From Kosovo to Crimea: Analysing the Precedent Set by Operation Allied Force

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The year 1999 continues to have a profound impact on Russian policy and strategic thought vis-a-vis the international system and the use of force, marking the beginning of a period of fracture and alienation that continues to shape international relations. The lessons of 1999 have clearly been heeded - and inculcated - in Moscow.¹⁸⁵

Introduction

Kosovo was an autonomous region within the Socialist Federal Republic of Yugoslavia (SFRY).¹⁸⁶ Dating back to 1389, it always had an important meaning for the Serbian community as it was the site of the battle of Kosovo between the Serbs and the Ottoman Empire, which defined Serbian nationalism.¹⁸⁷ Between the 15th and early 20th centuries, Kosovo was part of the Ottoman Empire. During this time, the Albanian population in the region grew, and Islam became increasingly important.¹⁸⁸ When Kosovo was incorporated into Serbia, in the early 20th century, the Muslim Albanian majority outnumbered the Orthodox Serbs, leading to escalating hostilities.¹⁸⁹ The tensions in Kosovo erupted when Slobodan Milosevic, the SFRY's President, revoked its autonomy in 1989.¹⁹⁰ Through the 1990s and especially in 1998, the conflict between the Kosovar Albanians and the Serbs in Kosovo escalated into a full-scale civil war.¹⁹¹ In 1999, NATO began an air campaign, Operation Allied Force (OAF) against the Federal Republic of Yugoslavia (FRY) without UN mandate, in order to halt the violence in Kosovo and the repression of Kosovar Albanians. This paper argues that the illegality under international law of OAF created a precedent for the future of geopolitics, that Russia cunningly utilised in 2014 in the annexation of Crimea.

How did Russia use OAF to advance its foreign policy objectives? This paper will answer this question by analysing the events of 1998 and 1999 and demonstrating that Russia

¹⁸⁵ Tracey German, "A Legacy of Conflict: Kosovo, Russia, and the West," *Comparative Strategy* 38, no. 5 (2019): 435.

¹⁸⁶ Louis Sell, *Slobodan Milosevic and the Destruction of Yugoslavia* (Durham & London: Duke University Press, 2002), 65.

¹⁸⁷ Tim Judah, Kosovo: War and Revenge (New Haven: Yale University Press, 2000), 4.

¹⁸⁸ John B. Allcock, Antonia Young, and John R. Lampe, "Kosovo: Self-declared Independent Country," Britannica.com, May 23, 2024, https://www.britannica.com/place/Kosovo.

¹⁸⁹ Ibid.

¹⁹⁰ Louis Sell, *Slobodan Milosevic*, 88-89.

¹⁹¹ Stephan Kieninger, "The 1999 Kosovo War and the Crisis in U.S.-Russia Relations," *The International History Review* 43, no. 4 (2021): 782.

took advantage of the precedent of OAF in the specific case of the annexation of Crimea of 2014. The purpose of this paper is not to compare the events of Kosovo in the 1990s and of Crimea in 2014, nor OAF with the Russian campaign in the peninsula, but to demonstrate the similarities of justifications between NATO's discourse over OAF and Putin's narrative over Crimea.

The first part of this paper will interpret the events that led to OAF with a particular focus on the diplomatic exchanges and controversies between NATO, and the West, and Russia. This section specifically underlines Russia's reaction of dismay and disbelief to OAF, and the consequences faced by the Alliance and the West at the beginning of the bombings. The second part will concisely narrate the 2014 Russian annexation of Crimea and ultimately compare Putin's justifications for the annexation with NATO's ones for OAF. The contact points of the two narratives and the fact that Putin willingly nominated the 1999 intervention when addressing the operations in Crimea, lead to the conclusion that OAF, while shocking the Russian authorities at first, set a precedent that the Russian Federation utilised to justify its own objectives towards Crimea.

This paper draws upon a variety of primary and secondary sources. Specifically, the first section relies on UN Security Council (UNSC) Resolutions and NATO press statements, as well as academic articles and books. In the second section, President Vladimir Putin's speech of 18 March 2014¹⁹² will be examined, arguing that the rhetoric he used to justify Russian actions in Crimea has many similarities with NATO Secretary General Javier Solana's speech of 23 March 1999¹⁹³.

