

United Nations Arms Embargoes

Their Impact on Arms Flows and Target Behaviour

Case study: Federal Republic of Yugoslavia,
1998–2001

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This is one of a series of case studies on United Nations arms embargoes. Drawing on the SIPRI Arms Transfers Database and other open sources, these case studies analyse arms flows before, during and after a UN arms embargo has been established. These case studies were researched and written by members of the SIPRI Arms Transfers Project to inform a report by SIPRI and the Uppsala University Special Program on the Implementation of Targeted Sanctions (SPITS), *United Nations Arms Embargoes: Their Impact on Arms Flows and Target Behaviour* (SIPRI: Stockholm, 2007). This report and the case studies are available at <http://books.sipri.org/product_info?c_product_id=356>.

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I. Introduction

In 1990, in the lead-up to the Yugoslav wars, Kosovo voted for independence in a referendum that was ignored by the Yugoslav Government and international community. It was only following the end of the wars that accompanied the break-up of Yugoslavia, and the increase in terrorist attacks by the Kosovo Liberation Army (KLA) against Yugoslav officials and property and the use of force by the Yugoslav National Army (YNA) units against civilians in Kosovo from 1996 onwards that Kosovo began to attract international attention. In March 1998, the United Nations Security Council (UNSC) imposed an arms embargo on the Federal Republic of Yugoslavia (FRY) in response to the deepening crisis in Kosovo. Intended to dampen the conflict and halt the slide towards war, the arms embargo had little effect on the outcome of the crisis as armed Kosovar Albanian groups continued to import arms and the FRY leadership ignored the demands of the international community. Regardless of the FRY Government's agreement to withdraw YNA troops from Kosovo and the deployment of NATO-led international peacekeepers and a UN administration mission to the region in June 1999, the arms embargo remained in place until September 2001.

Section II of this case study gives a brief background to the conflict and discusses the transfer of arms to the various parties before the imposition of the UN arms embargo. Section III discusses the monitoring and enforcement mechanisms and known and suspected arms transfers during the embargo. Section IV discusses arms transfers in the period immediately after the lifting of the arms embargo. It concludes with some reflections on the effectiveness of the embargo and its impact on the dynamics of the conflict.

II. Background

From 1974 onwards, the predominantly ethnic Albanian province of Kosovo enjoyed substantial autonomy within Yugoslavia, although it was never granted the status of republic. This autonomy was resented by many Serbian nationalists who, for historical reasons, considered Kosovo to be an integral part of the Serbian heartland.¹ During March and April 1981 there were clashes between riot police and Kosovar Albanians protesting against poor living conditions and demanding increased autonomy for Kosovo or, in some cases, unity with Albania. Government sources put the death toll at nine, while Kosovar Albanian sources claimed up to 1000 deaths. The 1980s also saw the emergence of a number armed underground Kosovar Albanian groups calling for greater autonomy for Kosovo, in particular, the Popular Movement for the Republic of Kosova (LPRK).²

During the 1980s the Kosovo Serb minority staged protests against perceived discrimination at the hands of the Kosovar Albanians. From 1987 onwards, the grievances of the Kosovo Serbs were used by the deputy leader of the Serbian Communist Party, Slobodan Milosevic, as a rallying cry for Serbian nationalism,

¹ According to official government statistics, in 1991 Kosovo had approximately 2 million inhabitants, 82% of which were Albanian and 10% Serb. The remaining population was a mix of southern Slav-speaking Muslims, Roma, Montenegrins, Turks and Croats. Puska, A. (translated by M. Hamiti), *Kosova and its Ethnic Albanian Background: An Historical-Geographical Analysis* (Qendra per Informim e Kosoves: Pristina, 1996), pp. 21–22.

² Judah, T., 'The Kosovo Liberation Army', *Perceptions*, Sep.–Nov. 2000, pp. 61–77, 64.

helping to propel him to political prominence in the former Yugoslavia.³ There followed a concerted push by Serbia to revoke Kosovo's autonomy. These steps were taken against a backdrop of worsening civil unrest, including rioting in March 1989 in which 24–100 Kosovar Albanians died.⁴ In February 1990 renewed rioting was met by the deployment of YNA troops, and in September 1990 Belgrade imposed direct rule.

