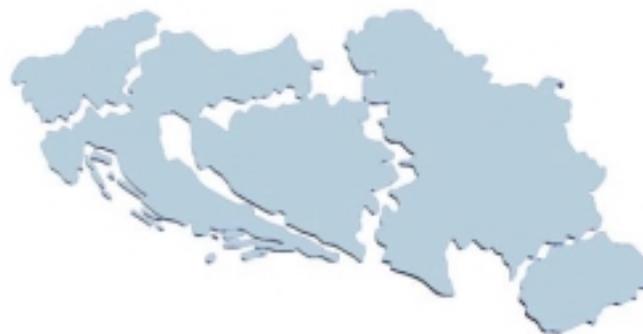




JAMES BISSETT

**KOSOVO
AND
HUMAN RIGHTS**





I am grateful to the Hellenic Canadian Foundation of Ontario for the invitation to speak at this conference. I fully support the objectives of the conference and agree that it is important to get at the truth about the tragic events involving violations of human rights. It is a particularly important topic for Canadians because as the conference organizers have emphasized, concern about human rights has become a corner stone of Canada's foreign policy. Our Foreign Minister talks about the need to give preeminence to human security as opposed to the traditional respect for the principle of state sovereignty.

The debate about whether concern for human rights should override sovereignty is topical and ongoing. We will be hearing much about this issue in the months and years ahead. The horror of mass killings in Rwanda has given impetus to those who believe the civilized world cannot simply stand by as dispassionate observers when genocide is taking place. On the other hand, intervention in the internal affairs of a sovereign state cannot be undertaken lightly.

There is always the danger that the human rights argument may only be an excuse to justify intervention for other quite cynical motives. We recall Hitler's justification for invading Czechoslovakia was because he claimed the Czechs were violating the human rights of the Sudeten Germans. The long and frequently sad history of Western intervention in the Balkans should also serve as a warning about the dangers of taking sides in internal disputes. The NATO military misadventure in Kosovo that has destabilized the Balkans and shaken the framework of international security is another more recent example that calls into question the validity of so-called humanitarian intervention.

One year ago as NATO aircraft were bombing Yugoslavia. I was in Winnipeg attending a rally at the University of Winnipeg speaking out against the war. Now almost a year after the bombing has ceased and the war has been brought to an uncertain conclusion, we are beginning to find out more about the truth of this war. A war we were told that was being fought for human rights.

NATO's military intervention in Yugoslavia was justified on the grounds that the human rights of ethnic Albanians were being violated by the Yugoslav military authorities. We were told that large-scale atrocities were being carried out in Kosovo. Some of the NATO leaders charged that genocide was taking place in that Serbian Province. United States Secretary of Defense, William Cohen, suggested that more than 100,000 Albanian Kosovars may have been murdered. We were also told that massive ethnic cleansing was under way and that the Serbian Government had long- range plans to remove all of the Albanian population from Kosovo.

We were confronted with daily atrocity stories in our media, of massacres taking place, of young Albanian men being rounded up and taken away, of rape and pillage occurring on a massive and systematic scale. Indeed, what United States Secretary of State, Madeline Albright described as the “galvanizing event” for NATO military action was the alleged massacre of 45 Albanian Kosovars in the village of Racak in January 1999. The New York Times wrote in an article dated April 18 of that year, that the Racak massacre was a “turning point “in NATO’s road to war.



Later as the bombing campaign was stepped up and thousands of Albanians were being driven out of Kosovo by Serbian security forces, it became evident that the bombing had not stopped ethnic cleansing, but on the contrary had intensified it. To convince the public that this was not the case, NATO spokespeople began to talk about “Operation Horseshoe.” This, we were told was a secret, long-range plan of ethnic cleansing by Serbian forces to rid Kosovo of its Albanian population. A diabolical scheme arranged and planned long before the bombing took place.

The German Defense Minister, Rudolph Scharping announced that the details of “Operation Horseshoe” had been uncovered by German intelligence intercepts. The revelation of this alleged plan was used effectively by NATO to support the bombing of Yugoslavia. Canadian Foreign Affairs spokespeople made frequent references to “Operation Horseshoe” as justification of the NATO military intervention.

Proclaiming a major victory after the war, NATO military spokespeople boasted of dealing the Serbian war machine a crippling defeat. The high-altitude bombing had, according to NATO, successfully destroyed one third of the Serbian armor and one half of the artillery. The Kosovo war was hailed as an example of how air power alone could achieve victory. Even the British military expert John Keegan was convinced that Kosovo had proven, “a war can be won by air power alone.”

