



Research Article

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The Kosovo self-defense act of 1999: Policy proposal and strategic context

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DOI: <https://doi.org/10.2478/ejels-2025-0007>

Abstract

The Kosovo Self-Defense Act introduced in 1999 by Representative Eliot Engel and Senators Mitch McConnell and Joseph Lieberman, sought to provide critical military support to the Kosovo Liberation Army (KLA) and the civilian population of Kosovo amid the ongoing conflict with Serbia. This legislative initiative proposed a \$25 million security assistance program aimed at enhancing Kosovo's self-defense capabilities, enabling the local population to protect themselves from Serbian aggression.

The central argument of the bill was that the U.S. should equip Kosovo to defend its civilians, reflecting a growing belief in Congress that Kosovo's independence was inevitable and needed international support. The bill also suggested military training and assistance as a means to reduce U.S. military involvement in the region, offering an "exit strategy" by empowering local defense efforts. This paper analyzes the bill's significance using qualitative methods, examining legislative texts, policy documents, and historical records to assess its impact on U.S. foreign policy.

It employs a qualitative analysis of legislative texts, policy documents, and historical records to assess the bill's significance in the context of the Kosovo conflict.

The analysis reveals that, despite its failure to pass, the bill marked a pivotal moment in U.S. policy toward Kosovo. It reflected a shift from direct intervention to empowering local forces, underscoring Kosovo's independence as both a political and security necessity. Ultimately, the bill helped shape U.S. actions that would contribute to Kosovo's eventual independence and regional stabilization.

Keywords: Kosovo, self-defense act, policy proposal, strategic context.

1. Introduction

In 1999, as the conflict in Kosovo reached critical levels of violence and displacement, U.S. policymakers sought new strategies to address the humanitarian crisis and the ongoing Serbian aggression.

The bill's introduction came in the wake of failed diplomatic negotiations and

continued atrocities committed by Serbian military forces, including widespread ethnic cleansing and the displacement of hundreds of thousands of ethnic Albanians. By enabling Kosovo to defend itself, proponents of the bill argued that the U.S. could avoid further direct military intervention while simultaneously working towards a long-term solution that would empower the local population to secure their own sovereignty. This approach was framed as a necessary “exit strategy” for U.S. forces, allowing Kosovo to establish its own defenses and protect its people without further American military involvement.

In proposing this initiative, the bill highlighted the growing frustration within U.S. political circles regarding the ineffectiveness of existing international efforts to stabilize the region. While humanitarian organizations and military forces worked to address the immediate needs of displaced Kosovars, the lack of a sustainable security framework prompted calls for stronger measures to equip local forces. The Kosovo Self-Defense Act thus marked a critical moment in U.S. foreign policy, signaling a shift toward providing direct military aid to Kosovo in its struggle for self-determination and protection against Serbian aggression. Ultimately, this legislative proposal set the stage for the broader U.S. policy shifts that would support Kosovo’s eventual independence.

On April 21, 1999, the U.S. Congress actively debated the Kosovo conflict, focusing on NATO’s military intervention against Serbia and the humanitarian crisis stemming from the mass displacement of ethnic Albanians. Central discussions included support for NATO’s ongoing air campaign, initiated on March 24, 1999, with debates about funding and the extent of U.S. involvement. Humanitarian concerns emphasized refugee assistance logistics and the role of international relief organizations.

The Kosovo Self-Defense Act introduced in 1999 by Representative Engel in the House and Senators McConnell and Lieberman in the Senate, aimed to provide critical support to the Kosovo Liberation Army (KLA) and the Kosovo civilian population amid the ongoing conflict with Serbia. This legislative initiative proposed a \$25 million security assistance program to train and equip Kosovo’s forces, thereby enhancing their ability to defend themselves from Serbian aggression. The bill’s central proposition was that the United States should enable Kosovo to protect its civilians, a goal that aligned with the broader American policy objectives of ensuring regional stability and curbing ethnic violence. One of the fundamental tenets of the bill was that it should become U.S. policy to provide the interim government of Kosovo with the means to protect its civilian population. By providing military training and support, the bill sought to strengthen Kosovo’s self-defense capabilities. This approach was seen as a strategic step towards an “exit strategy” for U.S. forces, enabling Kosovo’s local defenders to manage their security situation without requiring prolonged American military intervention. The inclusion of this concept within the bill reflected the growing desire among some U.S. lawmakers to reduce the direct involvement of American troops in foreign conflicts while ensuring that the local population could stand resilient against external threats (U.S. Congress, 1999). In this context, the resolution proposed \$25 million to arm and train approximately

