continue the NATO Alliance policy no matter what the party convention decided. He challenged the delegates by saying: "Last Sunday I was in a refugee camp in Macedonia. Try going there sometime with the stand

you are taking and talk to the people.” While Daniel Cohn-Bendit, in a passionate speech, denounced the crimes against the Albanians, who had to be helped militarily because no other kind of help was possible. Uli Cremer from Hamburg, the Environment Minister from North Rhine-Westphalia Bärbel Höhn, along with *Bundestag* deputies Annelie Buntenbach and Hans-Christian Ströbele demanded an immediate cessation of aerial attacks. With 318 votes, their proposal was defeated. The critical headline of the leftist daily “*taz*” read: “War credit for Fischer” (*die tageszeitung*, May 14,1999).

Party conventions for the Christian Democrats and FDP, which voiced approval for the government’s policy, were barely noticed by the public. It was Wolfgang Schäuble who pointed out that there would certainly not have been a basic consensus on Kosovo had the majority and opposition positions in the *Bundestag* been reversed. Fundamental foreign policy decisions, Adenauer’s policy of integrating the Federal Republic into the West and Brandt’s *Ostpolitik*, had been severely contested in the *Bundestag* and only passed by slim majorities. However, the first military deployment of the *Bundeswehr*, by contrast, encountered broad support. This was demonstrated by additional *Bundestag* debates in 1999 on April 15 and 22, May 7, and June 8 and 11. The roll calls were as follows:

May 7,1999: Government motion for German participation in humanitarian assistance in the Kosovo conflict:

Yes: 565 No: 42 Abstaining: 7

June 11, 1999: Government motion for German participation in KFOR:

Yes: 505 No: 24 Abstaining: 11

The Kosovo conflict led to a change of course on the part of the Greens and SPD in the direction of greater realism in international relations. Two preconditions—the effort to maintain power within the Alliance and the profound need for a moral underpinning to policy—were part of this shift toward *Realpolitik*. It was the combination of both factors that prevented the Greens from falling apart and the left wing of the SPD from splitting away from the parliamentary party’s majority. While

Schröder and Scharping kept their party united, Fischer had to run the risk of defection by a minority of Greens. However, an open split was avoided.

The course of events was characterized by a great variety of diplomatic activities that lasted throughout the entire first half of the year. German policy was distinguished by clarity, which does not mean, however, that it proceeded without snags. Thus, a visit by Russian Prime Minister Yevgeni Primakov to Bonn was marred by tension and an uncoordinated peace proposal from Italian Prime Minister d'Alema threatened to undermine the common line agreed upon by NATO and the EU. During a brief visit to Bari, Chancellor Schröder succeeded in preventing the worst from happening. By and large, however, the Alliance put on a display of unity, and German diplomacy played a part in this.

In an analysis of the situation put out by the Foreign Office in April 1999, the following objectives were clearly stated in connection with the Kosovo crisis:

- Bringing violent ethnic conflicts under control as a precondition for lasting stability throughout Europe.
- Preventing migration caused by poverty, war, and civil war.
- Getting democracy, human rights, and minority rights to take root as a goal of a foreign policy guided by values.
- Building up market economies with stable growth in order to reduce the prosperity gap in Europe.
- Economic interests (expandable market outlets, investment sites).
- Cooperation and credibility for international organizations in which we (Germany) play an active role (EU, NATO, OSCE, and UN).

The fact that this paper was posted on the Internet ([http://www.auswaertiges-amt.de/6\\_archiv/inf-kos/hintergr/stabdt.htm](http://www.auswaertiges-amt.de/6_archiv/inf-kos/hintergr/stabdt.htm)) confirms the transparency of German policy.

Based on this statement of interests, Fischer and German diplomacy persistently pursued their approach, which followed the Federal Republic's foreign policy style: cooperative and integrative. Concretely,

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that means: clearing things within the European Union, then with the U.S. in NATO, followed by Russia in the G8 framework, and finally at the UN level. The course of events often made it necessary to conduct parallel negotiations at the same time. On April 14, the foreign minister presented his three-stage peace plan for Kosovo, which was approved on April 23 and 24 at the Washington summit and became the basis for the June 1999 breakthrough. The five-point set of demands on Belgrade was incorporated into this plan. In the first stage, there would be an agreement among the G8 ministers, prepared by their political directors, on the following elements of a UN Security Council resolution: time of withdrawal of the Serbian military forces from Kosovo (including verification), UCK commitment to a cease-fire, the establishment of an international peace troop according to Chapter VII of the UN Charter (with the principles of robust, no double key, strict rules of engagement), assumption of work by aid organizations in Kosovo, the return of refugees, and transitional administration of Kosovo under UN supervision. In the second stage, this agreement would be passed as a UN Security Council resolution. The third stage envisioned communicating these proposals to Belgrade. At the start of the Yugoslav forces' withdrawal there would be an immediate cessation of the NATO air strikes. Parallel to this, there would be a cease-fire. The withdrawal of the Yugoslav forces must be accompanied by the entry of international peacekeeping troops. As soon as they had reestablished peace, international aid organizations would arrive to help returning refugees and begin the process of reconstruction. The Fischer Plan also contained measures to secure these steps militarily with NATO air forces and ground troops in Albania and Macedonia. Central elements of the plan were the inclusion of Russia and the United Nations. In other words, German diplomacy wanted to construct a united front by cooperating with Russia, in order to implement Security Council resolutions and thereby legitimize the peace.

Foreign Minister Scharping supplemented his own proposal by taking up an old plan of his predecessor Klaus Kinkel, namely to create a "Stability Pact for Southeastern Europe," through which the region would obtain security based on economic reconstruction and democratization. Launched with an eye toward effective publicity, the plan quickly pointed out the region's very simple problems: Without economic aid there can

be no stability, and the costs for instability would be high. With Bodo Hombach and Daniel Hamilton, a German and an American assumed the key roles in realizing this project.

On the basis of the Fischer Plan, close cooperation emerged with Kofi Annan, who frequently visited Bonn before going on to Moscow, and with the new Russian Balkan commissioner Victor Chernomyrdin, who arrived in Bonn on April 29. State Secretary Ischinger visited Moscow on April 12, 29, and 30. Finally, on May 5, Chancellor Gerhard Schröder and President Bill Clinton were able to reach agreement on a course, so that the G8 foreign ministers could agree on the basic principles on May 6. The Fischer Plan was accepted in the form of a “Seven Point Catalogue of Principles.” The disputed question of supreme command for the Kosovo peacekeeping troops remained open and was, to a certain extent, solved by talks conducted between Finnish President Martti Ahtisaari, who now became more deeply involved, and both Victor Chernomyrdin and Strobe Talbott. By the end of May the political directors of the G8 countries under the leadership of Gunter Pleugers took up details on the Petersberg outside Bonn, paying special attention to the text of a UN resolution and the individual stages of the plan. After more than a week, on June 8, the G8 foreign ministers were able to sign off on a catalogue of principles in Cologne. Success appeared certain because on June 3, Chernomyrdin and Ahtisaari finally got Milosevic to accept the G8 demands. On June 9, Yugoslav and NATO officers began talks in Macedonia on technical details of the troop withdrawal from Kosovo.

On June 10, the United Nations Security Council accepted Resolution 1244 with 14 “yes” votes and an abstention by the People’s Republic of China. The resolution envisions the presence of an international peacekeeping troop presence, the Kosovo Force (KFOR), without a deadline, and with a guarantee of “substantial autonomy” for Kosovo. The same day, just a few hours before the resolution was passed, NATO stopped its air strikes. On June 11, 1999, the first KFOR units pulled into Kosovo. The undeclared war was over, and the peacekeeping effort began.

### 3. CONCLUSIONS

Some final conclusions can be drawn about the conflict itself, the role of international institutions, and the role of Germany.

