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PTQ5888

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SECRET

PTQ5888

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ACTION NODS-00

INFO LOG-00 CCOE-00 OASY-00 ADS-00 /000W
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FM AMEMBASSY BELGRADE
TO SECSTATE WASHDC NIACT IMMEDIATE 5931

S E C R E T SECTION 01 OF 03 BELGRADE 002468

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DECAPTIONED

FOR THE SECRETARY FROM AMBASSADOR FRASURE

EUR FOR ASSISTANT SECRETARY HOLBROOKE

E.O. 12356:DECL: 5/22/05

TAGS: PREL, SR, BK

SUBJECT: MILOSEVIC DISCUSSIONS -- NO DEAL

1. SECRET - ENTIRE TEXT.

2. IN A DIFFICULT FIVE HOUR SESSION WITH MILOSEVIC
TODAY (MAY 22), WE WERE UNABLE TO CLOSE THE GAP BETWEEN
US ON THE BOSNIA RECOGNITION/BORDER/SANCTIONS RELIEF
PACKAGE. A NUMBER OF ISSUES REMAIN UNRESOLVED BUT THE
MOST INTRACTABLE POINT IS WHETHER THE USG WOULD BE IN A
POSITION IN THE UNSC IN THE SANCTIONS SUSPENSION PHASE
OF THE PROCESS TO PULL THE PLUG IF BELGRADE VIOLATES THE
ASSORTED ACCORDS. IN OTHER WORDS, MILOSEVIC INSISTS ON

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UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: MARTIN MCLEAN
DATE/CASE ID: 25 JUN 2010 200703885

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UNCLASSIFIED U.S. Department of State Case No. F-2007-03885 Doc No. C17
A SITUATION IN WHICH A RUSSIAN VETO IS POTENTIALLY
INTERPOSED BETWEEN HIMSELF AND SANCTIONS REVOCATION IN
THE EVENT OF NONPERFORMANCE. I SAID THAT WAS
UNACCEPTABLE AND NON-NEGOTIABLE IN SUBSTANCE.

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3. THERE ARE A NUMBER OF OTHER DIFFICULT AND UNRESOLVED
POINTS, E.G., THE CROATIA FACTOR IN ACTUAL SANCTIONS
LIFT. BUT THEY ALL PALE IN COMPARISON TO THE
FUNDAMENTAL ISSUE OF AN ASSURED USG POSITION TO ACT TO
REIMPOSE SANCTIONS IF BELGRADE DOES NOT LIVE UP TO ITS
COMMITMENTS.

4. I TOLD MILOSEVIC THAT I WOULD BE LEAVING BELGRADE AT
NOON TOMORROW TO RETURN TO WASHINGTON. I DO NOT EXPECT
TO HEAR FROM HIM BEFORE I DEPART. I THINK HE REALLY
DOES WANT A DEAL -- HIS KIND OF DEAL -- AND HE MAY HOPE
NOW THAT THE BRITISH AND FRENCH WILL PUT PRESSURE ON
US. END SUMMARY.

5. TODAY I TABLED SEVERAL NEW DRAFT PAPERS (ALL FAXED
TO EUR/SCE) WITH MILOSEVIC THAT REFLECT WASHINGTON'S
CONCERNS, NOTABLY ON OUR ABILITY TO ACT IN THE UN IN THE
EVENT BELGRADE DOES NOT LIVE UP TO ITS COMMITMENTS IN
REGARD TO THE PACKAGE. IN PARTICULAR, I PUT DOWN THE
FOLLOWING REPLACEMENT TEXT FOR PARA FOUR IN THE
SANCTIONS RELIEF ANNEX:

SANCTIONS THAT HAVE BEEN SUSPENDED CAN BE
REIMPOSED BY THE UNSC IF THE SECRETARY GENERAL
FORMALLY REPORTS TO THE UNSC THAT THE FRY IS NO
LONGER IMPLEMENTING THE DECISION TO CLOSE THE
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BORDER WITH BOSNIA EXCEPT FOR HUMANITARIAN
ASSISTANCE, OR IT NO LONGER SUPPORTS THE
CONTACT GROUP PLAN FOR BOSNIA, OR IT IS IN
VIOLATION OF THE RELEVANT RESOLUTION ON THE
SUSPENSION OF SANCTIONS. SIMILARLY A PERMANENT
MEMBER OF THE UNSC CAN CALL FOR AN AFFIRMATIVE
VOTE TO CONTINUE THE SUSPENSION.