10,000 members of the Kosovo Liberation Army (KLA) with small arms and anti-tank weaponry over 18 months. On the Senate McConnell, as a chairman of the Appropriations subcommittee on foreign operations, argued this initiative would be a cost-effective alternative to prolonged airstrikes, equipping Kosovars to directly resist Serbian aggression and counteract ethnic cleansing under Slobodan Milošević. He criticized the Clinton administration for its hesitation to adopt this approach earlier, asserting that delays exacerbated the humanitarian crisis (U.S. Congress, 1999).

McConnell articulated the bill's rationale as a cost-effective alternative to extended airstrikes, arguing that arming the KLA would enable Kosovo Albanians to resist Serbian aggression directly. He criticized the Clinton administration for its reluctance to embrace this approach earlier, asserting that the delay contributed to worsening conditions, including mass displacement and the continuation of Serbian ethnic cleansing operations under Slobodan Milošević. The proposed legislation sought to establish a policy for the United States to provide the interim government of Kosovo with the means to defend and protect its civilian population against armed aggression. This measure, introduced as part of a broader effort to address the ongoing conflict, aimed to formalize support for Kosovo's self-defense capabilities. However, it remained a legislative proposal rather than an official policy, reflecting Congressional advocacy for more direct intervention amidst the humanitarian and security crises in the region. The bill highlighted the urgency of bolstering Kosovo's ability to counter Serbian military aggression while navigating the complexities of U.S. foreign policy in the Balkans (U.S. Congress, 1999).

The proposed policy emerged in a context where NATO's ceasefire agreement of October 1998 had failed to halt Serbian military actions, and U.S. declarations of non-engagement with ground forces were perceived as diminishing American resolve (Congressional Quarterly Weekly Report, 1999). McConnell (1999) posited that empowering the KLA represented the only pragmatic solution to protect Kosovo's Albanian population and counteract Serbia's genocidal strategies. Further, McConnell advocated for the recognition of Kosovo's independence, asserting that international support, particularly through political and security assistance, was critical to halting Serbia's campaigns. His earlier arguments, presented in a *Washington Post* op-ed in January 1999, underscored the urgency of decisive intervention, which he reiterated during the bill's introduction.

In his January 22, 1999, *Washington Post* op-ed, Senator Mitch McConnell passionately calls for the United States to recognize the independence of Kosovo and provide necessary political and security support to halt Serbia's genocidal actions. McConnell critiques the international community's response to the atrocities committed by Serbian forces against ethnic Albanians, highlighting NATO's condemnation of the deliberate violence, including the massacre of 45 villagers in Racak. Despite this, he notes that Serbia's retaliation involved the expulsion of the American chief of the OSCE mission, replacing him with a more sympathetic French official. McConnell asserts that the U.S. must confront the reality of the situation and shift its stance by

fully supporting Kosovo's independence.

McConnell (1999) emphasizes the dire humanitarian crisis resulting from the war, noting that although around 300,000 refugees have fled the mountains of Kosovo, the displacement has only worsened. He describes how families, often consisting of 12 to 18 people, are cramped into small, overcrowded homes with minimal resources. The extreme cold, lack of adequate clothing, food, and heating, as well as the shuttering of essential services like schools and clinics, has left the population vulnerable. Despite international aid efforts, McConnell argues that these measures are grossly insufficient to meet the needs of Kosovo's displaced population. He calls for more decisive action from the U.S. government to support Kosovo's independence and provide the necessary security and humanitarian assistance to prevent further suffering.

In his op-ed, McConnell (1999) highlights the essential role played by nongovernmental organizations (NGOs) and the U.S. Disaster Team in providing aid under extremely challenging and hostile conditions. However, he criticizes the United Nations High Commissioner for Refugees, the World Food Program, and USAID headquarters, which he claims have acted as bureaucratic bottlenecks, delaying the distribution of much-needed relief supplies.