1. Until NATO intervened militarily, the former Yugoslavia was exposed to a reign of terror, murder, and mass expulsions, triggered by a nationalistic dictator struggling to maintain his power. This has now ended. Therefore, regardless of all the problems, the NATO military action must be viewed as a success, having demonstrated that military peacemaking **can** be meaningful.
2. Coordination within the Alliance was adequate, but the exchange of information, especially on the part of the U.S., was inadequate. In order to strengthen Alliance unity, effective procedures need to be developed in this area.
3. The European NATO partners were junior partners militarily. The *Bundeswehr* also exhibited shortcomings in its equipment that need to be compensated. It is a mistake to believe that one can largely do without military power today. The new security situation requires military means. For this purpose, the *Bundeswehr* and European armies are inadequately equipped.
4. Politically, the European Union was fragmented. The need for a common foreign and security policy is obvious. The nomination of Javier Solana as High Commissioner of the EU is a first step. This question must be given high priority by EU policymakers, as it has, up to this point, not been adequately addressed.
5. Decision making during the Kosovo conflict was shifted onto so many institutions that it could also be said that it was fragmented, namely among NATO, the Contact Group, EU, OSCE, G8, and the UN. This resulted in major problems of coordination and failed crisis management, which made military intervention necessary. It was NATO that achieved success, not the OSCE, and not the UN. It

follows that NATO is suited for conflict management, whereby Russia's inclusion can be guaranteed via the Cooperation Council.

6. The major problem of power and morality has been resolved neither by peace in the Balkans, nor can it be resolved in the near future by the international community of states. However, the West can remind itself that it concluded an alliance based on common values and interests that is uniquely successful in a historical perspective. Maintaining this is a dictate of reason and our success is dependent on the progress of cooperation and integration. This is our western agenda: To create a more perfect alliance.

#### ENDNOTES

<sup>1</sup> An excellent background paper on the origins of the Kosovo conflict was published by one of Germany's most distinguished Balkans experts, the then Director of the European Centre for Minority Issues in Flensburg, Stefan Troebst, *Conflict in Kosovo: Failure of Prevention? An Analytical Documentation, 1992-1998*. ECMI Working Paper #1, May, 1998) Troebst is now professor at the University of Leipzig. Rudolf Scharping published his personal notes after the war: *Wir dürfen nicht wegsehen. Der Kosovo-Krieg und Europa*. Berlin: Ullstein, 1999. On German Foreign Policy, see Wolfgang Uwe Friedrich: "In Search of Stability: German Foreign Policy in the 1990s," in David Conradt *et alia* eds. *Germany's New Politics. Parties and Issues in the 1990s*. Providence, RI: Berghahn Books, 1995, pp. 295-318.

<sup>2</sup> See *Neue Juristische Wochenschrift*, 1994, Issue 34, pp. 2207ff.

<sup>3</sup> See *Deutscher Bundestag, 12. Wahlperiode, Drucksache 12/2895*.

<sup>4</sup> Interview with Joschka Fischer in *Kursbuch 1979*, vol. 57, on "Der Mythos des Internationalismus."

<sup>5</sup> On Fischer's position, Ralf Fücks and others, see Ludger Vollmer, *Die Grünen und die Aussenpolitik – ein schwieriges Verhältnis*. Münster: Dampfboot, 1998.

<sup>6</sup> Joschka Fischer's speech, "Die Selbstbeschränkung der Macht muss fortbestehen," was edited by Karl Kaiser: *Zur Zukunft der Deutschen Aussenpolitik, Reden zur Aussenpolitik der Berliner Republik*. Bonn: Europa Union Verlag, 1998, pp. 76-95.

<sup>7</sup> See Gunter Hoffmann, "Wie Deutschland in den Krieg geriet." *Die Zeit*, Nr. 20, May 12, 1999, pp. 17-21.

<sup>8</sup> Parliamentary debates: see *Deutscher Bundestag, 14. Wahlperiode, 8 Sitzung*, Bonn, November 19, 1998, pp. 421-435.

See also 3. Sitzung, Bonn, November 10, 1998, pp. 112-127;

6. Sitzung, Bonn, November 13, 1998, pp. 357-372;

22. Sitzung, Bonn, February 25, 1999, pp. 1699-1717;

30. Sitzung, Bonn, March 25, 1999, pp. 2421-2429;

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35. Sitzung, Bonn, April 22, 1999, pp. 2762-2795;

40. Sitzung, Bonn, May 7, 1999, pp. 3387-3414;

41. Sitzung, Bonn, June 8, 1999, pp. 3483-3519;

43. Sitzung, Bonn, June 11, 1999, pp. 3561-3586.

<sup>9</sup> Frequent interviews with Wolfgang Ischinger with ARD and ZDF-Morgenmagazin and Deutschlandfunk are available on the Internet. ([www.auswaertiges-amt.de/6archiv](http://www.auswaertiges-amt.de/6archiv))

<sup>10</sup> Allensbach polls, see Renate Köcher “Das Kosovo spaltet in Deutschland Ost und West,” *Frankfurter Allgemeine Zeitung*, June 16, 1999, p. 5.

<sup>11</sup> See <http://www.bundeswehr.de/bundeswehr/dialog/kosovo/umfrage.html>

<sup>12</sup> Speeches of Wolfgang Schäuble *et alia* see Deutscher Bundestag, March 25, 1999.

## **KOSOVO: GERMANY CONSIDERS THE PAST AND LOOKS TO THE FUTURE**

Wolfgang Ischinger

### **I.**

Small forests will be felled to discuss the history of the former Yugoslavia in the last ten years of the twentieth century. It is easy to imagine the head shaking of future generations when they look back upon this time. The very country which seemed better positioned than any other to successfully master the transition from socialism to a market economy-based democracy foundered just when the collapse of the Soviet Union had provided a historic opportunity—brought down by the antagonisms of its own nationalism even though it owes its very existence to the nationalist euphoria of the southern Slavic unification movement. In turn, Serb historians will probably describe this era as the darkest years in recent Serb history at the end of which the country woke up from its national megalomania and was faced with economic misery and political isolation.

No doubt structural shortfalls were also to blame, but at the end of the day, one person proved to be of paramount importance—Slobodan Milosevic. The way he instrumentalized Serb nationalism, as first demonstrated at his infamous appearance in Kosovo Polje on April 24, 1987, proved to be the catalyst for Yugoslavia's collapse; his utterly inhuman policy, based time and again on miscalculations, resulted in the downfall of Serbia. NATO's military intervention against the policy of deportation in Kosovo and the resulting United Nations decision to place the very heartland of Serb civilization under close supervision are, at least so far, the low points of his negative political record.

At the same time, the Kosovo conflict may well have marked a turning point in international relations. It was not the geopolitical power struggle that had so deeply scarred southeastern Europe in the past that was the number one priority, but rather the need to avert a humanitarian catastrophe. Instead of national interests, the international community pursued the goal of implementing the basic principles of law and humanity.

## II.

One does not have to return to World War I to understand this fundamental shift in political parameters. Even as late as the outbreak of the Yugoslav conflict, the reactions of the community of nations showed reflexes now considered anachronistic. In her book *Balkan Tragedy*, Susan Woodward writes, “As the EC became more directly engaged, [...] the Yugoslav quarrel would become fully enmeshed in the internal politics of Western integration, including the bargaining over the Maastricht Treaty, the competition already emerging amongst Western countries over potential spheres of influence in eastern Europe, and the heightened sensitivity within the EC to the potential power of a united Germany.”

This was highlighted when Hans-Dietrich Genscher, then German foreign minister, pushed for the recognition of Croatia and Slovenia. While the German government’s aim was to give the international community more scope to take action, they were accused of having ulterior motives—even giving rise to the fears “that the old habits of *Großdeutschland* had not died” (Woodward).

This totally unfounded misunderstanding was quickly cleared up. For the continuing conflict in the former Yugoslavia showed that the war in the Balkans, the atrocities and massacres, in particular those perpetrated by Serb soldiers, and the mass of refugees, hundreds of thousands of whom sought refuge abroad, not only called into question the moral and political foundations of the Euro-Atlantic community of values, it also demonstrated that the joint European and American interest in peacefully resolving the conflict and in bringing lasting stability to the region far outweighed traditional friendships and vested national interests.

The success of Dayton was clear proof. The United States, Russia, Great Britain, France, and Germany worked together to bring the three Bosnian warring parties to a peace agreement. It was this united front, this determination that ultimately led to the signing of the Dayton agreement.

Milosevic was part of it too, except he obviously drew different, in fact exactly the wrong lessons, from it. In Kosovo, he was to repeat all the mistakes that had characterized his policies in Croatia and Bosnia and Herzegovina. He made the mistake of relying on tactical alliances

and political groupings that all proved to be elusive, because he had not understood that the core principles of international politics had changed. Following the horrors of the twentieth century, Europe could no longer tolerate a policy of inhuman cynicism and barbarism. Those who pursue such a policy have to reckon with resolute opposition. It is a lesson that is, and will be, important both within Europe and further afield.