Setting the Precedent: OAF and Russian Reaction

During the Kosovo crisis, international efforts to restore stability and prevent grave humanitarian consequences were attempted on a number of occasions.¹⁹⁴ An international consensus was maintained in the Contact Group (consisting of the US, UK, France, Germany, Italy, and Russia)¹⁹⁵, and the UNSC issued three resolutions in 1998 condemning the violence.¹⁹⁶ Resolution 1160, adopted in March 1998, condemned the ongoing violence in

¹⁹² Vladimir Putin, "Address by the President of the Russian Federation" (Moscow, March 18, 2014), http://en.kremlin.ru/events/president/news/20603.

¹⁹³ NATO, "Press Statement by Dr Javier Solana, Secretary General of NATO," (Press Release (1999)040 040,

March 23, 1999), https://www.nato.int/cps/en/natohq/opinions_27615.htm?selectedLocale=en.

¹⁹⁴ Mark Webber, "The Kosovo War: A Recapitulation," International Affairs 85, no.3 (2009): 449.

¹⁹⁵ U.S. Department of State Archive, "The Contact Group," (December 5, 2023),

https://2001-2009.state.gov/p/eur/ci/kv/c13102.htm#:~:text=In%20addition%20to%20the%20UN,to%20the%2 0crisis%20in%20Bosnia%20..

¹⁹⁶ Mark Webber, "The Kosovo War," 449.

Kosovo and called for both parties to take steps towards a political solution to the conflict, through the mediation of the Contact Group and the OSCE.¹⁹⁷ Resolution 1199, issued on September 23rd, 1998, called for an immediate ceasefire in Kosovo and stipulated that if the demands were not met, further action and additional measures would be contemplated.¹⁹⁸ Lastly, in October 1998, Resolution 1203 recalled the previous two resolutions and stresseed the importance of a peaceful resolution to the conflict.¹⁹⁹ All three UNSC resolutions confirm the international community's dedication to upholding the sovereignty and territorial integrity of the FRY, while also insisting on the provision of a greater level of independence to Kosovo.²⁰⁰ International sanctions were imposed to deter Serbian violence in Kosovo, but divisions arose immediately within the international community, with countries like Russia rejecting the majority of the sanctions.²⁰¹ Even though a NATO intervention was ruled out at the beginning, the non-compliance to the UNSC demands²⁰² from both parties, Serbs and Kosovar-Albanians, aggravated the situation and NATO started having a close eye on the development of the conflict.²⁰³ The deteriorating situation around June 1998 forced the Allies to consider further military possibilities.²⁰⁴ At the same time, Russia made a major effort to play a more significant role into the negotiating process on Kosovo: it was involved as a member of the UNSC and as a member of the Balkan Contact Group.²⁰⁵

In a phone call with US President Bill Clinton on 15 June 1998, Russian President Boris Yeltsin stated that the FRY was a "sovereign state which is trying to solve problems of its territorial integrity"²⁰⁶. Moreover, Yeltsin underlined his opposition to the use of force by NATO and "if there should be a strike by NATO against Yugoslavia without UN Security Council sanction, that would be considered a blow to cooperation between Russia and

¹⁹⁷ United Nations Security Council, "Resolution 1160 (1998)," (S/RES/1160 (1998), March 31, 1998), https://digitallibrary.un.org/record/252117.

¹⁹⁸ United Nations Security Council, "Resolution 1199 (1998)," (S/RES/1199 (1998), September 23, 1998), https://digitallibrary.un.org/record/260416.

¹⁹⁹ United Nations Security Council, "Resolution 1203 (1998)," (S/RES/1203 (1998), October 24, 1998), https://digitallibrary.un.org/record/262334

²⁰⁰ United Nations Security Council, "Resolution 1160 (1998);" United Nations Security Council, "Resolution 1199 (1998);" and United Nations Security Council, "Resolution 1203 (1998)."

²⁰¹ Richard Caplan, "International Diplomacy and the Crisis in Kosovo," *International Affairs* 74, no. 4 (1998): 754.

²⁰² United Nations Security Council, "Resolution 1160 (1998);" United Nations Security Council, "Resolution 1199 (1998);" and United Nations Security Council, "Resolution 1203 (1998)."

