

INTRODUCTION

In the early 1980s the ethnic Albanian population who formed the majority in the Serb province of Kosovo revolted against the discriminatory system imposed on them by Serbia. That system was further strengthened after 1989 by the new President of the Yugoslav Federation, Slobodan Milosevic.

MSF teams, which had been working in Kosovo since 1993 in the wake of the intervention in Bosnia, specifically supported the parallel health network established by the Albanian independence movement. From March 1998, attacks on Albanian villages by the Federal Yugoslav army and the Serb police increased, and were exacerbated by the guerrilla action of the Kosovo Liberation Army (KLA/UCK). Several thousand people were killed and tens of thousands more fled into the interior and over the border.

Conscious of the deteriorating situation, MSF decided to inform European public opinion and to increase awareness by publishing communiqués and refugee eyewitness accounts which were reported in the press. The United States and Europe - who were behind the Bosnia peace accords - simultaneously increased pressure on Belgrade, calling on the Milosevic government to put an end to violence against Albanian Kosovars or risk an armed intervention by NATO.

On 24 March 1999, after several months of fruitless negotiations during which violence and population movements increased, NATO began aerial bombardment of Serbia and Kosovo. The Serb forces responded with increasing terror, forcing hundreds of thousands of Albanian Kosovars to flee to neighbouring Albania, Macedonia and Montenegro. MSF then organised a number of relief operations for these refugees at the borders of Kosovo. At the same time, NATO mobilised military assets as a means of organising and controlling aid.

In April and May 1999, MSF on several occasions publicly denounced both the control being exercised over the refugee camps by NATO - which was a party to the conflict - and the marginalisation of the United Nations High Commission for Refugees (UNHCR). In particular, MSF stressed the need to provide refugee protection and signaled what was happening to the Albanian Kosovars who were still in the province, under the control of Serb forces.

On 30 April, MSF published a report entitled, 'Kosovo: Accounts of a Deportation.' Compiled on the basis of refugee accounts and an epidemiological study. This report showed that the Kosovar

Albanians were the victims of a systematic process of terror and expulsion, described by MSF as “deportation.” It again alerted public opinion to the lack of refugee protection in the camps run by NATO.

At the beginning of May, MSF’s Greek section undertook an exploratory mission to Kosovo and Serbia, despite opposition from the other sections who considered that this mission was not in accordance with MSF’s principles of operational independence. The Greek section was excluded from the movement until 2005 as a result of this action..

Throughout the period of military operations, MSF managers actively refuted the notion of ‘humanitarian war’ promoted by NATO.

These different stances were taken in the context of an armed conflict in which western countries were participating directly and which they justified by invoking human rights and humanitarian requirements.

This particular political environment considerably reinforced the dilemmas and difficulties for MSF:

- Should it speak out to denounce violence being committed against the Kosovars, at the risk of being itself excluded by the Serb authorities from access to these people?
- By denouncing and describing the violence against Kosovars, was MSF encouraging/supporting the NATO intervention?
- Should MSF take a position on the NATO intervention, or not?
- What sort of relationships (finance, cooperation, etc) should be established with countries that were committed either militarily (such as NATO members) or politically (Greece) in the conflict?
- By raising the alert about UNHCR’s absence/withdrawal/lack of effectiveness in managing the refugee camps, was not MSF taking the risk of reinforcing this marginalisation?
- Is it justifiable, by invoking an interpretation of the impartiality principle that implies a responsibility to assist victims on both sides of a conflict, to carry out an exploratory mission that sacrifices the principles of operational independence?