The problem with these assertions and claims by NATO is that they were lies.

According to NATO’s own estimates there were approximately 2000 people killed in Kosovo before the bombing took place [this figure includes Serbs and Albanians]. After the bombing estimates are that close to 10,000 people were killed -although far fewer actual bodies have been found. Nevertheless, 2000 casualties on both sides during a civil war do not constitute genocide.



The so-called Racak massacre, which was a key issue for NATO apologists, had been from the outset, challenged by French journalists who were on the ground when the alleged incident supposedly took place. More recently German investigative reporters for the *Berlin Zeitung* have charged on March 24 this year that the autopsy reports, to which they gained access, showed no evidence of an execution scenario. It appeared the victims had been killed in combat and later placed in a ditch to simulate an execution. There is a strong suspicion that US General, William Walker, in collaboration with the KLA, may have had a part to play in staging this incident.

We now know as a result of the disclosure of German General, Heinz Loquai, that "Operation Horseshoe" was a complete falsehood engineered by the German Defense Minister to swing public opinion in favor of the bombing. There is absolutely no evidence that the Serbs were planning to drive out all of the Albanian population from Kosovo prior to the NATO bombing campaign. The Sunday Times of London exposed this scandal on April 2 of this year. It is interesting that despite this being a major story in Germany and a matter of debate in the German parliament there has been no coverage of the story in the Canadian media.

The current issue of Newsweek magazine [May 15] has reported on the basis of a suppressed US airforce report that the number of military targets destroyed by NATO air strikes during the bombing, "was a tiny fraction of those claimed." Newsweek reported there were 14 tanks hit not 120; 17 armored personnel carriers, not 220; 20 artillery pieces, and not 450. The suppressed report stated there were only 58 confirmed strikes by NATO pilots and not the 744 previously claimed by NATO spokespeople.

I regret to say that I fully expect more lies and falsehoods about Kosovo will be revealed as time goes by. We haven't had the full story yet by any stretch of the imagination. What was the extent of German and United States assistance both militarily and financial to the KLA? When was it decided that the civilian infrastructure of Yugoslavia had to be destroyed because the military targets could not be seriously damaged from a height of 15000 ft?



What were the real reasons for the attack on Yugoslavia? Why was there no serious attempt to negotiate with the Serbian side at Rambouillet? And why did NATO finally agree to drop their original insistence that a referendum on autonomy be held in Kosovo? Why did NATO make other substantial concessions to the Serbs after bombing them for 78 days? In time we will probably get the answers to these and other questions, but it will be after the fact and after the damage has been done.

What is one to make of all this? Well, one thing is certain it demonstrates pretty clearly that we cannot trust our political leaders to tell us the truth. This may not come as a total surprise to many of you who have already had some experience with the political process. Nevertheless it is not a comforting thought. It is particularly distressing when we are talking about serious issues -when matters of life and death; war or peace and the destruction of modern states are at stake.

In the case of Canada and some of the other smaller NATO members it may well be that these countries themselves were at the beginning misled and misinformed. This cannot, however, be an excuse and we must not forget that the Canadian Ministers of Foreign Affairs and National Defense stoutly defended the NATO action. These same Ministers make no apology for sending the Canadian armed forces to war against a sovereign state and former ally in two world wars. Nor have they as yet expressed any misgivings that for the first time since the founding of the United Nations Canadian

armed forces were engaged in a military action not authorized by that body and in direct violation of its Charter.

To the credit of Greece, despite its membership in NATO, its Government refused to take part in any of the military actions against Serbia. The people of Greece from the outset of the bombing made abundantly clear their adamant opposition to the war. This is not the first time in history that Greece has adopted a courageous and heroic stand in the interests of truth.



The Kosovo war also reveals another disturbing characteristic. That is the ease with which the mainstream media accepted and indeed supported without serious question the NATO military action. None of the major Canadian newspapers or TV networks, to my knowledge, expressed concern about the legality of the bombing and- more alarmingly- seemed almost eager to accept and condone the massive bombing of civilian targets in Yugoslavia. All of the atrocity stories related by Albanian Kosovars were accepted at face value and few questioned the canned news stories manufactured by the NATO public relations machine.

Some of the reason for this extraordinary media submissiveness can be explained by the secretive nature of the NATO decision making process and an all too willingness to assume that everything that NATO spokespeople like Jamie Shea told them, was the truth. As one critic has suggested, the military approach to media relations can be summed up by the slogan, "tell them nothing until its over and then tell them who won." Nevertheless, I suspect the paramount reason explaining the reluctance of the media to question NATO aggression was because of a natural hesitancy to challenge a war that allegedly was being fought for humanitarian reasons.