²⁰³ Mark Webber, "The Kosovo War," 449.

²⁰⁴ Stephan Kieninger, "The 1999 Kosovo War," 782.

²⁰⁵ Regina Heller, "Russia's Quest for Respect in the International Conflict Management in Kosovo," *Communist and Post-Communist Studies* 47, (2014): 336.

²⁰⁶ National Security Archive, "Memorandum of Telephone Conversation: Telephone Conversation with Russian President Boris Yeltsin," (William J. Clinton Presidential Library, Washington, June 15, 1998), 2, https://nsarchive.gwu.edu/document/16833-document-13-memorandum-telephone-conversation.

NATO"207. Yeltsin reasoned that a NATO intervention against FRY without UN mandate would infringe on its sovereignty, therefore violating international laws.²⁰⁸ In light of this. Yeltsin affirmed that Russia would veto any UNSC resolution authorising the use of force against FRY.209

In June 1998, Yeltsin invited Milosevic for an official visit to Moscow,²¹⁰ but despite Milosevic's reassurances and the deployment of the international verification mission (KDOM),²¹¹ the Serb security forces increased the scale and violence of their repression campaign against the Kosovar Albanians.²¹² Consequently, Clinton began to consider the possibility that a NATO operation might become necessary even in the absence of UN approval.²¹³ In a phone call with German Chancellor Helmut Kohl, he stated:

What provoked this is that Milosevic believes he is safe from any kind of NATO reprisal. He believes NATO will only act with a Security Council Resolution and he thinks Russian Prime Minister Yevgeny Primakov has shown him that Russia will block it. [...] I think restoring the credibility of NATO military option is important just to convince Milosevic to stop. I believe we need to finalise planning and identify forces, and we need to make clear that NATO can and will act without a Security Council resolution if necessary.²¹⁴

One contentious approach of the Clinton administration was to see NATO's role as an "international policeman and an agent of coercive diplomacy"²¹⁵. This idea, however, wasn't shared by the totality of the allies, therefore creating internal divisions.²¹⁶ The French President Jacques Chirac, for instance, envisioned NATO involvement in peace missions and pushed for a UNSC resolution to authorise the use of force.²¹⁷ In autumn 1998, following UNSC Resolution 1199 (1998) and the meeting of the NATO defence ministers, NATO Secretary General Javier Solana issued a statement approving the activation of an action

²⁰⁷ Ibid.

²⁰⁸ Ibid.

²⁰⁹ Ibid.

²¹⁰ Stephan Kieninger, "The 1999 Kosovo War," 783.
²¹¹ Regina Heller, "Russia's Quest for Respect," 337.
²¹² Stephan Kieninger, "The 1999 Kosovo War," 783.

²¹³ National Security Council and NSC Records Management System, "Declassified Documents Concerning German Chancellor Helmut Kohl," (William J. Clinton Presidential Library, 2015-0776-M, December 12, 2018), 534, Declassified Documents Concerning German Chancellor Helmut Kohl Clinton Digital Library.

²¹⁴ Ibid.

²¹⁵ Stephan Kieninger, "The 1999 Kosovo War," 783.

²¹⁶ Ibid.

²¹⁷ Ibid.

warning (ACTWARN), which allowed NATO commanders to identify the assets required for air operations.²¹⁸ Russia, however, was still firm on its decision to block any UN mandate and, instead, favoured the channels of the Organisation for Security and Cooperation in Europe (OSCE) while threatening to halt cooperation in the NATO-Russia Council.²¹⁹

On 28 January 1999, UN Secretary General Kofi Anan met with the North Atlantic Council and implicitly gave his approval to threatening and using force against the FRY, even without a UNSC resolution.²²⁰

In spring 1999, an attempt to settle the conflict through negotiations was made at Rambouillet, France.²²¹ During the talks, there was a clear conflict between the desire to act quickly and the need to have consensus on policy, not only within NATO, but also with Russia.²²² Moreover, Russia blocked any possibilities of NATO responsibility in the military implementation of the peace agreement²²³ because it would have made a ratification from the FRY even less likely.²²⁴ The Serbs' formal rejection of the peace treaty on 18 March 1999 had consequences on NATO's strategy. On 23 March 1999, NATO Secretary General Javier Solana declared the beginning of air operations against the FRY.²²⁵ Solana recalled the acTWARN and justified the operation with Milosevic's non-compliance with the international community's demands.²²⁶ Moreover, Solana stressed that "NATO is not waging war against Yugoslavia"²²⁷. He emphasised the Responsibility to Protect (R2P)²²⁸ the civilian population of Kosovo and stated that "we know the risks of action, but we have all agreed that inaction brings even greater dangers"²²⁹.