In response, in October 1991 Kosovar Albanians organized an independence referendum. Despite violent harassment by the security forces, the referendum achieved a 90 per cent turnout with over 98 per cent voting in favour. The federal government declared the referendum illegal and its result illegitimate. During the early 1990s, the Kosovar Albanians, under the direction of the Democratic League of Kosovo (Lidhje Demokratike e Kosoves, LDK) and its leader, Ibrahim Rugova, pursued their political aims via policies of non-violent resistance.⁵ The 1990s were also marked by a sharp deterioration in living standards among Kosovar Albanians as thousands were removed from state run enterprises and the region suffered from the side effects of the Yugoslav conflict.⁶

As war engulfed the former Yugoslavia, Kosovo was overlooked by the international community.⁷ The province was not mentioned by the 1995 Dayton Agreement. The deteriorating economic situation and the international communities' failure to engage with Kosovar Albanian demands led to the radicalization of large sections of the population and a rejection of Rugova's policies of non-violence.⁸ The Kosovo Liberation Army (KLA) first emerged either in late 1995 or early 1996, carrying out a number of isolated attacks on Serbian police and civilian targets.⁹ By the summer of 1996, the KLA is estimated to have had no more than 50 active members.¹⁰ The group grew in size and boldness during 1997, attacking Serbian targets and setting up roadblocks. In March 1998 Serb forces responded with a series of military offensives, which left more than 80 people dead and displaced thousands.¹¹

In response to the deteriorating situation, the foreign ministers of the six-power Contact Group condemned 'the unacceptable use of force' by Serb forces as well as 'terrorist actions by the Kosovo Liberation Army or any other group or individual'.¹² The Group gave Milosevic 10 days to withdraw his forces and enter into a meaningful dialogue on political status issues or risk a freeze on government assets abroad. The ministers also voiced support for the imposition of a UN arms embargo. In late March 1998, the UNSC passed Resolution 1160, imposing an arms embargo on the FRY.¹³

³ Malcolm, N., *Kosovo: A Short History* (Macmillan: London, 1998), p. 341.

⁴ Kola, P., *The Search for a Greater Albania* (Hurst & Company: London, 2003), p. 181.

⁵ Kola (note 4), p. 212.

⁶ Malcolm (note 3), p. 349.

⁷ Bromley, M., 'United Nations arms embargoes: their impact on arms flows and target behaviour—Case study: former Yugoslavia, 1991–96', SIPRI, Stockholm, 2007, <http://books.sipri.org/product_info?c_product_id=356>.

⁸ Judah, T., 'The KLA: out from the shadows', BBC News, 24 Mar. 1999, <<http://news.bbc.co.uk/2/271860.stm>>.

⁹ 'Unknown Albanian 'liberation army' claims attacks', Agence France-Presse, 17 Feb. 1996; Kusovac, Z., 'Another Balkans bloodbath? part one', *Jane's Intelligence Review*, Feb. 1998; and Sullivan, S., *Be Not Afraid, For You Have Sons in America* (St. Martin's Press: New York, 2004), p. 3.

¹⁰ Sullivan (note 9), p. 104.

¹¹ Troebst, S., 'The Kosovo conflict', *SIPRI Yearbook 1999: Armaments, Disarmament and International Security* (Oxford University Press: Oxford, 1999), pp. 47–62.

¹² 'Statement on Kosovo adopted by the members of the Contact Group', 9 Mar. 1998, <<http://www.monde-diplomatique.fr/cahier/kosovo/contact-090398-en>>. The Contact Group consisted of France, Germany, Italy, Russia, the UK and the USA.

¹³ UN Security Council Resolution 1160, 31 Mar. 1998.

Arms transfers before the embargo

The period preceding the imposition of the UN arms embargo was marked by limited arms transfers to the FRY, which—despite the ravages of the Yugoslav war—retained a formidable and largely self-sufficient fighting force.¹⁴ The period was also marked by increasing efforts on the part of the KLA to acquire the weapons systems necessary to launch a successful guerrilla insurgency in Kosovo.

Table 1. Summary of possible/suspected sources and secondary support for arms transfers to the FRY and KLA before the arms embargo

Recipient	Source of arms	Secondary support	Non-state actors
FRY	Russia, Ukraine
KLA	Albania	..	Kosovar Albanian diaspora

FRY

The period preceding the UN embargo was not marked by a significant increase in arms exports by the FRY. The only significant purchases made involved small numbers of Mi-24 and Mi-17 helicopters from Ukraine and a Tamara Air Surveillance system from Russia.

