September 24, 1998

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER

SUBJECT: Kosovo: Preparing for an Ultimatum

On Friday, I convened your Foreign Policy Team to consider options for averting a humanitarian catastrophe in Kosovo and promoting a political settlement.

With winter approaching and Milosevic still defiant, Principals agreed that the time has come to back up international demands for a political solution and an end to violence against civilians with a credible threat of NATO military action. This would entail pressing NATO to issue an ultimatum demanding that Milosevic take concrete steps to resolve the humanitarian and political crisis, or face a military response. For the ultimatum to be credible, we and our Allies would need to be ready to conduct limited cruise missile strikes should Milosevic fail to comply. If he persists in noncompliance, we would need to be ready to escalate to wider air strikes with the objective of impeding his ability to conduct military and security operations in Kosovo. The ultimatum would need to be accompanied by a stiff warning to the Kosovar Albanians not to provoke a Serb military response.

There was a consensus that an approach focused exclusively on humanitarian relief and diplomatic negotiations has no reasonable prospect of success. Ambassador Hill’s negotiating process between Milosevic and the Kosovar Albanians will not reach an acceptable agreement so long as the current violence continues. At the same time, the prolonged and brutal operations by Serb security forces, combined with intermittent UCK attacks, will continue to undercut relief efforts. The potential for atrocities also remains high.

Wednesday’s Chapter VII UN resolution (adopted 14-0 with China abstaining) and NATO’s decision to begin generating forces are important steps in preparing us politically and militarily for...
issuing an ultimatum, while also sending a strong signal to Milosevic. The UN resolution helps to create the political basis for the use of force for many of our Allies, but it does not explicitly authorize the use of force.

Of course this approach is not without its costs and risks, both politically and militarily.

- Achieving allied support will require a major effort, particularly with Russia strongly opposing any use of force. Many of the allies will want us to try for another UN resolution specifically authorizing force before NATO issues an ultimatum. Although we believe we will ultimately be successful in gaining the Alliance agreement to use force with or without another resolution, some may seek to “opt out” of contributing forces. Sustaining allied consensus will also be difficult, particularly if Milosevic complies only partially with the ultimatum’s terms. We will also want to consult closely with Russia bilaterally and through NATO to limit damage to our relationship.

- Securing Congressional support will also require significant effort. Most members and the public have limited interest in Kosovo and we are already having difficulty in maintaining support for participation in SFOR. Congress will be concerned about any military action that is seen as putting U.S. forces at risk or leading to a long-term military commitment in support of “Kosovar autonomy.” Congress will be particularly wary if it appears that the United States has a stronger commitment to military action than do its European allies. Some in Congress will seize on any perception of allied reluctance or of inadequate legal authority as the basis for their criticism.

- Using air power now could also commit us later to playing a role in implementing a settlement once one is agreed (another issue on which Congress is likely to focus). NATO planning for this contingency foresees a force of 36,000 troops, including 8,000 in Albania. NATO has conducted neither the detailed planning nor the force generation for this option, and it is questionable whether allied countries (including our own) would be willing to make the necessary contributions. We are now exploring other options for implementing a settlement which place greater reliance on building local police and other institutions and less on a large international and in particular, U.S. military presence.
Finally, there is the risk that using or even threatening force could cause Belgrade to terminate relief efforts and the negotiating process, thereby exacerbating the humanitarian crisis. There is also the risk of military casualties, hostage-taking or reprisals against U.S. citizens or interests elsewhere.

It is clear that we will need to mount a determined effort at home and abroad to make this approach succeed. On the other hand, if we are to avert a humanitarian catastrophe, a credible threat of force has a much higher prospect for success compared to a purely humanitarian and diplomatic approach which seems destined to fail and undermine our credibility. Indeed, just preparing for the use of force may make it sufficiently credible to cause Milosevic to back down and negotiate seriously.

Assuming that you agree with this approach, we will now begin working with Congress and the Allies to build support for a NATO ultimatum and an associated diplomatic strategy to be deployed in the coming weeks.

RECOMMENDATION

That you agree to prepare for a NATO ultimatum backed by the threat of the graduated use of air power and an associated diplomatic strategy.

Approve ____________

Disapprove ____________
I. PURPOSE

Review in detail NATO military planning for air strikes.

II. BACKGROUND

At the direction of the North Atlantic Council (NAC), SACEUR has developed a phased air operation, designated Operation "Allied Force", to respond to developments in Kosovo. The initial package of air strikes ("Phase I") is focused primarily on the FRY integrated air defense system in Serbia as well as Montenegro. The operation would include air- and sea-launched cruise missiles as well as manned aircraft, with the United States providing just over half including B-2s and F-117s. The NAC has delegated authority to execute this initial package to Secretary General Solana, subject to consultations with allies.

At U.S. request, NATO has also developed two contingency response options for follow-on strikes. Option A is intended to respond to renewed violent aggression against the Kosovar Albanians. Its primary focus is on military and police units directly linked to the aggression as well as supporting logistics facilities. Option B is intended to respond to a Serb attack on NATO forces in Macedonia, Bosnia or other neighboring countries. Its focus is on the offending force as well as national level command and control, high impact infrastructure and national power projection resources. The NAC has not delegated authority to execute these response options to either the Secretary General or SACEUR, but allies have acknowledged the need to authorize such strikes quickly in the scenarios identified.
General Shelton will brief you on the numbers and types of targets associated with these options. You will want to note that:

- The Phase I attack on the integrated air defense system includes by necessity strikes in Montenegro. We have already forewarned President Djukanovic that this is likely to be the case.

- The response options, particularly Option B, are likely to entail significant civilian casualties. You might ask whether any steps can be taken to minimize these casualties.

Phase I and the two response options can be executed within 48 hours. We would seek your approval to commit U.S. forces to any of these options prior to their execution.

III. PARTICIPANTS

See list at Tab B.

IV. PRESS PLAN

None.

V. SEQUENCE

I will invite General Shelton to brief you on NATO's military planning.

Attachments
Tab A Issues to be Discussed
Tab B Participants List
ISSUES TO DISCUSS FOR MILITARY OPTIONS
IN KOSOVO

For General Shelton:

- What are the risks to American and other NATO pilots? What are we doing to minimize them?

- What is our SAR (Search and Rescue) posture?

- What is the likely duration of the attacks? How might they be affected by weather?

- To what extent would the air strikes degrade Belgrade's capability to conduct operations in Kosovo?

- What civilian casualties can be expected? What can be done to minimize these casualties?

For Director Tenet:

- How might Belgrade respond to NATO air strikes? Risks to American citizens and U.S. forces elsewhere?

For Secretary Albright:

- What (if anything) can be done to minimize the political impact of air strikes in Montenegro on President Djukanovic?
MILITARY BRIEFING ON KOSOVO
March 20, 1999
11:15 a.m. - 12:15 p.m.
Situation Room

The President
Madeleine Albright
George Tenet
John Podesta/Steve Ricchetti
Samuel Berger
Walter Slocombe
Hugh Shelton
Don Kerrick
Scott Fry
Thomas Wilson
Leon Fuerth
Greg Schulte