OAF was the first NATO military operation carried out against a sovereign state, challenging the principles of sovereignty, non-intervention, and non-interference. Moreover, it

²¹⁸ NATO, "Statement by the Secretary General Following the ACTWARN Decision," (Press Statement, Vilamoura, September 24, 1998), https://www.nato.int/docu/pr/1998/p980924e.htm.

²¹⁹ Regina Heller, "Russia's Quest for Respect," 337.

²²⁰ Ivo H. Daalder, and Michael E., O'Hanlon, "The Road to War," in *Winning Ugly: NATO's War to Save Kosovo*, (Washington DC: Brookings Institution Press, 2000), 75.

²²¹ Louis Sell, *Slobodan Milosevic*, 295.

²²² Ibid., 295-296.

²²³ Due to apprehensions about NATO's eastward expansion, seen as a threat to Russia's influence in former Soviet countries and the Balkans, which Russia considered its sphere of influence.

²²⁴ Regina Heller, "Russia's Quest for Respect," 337.

²²⁵ NATO, "Press Statement by Dr Javier Solana, Secretary General of NATO," (Press Release (1999)040 040, March 23, 1999), https://www.nato.int/cps/en/natohq/opinions 27615.htm?selectedLocale=en.

²²⁶ Ibid.

²²⁷ Ibid.

²²⁸ R2P was officially adopted by the UN in 2005, yet it mirrors the principle used by NATO in the Kosovo crisis, hence the use of the term in this paper. See: United Nations General Assembly, "Resolution Adopted by the General Assembly on 16 September 2005," (A/RES/60/, October 24, 2005), https://documents-dds-ny.un.org/doc/UNDOC/GEN/N05/487/60/PDF/N0548760.pdf?OpenElement.

²²⁹ NATO, "Press Statement," https://www.nato.int/cps/en/natohq/opinions_27615.htm?selectedLocale=en.

was the first one conducted with a humanitarian justification.²³⁰ The argument used by Solana is that NATO found itself morally obliged to act, because Russia wouldn't have approved any official decisive measure, and NATO could not tolerate further violence in Kosovo.²³¹ Consequently, NATO disregarded the UN's authority to deal with diverging views in the international community and initiated OAF.

NATO-Russia relations deteriorated drastically after the beginning of the operation. OAF demonstrated Western willingness to ignore Russian interests in times of dispute.²³² Consequently, Moscow saw the OAF as a humiliation which needed resolute countermeasures.²³³ At first, Russia's reaction was of rage and dismay, and called for the immediate termination of the air operations against the FRY.²³⁴ Russia immediately suspended its participation in the Joint Permanent NATO-Russia Council and its diplomatic relations with the West.²³⁵ Instead, it promoted a diplomatic settlement and proclaimed itself as the mediator, with the intention of increasing its global influence and limiting NATO's power.²³⁶ Russia felt deeply threatened by OAF, due to the potential expansion of NATO's influence in the Balkans as a result of the campaign. In the years following the fall of the Iron Curtain, NATO had expanded to former Soviet countries in the East. Thus, the prospect of further NATO enlargement towards the Balkans was alarming for Russia.

At the urgent meeting of the UNSC, on 24 March 1999, the representative of the Russian Federation, Sergey Lavrov, expressed "outrage at the use of force against the FRY"²³⁷. Moreover, he warned about long-term consequences and expressed the need for NATO to take responsibility for its actions.²³⁸ Interestingly, Lavrov warned of the precedent set by OAF and how this operation would have numerous impacts on the future of geopolitics.²³⁹

²³⁰ Dag Henriksen, "Diplomacy and Airpower," in NATO's Gamble: Combining Diplomacy and Airpower in the Kosovo Crisis, 1998-1999, (Annapolis: Naval Institute Press, 2013), 826.