KLA

Prior to the mid-1990s, available stocks of small arms in Kosovo were limited. Following the 1981 riots, the reserves of the Kosovo Territorial Defence had been confiscated, leaving Kosovar Albanians with a limited pool of weaponry at their potential disposal.¹⁵ The LPRK began smuggling small arms into Kosovo around 1987–88, possibly with the assistance with the Albanian authorities. In addition, the LPRK began to run training camps in Kosovo and Albania. In 1991, the LPRK leadership in Switzerland established a logistical base and began collecting funds from the Albanian diaspora for weapons purchases. However, these activities largely came to a halt in the early 1990s.¹⁶ The Kosovo Serbs were reportedly an important source of weaponry in the early 1990s, selling significant numbers of small arms to their Kosovo Albania neighbours.¹⁷

The political upheavals in Albania in the mid- to late 1990s generated the largest and most significant flows of weaponry into Kosovo. The collapse of fraudulent pyramid investment schemes in Albania in late 1996 and early 1997 helped spark a wave of civil unrest resulting in the virtual disintegration of state authority.¹⁸ In the ensuing chaos, police stations and army depots were looted and a significant proportion of Albania's military arsenal—some 500 000 Kalashnikov rifles, 20 000 tons of explosives, 1.5 billion ammunition rounds and artillery shells, and a few tanks and aircraft—was

¹⁴ Cortright, D. and Lopez, G. A., *The Sanctions Decade: Assessing UN Strategies in the 1990s* (Lynne Rienner: Boulder, Colo., 2000), p. 82.

¹⁵ Kusovac, Z., 'Another Balkans bloodbath? part two', *Jane's Intelligence Review*, Mar. 1998, p. 9.

¹⁶ Kola (note 4), p. 319.

¹⁷ Kusovac (note 15).

¹⁸ Kola (note 4), p. 322.

stolen.¹⁹ The KLA was quick to capitalize on the situation, with operatives collecting weapons and shipping them over the border. The price for a Kalashnikov rifle in Northern Albania fell as low as \$100 and convoys as large as 200 ponies strong were soon traversing the mountain passes leading into Kosovo.²⁰ By early 1998, the KLA was believed to have acquired at least 25 000 Kalashnikov rifles, along with anti-tank weapons, hand grenades, small-calibre mortars and anti-aircraft guns from looted Albanian stockpiles.²¹ Meanwhile, the collapse of governmental control in large parts of Albania also provided the KLA with territory for training.²² In addition, sympathetic officials from the Albanian Government and army also provided supplies, including army vehicles, along with training and armed escorts for weapons shipments.²³

The KLA received the lion's share of its funding from émigré communities in Europe and the USA. From 1997 onwards the KLA built on and expanded existing LPRK fundraising networks in Europe while also developing new ones in the USA. In addition, the KLA is widely believed to have profited from drug smuggling operations, either by engaging in them directly or through payments from Albanian mafia groups.²⁴

III. The arms embargo

UNSC Resolution 1160, adopted on 31 March 1998, decided that

all States shall, for the purposes of fostering peace and stability in Kosovo, prevent the sale or supply to the Federal Republic of Yugoslavia, including Kosovo, by their nationals or from their territories or using their flag vessels and aircraft, of arms and related matériel of all types, such as weapons and ammunition, military vehicles and equipment and spare parts for the aforementioned, and shall prevent arming and training for terrorist activities there.²⁵

The UNSC called for the Kosovar Albanian leadership to 'condemn all terrorist action', and for both sides to engage in a 'meaningful dialogue on political status issues'. The UNSC stated that it did not want to 'prejudge the outcome' of such a dialogue. It did however state that 'a solution of the Kosovo problem should be based on the territorial integrity of the Federal Republic of Yugoslavia', expressing its support only for 'a substantially greater degree of autonomy and meaningful self-administration'.

During the summer of 1998 the KLA engaged in further attacks as it sought to expand the amount of territory under its control. For the most part these operations failed and the KLA was often forced to withdraw, leaving the civilian population at the mercy of Serb forces. The ensuing Serb retaliation, led to the displacement of as many as 300 000 people. In an interview in 2001, KLA leader Hashim Thaci revealed that the operations had been carefully designed to ensure Serb retaliation against the civilian population. It was 'a sacrifice that had to be made to ensure NATO's intervention'.²⁶

¹⁹ Sullivan (note 9), p. 124; and Center for Peace and Disarmament Education and Saferworld, *Turning the Page: Small and Light Weapons in Albania* (Saferworld: London, Dec. 2005), p. 6.

²⁰ Kusovac, Z., 'The KLA: braced to defend and control', *Jane's Intelligence Review*, Apr. 1999, p. 11.

²¹ Kusovac (note 15).

²² Center for Peace and Disarmament Education and Saferworld (note 19), p. 7.

²³ Sullivan (note 9), p. 183.

²⁴ Judah, T., 'Kosovo: peace now', *The New York Review of Books*, 12 Aug. 1999, p. 4; and 'Drugs money linked to the Kosovo rebels', *The Times (London)*, 24 Mar. 1999.

²⁵ United Nations (note 13).

²⁶ Kola (note 4), p. 341.

In September 1998, the UNSC passed Resolution 1199 requesting states to prevent the collection of funds on their territory for the financing of the Kosovo conflict.²⁷ This measure directly targeted the KLA, which received most of its funds from diaspora communities in Germany, Switzerland and the United States. The EU and the USA also implemented additional measures against the FRY, including financial sanctions and travel bans for key members of the FRY Government.²⁸ The EU also imposed an oil embargo against the FRY, though shipments to municipalities that were not controlled by Milosevic's party were exempted.