### III.

Arguably, Germany recognized the potentially explosive nature of the Kosovo problem sooner than other countries. As early as 1992, we supported the sending of observers of the OSCE (then the CSCE) to Kosovo. These observers, who were part of the Mission of Long Duration in Kosovo, Sandzak and Vojvodina, were to promote dialogue between the government and the various ethnic groups, gather information on human rights violations and help draw up legislation on human and minority rights, freedom of the media and democratic elections.

This mandate is not all that different from the one negotiated six years later in October 1998 between Richard Holbrooke and Milosevic for the so-called Kosovo Verification Mission and shows that, in contrast to what some critics try to allege, the international community did indeed try to react to the crisis in good time. But even that attempt was thwarted by Belgrade. After the Former Republic of Yugoslavia's (FRY) membership in the CSCE was suspended, Belgrade refused to issue visas for CSCE observers, thus bringing the mission to a premature end in July 1993.

This also highlights a central problem. In invoking the sovereignty principle, based on non-interference in supposedly internal affairs, Belgrade could count on the support of key countries, including Russia and China—two permanent members of the UN Security Council. That is why efforts by the international community remained fruitless—they ultimately depended on the goodwill of Belgrade, which was just what was lacking.

During my time as Federal Foreign Office Political Director, I was repeatedly sent to Pristina and Belgrade to sound out the prospects for brokering a compromise and gradually bringing the two sides closer

together. And there were indeed moves that seemed to pave the way for a policy of dialogue and conflict resolution. For example, the Catholic lay organization Sant' Egidio worked behind the scenes to hammer out a compromise to resolve one of the most pressing problems in Kosovo—the education system. It aimed to reintegrate the parallel education system that the Kosovo Albanians had built up in reaction to Serb repression into the official system, thus enabling young people to have a normal education. But in spite of all the efforts, the breakthrough never came. The Albanians' deep-rooted distrust, nourished by long years of experience, was faced with Belgrade's obstinately non-cooperative stance employing tactical maneuvers to bring down every constructive approach to resolve the conflict.

After each of these failed talks, our conviction grew that this unfolding conflict threatened to erupt violently sooner or later with horrific consequences. Nevertheless, together with the U.S., we managed to get the topic of Kosovo on to the International Contact Group agenda for the first time in the summer of 1997. We had thus achieved a goal that Milosevic had fiercely tried to foil—that is, the recognition of the Kosovo crisis as an international issue beyond the Serb claim of sovereignty. The Russian government was at first most reluctant to accept this.

In February 1998, Serb security forces launched an offensive against the UCK. Belgrade maintained this offensive was only to combat terrorist groups. In fact, a military counterweight to the policy of non-violent opposition which Rugova and his party stood for had emerged in the shape of the UCK, which by means of bloody attacks tried to attract world attention to the plight of Kosovo Albanians. The Belgrade regime itself was to blame for this turn of events—its obstructionist tactics had slowly discredited Rugova's policy of non-violence.

Although Klaus Kinkel, then German foreign minister, and Hubert Védrine, his French colleague, had appealed to Milosevic in a joint letter as early as November 1997, they tried once more in mid-March 1998 to find a diplomatic solution to the Kosovo conflict. They visited Belgrade and warned Milosevic emphatically that the FRY's sustained policy of obstruction would result in further sanctions. This fell on deaf ears. Milosevic thought he could sit out this crisis, just as he had others before it.

Further developments on the ground escalated in the usual manner. With increasing brutality, the Serb security forces tried to suppress the armed UCK revolt and impose the silence of the grave in Kosovo. They launched a massive offensive in May 1998 and, just two months later, more than 120,000 people had fled their homes to hide in the mountains and forests, including the elderly, as well as women and children. We all still remember the images of this misery. By mid-October this number had swollen to around 300,000. The crisis which had been simmering for a decade flared into open conflict and the way Belgrade handled this conflict left no doubt whatsoever that the regime was not waging a campaign against terrorists, but a merciless war against part of its own population, allowing a humanitarian crisis to occur.

Thus Belgrade brought about the turning point in international relations that I mentioned earlier. Regardless of the principle of territorial integrity and sovereignty of the FRY, the international community was united in condemning the excessive use of violence of the Serb security forces. In April 1998, the UN Security Council passed the first of several Kosovo resolutions imposing an arms embargo on the FRY. This was a particularly important step for Moscow—although unfortunately still not a sufficient one—as it heralded the end of Russia's non-cooperative stance.

At the same time, the European Union proved its newly-found ability to act in the field of the Common Foreign and Security Policy. Unlike at the start of the Yugoslav conflict in 1991, the EU's position this time was highly united and cohesive from the outset. With the goal of making Belgrade relent, the fifteen European foreign ministers agreed on June 29, 1998 to impose a flight ban on the Yugoslav airlines and an investment embargo on the Former Republic of Yugoslavia, in addition to the sanctions already in place against the FRY.

Belgrade, however, continued its offensive undeterred. In June 1998, after a trip to Pristina, it was clear to me that Belgrade would only give way and stop its attacks under extreme external pressure. On July 8, 1998 we therefore invited the Contact Group to Bonn to effectively demonstrate our joint positions, with the involvement of Russia, to the outside world. The result was *inter alia* to call for an immediate cease-fire as a matter of urgency, as well as an agreement on the basic elements

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required to resolve the issue of Kosovo's status. True, it proved impossible even at this stage to achieve our main goal—i.e., to win over Moscow to the threat of military force against Belgrade by explicitly referring to Chapter VII of the UN Charter. Further high-level talks with the Moscow leadership were unable to change that. In the late summer I was sent to meet then Foreign Minister Primakov in the Crimea, again to no avail.

The situation in Kosovo came to a head in August and September 1998, and the next important step followed with the adoption on September 23, 1998 of resolution 1199 by the UN Security Council. It called inter alia for an immediate cease-fire and the withdrawal of FRY troops, and referred, albeit indirectly, to Article VII of the UN Charter, i.e., the threat of the use of force. One day later, on September 24, 1998, NATO began to prepare for possible military action, under Russian protest.

But even this warning did not suffice. A joint meeting with American mediator Holbrooke and SACEUR General Clark, as well as the deployment order of the NATO Council for limited and graduated air strikes were required before Milosevic gave way, unfortunately only temporarily and again inadequately. In the so-called Holbrooke-Milosevic package, Milosevic granted the OSCE the right to monitor the implementation of UNSC resolution 1199 with up to two thousand observers on the ground and agreed to an air watch by unarmed NATO spotter planes. In addition, he undertook to conclude a political framework agreement on far-reaching self-administration for Kosovo.

The stationing of OSCE observers did initially lead to a significant détente in the fall of 1998. Refugees were able to return and life began to return to normal. But the cease-fire remained fragile and again and again there were incidents. What Holbrooke had achieved in Belgrade was at best some breathing space, which we knew would last at most until the spring. After that there either had to be a political solution or it was feared that new fighting would erupt.

Time was running out. There were more and more incidents in Kosovo. The parties to the conflict appeared to be using the ceasefire to arm themselves for new battles in the spring. There was a serious exchange of fire between the Yugoslav armed forces and the UCK in the vicinity of Podujevo on Christmas Day 1998. On January 15, 1999 the massacre

of Racak took place, in which forty-five Kosovo Albanian civilians were brutally murdered by Serb security forces. It became increasingly clear that, as in Bosnia and Herzegovina, a major joint effort on the part of the international community was required if a solution was to be reached. German Foreign Minister Fischer, who had taken up the post after the change of government in October 1998, had used his first visit to Moscow to explore the subject of Kosovo with his Russian contacts. We knew that Milosevic would only relent, if at all, when confronted by a united international community. Still, Moscow hesitated.

On January 29, 1999 the Contact Group foreign ministers decided to convene the two parties for last-ditch negotiations in Rambouillet. The idea was, as in Dayton, to urge the two parties to find a compromise in a secluded venue, out of public view. There was, however, one significant difference—the Rambouillet concept was not, like Dayton, an American enterprise, but one in which the European Union and Russia were equal partners. The negotiations were led by a Troika—Chris Hill, Russian Special Envoy Boris Mayorski, and EU Special Representative Wolfgang Petritsch. Europe had learned its lesson from the Bosnian war, showing itself able to act and determined to accept its responsibility for this European problem. A special role fell to us Germans: starting January 1, 1999 we not only held the presidency of the European Union, but also of the G8 and the WEU.

When on February 6, 1999 the delegations arrived in Rambouillet, it was clear to all that this was possibly the last opportunity to reach a political solution—all, that is, except the parties to the conflict themselves, who displayed as little willingness to compromise as ever, positioning themselves and playing for time.