McConnell (1999) also asserts that the Holbrooke-Milošević agreement, which aimed to bring peace to Kosovo, has failed to produce tangible results. He emphasizes that the supposed cease-fire is non-existent, and the massacre at Racak is merely the latest in a string of Serbian atrocities. McConnell points out that the Serbian military routinely justifies these violent acts by claiming they are targeting perpetrators of crimes, despite the disproportionate and brutal nature of the military responses, which consistently result in civilian casualties. He recounts the poignant words of a young girl whose home was destroyed by Serbian shelling, questioning why civilians are targeted when soldiers are not the focus. Furthermore, McConnell condemns Serbia's failure to reduce its military presence in Kosovo as required by the agreement, asserting that verification of troop withdrawals has been ineffective, with no clear understanding of how many Serbian forces remain deployed in the region.

McConnell (1999) argues that the administration's plan to replace Serbia's military presence with an ill-conceived civilian police force is unlikely to succeed. The proposed force would be unarmed and receive only minimal training, which McConnell suggests would make it vulnerable to failure or, worse, make its members hostages. He underscores that the Serbs will continue their actions unabated, as the proposed force, alongside the OSCE, will be unable to alter the situation.

McConnell (1999) identifies the abandonment of force as the primary reason for the collapse of the agreement. He quotes a senior OSCE French official who notes that Milošević was offered two options in October: face bombing or accept international verifiers. He chose the latter, knowing that the absence of a credible military threat would render any political intervention ineffective. McConnell asserts that the presence of 2,000 potential hostages has created a situation where military action is no longer considered viable, as no nation is willing to risk retribution against its

citizens who are serving as verifiers. The use of force has further been undermined by the withdrawal of most of the 300 aircraft that had been deployed in the fall, as well as by statements that any efforts to implement the Activation Order for airstrikes would require additional NATO votes. McConnell also highlights that challenge inspections of potential Serbian military violations were abandoned, and that a document between Belgrade and NATO guaranteed prior notice of all air verification flights. This has allowed the Serbs to repeatedly test the limits of NATO's resolve, knowing that aggression will likely result in little more than diplomatic condemnation and renewed negotiations.

McConnell (1999) draws a comparison between the negotiations in Kosovo and those in Ireland, noting that while George Mitchell facilitated the Good Friday Agreement by engaging with numerous factions, the situation in Kosovo has been far simpler with only two primary viewpoints: independence and an interim autonomy settlement. However, since the ethnic cleansing campaign in the summer, only the pursuit of independence has remained relevant.

He criticizes American negotiators for their reluctance to accept the inevitability of Kosovo's independence, pointing out that European concerns and inertia have hindered progress. The administration, according to McConnell, continues to argue that Kosovo's independence is politically unfeasible and unattainable through military action. McConnell contends, however, that this belief is no longer valid.

Drawing lessons from Vietnam, McConnell asserts that the Kosovo Liberation Army (KLA) does not need to control territory to succeed. Instead, it must be able to maneuver freely, be well-trained, equipped, financed, and enjoy the support of the people. He highlights how the Serb offensive of the previous year had galvanized popular support for the KLA, and notes that military analysts recognize significant improvements in the KLA's tactics, command and control, financing, and weaponry. McConnell (1999) asserts that US policies must recognize the essential goal: independence for Kosovo. To achieve it, there should be several steps undertaken: Expand direct U.S. aid to nongovernmental humanitarian organizations and improve the management of international organization relief efforts; Suspend U.S. funds for the OSCE observers. Demand a NATO vote to implement the Activation Order for airstrikes; Recognize Kosovo's independence and implement plans to arm the KLA. The Clinton Administration viewed the proposal to arm Kosovo as unwise, particularly in the context of ongoing military operations. There were concerns that such a move would exacerbate tensions and potentially trigger an arms race. The administration argued that it would violate the United Nations arms embargo and undermine efforts to demilitarize both sides of the conflict. Additionally, providing arms to Kosovo was seen as implicit recognition of Kosovo's independence, a position the Clinton Administration opposed. Critics also raised the risk that this policy could provoke Russia, a key player in international peace efforts, to supply arms to Serbia in retaliation. The administration opposed this provision since it could be interpreted as military aid designated for the Kosovo Liberation Army. While neither the House nor the Senate brought the Kosovo self-defense bills to a vote, the Senate did include a

related provision in the FY 2000 appropriations bill for foreign operations. The Senate bill (S. 1234) allocated \$20 million from the Support for East European Democracy (SEED) Act to train and equip a Kosovo security force. The Clinton Administration opposed this provision, arguing that it could be construed as providing military assistance.¹