In January 1999 clashes between FRY security forces and the KLA in the village of Račak resulted in the deaths of 45 Kosovar Albanians.²⁹ The incident served to galvanise the international community, paving the way for the Rambouillet talks in February. Following the breakdown of negotiations at Rambouillet and Milosevic's refusal to sign the proposed agreement, the YNA launched a major offensive in Kosovo, involving summary executions and the burning of homes. In the 12 weeks that followed, more than 850 000 Kosovar Albanians fled Kosovo and several hundred thousand more were internally displaced.³⁰ The offensive coincided with the launching of a NATO bombing campaign against FRY military and government targets, which began on the 24 March 1999. The bombing campaign lasted until 10 June 1999, coming to an end after Milosevic agreed to an ultimatum presented by former Russian prime minister Victor Chernomyrdin and former Finnish president Martti Ahtisaari. Milosevic agreed to the withdrawal of Serb forces from Kosovo, the deployment of an international force under UN auspices, and the establishment of a safe environment for the return of all displaced persons. The deployment of the United Nations Interim Administration Mission in Kosovo (UNMIK) and the NATO-led Kosovo Force (KFOR) was authorized by UNSC Resolution 1244 on 10 June 1999;³¹ Resolution 1244 also exempted transfers of arms and related materiel to the international forces. KFOR entered Kosovo on 12 June 1999 without meeting any resistance.

Monitoring and enforcement mechanisms

The enforcement activities related to Resolution 1160 were among the weakest and least active of any recent UN arms embargo. Resolution 1160 created a sanctions committee to monitor member state compliance with the embargo. However, in contrast to the 1991 embargo on Yugoslavia, no Sanctions Assistance Missions were created in the territories neighbouring the FRY.³² While the Danube Commission, the EU, the OSCE and NATO indicated their readiness to contribute to the monitoring of the embargo and submitted regular reports to the sanctions committee on alleged violations of the

²⁷ UN Security Council Resolution 1199, 23 Sep. 1998.

²⁸ Cortright and Lopez (note 14), p. 82.

²⁹ The exact circumstances of the 'Racak incident', the role played by the KLA and circumstances of the victims' deaths have since been hotly debated. 'Cloud of controversy obscures truth about Kosovo killings', *Los Angeles Times*, 23 Jan. 1999; 'Racak massacre haunts Milosevic trial', BBC News, 14 Feb. 2002, <<http://news.bbc.co.uk/2/1812847.stm>>.

³⁰ Human Rights Watch (HRW), *Under Orders: War Crimes in Kosovo* (HRW: New York, 2001), p. 109.

³¹ UN Security Council Resolution 1244, 10 Jun. 1999.

³² Cortright, D., Lopez, G. A. and Gerber, L., *Sanctions Sans Commitment: An Assessment of UN Arms Embargoes*, Project Ploughshares Working Paper, May 2002.

embargo, the resources pledged were deemed insufficient to establish the comprehensive monitoring programme proposed in Resolution 1160.³³

There were sporadic efforts to enforce the arms embargo on the KLA. The Croatian Government reported that in December 1998 it had intercepted a consignment of arms and ammunition worth \$1 million while en route from Bosnia and Herzegovina to Kosovo.³⁴ Meanwhile, in February 1999 Italian police seized a shipment of 32 000 ammunition rounds, 40 rifles, 30 grenade launchers and a number of sub-machine guns en route to KLA forces. The weapons were hidden in lorries marked as humanitarian aid shipments. The subsequent investigation led to four arrests, two in Switzerland and two in Italy.³⁵ However, for the most part, states neighbouring the FRY appear to have taken little interest in enforcing the embargo. As of February 1999, Croatia was the only country bordering the FRY to have reported any embargo violations to the UN sanctions committee.³⁶ In addition, despite repeated requests Bosnia and Herzegovina consistently failed to inform the sanctions committee on what steps it had taken to enforce the embargo.³⁷ One party that did actively engage in enforcing the embargo was the FRY, which deployed troops to the Kosovo–Macedonia border in 1998 to interdict arms flows. As a result, the cost of a Kalashnikov rifle reportedly rose from 50 to 1000 Deutschmarks.³⁸ Greater effort appears to have been invested in enforcing the embargo as it applied to FRY Government forces. For example, in June 1998 the Bulgarian authorities detained a lorry that was seeking to export spare parts for Mi-8 helicopters to the FRY.³⁹