Herein lies the danger of the new human rights dogma. In an age of political correctness there are few that are prepared to challenge the appropriateness of bombing people- especially if the bombing is for humanitarian purposes. The Progressive Conservative defense critic in the Canadian House of Commons on the opening day of the attack against Yugoslavia dared to question the validity of the bombing only to have his leader, Joe Clark, repudiate him the following day. Later the unfortunate man was removed as the defense critic; so much for even daring to question a war fought for the safeguarding of human rights! Needless to say there was no debate in the Canadian Parliament about the NATO decision to send Canadian armed forces to war. The Government was not questioned about the legality of the NATO attack or the appropriateness of taking such action without UN approval.

Perhaps the most perplexing question about the NATO action against Yugoslavia is why? Why the deep concern about the natural attempts by Serbia to suppress an armed rebellion that was rapidly developing into a full-scale civil war? There were many more appropriate targets if the concern was truly about human rights violations.

It is estimated that over three million Kurds have been dispossessed and over 30,000 killed by Turkish military forces. This is a human rights issue that makes Kosovo appear

rather inconsequential in comparison. Our NATO leaders seem unconcerned about the human rights of the Kurds. What about East Timor where for almost 25 years the human rights of the East Timorese were being violated by President Suharto's military forces using British aircraft and weapons. It is estimated that the Indonesian forces killed 200,000 East Timorese before finally last year a peaceful settlement was negotiated.

Why so little concern about the plight of the Iraqi children suffering as a result of the American and British led sanctions against that country? Two successive United Nations assistants under secretaries general have resigned in protest against the embargo. One of these, Hans von Sponeck, in addressing a public meeting this month in London stated that half a million children have died as a direct result of the sanctions and one out of every five children in Iraq go hungry. Nobody seems to care.



We have witnessed the reaction of our Western democratic leaders to the frightful humanitarian tragedy in Sierra Leone. Thousands killed and many more maimed by the drug crazed youths of the rebel army. There has been no rush to prevent human rights abuses in Sierra Leone.

Indeed it was the United States Secretary of State, Madeline Albright, who led a Western imposed peace settlement in that ravaged country that called for the sharing of power with the rebel leader, Foday Sankoh, the man chiefly responsible for the carnage. This is the same Madeline Albright who when asked if she thought the sanctions against Iraq were worth the lives of so many Iraqi children replied in the affirmative.

And so it goes, the list is a long one. Obviously the Western democratic leaders are selective about their human rights concerns. There was no suggestion of intervention in Chechnya another example of human rights violations on a scale that made Kosovo look like a picnic.



Canada's Foreign Minister, Lloyd Axworthy would in all likelihood answer to this charge of inconsistency as he did in a speech last February at the New York University School of Law by saying, "for those who criticize humanitarian intervention on the grounds that it is inconsistently employed, I would ask: if the international community cannot intervene everywhere, does that mean we must not intervene anywhere?"

Surely this is too convenient and facile an answer. If there is to be any sense at all in the structure of international security there must be some degree of consistency and criteria to determine when intervention in a sovereign state is warranted. What exactly are the new ground rules for humanitarian intervention? These, to my knowledge, have never been spelled out except in the vaguest of terms. The human security agenda deals in abstractions and generalities. It sounds great but so far has fallen far short of becoming a realistic formula for international action.



In contrast, we do know what the rules are now. The founders of the United Nations established them. They demand Security Council authority before armed intervention can be taken against a sovereign state. If Security Council authority is blocked by the veto power of one of the great powers then it is still possible to go to the General Assembly where a two-thirds vote would be sufficient to permit intervention.

Mr. Axworthy, our Foreign Minister has complained that the Security Council does not always respond to the challenges posed by the new human security threats. I would suggest if he is referring to Kosovo then there might be more than arguable grounds for believing the Security Council would have every right to contest this intervention.

Nevertheless, the point is that NATO didn't bother even approaching the Security Council before bombing Yugoslavia. Nor did our NATO leaders choose to approach the General Assembly of the United Nations for authorization. The bombing of Yugoslavia was an illegal act, contrary to every precept of international law and the Charter of the United Nations. Quite apart from all the other serious implications of the NATO strike against Yugoslavia the trampling on the United Nations Charter is perhaps the most serious.

Having totally ignored the United Nations Charter it is curious to find that our NATO leaders place so much reverence on some of the subsidiary organs of the UN. The International Criminal Tribunals for the former Yugoslavia and Rwanda receive lavish praise from NATO leaders. So far every attempt by international lawyers to get the Tribunal in the Hague to consider charges against NATO leaders for the most serious crime on the UN books; namely waging war, has met with no success.