2. Conclusions

The Kosovo conflict, marked by widespread humanitarian crises and deep geopolitical tensions, called for decisive intervention by the international community, particularly the United States. Leading up to NATO's intervention in 1999, the complexity of the conflict highlighted the difficulty of addressing ethnic violence, regional instability, and the divergent political stances of Western allies and Serbia. As explored in this research, U.S. policy was caught between European caution and the urgent need for action to stop the atrocities committed by Serbian forces against Kosovo's ethnic Albanians.

In this context, the Kosovo Self-Defense Act (S. 846), introduced in 1999, represented a significant shift in the U.S. approach to Kosovo's security and sovereignty. This bill proposed allocating \$25 million in funding for the Kosovo Liberation Army (KLA), with the goal of arming and training roughly 10,000 fighters to defend Kosovo against Serbian aggression. By strengthening Kosovo's defense capabilities, the bill sought to prevent further ethnic cleansing and bring stability to the region through local resistance. The bill reflected a growing frustration with the Clinton administration's hesitance to deploy ground troops and its reliance on airstrikes and diplomatic measures, which were increasingly seen as insufficient in addressing the scale of the crisis.

The proposed support for the KLA was rooted in the belief that with the right resources, the local force could become an effective defense against Serbia. Critics, including some members of Congress, argued that the administration's delay in providing such assistance allowed the situation to worsen, as ethnic Albanians continued to face systematic violence, displacement, and destruction. Advocates of the bill framed the situation within the broader context of U.S. foreign policy, which prioritized empowering local forces to defend themselves when direct military intervention was politically unfeasible. The support for Kosovo's self-defense, it was argued, was necessary not only to address immediate security concerns but also to recognize the inevitable trajectory toward Kosovo's independence.

The failure of the Holbrooke-Milosevic agreement, alongside the ineffective cease-fire and the inability to challenge Serbian violations, underscored the limitations of relying exclusively on diplomacy. The withdrawal of NATO forces and the lack of strategic enforcement by the international community revealed the inadequacies of the diplomatic approach. As a result, the recognition of Kosovo's sovereignty and the

¹ Office of Management and Budget. (1999, June 30). *Statement of Administration Policy: S. 1234*. <https://www.gpo.gov/contributors/omb/pkg/CHRG-106shrg61622/html/CHRG-106shrg61622.htm>.

empowerment of local defenders became increasingly seen as essential to achieving long-term peace and stability.

By advocating for the recognition of Kosovo's independence and the arming of the KLA, the bill positioned U.S. action as both a necessary security measure and a moral imperative. The growing capacity of the KLA, along with the overwhelming support from the Albanian population, demonstrated that Kosovo's resistance was not only viable but vital for regional peace. This advocacy was also aligned with a broader bipartisan consensus that recognized the inefficacy of continued diplomatic negotiations in the face of Serbian obstinacy.

The eventual recognition of Kosovo's independence in 2008, nearly a decade after the conflict, validated the arguments made in support of greater U.S. intervention. The lessons learned from the Kosovo conflict, particularly the need for timely and decisive action, continue to shape U.S. foreign policy in subsequent crises. Kosovo's path to independence serves as a case study in how international diplomacy, military support for local resistance, and recognition of political realities can help shape the future of sovereign nations.

In conclusion, the Kosovo Self-Defense Act provides valuable insights into the complexities of U.S. foreign policy in conflict zones. It underscores the importance of timely intervention, the empowerment of local forces, and the recognition of the political and humanitarian realities on the ground. Kosovo's eventual independence, though fraught with challenges, illustrates the critical role of decisive action in ending human suffering and fostering self-determination.

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