 ²³¹ Alexei G. Arbatov, *The Kosovo Crisis: The End of the Post-Cold War Era*, Occasional Paper, (Washington DC: The Atlantic Council of the United States, 2000), 12,

https://www.atlanticcouncil.org/wp-content/uploads/2000/03/0003-Kosovo_Crisis_End_Post-Cold_War_Era.p df.

²³² Ibid.

²³³ Ibid.

²³⁴ Ibid., 17.

²³⁵ Stephan Kieninger, "The 1999 Kosovo War," 786.

²³⁶ Alexei G. Arbatov, *The Kosovo Crisis*, 16.

²³⁷ United Nations Security Council, "NATO Action Against Serbian Military Targets Prompts Divergent Views As Security Council Holds Urgent Meeting on Situation in Kosovo," (Press Release SC/6657, March 24, 1999), https://press.un.org/en/1999/19990324.sc6657.html.

²³⁸ Ibid.

²³⁹ Ibid.

Nevertheless, Russian sanctions against NATO did not last long, and diplomatic relations were resumed in April 1999, when President Boris Yeltsin negotiated with NATO and the UN over a plausible joint position over Kosovo.²⁴⁰ Russia thus realised it could not restore its influence in the FRY without Western cooperation. On 3 June 1999, after 78 days of air raids, Milosevic capitulated.²⁴¹ Resolution 1244 of the UNSC, passed on June 10th, 1999, expressed regret over the lack of compliance with prior UN resolutions.²⁴² It determined the deployment of international civil and security presences in Kosovo under UN supervision, emphasised the necessity for coordinated humanitarian relief efforts, and reiterated the importance of respecting the sovereignty and territorial integrity of the FRY.²⁴³

It is evident that OAF exposed Western unwillingness to respect the international community and its rules, thereby causing international criticism for double standards and hypocrisy.²⁴⁴ With its appeal for R2P and its violation of international laws, NATO's OAF established a precedent that Russia subsequently utilised to pursue its own foreign policy objectives, as it is evident in the case of the annexation of Crimea of 2014.

Utilising the Precedent: The Annexation of Crimea of 2014

The Alliance's violation of the principles of state sovereignty, non-intervention, non-interference, and the prohibition of the use of force is problematic for several reasons. In the context of the annexation of Crimea of 2014, Russia utilised NATO's rhetoric of 1999, turning OAF from a humiliating shock into a precedent enabling them to legitimise their actions. Similarly, as Kosovo's importance for the FRY, Crimea serves a nationalistic heritage for Russia, according to President Vladimir Putin.²⁴⁵ The annexation of Crimea happened amidst the Ukrainian crisis, which began in autumn 2013.²⁴⁶ Ukrainian President Viktor Yanukovych announced his intention to build closer relations with Russia and to move away from the European Union.²⁴⁷ Following this proclamation, a revolution erupted in Ukraine, known as the Maidan Revolution.²⁴⁸ It led to the ousting of Yanukovych, and subsequently,

https://www.proquest.com/docview/454282019?accountid=14507&sourcetype=Wire%20Feeds.²⁴¹ Tim Judah. *Kosovo*, 283-285.

²⁴² United Nations Security Council, "Resolution 1244 (1999)," (S/RES/1244 (1999), June 10, 1999), https://peacemaker.un.org/sites/peacemaker.un.org/files/990610_SCR1244%281999%29.pdf.

²⁴³ Ibid.

²⁴⁴ Tracey German, "A Legacy of Conflict," 432.

²⁴⁵ Vladimir Putin, "Address," http://en.kremlin.ru/events/president/news/20603.

²⁴⁶ Emmanuel Karagiannis, "The Russian Interventions in South Ossetia and Crimea Compared: Military Performance, Legitimacy and Goals," *Contemporary Security Policy* 35, no. 3 (2014): 407.

²⁴⁷ Ibid.