6. MILOSEVIC FULMINATED AT GREAT LENGTH ABOUT THE

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WAS THE NEW ELEMENT IN THE TEXT. I EXPLAINED THAT IT WAS ESSENTIAL FOR US. HE SAID IT WILL PUT "POWER INTO THE HANDS OF THE MUSLIM AND GERMAN LOBBIES IN WASHINGTON." I SAID NONSENSE, BUT WE NEED AN ASSURED PROCESS WHERE WE CAN ACT IF THE ACCORDS ARE NOT FULFILLED, AND WITHOUT REFERENCE TO A POSSIBLE RUSSIAN VETO.

7. MILOSEVIC COMPLAINED BITTERLY THAT HE WAS NOT TRUSTED BY WASHINGTON AFTER HAVING MADE ENDLESS CONCESSIONS INCLUDING NO LIFT UNTIL PALE ACCEPTS, NOTHING ON STATE CONTINUITY, ETC., ETC. HE IS THE LAST HOSTAGE OF THE COLD WAR. "THIS SHOWS A VERY NEGATIVE ATTITUDE ON YOUR PART." MILOSEVIC PROPOSED DROPPING THE LAST SENTENCE AND ADDING THE PHRASE "OR A PERMANENT MEMBER OF THE UNSC" AFTER SECRETARY GENERAL. I SAID WE WOULD CONSIDER IT IF THE OPERATIVE VERB IS CHANGED FROM "CAN BE REIMPOSED" TO "WILL BE REIMPOSED." HE REPLIED "IMPOSSIBLE."

WE AGREED WE FACE A FUNDAMENTAL SUBSTANTIVE PROBLEM
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THAT CANNOT -- AND SHOULD NOT -- BE BRIDGED BY
ARTFUL SEMANTICAL FORMULATIONS. WE AGREED THAT WE
ARE NOT JUST ONE VERB AWAY FROM AGREEMENT.

REVISITING STRATEGIC SANCTIONS

8. AT THAT POINT MILOSEVIC TURNED HIS ATTENTION TO THE ENUMERATION OF UN MANDATED STRATEGIC SANCTIONS THAT I HAD INCLUDED--AT HIS SUGGESTION--AS A FOOTNOTE TO THE SANCTIONS RELIEF ANNEX PARA ONE. HE SAID HE WAS NOT AWARE THAT IT WAS SO EXTENSIVE AND REMARKED THAT HE FELT WE WERE TALKING ABOUT A SHORTER LIST. I REVIEWED FOR HIM THE DIFFERENCE BETWEEN THE UN AND THE EU LISTS. IN MAKING OUR MAJOR CONCESSION ON THE OIL REGIME, WE HAD DONE SO WITH THE ASSUMPTION THAT THE UN LIST WAS OPERATIVE

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S E C R E T SECTION 02 OF 03 BELGRADE 002468

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FOR THIS AGREEMENT. TO REOPEN ALL OF THIS AT THIS
TIME WAS SIMPLY NOT POSSIBLE. MILOSEVIC EVEN
SUGGESTED THAT THE EU LIST COULD "BE A LITTLE BIT
IMPROVED." IF THIS NEGOTIATION EVER CONTINUES, WE
WILL HEAR MORE OF THIS.

OIL REGIME

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9. I SAID WE FELT THAT IN ORDER TO GET AN
AGREEMENT WE WOULD BE PREPARED TO DEFER FOR EXPERT
CONSIDERATION THE DEFINING OF AN ACTUAL MTS OIL
AMOUNT. WE FELT HIS PROPOSED 500,000 MTS WAS TOO
LARGE. WE STILL THOUGHT IN TERMS OF SOMETHING MORE
THAN 100,000 MTS. PERHAPS WE COULD AGREE ON THAT
APPROACH AND HOPE TO AGREE ON A PRECISE FIGURE VERY
SOON. MILOSEVIC FELT THE 500,000 MTS FIGURE WAS
VALID AND WE SHOULD DEAL WITH THE PROBLEM NOW. BUT
FURTHER DISCUSSION OF THIS POINT WAS SUBMERGED INTO
THE INCREASINGLY NEGATIVE ATMOSPHERE.

