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U.S. Congressional Engagement with Central and Eastern Europe since 1991: Ending the Balkan Wars and Pursuing NATO Enlargement

While the impetus for American involvement in making possible a Europe whole and at peace came from President George H.W. Bush, implementation of the policy had to come from the legislative branch of government, the U.S. Congress. And, in fact, U.S. congressional action on NATO enlargement and ending the Balkan wars did create the necessary preconditions for a “Europe whole and free.” The story of these processes will be sprinkled with a few personal reminiscences of my time as Democratic staff director

for Europe on the Senate Foreign Relations Committee and senior policy advisor to Vice President, then-Senator, Joseph R. Biden and will conclude with an analysis of lessons learned.

Along with the dissolution of the U.S.S.R., 1991 also saw the first Gulf War and the beginning of the disintegration of Yugoslavia amidst bloody warfare in Bosnia and Croatia. The leaders on the Bosnia issue in the U.S. Congress were Senator Biden and Senator Bob Dole, who travelled to the war zone early in the conflict. Senators Joe Lieberman and John McCain also played important roles. The Clinton administration complied with the UN arms embargo on the territory of the former Yugoslavia, a measure which severely disadvantaged the principal aggrieved party, the Bosnian Muslims, because the Bosnian Serbs inherited most of the weaponry of the old Yugoslav National Army (JNA), and the Croatian army smuggled arms across its border to the Bosnian Croats.

Twice Congress passed resolutions to “lift and strike”—i.e., lift the embargo and strike by air against Bosnian Serb forces—but President Clinton, not wishing to antagonise NATO allies, vetoed the legislation. Biden and Dole continued to press for ways to ease the pressure on the poorly armed Bosnian government forces. In October 1994, as part of the 1995 Defense Authorization Act, the Congress limited U.S. participation in *Operation Sharp Guard*, a joint NATO-WEU naval force in the Adriatic charged with preventing arms smuggling. The Clinton Administration began turning a blind eye to clandestine Iranian arms deliveries to the Army of Bosnia and Herzegovina (ABiH) via air through Croatia.

July 1995 brought the mass murder in Srebrenica of 8,000 Bosnian Muslim men and boys, directed by Bosnian Serb General Ratko Mladić, who after the war went into hiding and was not captured for 16 years. In November 2017, he was sentenced to life in prison by The Hague-based International Criminal Tribunal for the former Yugoslavia (ICTY). At the end of August 1995, the Bosnian Serbs mortared the Sarajevo Market for the second time, killing more than three dozen civilians. That was the last straw for the Clinton administration. Led by the U.S., NATO launched an air campaign that helped the ABiH recapture large sections of the country. By November, both sides had had enough and agreed to peace negotiations. The result was the Dayton Accords, an imperfect solution, which although

far preferable to the earlier carnage, nonetheless created dysfunctional institutions that continue to hamper the democratic development of Bosnia and Herzegovina to this day.

Shortly after Dayton, Congress authorised funding for the Implementation Force (IFOR). The Republicans would only agree to a one-year authorisation, but one year later after no casualties to U.S. peacekeepers had occurred, Congress agreed to fund a longer-term, UN-sanctioned Stabilisation Force (SFOR).

Attention in the former Yugoslavia shifted to Kosovo, a Serbian province whose autonomy had been revoked by Slobodan Milošević in 1989 and whose ethnic Albanians, comprising more than 90% of the population, were suffering under apartheid-like conditions. Unfortunately, Kosovo had been left off of the Dayton agenda.

Led by the French-educated intellectual Ibrahim Rugova, the Kosovar Albanians maintained disciplined, passive resistance for nearly a decade. In 1998, radical elements began attacking the Serbian military, prompting ruthless reprisals including the killing of women and children. An especially gruesome massacre of Kosovar Albanian farmers near the village of Račak in January 1999 pushed the situation to the point of no return. In March after further international diplomatic efforts failed, Senator Biden introduced a resolution authorising President Clinton to conduct bombing and missile strikes against the Federal Republic of Yugoslavia (Serbia and Montenegro). The Senate passed the resolution by a vote of 58–41, with 15 Republicans joining 43 of the 45 Democrats. The House of Representatives failed four times to pass the authorisation, even after the air campaign had begun.