Little progress was made on the issue of fundraising among the Kosovar Albanian diaspora. In 1999 the German, Swedish and Swiss authorities reported that they had been unable to identify which of the Kosovar Albanian fundraising activities on their territories were related to arms purchases and had therefore been unable to halt the flow of funds or bring any prosecutions.⁴⁰

Following the start of the NATO air campaign in March 1999 states' and international organizations' engagement in embargo monitoring dropped off considerably. Only one state (Oman) submitted a report on its implementation of the embargo during 1999 and none reported during 2000 and 2001.⁴¹ Following their deployment in Kosovo, KFOR troops began to monitor the flow of weapons into Kosovo and reported frequent weapons seizures during 1999, 2000 and 2001. However, repeated requests from the UN sanctions committee for details of these seizures went unanswered.⁴²

³³ United Nations, Letter dated 26 February 1999 from the Chairman of the Security Council Committee Established Pursuant to Security Council Resolution 1160 (1998) Addressed to the President of the Security Council, UN Document S/1999/216, 4 Mar. 1999.

³⁴ United Nations (note 33).

³⁵ 'Arms smugglers used charity as cover', *The Times*, 4 May 1999; 'Italy: four arrested for smuggling arms to Kosovo', *Rome ANSA*, 29 Oct. 1999, FBIS-WEU-1999-1029.

³⁶ United Nations (note 33).

³⁷ United Nations, Letter dated 27 June 2000 from the Chairman of the Security Council Committee Established Pursuant to Security Council Resolution 1160 (1998) Addressed to the President of the Security Council, UN Document S/2000/633, 29 Jun. 2000.

³⁸ Cortright and Lopez (note 14), p. 83.

³⁹ United Nations (note 37).

⁴⁰ United Nations, Letter dated 2 October 2001 from the Permanent Representative of Jamaica to the United Nations addressed to the President of Security Council, UN Document S/2001/931, 3 Oct. 2001.

⁴¹ United Nations (note 37).

⁴² United Nations (note 40).

Arms transfers during the arms embargo

The imposition of the arms embargo did little to check the flow of weaponry. Although certain deals were blocked, it appears that the FRY was able to procure weapon technologies and components. In addition, arms supplies to the KLA continued and, in terms of the military utility of the systems involved, even increased.

Table 2. Summary of possible/suspected sources and secondary support for arms transfers to the FRY and KLA during the arms embargo

Recipient	Source of arms	Secondary support	Non-state actors
FRY	Israel
KLA	Albania, Bosnia and Herzegovina, Switzerland, USA	..	Kosovar Albanian diaspora

FRY

During the embargo period the FRY made several attempts to violate the embargo and source sophisticated weapons from the international arms market. In mid-1999 it was reported that the FRY had sought to import S-300PM surface-to-air missiles in the weeks preceding the NATO air campaign.⁴³ However, there are no reports indicating that any of these systems were used during the air campaign, raising questions over whether the transfer took place. However, the FRY was able to circumvent the embargo and source night-vision goggles and vehicle armour plating from Israeli arms manufacturers. The deals formed part of a group of 16 embargo violating transactions, with a combined value of \$2 million, identified by investigators working for the International War Crimes Tribunal in the Hague. The purchases were made through a complex network of accounts with Cypriot banks.⁴⁴

KLA

The arms embargo did little to halt the flow of weapons to the KLA. According to the UN sanctions committee, there were repeated violations of the arms embargo during 1998 resulting in the ‘continuing military re-supply and reinforcement of Kosovar Albanian armed groups.’⁴⁵ The inflow of weapons was crucial to the growth of the KLA which is estimated to have grown to 30 000 fighters between the spring and summer of 1998.⁴⁶ By the summer, the KLA arsenal was predominantly made up of different types of Kalashnikov rifles, along with smaller numbers of more advanced weapons such as the Barrett .50 inch sniper rifle, Heckler and Koch rifles, and night-vision equipment. In addition, the KLA obtained shoulder-launched anti-tank weapons and limited numbers of small-calibre mortars. Among the most advance weapons that the KLA acquired were around 50 shoulder-launched anti-aircraft missiles, although the origin of these

⁴³ Kusovac, Z., ‘Russian S-300 SAMs “in Serbia”’, *Jane’s Defence Weekly*, 4 Aug. 1999, p. 4.

⁴⁴ Wagstyl, S., ‘Israeli arms makers “evaded UN embargo”’, *Financial Times*, 20 June 2002, p. 3.

⁴⁵ United Nations (note 33).