CROATIA/REGIONAL ISSUES/ACTUAL LIFT

11. I REVIEWED OUR CONTINUING CONCERN ON THESE
ISSUES, CROATIA IN PARTICULAR, AND SUGGESTED TWO
POINTS THAT COULD PERHAPS DEAL WITH THE ISSUE:

-- AFTER IMPLEMENTATION OF THE CONTACT GROUP PLAN
IN BOSNIA, FROZEN ASSETS ASSOCIATED WITH STATE
SUCCESSION ISSUES WOULD REMAIN FROZEN.

-- THERE WOULD BE A USG/FRY SIDE AGREEMENT THAT
THE OIL REGIME WILL REMAIN IN EFFECT UNTIL SECTOR
EAST STATUS IS RESOLVED, I.E., UNTIL RELATIONS
BETWEEN BELGRADE AND ZAGREB ARE NORMALIZED.

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12. MILOSEVIC FORCEFULLY REJECTED THE CROATIA
ASPECT, INSISTING THAT SANCTIONS HAD BEEN IMPOSED
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BECAUSE OF EVENTS IN BOSNIA. "IF YOU HAVE A
CROATIA PROBLEM, IT IS YOUR PROBLEM." HE WOULD BE
PREPARED TO ACCEPT, HOWEVER, MENTION OF CENTRAL
BANK ASSETS REMAINING FROZEN IN THIS REGARD AT THE
END OF THE ANNEX. BUT HE COULD GO NO FURTHER. HE
COULD NEVER ACCEPT MENTION OF CROATIA OR SECTOR
EAST IN THE SANCTIONS RELIEF CONTEXT AND WAS NOT
COMFORTABLE WITH HAVING CROATIA MENTIONED EVEN IN
THE FRAMEWORK PAPER.

STATE CONTINUITY/SPORTS SANCTIONS

13. I TOLD MILOSEVIC THAT WASHINGTON IS NOT REALLY
INTERESTED IN HAVING SIDE UNDERSTANDINGS ON THESE
POINTS. HE INSISTED ON THEIR IMPORTANCE AND
MUTTERED ABOUT PUTTING THEM BACK IN THE MAIN PAPERS.

OTHER ISSUES

14. THERE ARE SEVERAL OTHER MINOR POINTS OF
CONTENTION IN THESE LATEST DRAFTS. I AGAIN
ASSERTED OUR DESIRE TO HAVE A NEGOTIATIONS CHAPEAU
AT THE START OF PARAGRAPH FOUR OF THE FRAMEWORK
PAPER, I.E., CONSTITUTIONAL PRINCIPLES. MILOSEVIC
AGAIN STRONGLY OPPOSED THAT INTRODUCTORY
PHRASEOLOGY.

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SILENCE OF THE LAMBS

15. OVER YET ANOTHER LUNCH OF ROAST SPRING LAMB AND RED WINE -- THE LAMBS OF SERBIA AT LEAST WILL BE GLAD TO SEE ME LEAVE TOWN -- WE AGREED THAT VERY SUBSTANTIAL GAPS REMAIN NOTABLY ON THE UN SUSPENSION FRAMEWORK. I SAID I WOULD LEAVE FOR WASHINGTON ON TUESDAY. WE AGREED TO STAY IN TOUCH. BUT I DID NOT SENSE HE WOULD BE GETTING BACK TO ME BEFORE I DEPARTED.

16. I STILL THINK MILOSEVIC WANTS A DEAL--HE CANNOT BE LOOKING FORWARD TO SEEING TUDJMAN IN SLOVAKIA NEXT SATURDAY IN THE AFTERMATH OF A FLOPPED NEGOTIATION WITH THE AMERICANS. BUT MY GUESS IS THAT MILOSEVIC MAY BE MISCALCULATING OR JUST OVERPLAYING HIS CARDS -- HE IS PRONE TO THAT

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KIND OF THING. HE MAY BE EXPECTING THAT THE
EUROPEANS WHO ARE DESPERATE FOR A DEAL WILL NOW
ROLL US ON THESE ASSORTED ISSUES. I WOULD HOPE
THAT WE WILL IMMEDIATELY MAKE KNOWN OUR STRONG
VIEWS TO LONDON, PARIS, AND BONN ON THESE POINTS.
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