²⁴⁸ Ibid. 408.

the opposition formed a government excluding representatives from the autonomous Crimean Peninsula.²⁴⁹ In February 2014, pro-Russian gunmen stormed the Crimean Parliament, and several military exercises were carried out along the Russian border with Ukraine.²⁵⁰ By the first week of March 2014, Putin received official approval from the Russian Upper House of Parliament to use the Armed Forces in Ukraine.²⁵¹ In the meantime, Russian troops had seized the peninsula,²⁵² and the Crimean parliament voted to be annexed to Russia,²⁵³ On March 16th, 2014, a referendum was held in which 95% of participants voted to join the Russian Federation, subsequently leading to the annexation of Crimea.²⁵⁴ However, the annexation was heavily condemned and not recognised by the majority of Western countries. The Crimean referendum took place in an atmosphere of intimidation, with Russian armed forces and paramilitary groups present.²⁵⁵ This situation highlights the referendum's illegality, as it violated the prohibition on the use of force.²⁵⁶ On March 27, 2014, the UN General Assembly passed Resolution 68/262, which upheld Ukraine's territorial integrity, urged all nations to refrain from altering Ukraine's borders through coercion or military action, and emphasised the invalidity of the March 16 referendum.²⁵⁷

Russia had several interests in annexing Crimea. First and foremost, the military significance of the region: annexing Crimea meant acquiring control over the Azov Sea and a strategic position over the Black Sea region.²⁵⁸ Moreover, a memorandum of understanding between NATO and Ukraine was signalled in 2004, which allowed NATO vessels in Ukrainian territorial waters,²⁵⁹ and at the Bucharest Summit of 2008, the Allies agreed to Ukraine the prospect of becoming a NATO member state.²⁶⁰ Russian fears were reinvigorated as NATO approached its *backyard*²⁶¹, prompting the decision to take control over Crimea.

²⁴⁹ Ibid.

²⁵⁰ Ibid.

²⁵¹ Vladimir Putin, "Address," http://en.kremlin.ru/events/president/news/20603.

²⁵² Without the direct application of military force.

²⁵³ Emmanuel Karagiannis, "The Russian Interventions," 408.

²⁵⁴ Ibid.

²⁵⁵ Erika Leonaitè, and Dainius, Žalimas, "The Annexation of Crimea and Attempts to Justify It in the Context of International Law," Lithuanian Annual Strategic Review 14, (2015-2016): 57.

²⁵⁶ Ibid., 60.

²⁵⁷ United Nations General Assembly, "Resolution Adopted by the General Assembly on 27 March 2014," (A/RES/68/262, April 1, 2014).

https://documents.un.org/doc/undoc/gen/n13/455/17/pdf/n1345517.pdf?token=p23r5RRKryn7RrUq5Z&fe=tru e.

²⁵⁸ Ibid., 57.

²⁵⁹ Emmanuel Karagiannis, "The Russian Interventions," 415.

²⁶⁰ NATO, "Relations with Ukraine," Topic, July 28, 2023, https://www.nato.int/cps/en/natolive/topics 37750.htm.

²⁶¹ Referring to Russia's sphere of influence – former Soviet countries.

The occurrence of OAF played a fundamental role in the annexation of Crimea of 2014. In 1999, Russia lacked the influence and diplomatic capacity to prevent NATO's operation. Conversely, in 2014, Russia annexed Crimea as a demonstration and restoration of its strength, power, and influence. Particularly, this action was aimed at challenging NATO's role as "international policeman"²⁶², which threatened to expand its influence in former Soviet countries. During his speech in the Kremlin on 18 March 2014, President Putin announced the achievement of the referendum and the annexation of Crimea.²⁶³ As argued by Rotaru²⁶⁴, two categories of justifications for the annexation of Crimea are evident in Putin's speech: one directed to a domestic audience - recalling the historical importance of Crimea and the imminent threat of NATO expansion - and another directed to the West.²⁶⁵ Putin used the parallelism between NATO's OAF and the Russian intervention in Crimea, explicitly mentioning 'Kosovo' six times during his speech.²⁶⁶ Putin reported that the Ukrainian government was a consequence of a coup orchestrated by "Russophobes"²⁶⁷, who repressed and threatened the Russian minority in Ukraine.²⁶⁸ This marks the first important similarity with NATO's rhetoric surrounding OAF. In 1999, NATO Secretary General Javier Solana justified the need for airstrikes against the FRY to "prevent more repression and violence against the civilian population of Kosovo"²⁶⁹. Since the humanitarian factor supposedly played an important role in OAF, similarly, Russia legitimised the annexation of Crimea based on a humanitarian argument with alleged ethnic cleansing and repression of the Russian minority in the region.²⁷⁰ As the Alliance called for R2P the Kosovar Albanian population in Kosovo, passing off OAF as a moral duty,²⁷¹ Putin stated that "we could not abandon Crimea and its residents in distress"272, therefore mimicking NATO's justification of the 1999 operation.