The NATO bombing got off to a shaky start but by late spring, as coordination with Kosovo Liberation Army (KLA) ground units improved, it began to take a serious toll on the Serbian forces. Behind the scenes, Biden was urging President Clinton to deploy, or at least make a credible threat to deploy, U.S. ground forces in the war. Clinton's speech at the Air Force Academy at the beginning of June 1999 did call for additional aircraft and several thousand troops as peacekeepers after hostilities ended, which—not coincidentally—occurred only a week later. It was an “ugly” victory for NATO, but a victory nonetheless.

After years of fruitless, internationally brokered negotiations between Belgrade and Pristina, Kosovo declared its independence in February 2008. Although Kosovo has been recognized by more than 100 countries, its government still faces enormous challenges, with Serbia maintaining effective control of the northern part of the country and economic conditions still precarious. Nonetheless, if one compares the unsettled situations in Kosovo and in Bosnia and Herzegovina today with 1991—not to mention with later wars in Iraq, Afghanistan, and Libya—one must rate the U.S. Balkan policy a major success.

NATO enlargement was even more strikingly successful. Its initial impetus came from Lech Wałęsa in Poland and Václav Havel in Czechoslovakia. The first substantial U.S. support for enlargement was contained in Newt Gingrich's Contract with America in 1994. President Clinton quickly followed suit, but widespread scepticism about, and opposition to, the idea remained.

A majority in Congress believed that the new democracies of Central and Eastern Europe should be given the chance to show that they were serious about joining the alliance. The NATO Participation Act of 1994 declared that “full and active participants in the Partnership for Peace in a position to further the principles of the North Atlantic Treaty and to contribute to the security of the North Atlantic area should be invited to become full NATO members in accordance with Article 10 of such Treaty at an early date.” The Visegrad Four—the Czech Republic, Hungary, Poland, and Slovakia—were designated for assistance.

In the NATO Enlargement Facilitation Act of 1996, Congress called for the prompt admission of Poland, the Czech Republic, Hungary, and Slovenia to NATO. Slovakia was dropped from the list because its semi-authoritarian government under Vladimir Mečiar was failing to meet the democratic criteria outlined in the 1994 legislation. The law further declared that “in order to promote economic stability and security in Slovakia, Estonia, Latvia, Lithuania, Romania, Bulgaria, Albania, Moldova, and Ukraine ... the process of enlarging NATO ... should not be limited to consideration of admitting [the designated four] as full members of the NATO Alliance.”

In March 1997, Biden and I made a fact-finding trip to the four leading candidate countries, beginning, however, in Russia. The Kremlin had voiced

strong opposition to NATO's admitting former members of the Warsaw Pact. Moscow obviously could not exercise a veto over NATO membership, but its opposition and possible reaction to enlargement was a legitimate consideration in U.S. senators' decision on the issue. Arriving in Moscow just a few days after a now nearly forgotten U.S.-Russia summit in Helsinki, we were told that President Boris Yeltsin was "indisposed" in his suburban dacha. We were able to meet, however, with most of the other leading Russian political figures, including the charismatic nationalist party head General Alexander Lebed, communist party chief Gennady Zyuganov, and liberal Yabloko party leader Grigory Yavlinsky. Especially important was a lengthy evening meeting in the Kremlin with Yeltsin's national security council.

As Biden subsequently wrote, "... no Russian politician with whom I met believed that NATO enlargement posed a security threat to Russia. Rather, their opposition to enlargement reflected a deeper psychological problem of coming to grips with the loss of empire and a fear of Moscow's being marginalized in the changed world of the 21st century." None of the Russian leaders was happy about the prospect of enlargement, but no one exhibited the kind of paranoia on the subject that has characterized the Putin era. In the national security meeting in the Kremlin, we even discussed eventual Russian membership in NATO.