This begs the question of who are the real war criminals. During my period in Yugoslavia as the Canadian Ambassador I witnessed how time and time again it was interference from the Western powers that did little to bring a non-violent and diplomatic solution to the problems of Yugoslavia. On the contrary, Western involvement complicated an already complex problem and ensured that a peaceful settlement among the several parties became impossible. American and Western European policy driven by selfish domestic issues contributed directly to the bloodshed and violence that tore the Yugoslav Federation apart.

As Yugoslavia began to experience the first signs of disintegration the United States policy of indifference and later ambiguity encouraged the extremists on all sides and undermined the authority of the central government. I was in Belgrade when US Secretary of State, James Baker assured the Yugoslav Prime Minister, Anton Markovic, that if the Slovenes attempted to break away from the Federation by illegal means then the Yugoslav army could be used to prevent secession.

A few days later this is what happened but the United States then quickly withdrew its support for unity. The West abandoned the many thousands of Yugoslavs of different ethnic or religious persuasion who believed in a united Yugoslavia. The playing field was left to the extremists and those who wished to separate.



Later, as many thousands of Bosnians marched for peace fearing the inevitable blood bath of civil war, a peace settlement seemed to have been reached through the skillful negotiations of the Portuguese Foreign Minister, Jose Cutileiro. The so-called, Lisbon Agreement, of March 1992 held out the last hope that the three religious groups in Bosnia might live peacefully together. It was not to be. The United States dispatched its Ambassador from Belgrade to Sarajevo, who encouraged the Muslim leader, Alija Izetbegovic to withdraw his signature from the agreement he had signed along with his Serbian and Croatian counterparts. This US intervention guaranteed civil war in Bosnia and the death and displacement of thousands of people.

After the fighting broke out in Bosnia it was the United States that undermined every subsequent peace initiative that might have brought an end to the killing. The Vance/Owen and later the Owen/Stoltenberg peace plans were both subverted by the Americans so that the fighting was prolonged. Moreover, it was the United States that violated the arms embargo by providing arms and training to the Bosnian Muslims and the Croats. It appeared that the United States was determined to pursue a policy that prevented a resolution of the conflict by other than violent means.

The Americans were not alone. Germany's determination to reassert its dominance in the Balkans led it to encourage and support Slovene and Croatian independence. Chancellor Kohl's insistence that Slovenia and Croatia be recognized as independent states was the death sentence for Yugoslavia. Sadly it was also the death sentence for many thousands of Serbs and Croats.

Given the horrors experienced by the Serbian minority in Croatia during the Ustashi terror of the Second World War it was a certainty that without some guarantees of their civil and human rights the Serbian minority would take up arms to prevent being cut off from their Serbian brothers in Serbia and Bosnia. Nevertheless, notwithstanding the West's new found obsession with human rights no Western leader gave a moment's consideration to the human rights of the Serbian minority that at that time made up 12% of the population.

It is ironic that there has been no acknowledgement of Western culpability for the bloodshed in the former Yugoslavia. Instead we in the West have with pious self-righteousness condemned ethnic cleansing and murders. We have singled out the Serbs as the villains. Early in the conflict CNN and the Western media gave them the bad guy label. They have never been able to shake that image. Terrible things did take place in the wars that accompanied the disintegration of Yugoslavia but it is simplistic and wrong to blame only the Serbs. If there are war criminals in Yugoslavia and I have no doubt there are- then those responsible for creating the conditions for violence and bloodshed are equally guilty. If not guilty directly then certainly guilty as accessories. I am referring here to the Western leaders who are as responsible for the killing as are those wielding the weapons.

It is because of my experience in Yugoslavia that I am cautious about the so-called new human security agenda. Those who champion human rights frequently do so for the wrong reasons. Very often there is a hidden agenda that has little to do with human rights. As we have also seen there is always selectivity to human rights intervention and the choices made are not always altruistic in nature. Furthermore, more often than not, the intervention does more harm than good. This has been particularly so in Kosovo.

The NATO intervention, ostensibly for humanitarian reasons, ended up creating a human rights catastrophe. In every respect it has been a disaster. NATO's action has convinced the two other great powers, China and Russia, that the West cannot be trusted. Even more serious, the high moral ground that had been a proud feature of the Western democracies has been abandoned. We have shown ourselves to be no better than our former communist adversaries- quite prepared to use violence and force to gain our ends. Prepared as well to wrap these ends in the cloak of high purpose and humanitarian principle.