The annexation of Crimea stimulated much preoccupation in the Allies, especially the ones in the East, closer to the Russian border.²⁷³ NATO condemned the Russian military

²⁶² Stephan Kieninger, "The 1999 Kosovo War," 783.

²⁶³ Vladimir Putin, "Address," http://en.kremlin.ru/events/president/news/20603.

²⁶⁴ Vasile Rotaru, "Silencing the Contestant: Legitimizing Crimea's Annexation by Mimicking the West," *European Security* 29, no. 1 (2020): 105.

²⁶⁵ Ibid.

²⁶⁶ Vladimir Putin, "Address," http://en.kremlin.ru/events/president/news/20603.

²⁶⁷ Ibid.

²⁶⁸ Ibid.

²⁶⁹ NATO, "Press Statement," https://www.nato.int/cps/en/natohq/opinions_27615.htm?selectedLocale=en.

²⁷⁰ Vasile Rotaru, "Silencing the Contestant," 107-108.

²⁷¹ Ibid., 109.

²⁷² Vladimir Putin, "Address," http://en.kremlin.ru/events/president/news/20603.

²⁷³ Kurt Volker, "Where's NATO's Strong Response to Russia's Invasion of Crimea?," Foreignpolicy.com, March 18, 2014, https://foreignpolicy.com/2014/03/18/wheres-natos-strong-response-to-russias-invasion-of-crimea/.

operations in Crimea as violating international laws and norms, and the principles of the NATO-Russia Council.²⁷⁴ The Alliance reiterated its partnership with Ukraine and stressed Russia's violation of Ukraine's sovereignty, independence and territorial integrity.²⁷⁵ In April 2014, NATO suspended civilian and military cooperation with Russia,²⁷⁶ and the Secretary General Anders Fogh Rasmussen stated that the Allies would not recognise the illegal and illegitimate annexation of Crimea because "NATO stands by the right of every nation to decide its own future. NATO stands by Ukraine's sovereignty and territorial integrity, and by the fundamental principles of international law"²⁷⁷. In his speech at the Kremlin, Putin underlined the commitment of the Russian Federation to respect international law, stating that the annexation of Crimea was in compliance, as a referendum was held and expressed the will of the people.²⁷⁸ He condemned OAF and underlined the Alliance's hypocrisy:²⁷⁹ NATO's statement condemning the annexation²⁸⁰ was used by Putin to expose NATO's double standards and unilateral interpretation of international law.

NATO's hypocrisy has also been denounced by the Russian Foreign Ministry's comment on the anniversary of OAF in 2014.²⁸¹ In this instance, the Foreign Ministry spokesman indicated that NATO showed a pattern of disregard with respect to international laws, norms, and principles.²⁸² NATO was accused of selectively ignoring the "humanitarian catastrophe"²⁸³ in Crimea, implying that the Alliance intervened against the FRY in 1999 because of political interest, and not because of the human rights violations that were occurring in Kosovo.²⁸⁴ Unlike NATO, Russia does not consider the intervention in the

https://www.nato.int/cps/en/natolive/news_108501.htm.

²⁷⁴ NATO, "North Atlantic Council Statement on the Situation in Ukraine," (Press Release (2014) 033, March 2, 2014), https://www.nato.int/cps/en/natolive/official_texts_107681.htm.

²⁷⁵ Ibid.

²⁷⁶ NATO, "Statement by NATO Foreign Ministers," (Press Release (2014) 062, April 1, 2014),

²⁷⁷ NATO, "NATO Secretary General Condemns Moves to Incorporate Crimea into Russian Federation," (Press Release (2014) 050, March 18, 2014),

https://www.nato.int/cps/en/natohq/news_108100.htm?selectedLocale=en; NATO, "Secretary General Assures Ukrainian Prime Minister that NATO Stands by Ukraine," (March 6, 2014),

https://www.nato.int/cps/en/natohq/news_107841.htm?selectedLocale=en; and NATO, "Statement by the North Atlantic Council Following Meeting under Article 4 of the Washington Treaty," (Press Release (2014) 036, March 4, 2014), https://www.nato.int/cps/en/natolive/news_107716.htm.