We all know the rest. After tough negotiations, a three-week interruption and the resumption of negotiations in Paris, the Kosovo-Albanian delegation on March 18, 1999 finally signed the draft treaty worked out by the negotiators in Rambouillet. Belgrade continued to refuse to sign, was not prepared to negotiate seriously and began an offensive against the UCK in the area northwest of Pristina, previously declared to be a FRY security force operation area, where reinforcements had meanwhile been sent in. The Paris talks were suspended and at the same time the situation on the ground became ever more precarious.

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Belgrade was evidently attempting to force a military solution, making the systematic expulsion of the civilian population part and parcel of its military tactics. In the end, the Serb security units had forced 850,000 people, nearly half of the total population of Kosovo, from their homes. In view of this humanitarian catastrophe the international community saw no alternative to trying to prevent further human suffering, oppression and violence against the civilian population by means of targeted air strikes. On March 23, 1999 NATO Secretary-General Solana gave the operational order.

Germany supported this decision and took part in its implementation. For the first time since World War II, German soldiers were involved in a combat mission—a decision not taken lightly by the federal government, but one to which it saw no alternative. It had become clear that Milosevic was not open to international mediation efforts. He regarded them as a sign of weakness, thus forcing the international community to show strength. NATO proved its mettle not only as a military alliance, but above all as a community of values.

It was, however, clear to the federal government from the start that this show of strength would have to be backed by political and diplomatic steps. Our aim was to cast our demands on Belgrade into the mold of a UN Security Council resolution under Chapter VII of the UN Charter, thereby thwarting Milosevic's attempt to split the international community along the supposed dividing line between NATO and Russia. That was the real rationale behind the six-step peace plan presented by Foreign Minister Fischer to our western partners on April 14, 1999 in Brussels that was to form the basis of the process towards a political solution. At the same time, I was sent to Moscow in order to win the Russians over to this plan—not an easy task since Russia still regarded the NATO operations with the utmost reserve. Russian Foreign Minister Ivanov at least listened with interest to the German ideas.

Foreign Minister Fischer's peace plan, however, represented only one part of our Balkan concept, limited to resolving the immediate crisis, not to curing the symptoms. In our view, the Kosovo conflict had in fact shown that the whole of southeastern Europe needed a comprehensive approach to stabilization. The international community had for too long limited itself to crisis management, neglecting longer-term crisis

prevention. A concept was now required to help bring the countries of southeastern Europe, where old patterns of conflict dating back to Ottoman times linger on, into modern Europe. That is the aim of the Stability Pact called for by Foreign Minister Fischer in a speech to the European Parliament on May 5, 1999. In the German strategy for the stabilization of southeastern Europe, the peace plan and the Stability Pact were indivisibly linked.

It was a hard and stony path that we had to walk down until June 10, 1999, the day on which UN Security Council Resolution 1244 was passed in New York and the Stability Pact for southeastern Europe was adopted by a large group of foreign ministers in Cologne. The G8 under the German presidency played a key role. On May 6, 1999 the foreign ministers of this forum finally managed to agree with Russia on a catalogue of points of principle containing the essence of Resolution 1244. Thus, the time had come to resume talks with Belgrade. In the meantime, Milosevic must have recognized that he would not succeed for long in putting a wedge between NATO and Russia. Finnish President Ahtisaari declared himself willing to assume the role of emissary. Intensive consultations began between him, former Russian Prime Minister Chernomyrdin (whom President Yeltsin had appointed as Special Commissioner on Kosovo) and U.S. Deputy Secretary of State Talbott. On June 2, 1998 Ahtisaari and Chernomyrdin traveled to Belgrade and presented the Yugoslav leadership with a peace plan on the basis of the G8 catalogue of points of principle. Milosevic accepted—the political realities of the late twentieth century had caught up with him.

#### IV.

In deploying the NATO-led KFOR peace force and the UN mission UNMIK, we have created the framework for a permanent solution to the Kosovo problem. Filling in this framework will require a lot of patience and many small steps. Setbacks will be inevitable. Winning the peace will be more difficult than defeating Milosevic in an armed conflict. The challenges are enormous—after all, the Serb machinery of repression not only expelled 850,000 people from their homes, but also destroyed the administrative and economic infrastructure. UNMIK and KFOR must

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rebuild community structures in Kosovo from scratch. The Europeans are playing a key role here—not only are they providing 30,000 soldiers, the bulk of the troops, but, at the first donors' conference, the EU, together with its Member States, agreed on \$1.1 billion in aid, more than double the amount committed by the United States.

At present I regard the following as the main problems:

- KFOR and UNMIK must effectively protect the people in Kosovo, including the remaining Serbs and Roma, against attacks on their lives and property.
- Serbs and Roma who have fled must be enabled to return to their homes.
- Functioning administrative structures must be established that are accepted by the population as the basis of a multi-ethnic and democratic Kosovo.
- The UCK leadership must be involved in the political structures and become integrated as a political factor in a pluralist system. There must not be a shadow army!
- The economic reconstruction process must be started and a market economy established.
- All social groups should be involved in the reconciliation process as the long-term goal must be to overcome ethnic divisions.

When I was in Kosovo again in September 1999, three months after the adoption of Resolution 1244, I gained a first-hand impression of what members of the UN mission and KFOR soldiers together had already achieved in terms of reconstruction work. The results are impressive, and the courage and optimism with which the international missions are tackling their immense task deserve admiration.

Whether their success will endure depends of course on Kosovo being integrated in a network of regional cooperation and the region as a whole being given a European perspective. Our European house is too small for a significant number of its inhabitants to live, as it were, in a scruffy basement in need of renovation. The Stability Pact is the redevelopment concept. It is intended to enable the stabilizing force of European integration to ultimately take effect in southeastern Europe—like in the

reconciliation process between Germany and France fifty years ago.

The first meeting of the Regional Table of the Stability Pact was held on September 16, 1999, chaired by the Special Coordinator Bodo Hombach. It is to be followed by meetings of working tables on three main baskets:

- democracy, respect for human rights, protection of minorities, the rule of law, and the promotion of the structures of a civil society;
- economic reconstruction and development focusing particularly on regional cooperation and the strengthening of the private sector; and
- security against internal and external threats by means of arms control, confidence-building measures, securing borders, and measures against cross-border crime.

These baskets show why the Federal Republic of Yugoslavia has so far not been able to take part in the Stability Pact. As long as Milosevic, an indicted war criminal, remains in power there it will be impossible to develop a credible concept with the Belgrade government for the creation of democratic structures based on the rule of law. Conversely, however, there can only be lasting peace and stability in southeastern Europe when Serbia has also found its place in the region. We must therefore support those forces in the FRY that are in favor of change and of the country opening up towards the West, and help them to find the strength to lead their country out of isolation and back down the path to Europe.

The Stability Pact is an ambitious project. But if we are serious about “conflict prevention instead of crisis management,” we must ensure its success. Southeastern Europe holds a great deal of potential for violence and instability. The difficulties facing UNMIK and KFOR in implementing Security Council Resolution 1244 in Kosovo are just one example. Europe is willing and able to make its contribution to stabilizing the region. The Kosovo conflict demonstrated that. It also, however, made clear that close transatlantic cooperation continues to be essential. Peace and stability in southeastern Europe represent a long-term challenge that Europe and the U.S. have met and will continue to meet together.

## **GERMANY, KOSOVO AND THE ALLIANCE**

**Rudolf Scharping**

The European states and their American partners are currently establishing key prerequisites in Kosovo for a peace process and the long-term stabilization of the entire southeastern European region. While the military conflict is terminated, violence remains imminent, and there is still a long way to go before peace and true reconciliation prevail. Nevertheless, we can say that on the threshold of the twenty-first century, the hope of building a peaceful order for the whole of Europe has returned, after appearing threatened by the return of nationalism, force and expulsion.

The war in Kosovo, now behind us, has in many respects revealed a fundamental change in the security parameters in Europe. Both the North Atlantic Alliance and the European states were put to an immense test and they passed it. The cohesion of NATO and the capacity of Europe to take political and military action made it possible to put an end to the military conflict and marked the beginning of a hopeful long-term development in the region. Europe and America acted jointly when a serious crisis in one of the most unstable regions of this world again jeopardized peace and stability in Europe. It was a transformed NATO—a NATO geared to the new strategic environment—and a transformed Europe—a Europe resolute on assuming more political and military responsibility—that accomplished the task of putting an end to Belgrade's intolerable doings in Kosovo.