⁴⁶ Kusovac, Z., ‘The KLA: braced to defend and control’, *Jane’s Intelligence Review*, Apr. 1999, p. 11.

systems remains unclear.⁴⁷ The KLA also acquired a number of German-made Armbrust anti-tank missiles, though again, the origin of these systems was never determined.⁴⁸

Former Albanian army stockpiles continued to be the KLA's main source of weaponry.⁴⁹ Army stockpiles in Bosnia and Herzegovina were another source of weaponry. In January 2002 the prosecutor's office indicted seven individuals, including army and police personnel, accused of hiding weapons from the military and police earmarked for destruction and transferring them to KLA forces during the embargo period.⁵⁰ Another important source of arms were Albanian and Kosovar Albanian émigré communities in Europe. The investigation into the Italian seizures in February 1999 revealed a smuggling network that had been shipping arms purchased in Switzerland, via Italy and Albania, into Kosovo.⁵¹ Émigré communities in the USA were another important source of weaponry. Beginning in late 1996 Kosovar Albanians based in the USA began purchasing equipment and bringing it to Albania on charter flights for onward shipment by land to Kosovo. At first, these shipments consisted of non-lethal equipment such as boots, fatigues and radios purchased in army surplus stores and electronics shops.⁵² However, in mid-1998 KLA supporters began purchasing .50 calibre Barrett sniper rifles from US gun dealers and shipping them to Albania.⁵³ YNA arsenals also provided an important source of weaponry for KLA forces; in July 1998 it was reported that the KLA had captured significant quantities of anti-tank and anti-aircraft weapons from the YNA forces in Kosovo.⁵⁴

The KLA are also alleged to have benefited from the patronage of a number of Western powers. Following a meeting between US Special Envoy Richard Holbrooke and KLA representatives in the summer of 1998, the US underwent a change in policy, recognizing the KLA as 'a [political] reality on the ground', rather than a threat to regional security, as had previously been stated.⁵⁵ Certain reports allege that in the ensuing months US intelligence agencies helped to equip and train KLA fighters, providing them with logistical support including satellite telephones.⁵⁶ More firmly established are the allegations of ad-hoc operational ties that developed between NATO and KLA forces before and during the bombing campaign. There is evidence that a tacit understanding developed, whereby KLA forces would draw Serb forces out in the open so that NATO pilots overflying the area could identify and bomb them.⁵⁷

⁴⁷ Kusovac (note 46), p. 15.

⁴⁸ 'Prison custody of officers charged with arms supplying to Kosovo', Sarajevo ONASA, 19 Mar. 2002, FBIS-EEU-2002-0319.

⁴⁹ Smith, C. and Sagromoso, D., 'Small arms trafficking may export Albania's anarchy', *Jane's Intelligence Review*, Jan. 1999, pp. 24–28.

⁵⁰ Hedges, C., 'Kosovo rebels get flood of arms', *International Herald Tribune*, 13 Jul. 1998, p. 5.

⁵¹ 'Italy' (note 35).

⁵² Sullivan (note 9), p. 117.

⁵³ During the Gulf War, US forces used .50 caliber incendiary rounds to disable Iraqi armoured personnel carriers from up to a mile away and yet the weapon is available for sale in the US without a license. Sullivan (note 9), p. 189.

⁵⁴ Hedges (note 50), p. 5.

⁵⁵ Katulis, B., *US Diplomacy Toward Kosovo, 1989–99*, WWS Case 2/00 (Woodrow Wilson School of Public and International Affairs: Princeton, N.J., 2000), <<http://wws.princeton.edu/research/cases.xml>>, p. 19.

⁵⁶ Walter, T. and Lavery, A., 'CIA aided Kosovo guerrilla army', *The Sunday Times (London)*, 12 Mar. 2000.

⁵⁷ Kola (note 4), p. 358.

IV. The lifting of the embargo

The arms embargo imposed upon FRY, including Kosovo, was lifted in September 2001 by Resolution 1367, although it noted KFOR's responsibilities in restricting and strictly controlling 'the flow of arms into, within and out of Kosovo'.⁵⁸ Therefore, despite the conditions that sparked its imposition having been met in June 1999, the arms embargo remained in place for two more years. The Russian Government had tabled a draft resolution for lifting the arms embargo in November 2000, but were unable to gain the support of other UNSC members, particularly the USA and the UK.⁵⁹ The decision to maintain the arms embargo seems to have been aimed at maintaining pressure on the Milosevic government.⁶⁰ Had the embargo been subject to an annual review and UNSC vote for its continuation, it seems apparent that Russia would have used its veto and lifted the embargo.

Arms transfers after the embargo

The period following the lifting of the embargo does not appear to have been marked by any large upswing in arms transfers to the region. The FRY imported 31 T-72 tanks from Ukraine in 2001 but this appears to have been an isolated deal. Meanwhile, the combination of the embargo's weak enforcement, the reduction in tensions in the region and the large numbers of weapons already available meant that the lifting of the embargo had little impact on transfers into Kosovo.