The long-range implications of the Kosovo fiasco are far-reaching and ominous. In the short term the destabilization of the Balkans caused by the war may mean a return to violence and bloodshed. Albanian dreams of uniting all of their people in one territory have been given solid encouragement by the support given to them in their struggle for Kosovo. The former Yugoslav Republic of Macedonia could well become the next powder keg. The Albanians there are winning the battle of the cradle and already there are increasingly vocal demands for self-determination and possible secession. The north-west region of Greece provides another potential trouble spot and is shown on Albanian maps as a part of greater Albania. The southern region of Serbia bordering on Kosovo has already come under pressure from Albanian armed bands.

Serbia itself has been crippled economically and psychologically by the Yugoslav wars, especially by the Kosovo experience. Embittered and rejected by the Western democracies it is festering with bitterness and hostility. Encumbered by a Government increasingly isolated from its people and desperate to remain in power by any means, the country is ripe for civil war. Its army remains one of the strongest in Europe. Should relations with Montenegro deteriorate further or should a provocation be “arranged” we could see another outbreak of conflict with all of the terrible consequences of internecine struggle.

Are there lessons to be learned from all of this? One might hope that we become more reluctant to accept without question those who advocate using force to protect the human rights of people claiming to be oppressed. A healthy skepticism in this regard would be desirable. If intervention in a sovereign state is necessary let it be done through the authority of the United Nations for although it is imperfect it is the only world body that is designed to maintain international peace and security. We must stand by it and strengthen it.

Let us also accept the reality that those who claim to be fighting for self-determination are really fighting for territory. The one is intrinsically bound up with the other. President Havel of the Czech Republic might say to the Canadian Parliament that Kosovo was the only war fought for human values rather than territory but he was wrong. In the final analysis Kosovo was about territory and who should occupy it –Serbs or Albanians. That struggle is not yet settled.

One might also suggest that the Kosovo experience should teach us to stay out of civil wars-or if we cannot stay out- then at the very least let us not take sides unless our own vital interests are at stake. We can play a role and do our best to bring the two sides together so the issue might be settled peacefully but lets not again become militarily involved in this type of conflict. We should also send a warning to all those who decide to take up arms and use violence to achieve their independence that the choice is theirs to make but it precludes them from our assistance. Having chosen violence they must expect it in return.



Finally, I would hope that Kosovo has taught us to be more demanding of our political leaders. It is not good enough for Canadians to find themselves at war without the people of Canada or the Canadian Parliament having anything at all to say about it. Our leaders decided to send our armed forces to bomb another people with whom we had no quarrel and for reasons that do not stand up to even a cursory examination. Canada has gained nothing from the Kosovo adventure. We have lost much. Our Foreign Minister has demanded reform of the United Nations and rightly so but a similar demand for reform of NATO might be of more immediate value and be given a higher priority.



Ambassador Bissett was born in the small village of DELORAINE, located in the South-West corner of Manitoba close to the U.S. border and the Province of Saskatchewan. During the Second World War his family moved to Winnipeg and he received his secondary and university education in that city. It was there he became interested in Eastern European cultures and history

After pursuing postgraduate studies in history and political science he won a fellowship to study Public Administration at Carleton University in Ottawa. Upon obtaining his Masters Degree he joined the public service in 1956.

He spent 37 years as a Canadian Public Servant in the Department of Citizenship and Immigration and Foreign Affairs. He was appointed head of the Immigration Foreign Service in 1974 and became Assistant Under-Secretary of State for Social Affairs in 1980. In the early '70s he served at the Canadian High Commission in London England. He was appointed Canadian High Commissioner to Trinidad and Tobago in 1982 and served there until 1985 when he was seconded to the Department of Employment and Immigration as Executive Director to help steer new immigration and refugee legislation through Parliament.

In 1990 he was appointed Canadian Ambassador to Yugoslavia, Bulgaria and Albania. He therefore witnessed at first hand the Yugoslav tragedy to which he attributes much of the blame to Western diplomatic blundering and deliberate scheming. He was recalled from Yugoslavia in the summer of 1992.

He retired from the Foreign Service upon leaving Yugoslavia and accepted a job in Moscow as the head of an International organization helping the Russian Government establish a new Immigration Ministry and designing and implementing settlement programs for the thousands of Russians returning to Russia from other parts of the former Soviet Union. He returned from Moscow in 1997 and is enjoying retirement in Ottawa but continues to do contract work from time to time.



Ambassador Bissett is married and has 5 children and 8 grand children. He was shocked at NATO's bombing of Yugoslavia and has been an outspoken critic of the war, appearing frequently on radio and television and on speaking engagements across Canada.