### **II.**

The Kosovo conflict has revealed the consensus that has been emerging in Europe in recent years: Relations between Europe and America must be rebalanced after the radical changes of the security situation in Europe. The Alliance has increased in weight in recent years as an active and cooperative force for building peace and stability in Europe. But the Europeans must, in close cooperation with the irreplaceable transatlantic alliance, become more capable of taking action themselves as an equal partner.

This is a consequence of the changed political and strategic environment. We have been forced to realize that the end of the East-West conflict not only created immense chances for overcoming the artificial division of Europe and for building a comprehensive European security architecture, but also a completely new and widened potential of a large variety of risks. These risks include uncertainty and instability in and around the Euro-Atlantic area and the possibility of regional crises at the periphery of the Alliance that could rapidly evolve.

The core function of our defense policy and our military forces is to maintain an assured defense capability within the collective defense of the Alliance. In addition to this, however, it seems impossible to dispute the need to address crises and their causes that arise outside our territory and outside the Alliance whenever our common security interests and values are affected. In today's strategic environment, security can no longer be determined by a territorially defined area alone.

One of the most important lessons to be learned from the events in the Balkans is that we must identify the causes of crises even earlier, adopt a preventive approach towards the management of crises and, whenever this is not successful, also be capable of containing and terminating them. Otherwise, we risk allowing conflicts to spread and instability to spill over into other states and regions.

This approach to stability poses a direct challenge to us Europeans. The diversified spectrum of risks has to be mastered by all members of the Euro-Atlantic community. Europe is not yet the strategic actor it wants to be, nor the strategic partner the U.S. seeks. As UN Secretary-General Kofi Annan rightly put it in a remarkable speech in Berlin in April 1999, "Europeans should ask themselves whether they are satisfied with the world as it is, or with the way it is going. If not, they surely should do something to make their influence more effective. Without sacrificing their distinct national identities and institutions, could they not develop a stronger capacity for acting as one in their external relations."

To me this means that whenever European security interests are affected and crises evolve in and around Europe, Europe must be willing and able to act on the basis of true equality with our American allies. Equality, however, demands close cooperation and harmony among the Europeans themselves. This requires Europe to speak with one voice on

foreign and security policy matters and to be resolute in the development of the political and military instruments needed to assure its own capacity to act.

### III.

In the Kosovo conflict, the European allies displayed a new awareness. Europe spoke with one voice and acted jointly. Evidence of this is not only provided by the successful political efforts made by the German EU presidency in particular and the European Union mediator, Finland's President Ahtisaari, to solve the Kosovo crisis. It is also provided by the Stability Pact for southeastern Europe developed under the German presidency and the preceding Rambouillet negotiations that were also conducted under European leadership.

At the same time, Europe has again experienced how necessary it is to shape an efficient European security and defense policy as stipulated in the Treaty of Amsterdam that truly merits this name. Europe's ability to assume more responsibility for its own defense needs requires not only a capacity for political action but also efficient military capabilities on the part of the European states. There are still considerable deficits. Against this background, the decisions taken at the NATO summit in Washington in April 1999 and at the EU summit in Cologne in June 1999 are a remarkable step forward.

At the NATO summit, it was agreed that the Europeans could have access to Alliance assets and capabilities for European-led crisis response operations whenever the Alliance did not want to take action. NATO underlined its preparedness to make assets and capabilities available not only for WEU-led operations, but also for future EU-led operations. Our partners in NATO have thus acknowledged the EU's increased political role and actively support the fleshing-out of European security and defense policy.

After the entry into force of the Treaty of Amsterdam on May 1, 1999, we are pushing ahead with the detailed framing of a more independent European security and defense policy within the European Union—by appropriate consultation and decision-making bodies and by the necessary autonomous military assets and capabilities. The European

Union must be rendered capable of preparing decisions concerning the full range of conflict prevention and crisis management tasks defined in the Treaty on European Union, the “Petersberg tasks,” of legitimizing them politically and of implementing them. The collective defense commitments given in the Treaties of Brussels and Washington remain unaffected.

The European Council in Cologne in June 1999 took landmark decisions on the advancement of the common European security and defense policy:

- The unity of European political and military action in crisis prevention and conflict management is to be established under the roof of one organization, the roof of the EU. The nomination of NATO Secretary General Javier Solana as the future “Mr. GASP” cannot be rated highly enough in this context.
- The necessary institutional prerequisites are intended to be established by the end of the year 2000, including regular meetings of the General Affairs Council, as appropriate, including defense ministers; a permanent body (Political and Security Committee) in Brussels; an EU Military Committee; an EU Military Staff, including a Situation Center; and the use of the WEU Satellite Center and the Institute for Security Studies.
- The functions of the WEU, which will be necessary for the EU to fulfill its new responsibilities in the area of the Petersberg tasks will be transferred to the European Union. The agreements for cooperation between the WEU and NATO approved at the NATO summit in Washington will also be transferred to the European Union. This approach reflects the broad approval for integrating the WEU into the EU that first became apparent at the informal meeting of the defense ministers of the WEU on May 10 and 11, 1999 in Bremen.
- Procedures that allow the full participation of all EU member states are to be elaborated, including non-allied members, and European NATO members who are not EU members in European-led operations.
- A European ability to act is not primarily an institutional issue—it is clearly a matter of having real capabilities to conduct

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operations in the framework of the “Petersberg tasks.” This is why the EU states have committed themselves to the build-up of a strategic air transport component and a strategic intelligence capability as well as to the improvement of command and control structures. In addition, the five states participating in the Eurocorps (Germany, Belgium, Spain, France, and Luxembourg) decided to turn the corps into a European crisis response corps that will be available both for NATO and EU operations.

- Defense industry collaboration still lags behind other fields of European integration. This does not comply with the objectives of the Treaties of Maastricht and Amsterdam. Cooperation between the European defense industries is now intended to be further expanded and the planning and acquisition of defense supplies coordinated on the basis of harmonized military requirements. This will contribute to the necessary interoperability and hence effectiveness in joint operations.

There is not too much America in NATO, but rather too little Europe. Enhancing Europe’s ability to take action and to assume responsibility means strengthening NATO as a whole. The advancement of the European security and defense policy does not mean:

- the duplication of allied command structures or capabilities, but the satisfaction of minimum operational requirements for an European capacity for autonomous action;
- the discrimination of non-member states, but the assurance of participation for the European NATO members that are not in the EU and those European states that are not members of the Alliance; and
- the decoupling of European decision-making processes from NATO and the United States, but instead the intensification of cooperation and consultation between NATO and the EU in the interest of both sides. NATO remains the essential forum for transatlantic consultations on any issues that affect the vital interests of the Allies.

IV.

The aspirations of the Europeans to strengthen their role in European preventive diplomacy and crisis management have arisen against the background and in close coordination with a transformed Alliance. In recent years, NATO has reformed its structures, redefined its missions, opened to new members, and developed cooperation with partners on a broad front. This comprehensive adaptation process that NATO underwent to get aligned with the new security environment in Europe was the prerequisite for the Alliance's commitment in the Balkan crises.

Founded on a unique transatlantic relationship cemented by the Washington Treaty, NATO's purpose—safeguarding common values and interests and providing a common defense—has not changed after fifty years. What has changed is the strategic environment in which the Alliance operates and the political and military requirements for the Alliance to remain the bedrock of Euro-Atlantic security. As a result, NATO has developed both in scale and in scope. At the NATO summit meeting in Washington, the Alliance cast its realignment into a new Strategic Concept. I would like to highlight three points:

1. The Alliance has now assigned all the new missions that have increasingly come to the fore over the past few years the weight they deserve in strategic terms—without neglecting collective defense. Partnership, cooperation, conflict prevention, and crisis management will be future key areas of action for the Alliance in its endeavor to reinforce the security and stability of the Euro-Atlantic area. The formulation of a new fundamental security task for NATO reflects this development. In doing so, NATO has made clear that it is not seeking to establish a global intervention capability but that it must be prepared to act militarily beyond its treaty area on a case-by-case basis. The Alliance territory, including its periphery, however, remains its primary area of responsibility.
2. The primary responsibility of the UN Security Council of preserving world peace and international security remains

unaffected. In addition, the action the Alliance takes in all its operations, including crisis management missions, is entirely consistent with international law and the Charter of the United Nations. This also goes for those cases of humanitarian intervention in which the self-blockade of the United Nations makes it necessary to intervene in domestic conflicts to prevent expulsion and genocide. At the same time, NATO has reaffirmed its willingness to conduct operations under the authority of the UN Security Council or the responsibility of the OSCE, which may in certain instances also mean that Germany will be committed outside Europe.