Table 3. Summary of possible/suspected sources and secondary support for arms transfers to the FRY and Kosovar Albanian forces after the arms embargo

Recipient	Source of arms	Secondary support	Non-state actors
FRY	Ukraine
Kosovar Albanian forces

V. Conclusions

Milosevic's acquiescence with the demands of UNSC Resolution 1160 has been attributed primarily to the 78 day NATO bombing campaign against Yugoslavia. NATO's unwillingness to back down on its demands and its eventual willingness to countenance the deployment of land forces have therefore come to be regarded as key factors in changing the embargoed target's behaviour. Another factor is the lack of Russian assistance, military or otherwise, which Milosevic was believed to have been banking upon.⁶¹ The UN arms embargo and the economic sanctions imposed by the EU and USA are widely seen to have had a negligible effect upon the embargoed target's behaviour. As noted above, the FRY was able to circumvent the arms embargo to obtain

⁵⁸ UN Security Council Resolution 1367, 10 Sep. 2001.

⁵⁹ 'Yugoslavia asks UN to lift arms embargo', Agence France-Presse, 18 Jun. 2001; and 'Russian deputy minister welcomes lifting of Yugoslav arms embargo', Interfax, FBIS-SOV-2001-0911, 11 Sep. 2001.

⁶⁰ Lynch, C., 'U.N. Security Council ends Yugoslavia arms embargo', *Washington Post*, 11 Sep. 2001.

⁶¹ Kola (note 4), p. 372.

specific components for weapon systems it was unable to produce domestically, such as night-vision systems and armour plating. However, it seems apparent that the enforcement of the embargo did result in the FRY being denied access to certain military technologies, some of which, such as the S-300PM Surface-to-air missiles, could have had an impact on the outcome of the NATO air campaign.

The arms embargo also did little to hamper the transfer of arms to the KLA. Thanks largely to the political chaos in Albania in 1997, liberal US gun laws, and an active Albanian diaspora, the KLA was able to build up a large, well-stocked arsenal, sufficient for the prosecution of an effective guerrilla campaign in Kosovo. These efforts intensified following the imposition of the UN arms embargo.

Certain commentaries have criticized this lack of enforcement, arguing that the international community failed to learn the lessons of the early 1990s—that significant resources and political will are required to effectively enforce embargoes.⁶² An alternative view is that Western powers were unwilling to repeat the events of the mid-1990s, when the UN arms embargo benefited Serb forces at the expense of their Croat and, particularly, Bosnian adversaries. The imposition of blanket coverage arms embargo was the minimum level of action on which the UNSC was able to find agreement and its imposition enabled governments to demonstrate to their publics that steps were being taken to deal with the conflict. However, Western powers appeared to make little effort to police the embargo. The arms embargo therefore appeared partial in its implementation. If the arms embargo had been better enforced it would have disproportionately affected supplies to the KLA. This is because once again Serb forces would have been able to enjoy well-stocked armouries and supplies from a domestic arms industry, thus granting a military advantage over their opposing forces, as happened with the arms embargo imposed on former Yugoslavia in 1991. Once again, this would probably have made the resolution to the conflict much harder to achieve.⁶³

Chronology

Dates directly related to UN Security Council arms embargo decisions are highlighted in bold.

March 1989	Clashes with riot police leave 24–100 Kosovar Albanians dead
February 1990	Renewed rioting met by a decision to send in the federal army.
September 1990	Direct rule imposed from Belgrade
19 October 1991	‘Assembly of the Republic of Kosovo’ declares Kosovo to be a ‘sovereign and independent Republic’
22 December 1991	Badinter Arbitration Commission rejects application for recognition of Kosovo as an independent state
22 April 1996	The KLA claims responsibility for four attacks on Serbian civilians and security personnel in several parts of Kosovo
28 November 1997	Addressing a funeral procession, three masked men call on Kosovar Albanians to join the KLA and participate in the armed struggle against Serbia

⁶² Cortright, Lopez and Gerber (note 32).

⁶³ Tierny, D., ‘Irrelevant or malevolent? UN arms embargoes in civil wars’, *Review of International Studies*, vol. 31, no. 4 (Oct. 2004), pp. 645–664, 660.