This mature, unthreatened attitude did not suddenly materialise out of the blue, for Washington had taken important measures to help Russia over the previous several years. As former Acting Prime Minister Yegor Gaidar acknowledged, without hundreds of millions of dollars of emergency American agricultural assistance, Russia might not have been able to avert famine in the winter of 1991–1992. Moreover, at the time of our Moscow visit, our interlocutors knew that the U.S. Senate was nearing final consideration of the Conventional Armed Forces in Europe (CFE) Flank Document, which would allow Russia to augment its forces on its northwestern frontier and in the Caucasus. Seven weeks after our Moscow visit, the U.S. Senate ratified the Flank Document by a 100-0 vote. It is worth noting that the Senate's ratification occurred *after* the first Chechen War and was an obvious conciliatory gesture to bolster Yeltsin's fragile democratic government.

All this gives the lie to Putin's revisionist history, introduced in a speech at the 2007 Munich Security Conference, claiming unremitting U.S. hostility toward post-communist Russia. Similarly, except for verbal chit-chat, Putin's assertion that in 1990 the United States promised not to enlarge NATO, although still accepted by a few academics, has been refuted by the leading Soviet participants in the negotiations, President Mikhail Gorbachev and Foreign Minister Eduard Shevardnadze.

But back to Biden's March 1997 fact-finding trip. After Moscow, we flew to Poland. In a speech at Warsaw University, Biden declared that there were only two things that would impel him to oppose NATO membership for Poland: a reversal of the just-instituted civilian control of the military or continued manifestations of anti-Semitism. Although Biden verbally clashed with one or two parliamentarians—in particular, the ex-communist opportunist Longin Pastusiak—he was impressed with Polish politicians' near-unanimous desire for NATO membership.

In the Czech Republic, public opinion was running against alliance membership. In his office in Prague's Hradčany Castle, President Havel, a former imprisoned dissident, opined that the communists had “brainwashed” his country's people against NATO. Hence, he had decided to conduct a public education campaign to explain the real nature of the alliance. The next day in Budapest when Prime Minister Gyula Horn, the last communist foreign minister of Hungary, declared “we need to do a public education campaign” to convince the people of the benefits of NATO membership, Biden and I could barely contain our amusement.

Because of its Yugoslav non-aligned heritage, wealthy and successful Slovenia was showing even less public support for NATO membership than the Czech Republic or Hungary. It would take the assassination in March 2003 of Serbian Prime Minister Zoran Djindjić to convince the majority of Slovenes that in their rough neighbourhood they could benefit from being part of a strong alliance.

A week after our return, Biden told me he was convinced that NATO enlargement could work and was in the U.S. national interest. He asked me to work with my Republican counterpart to organise exhaustive hearings on the subject.

Events in the alliance continued to move forward. At the Madrid NATO Summit in July 1997, Poland, the Czech Republic, and Hungary were invited to enter accession negotiations. Further, the statement of heads of state and government reaffirmed that “NATO remains open to new members under Article 10 of the North Atlantic Treaty. The Alliance will continue to welcome new members in a position to further the principles of the Treaty and contribute to security in the Euro-Atlantic area.” Romania and Slovenia were singled out for special mention.

After the three candidate countries successfully completed accession negotiations with NATO, each of the current 16 members had to ratify the candidates’ joining the alliance. In nearly every member this was a relatively uncontroversial process, with approval swiftly following a brief parliamentary debate. Not so, however, in the United States.

Legislatively, U.S. approval of NATO enlargement is in the form of an amendment to the North Atlantic Treaty of 4 April 1949. The Senate Foreign Relations Committee, to which the legislation was referred, held a dozen hearings (several occurred before Madrid and the amendment to the North Atlantic Treaty was introduced), including an inspiring “open microphone” opportunity for informed citizens. The Armed Services Committee also held several hearings.

A few books written hastily after the event have argued that the ratification of NATO enlargement was inevitable, largely because of the lobbying of Polish-American and other ethnic groups. This erroneous assertion betrays a surprising unfamiliarity with the Senate. Lobbying, including some *against* enlargement, undoubtedly did play a role in the outcome. It was a proper activity of American citizens exercising their First Amendment right to petition. Art. II, Sect. 2 of the U.S. Constitution gives the Senate the power to ratify treaties by a two-thirds vote of those present. Despite the 80-19 margin in the final passage of ratification, the decision could have gone either way. Support among Republicans was fairly solid, but on the Democratic side it was more tenuous. With only about a dozen votes to spare, Biden personally moved several party colleagues into the “yes” column, even buttonholing one or two of them while working out in the Senate gym.