3. Future Alliance military operations, including non-Article 5 operations, will in many respects have different characteristics from those in the past. In order to effectively meet the demands of the full range of their future missions, Alliance forces need appropriate capabilities notably with an eye to being able to respond rapidly and effectively in a crisis—mobility, deployability, effective engagement, survivability and sustainability, interoperability, command and control, and the increased use of advanced technologies. These key capabilities uniquely match the increased requirements of multinational operations with partners in the full range of missions. They are also the underlying rationale of the new Defense Capabilities Initiative launched at the NATO summit.

## V.

Both a more effective European security and defense policy and a North Atlantic Alliance geared to the most likely future missions impose particular demands on Germany's military forces. In concrete terms, the *Bundeswehr* must remain capable of playing its role in the Alliance and become capable of playing a role in a strengthened Europe. Being a reliable partner, it must participate in operations throughout the widened range of missions of the Alliance. At the same time it must make the substantial contribution that our friends and partners expect of it towards shaping a more efficient European security and defense policy. Both call

for modern military forces with appropriate improved capabilities, tailored to the changed missions.

Reality has long since caught up with us in this. While the *Bundeswehr's* structures are still largely geared to the demands of Alliance and national defense, the *Bundeswehr* itself has been involved in international crisis operations for years. The adaptations to the structures and capabilities this requires have, however, only been partly made.

This alliance has considerably changed in spirit and structure over the last years, and so has the *Bundeswehr*. But this process has not come to an end. The adaptation of NATO and the adaptation of the *Bundeswehr* have to go hand in hand not least because Germany is a member with considerable weight and voice in the Alliance. The German armed forces have to be capable of participating in all missions—collective defense, cooperation with partners, crisis management, and other international missions. This requires armed forces that are more flexible, highly mobile, sustainable, and rapidly deployable. This also means preventing a growing disparity between the technological capability of the United States and its European allies.

The new Strategic Concept of NATO clearly outlines the requirements of the future Alliance forces. In line with this, we supported the Defense Capabilities Initiative adopted at the NATO Summit in April 1999. It will help to narrow the gap between our forces, a gap that cannot be allowed to grow further without endangering our common cause. We are now in the process of thoroughly reviewing the armament planning of the *Bundeswehr* and of setting new priorities in line with the new strategic requirements. This review is going on in the light of considerable budgetary constraints. But making the necessary adaptations now is the only option we have if we are to achieve our most important objective: to duly maintain the *Bundeswehr's* ability to play its role in the Alliance in accordance with increased demands and Germany's international weight.

## VI.

Kosovo, as Bosnia before, was another truly defining moment for the new Germany and the *Bundeswehr*. In a very short time Germany

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has undergone a remarkable development. In implementing UN Resolution 1244, Germany is, for the first time, “lead nation” in a KFOR sector—on a level with the Americans, the British, the French, and the Italians. This signals very clearly that the reunified Germany is willing to assume greater responsibility and Germany’s allies and partners are ready to accept its new role in safeguarding peace and stability in Europe.

Right from the beginning, the new German coalition government has left no doubt that Germany would remain part of the Alliance, determined to do everything possible—including the resort to military means as ultima ratio—to stop the upcoming humanitarian catastrophe in the midst of Europe. In the following months, in particular during its EU and WEU presidencies in the first half of 1999, German political and diplomatic initiatives have helped decisively to pave the way for reaching a political-military solution for Kosovo on the basis of a UN Security Council resolution. This was no small success in the light of more than eighty days of NATO air operations, a ruthless Serb dictator and a sometimes delicate partnership with Russia.

German military and humanitarian contributions in the Kosovo crisis have been remarkable. Beyond the three thousand soldiers who are still serving as part of SFOR in Bosnia-Herzegovina, the *Bundeswehr* has been participating in all Kosovo missions. Like the U.S., we participated in NATO’s Air Verification mission, in the OSCE verification mission, in the Extraction Force, in Operation Allied Force, and finally in KFOR with up to 6,500 ground troops as well as additional sea and air forces. Russian, Turkish, Swedish, Austrian, Dutch, Bulgarian, Slovak, and Swiss peacekeepers will be fully integrated in the German KFOR sector with a total of more than 10,000 troops.

While it is true that the United States provided some 80 percent of the relevant air power in NATO’s air campaign, we should also note that European nations, among them Germany, will provide by far the lion’s share of the ground troops for the peace implementation force for many years to come.

With regard to a fair burden-sharing another aspect deserves to be mentioned. The German government has continuously pursued a threefold approach to resolve the Kosovo crisis: political, military and humanitarian efforts. From the beginning we have provided comprehensive

humanitarian support. Germany has accepted more than 14,000 refugees on its soil—more than any other state in the European Union. *Bundeswehr* aircraft moved more than 2,800 tons of goods into the region, including medicine, food, clothes, tents, etc. Germany has taken responsibility for the construction of several refugee camps in Albania and Macedonia with a capacity for more than 140,000 people and the German government has provided 140 million DM of financial help in 1999 alone for humanitarian purposes.

## VII.

Although it is much too early to learn all the lessons of our engagement in Kosovo, there is no question about the role of NATO. In the Balkans, NATO has again proved to be the central and irreplaceable institution for Euro-Atlantic security. Only the Alliance has the politico-military structures and instruments that lend it an incomparable efficiency. By gearing itself to the new missions of partnership and cooperation, conflict prevention and crisis management, it is more than ever in a position to work with partners outside the Alliance and other security institutions to strengthen security and stability in Europe.

The conflict in Kosovo demonstrated the value of cohesion and solidarity within the alliance. The unwavering commitment of nineteen democracies not to tolerate the expulsion of an entire ethnic community—something that we thought had been removed from human activity in modern times—was key to the final success. Milosevic severely underestimated the determination of all NATO members to stand together and to act together in defense of our shared interests and values.

Another major lesson of the Kosovo conflict will make some people uneasy but will encourage many people all over the world. Gross violations of human rights are no longer an internal matter of sovereign states. And after the end of the East-West confrontation and the risk of a direct confrontation between two nuclear-armed military alliances, there is even less excuse to ignore humanitarian catastrophes. Kosovo certainly broke new ground in international thinking and international law. But military action was not only morally imperative, it was also legally justified. To prevent genocide and racism are imperatives under

international law—also with military means when no other alternative is available. To quote again UN Secretary General Kofi Annan, who in a speech on Kosovo in June 1998 at Ditchley Park said, “State frontiers [...] should no longer be seen as watertight protection for war criminals or mass murderers. The fact that a conflict is ‘internal’ does not give the parties any right to disregard the most basic rules of human conduct. Besides, most ‘internal’ conflicts do not stay internal for very long. They soon ‘spill over’ into neighboring countries.”

Despite the political and moral justification of our military engagement in Kosovo, I hope that we will not see any more Kosovos soon. I am confident that the world will see the benefit of resolving ethnic and religious conflicts in a peaceful way without resorting to violence. This implies that we have to further improve our ability to prevent and respond to humanitarian disasters at an early stage—a task that is fully in line with NATO’s and the EU’s decisions at the Washington and Cologne Summits to engage more actively in political and military conflict prevention and crisis management.

I do not share the fears of some observers and critics that Kosovo was a precedent for similar interventions around the globe. We should not forget that NATO is a Euro-Atlantic institution, not a substitute for a global institution like the United Nations. Its activities, including its military operations, are based on the consensus of nineteen democratic governments, which excludes ill-advised actions. NATO has neither the military means nor the political will to act as “global cop.” We fully agree with our American friends on this point.

## VIII.

We are now facing a huge task. Having worked together to bring the conflict to an end, we are now working together to sustain peace. The reconstruction of Kosovo will be an enormous effort. The integration of the whole region into the European community of states will also be a task of enormous proportions. The Stability Pact for southeastern Europe provides the framework in which all nations and organizations can and must work together to shape the peace and to transfer stability in this part of Europe.

Achieving lasting peace, prosperity and stability in southeastern Europe will again challenge both Europeans and Americans, but I am sure we will succeed. The European Union has taken the lead in this effort, but substantial U.S. involvement remains indispensable to finish our mission in the Balkans. The strong European-American partnership, years of collective planning and cooperation within the Alliance and strong bilateral relations grown over decades were the basis for NATO passing the unique test in Kosovo. They are also of critical importance for mastering the tasks ahead.