12 UNITED NATIONS ARMS EMBARGOES

March 1998	Launch of Serbian operations in Drenica, leaving more than 80 people dead and displacing thousands of Kosovar Albanian villagers from their homes
5 March 1998	Serb forces shell and bomb the Jasharis' compound in Prekaz, leaving 59 people dead including 18 women and 10 children
9 March 1998	Foreign ministers of the Contact Group voice their support for a 'UN Security Council consideration of a comprehensive arms embargo against the FRY, including Kosovo'
31 March 1998	The UNSC passes Resolution 1160, calling on all states to prevent the sale or supply of all arms and related materiel to the FRY, including Kosovo
23 September 1998	The UNSC passes Resolution 1199, requesting states to pursue all means consistent with their domestic legislation and relevant international law to prevent funds collected on their territory being used to contravene Resolution 1160
15 January 1999	Clashes between FRY security forces and the KLA in the village of Račak result in the deaths of 45 Kosovar Albanian civilians.
6 February 1999	Rambouillet talks begin
18 March 1999	Kosovar Albanian leadership, along with the British and US delegations sign the Interim Agreement for Peace and Self-Government in Kosovo in Paris, which the FRY and Russian delegations refuse to sign
24 March 1999	NATO bombing campaign begins
2 June 1999	Former Russian prime minister Victor Chernomyrdin and former Finnish president Martti Ahtisaari arrive in Belgrade with an ultimatum for Milosevic
3 June 1999	Milosevic asks parliament to ratify his agreement to the terms of the ultimatum
10 June 1999	NATO bombing campaign ends
10 June 1999	The UNSC passes Resolution 1244, deciding, among other things, to deploy an international civil and security presence in Kosovo in the form of the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Kosovo Force (KFOR); the resolution also exempts transfers of arms and related materiel to the international civil and security presences from the embargo's coverage
12 June 1999	KFOR enters Kosovo without meeting any resistance
10 September 2001	The UNSC passes Resolution 1367, terminating the arms embargo on the FRY

Glossary

FRY	Federal Republic of Yugoslavia
KFOR	Kosovo Force
KLA	Kosovo Liberation Army
LPRK	Popular Movement for the Republic of Kosova
UNSC	United Nations Security Council
YNA	Yugoslav National Army

Register of arms transfers

Table 4. Transfers prior to the UN arms embargo period, January 1996–March 1998

Recipient/ supplier (S)	No. delivered	Weapon	Year(s) of deliveries	Comments	Source
FRY					
S: Russia Ukraine	(1)	Tamara Air Surv system	1998	Ex-Russian; Status uncertain	SIPRI Arms Transfers Database
	2	Mi-24V/Mi-35/Hind-E	1997	Ex-Ukrainian; for police special forces	SIPRI Arms Transfers Database
	2	Combat helicopter	1998	Second-hand; Mi-17 version; incl 1 armed Mi-17V version; for police special forces	SIPRI Arms Transfers Database
KLA					
S: Albania	25 000	Kalashnikov rifles	1997–1998	Looted from Albanian army stockpiles	Kusovac, 'Another Balkans Bloodbath - Part Two', <i>JIR</i> , March 1998
	..	Anti-tank weapons; hand grenades; small-calibre mortars; and anti-aircraft guns	1997–1998	Looted from Albanian army stockpiles	Kusovac

Table 5. Transfers during the UN arms embargo period, March 1998–September 2001

Recipient/ supplier (S)	No. delivered	Weapon	Year(s) of deliveries	Comments	Source
FRY					
S: Israel	..	Night-vision goggles	..	Part of 16 deals with a combined value of \$2 million	Wagstyl, 'Israeli arms makers 'evaded UN embargo', FT, 20 June 2002 Wagstyl
	..	Vehicle armour plating	..	Part of 16 deals with a combined value of \$2 million	
KL/A					
S: Albanian		Some weapons	..	Looted from army stockpiles	Smith and Sagrmoso, 'Small arms trafficking may export Albania's anarchy', JIR, Jan. 1999
Bosnia and Herzegovina		Some rifles		Stolen from army and police stockpiles	'Prison custody of officers charged with arms smuggling to Kosovo', Sarajevo ONASA, 19 Mar. 2002
Switzerland	..	Some weapons	..	Purchased in Switzerland. Shipped via Italy and Albania	'Italy: four arrested for smuggling arms to Kosovo', Rome ANSA, 29 Oct. 1999
United States	..	.50 caliber Barret sniper rifle	..	Purchased from US gun dealers	Sullivan, <i>Be Not Afraid, For You Have Sons in America</i> , (2004)
Unknown	..	Some surface-to-air missiles	..	At least 50 in service in 1999. Mostly SA-7 / 14s	Kusovac, <i>The KLA: braced to defend and control</i> , JIR, Apr. 1999
Unknown	..	Armbrust anti-tank missiles	..		Hedges, 'Kosovo rebels get flood of arms', IHT, 13 Jul. 1998

Table 6. Transfers after the UN arms embargo period, September 2001–December 2003

Recipient/ supplier (S)	No. delivered	Weapon	Year(s) of deliveries	Comments	Source
FRY					
S: Ukraine	31	T-72 Tank	2001	Probably ex-Ukrainian	SIPRI Arms Transfers Database
KL/A					
..					