²⁷⁸ Ibid.

²⁷⁹ Ibid.

²⁸⁰ NATO, "Statement by the North Atlantic Council on Crimea," (Press Release (2019) 039, March 18, 2019), https://www.nato.int/cps/en/natohq/news_164656.htm.

²⁸¹ The Ministry of Foreign Affairs of the Russian Federation, "Comment by the Foreign Ministry on the Anniversary of NATO's 1999 Aggression against Yugoslavia," (522-24-03-2015, March 24, 2015), https://mid.ru/tv/?id=1506037&lang=en.

²⁸² Ibid.

²⁸³ Ibid.

²⁸⁴ Ibid.

Kosovo crisis "a special case"²⁸⁵. NATO's violation of international norms and laws with regard to OAF in 1999, and NATO's justification for these violations have set a precedent that continues to influence Russian foreign policy to this day. Putin utilised the concept of R2P to pursue its own foreign policy objectives. Accordingly, Putin replicated NATO's rhetoric and choice of words of 1999, resulting in the narrative that the annexation of Crimea in 2014 was necessary to prevent further civilian suffering, as in the case of OAF.

When analysing NATO's press statements, it is evident that the Alliance's reaction to the annexation of Crimea lacks a clear strategic purpose, which is needed in order to obtain actual results. NATO did not utilise coercive diplomacy strategies to prevent, and later to reverse, the annexation of Crimea. NATO denounced the illegality and illegitimacy of Russia's military operations in Crimea, without however using any threat of further consequences. One argument supporting this viewpoint is that Ukraine was not a member of the Alliance, thus precluding NATO from invoking Article 5. However, NATO militarily intervened against the FRY in 1999 in order to protect the people of Kosovo. In this instance, it is important to underline that the people in Crimea in 2014 did not suffer the same fate as the people of Kosovo in the years leading to 1999. Moreover, justifying a NATO intervention in Crimea would have been extremely complicated after the referendum, which, despite its clear violation of international law as outlined in Resolution 68/262, resulted in a majority voting for annexation. The Alliance refrained from exposing itself and proactively responding to the annexation of Crimea, partly due to the consciousness of having breached international laws and principles prior to Russia and having established a precedent with their actions in 1999.

Conclusion

Analysing the discourses, rhetoric, and justifications around the Kosovo crisis, OAF, and the annexation of Crimea, it is clear that there are many similarities. Both NATO and Russia invoked the Responsibility to Protect (R2P) doctrine, NATO in support of the Kosovar Albanians and Russia regarding the Russian population of Crimea. Both actions contravened international law and disregarded the principle of state sovereignty.

This paper has shown how NATO's Operation Allied Force and the Russian annexation of Crimea are heavily intertwined: the campaign of 1999 set a precedent of illegal intervention that was later used by Russian authorities to justify the annexation of Crimea.

²⁸⁵ Vladimir Putin, "Address," http://en.kremlin.ru/events/president/news/20603.

The first part of this paper analysed and contextualised the events that brought NATO to launch air raids against the FRY. It has also analysed the initial Russian reaction to OAF, the feeling of disrespect and disregard of their views by NATO and the West. The second part of this paper and the Crimea case study have demonstrated how the initial dismay transformed into boldness and open confrontation. Russia openly utilised NATO's Kosovo R2P and narratives of OAF to justify its actions and promote international acceptance of the annexation of Crimea.

To conclude, the OAF precedent, together with NATO's reaction to the annexation of the Crimea of 2014, was used by Russia to internationally justify its actions in retrospect and expose the Alliance's hypocrisy, highlighting its unilateral understanding of international law, attributing blame, and accusing Russia of wrongdoing, despite NATO's similar behaviour in 1999. Further research on this matter could assess similar applications of the OAF precedent with regard to the Russian invasion of Georgia of 2008 and the Russian intervention in the Syrian Civil War of 2015.

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