In an unprecedented bipartisan gesture, the majority Republicans asked Biden to be floor manager of the bill. The wide-ranging, substantive discussion, unlike most congressional floor proceedings, was largely spontaneous. It was the Senate at its best. Three questions were paramount: the effect of enlargement on U.S. relations with Russia; the cost of enlargement to U.S. taxpayers (it proved to be trivial); and the defensibility of the three candidate countries. The seven days of debate constituted far more formal discussion than in the parliaments of the other 15 NATO members combined. One issue handled exclusively in top secret briefings was the potential for security breaches by Polish, Czech, or Hungarian intelligence officers with longstanding ties to Russia dating from the communist era.

Final passage of the NATO enlargement amendment occurred on the evening of 30 April 1998. The galleries were packed with members of the diplomatic corps, journalists, and citizens who had waited hours to get in. C-SPAN reported an average of more than 20 million viewers for the final days of debate, which were also televised in Poland. In a dramatic roll-call Senators rose individually from their chairs to cast their votes.

Ratification of the next round of NATO enlargement in 2003–2004 was more routine. Unlike 1998, there was no suspense about whether or not it would succeed. The real drama was whether it would contain five countries or seven. After some initial hesitation, led by Washington the alliance was certain to invite Estonia, Latvia, Lithuania, Slovakia, and Slovenia. Romania and Bulgaria were on the cusp. Despite a last-minute flap about illicit Bulgarian weapons exports, the alliance extended invitations to all seven countries in November 2002 at the NATO Summit in Prague. Debate on ratification in the U.S. Senate was uneventful, with final passage occurring in a 96-0 vote on 8 May 2003.

Since then Albania, Croatia, and Montenegro have joined the alliance. Macedonia was vetoed at the 2008 Bucharest NATO Summit because of the name dispute with Greece, which was finally settled by the June 2018 Prespa agreement, ratification by the two parliaments, and the official renaming to North Macedonia in February 2019. North Macedonia appears likely to join the alliance within a year. Before Bosnia and Herzegovina can become a serious candidate, it must resolve its bitter internal problems. Two

countries certain to be admitted should they apply for NATO membership are Finland and Sweden, but for now they are content with extremely close partnership ties with the alliance, supplemented by bilateral military arrangements with the United States.

The current situation in East Central Europe features a populist backlash and democratic backsliding in Hungary, Poland, and elsewhere. Dismaying though these phenomena are, a longer view casts 2019 in more favourable light than the stifling pre-1991 Soviet atmosphere. As a result of NATO enlargement, well over 100 million additional Europeans now can freely exercise the right to elect their government. Moreover, the negative developments are still potentially reversible, as in Poland where civil society remains vibrant.

Some unanticipated events that contributed to today's democratic backsliding were probably impossible to control. The global financial crisis that began in 2008 hit most new democracies hard, and the explosion of social media provided both a new platform for populist discontent and a vehicle for Russia to undermine the democratic order in the West.

The ongoing failure to enforce an equitable EU-wide quota for refugees has exacerbated insecurities and created ill will. Liberals have often made matters worse by deriding healthy manifestations of patriotism as primitive nationalism, thereby lending credence to crude and fallacious stereotypes of "cosmopolitan" globalist cabals. Patronising behaviour undoubtedly irritated already bruised Eastern European egos, especially since the Western "tutors" were displaying glaring democratic and economic deficiencies of their own. Moreover, Western assistance in reforming administrative and judicial systems should have concentrated more on preventing the corruption that perverted privatisation and turned the public cynical about democracy and capitalism.

To deliver on its "Europe whole and free" promise, the West must, above all, redouble efforts to remedy its own flaws. In the United States, that begins by electing a president who abides by democratic norms and genuinely supports NATO. In the EU, it means taking resolute disciplinary action against members that breach core values and defy EU directives. Without clear role models, young, post-communist democracies cannot be expected to ignore ethno-nationalism's siren song. Guarantees

of personal freedom must be built into the framework of the nation-state, in which people can take pride. Finally, Europe, with America's help, must strengthen its defences against an aggressive Russia by bolstering NATO's military deterrence and enhancing societal resilience.

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