The Marshall Plan once gave hope to and provided the basis for the recovery of western Europe—it was an American initiative and it bolstered transatlantic friendship for decades to come. The Stability Pact for southeastern Europe is a European initiative, but again we find Europeans and Americans working side by side to create long-term stability and shape a better future in Europe.

## IX.

Our engagement in the Balkans shows the way of a future-oriented transatlantic cooperation--a true partnership in leadership of Europe and the United States of America in maintaining and strengthening Euro-Atlantic security. At the end of the twentieth century, the Euro-Atlantic community was confronted in southeastern Europe with the largest crisis since the collapse of communist rule in Europe. We can now say that this part of Europe now has hope for a better future and firm prospects for being integrated into the new Europe. It is not least on account of this development that we should feel encouraged to continue unerringly along the road that we have taken.

In January, 1998, NATO Secretary General Javier Solana pointed out to the Polish parliament that, “The lessons of the twentieth century are clear. If Europe’s creative energies are to prevail over its destructive ones, European unity and North American engagement are indispensable. Without unity, our continent cannot break the fateful cycle of mistrust and rivalry that has haunted it for centuries. Without an outward-looking and involved North America, Europe cannot find the equilibrium it needs to complete its grand project of unity. Only together can Europe and

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America face the challenges of tomorrow.” I could not agree more with this wise political judgement.

**ADDENDUM:**

**KOSOVO AND GERMAN PUBLIC OPINION**

Detlef Puhl

The Spring of 1999 found German soldiers on a military mission for the first time since World War II. This mission was not a support mission in second line, as had been the case in Cambodia, Somalia, or even during the IFOR mission in Bosnia; German soldiers were taking an active part in a NATO-led military operation with a military goal—the withdrawal of Serb troops from Kosovo. The German armed forces are no longer just preparing for the worst case scenario—they prepare and train for real action. This is not only a new role for Germany, it is new responsibility.

When one considers the German government’s media strategy during “Operation Allied Force,” one has to bear in mind that in order to be credible in this situation and to secure public support for their participation in the air campaign, the German Ministry of Defense had to strive for as much transparency as possible. That is why the Ministry of Defense held daily press conferences from the beginning of the operation. These press conferences were a means of sharing our agenda and, more importantly, a way of giving the media the opportunity to ask all relevant questions. Transparency was essential, as the functioning of democracies is based on public consent and this consent can only be reliable if and when relevant questions are answered.

The consent of the Germans never wavered. A clear majority of Germans polled before the beginning of the air campaign favored NATO engagement even if Russia vetoed the UN mandate. However, opinions were divided on whether or not such a mandate was necessary. Nevertheless, 55 percent were in favor of a vote in the *Bundestag* mandating the German armed forces to take part in a military operation led by NATO.

During the air campaign we polled the public on a weekly basis, asking the same three questions:

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- 1) Do you agree with NATO's intervention in the Kosovo conflict with air strikes?
- 2) Do you believe that Milosevic will give in?
- 3) Are you in favor of or against an operation involving ground troops?

This continuous polling led us to conclude the following. Never during the air campaign did consent for the operation fall below 50 percent. Even after the accidental bombing of the Chinese embassy in Belgrade, an action that resulted in a drop in the numbers in favor of military action, this drop proved to be temporary. There were differing levels of consent for the bombings in eastern and western Germany. Those polled in eastern Germany favored the air campaign to a significantly lesser extent than those polled in the west. We also learned that older people were less in favor than younger ones. Most of the time the polls showed a significant skepticism about the outlook for success. Finally, one of the most constant results of our poll was the large majority in both eastern and western Germany that was firmly against any participation in an operation involving ground troops.

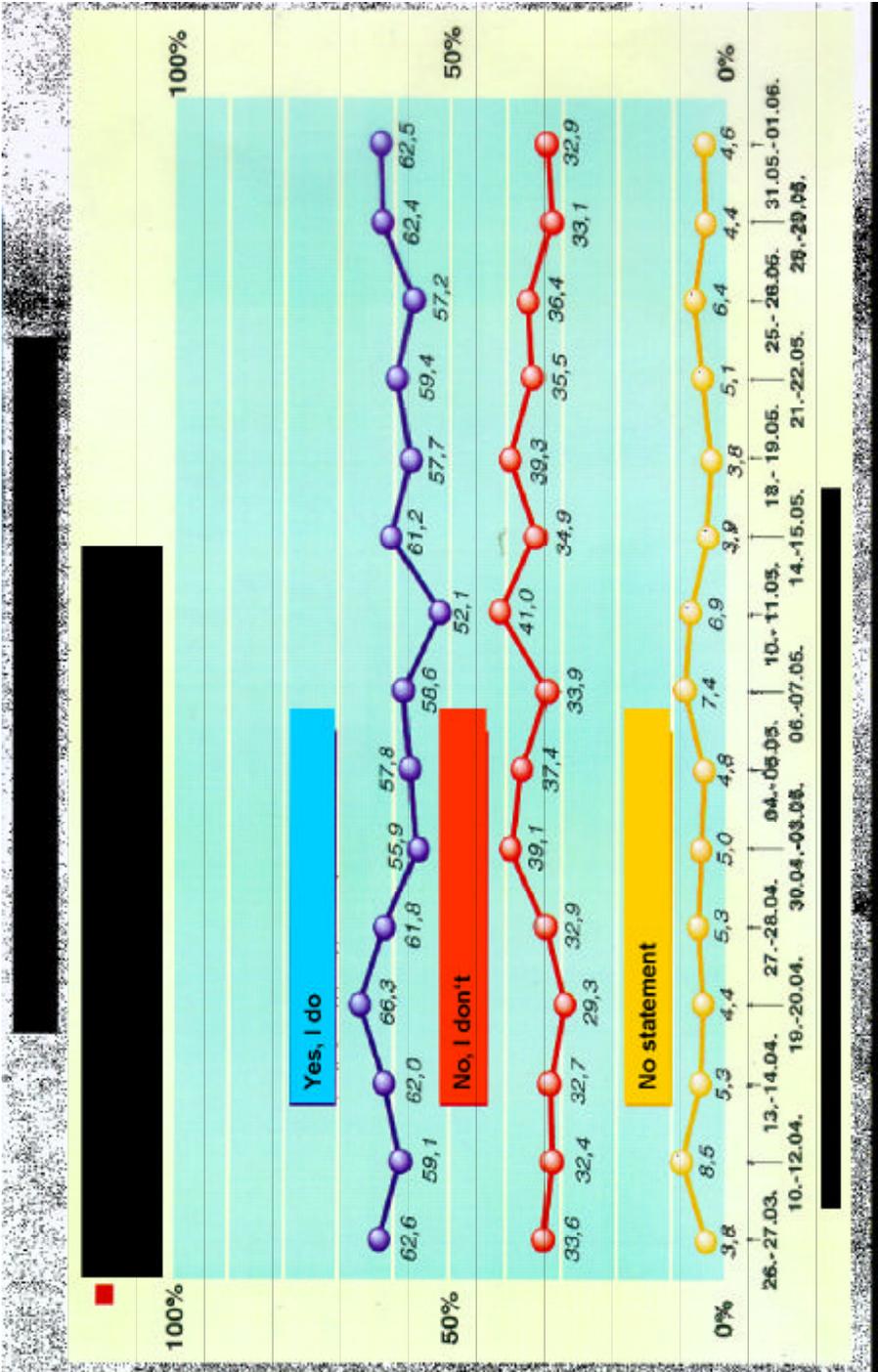
These were the parameters of public opinion in Germany that the government had to take into account. In dealing with public opinion in this context, we had to look at two other factors:

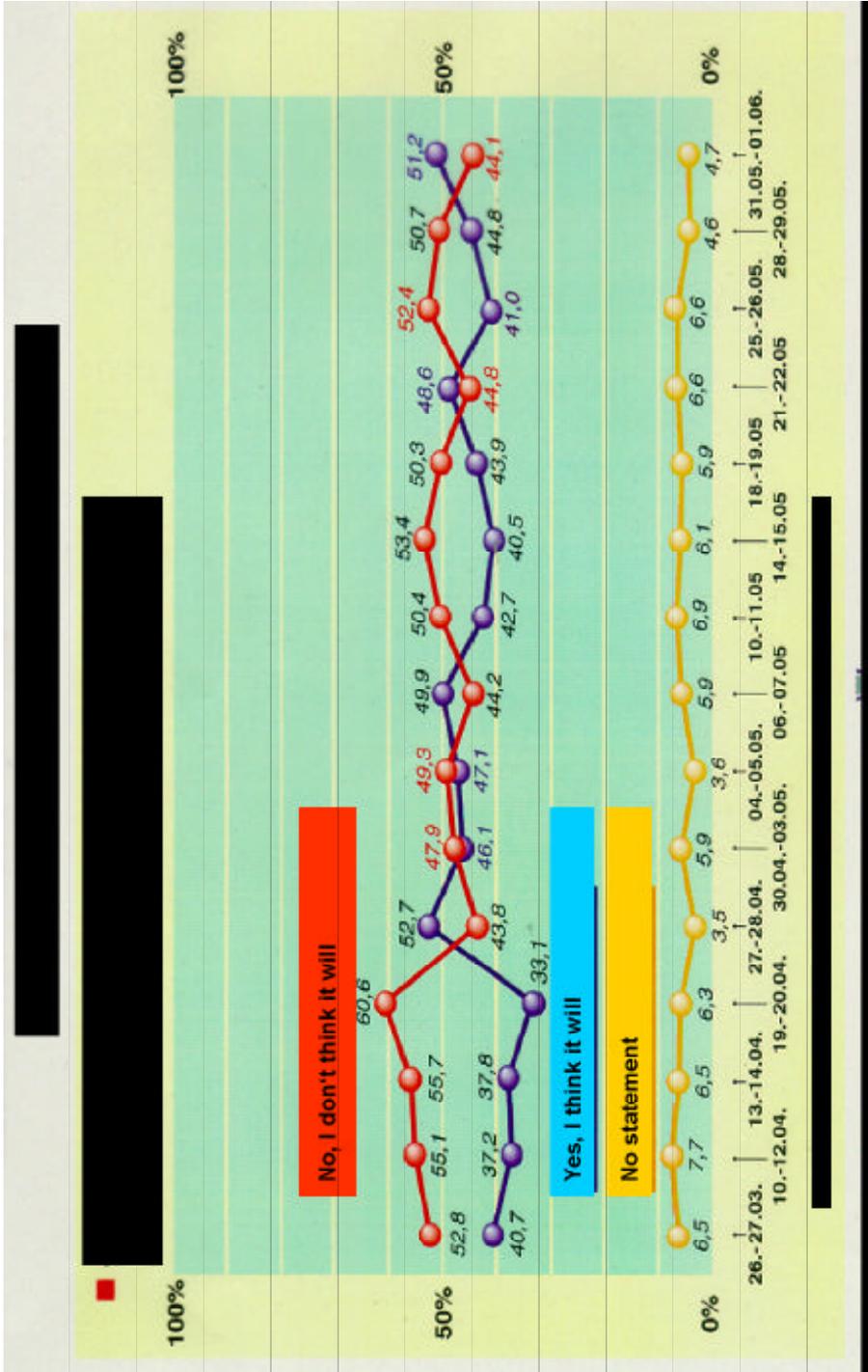
- Serb propaganda was often making the news early in the morning, so we had to accelerate our reaction. Having to be truthful in order to maintain our credibility while depending upon NATO services to assess the result of air strikes, we pressed NATO to react and to release information more quickly. We also turned to publishing our own evidence gained from photographs taken by our own reconnaissance missions.
- Time became an increasingly important factor in our drive to achieve transparency. Information spread by the Internet had to travel quickly if we wanted it to be used by the media and, more importantly, if we wanted it to counter Serb propaganda on the Internet. While no attack on the Internet by hackers was successful, we did not react quickly enough. However, we did offer good detailed background information on the Kosovo conflict as well as on NATO engagement, information that was continuously updated.

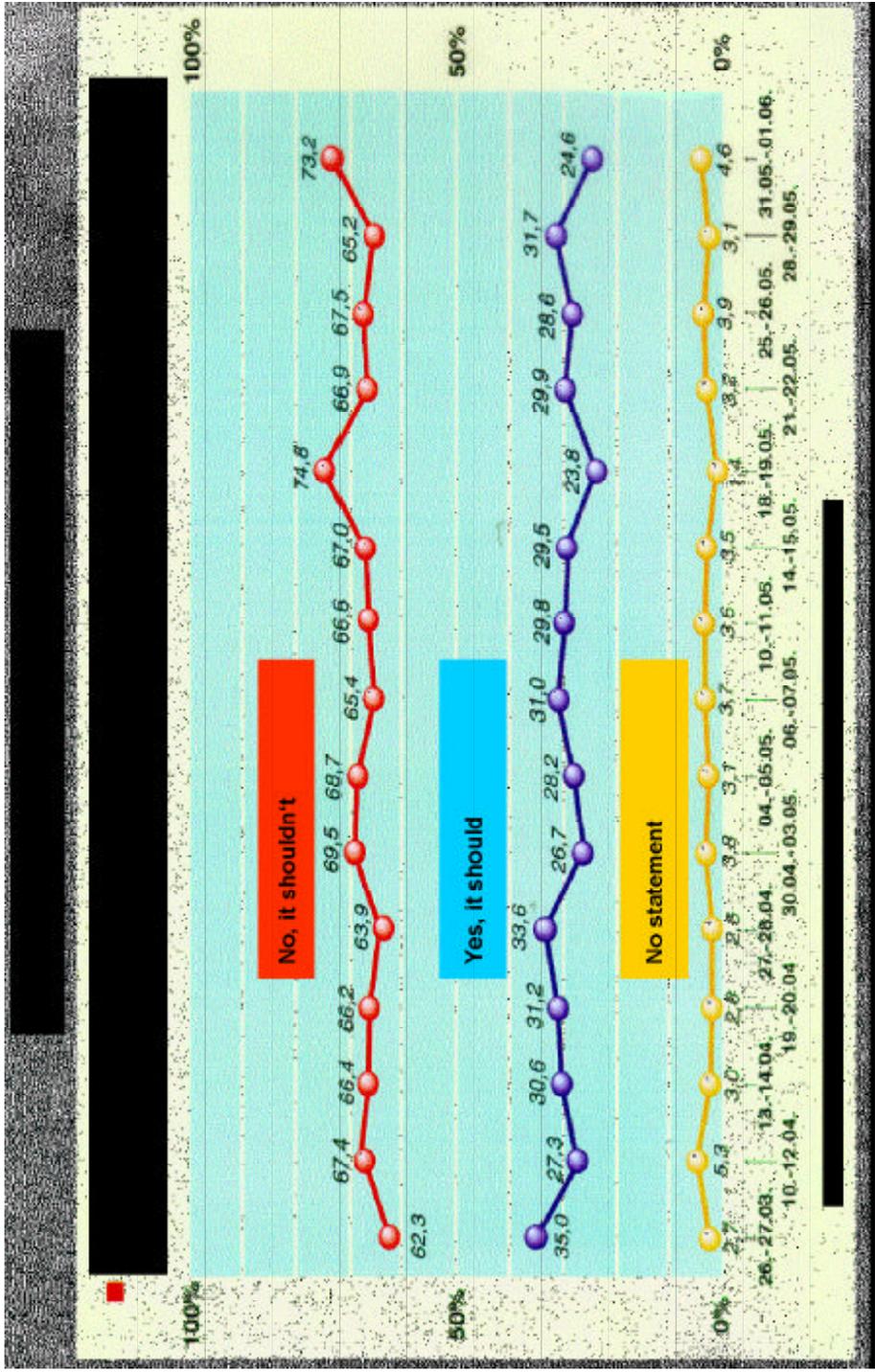
In conclusion, Operation “Allied Force” was a “first” in many ways for Germany and thus for our media strategy as well. Polls showed that public opinion was fairly stable over the entire period of the operation, with a clear “yes” for participation in the NATO operation and a resounding “no” for any operation implying the use of ground forces. We were right to hold daily press conferences; however, we should have reacted more quickly to Serb propaganda. We should have been more open to the release of evidence of strike results and more frank in admitting our mistakes. Such actions would have suited a policy of openness; however, our means did not meet our needs.

The English philosopher David Hume once wrote that, “All government rests on opinion.” Throughout the air campaign, German public opinion was in favor of what the German government and NATO did. For this reason, there was nothing really to complain about. However, we should also think of Aristotle, who is supposed to have said, “He who loses the support of public opinion is no longer king.” Public support for government action is a fragile thing that has to be fought for every day and there is no alternative to freely consented public support. This is especially critical in times of military action. This was the basic rule of our media strategy during the Kosovo conflict, and it is still the basic rule today.

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