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AMBASSADOR PETER GALBRAITH

Interviewed by: Fran Leskovar
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Ambassador Peter W. Galbraith served as U.S. Ambassador to Croatia from 1993 to 1998 and was a co-mediator of the 1995 Erdut Agreement that ended the Croatian War of Independence. He also took part in the Washington Agreement negotiations that ended the Muslim-Croat war in 1994 and the Dayton Peace Accords negotiations.

INTERVIEW

Q: All right. Today is October 13. These are lessons learned with Ambassador Peter Galbraith. Before we talk about the Dayton Accords, I would like to ask you about the Erdut Agreement that ended the war in Croatia. It was a negotiating process that ran parallel to the Bosnia negotiations and was essential to the success of Dayton. Yet, the Agreement was only touched on at Dayton, at the beginning of Dayton when Secretary Christopher hosted a joint meeting of Presidents Milosevic and Tudjman and when a deal was struck on the time period of the transitional period. You were the principal negotiator and author of the Erdut Agreement. Can you tell us about its history and importance?

GALBRAITH: Following Operation Storm, National Security advisor Tony Lake prepared a seven point peace plan to resolve the wars in Bosnia-Herzegovina and Croatia. Assistant Secretary Holbrooke was then assigned to present the plan to the Contact group and the Balkan leaders.

One point addressed Eastern Slavonia and read: "There must be a longer term plan for resolving the situation in Eastern Slavonia and averting military confrontation there based on Croatian sovereignty and the principles of the Z-4 Plan (e.g. Serb home rule, the right of refugees, and other guarantees for the Serbs who live there)."

The Z-4 Plan had been my initiative—drafted with EU representative Geert Ahrens and endorsed by Russia and the UN—for a political settlement in Croatia. While the Z-4 plan was off the table after Operation Storm, five elements continued from the start of the political negotiations in September 1994 through to the final agreement of November 12, 1995: Croatian sovereignty throughout the territory of Croatia, guarantees for the rights

for ethnic Serbs, the right of Croats and others expelled from Eastern Slavonia to return home, the right of all persons to remain in Eastern Slavonia and the right of all to recover property they had lost or for compensation without regard to ethnicity.

On August 16, Holbrooke presented the seven point US plan to President Tudjman in a meeting at the presidential palace on Pantovcak. Eastern Slavonia was a small part of the discussion but it was agreed that I should resume my mediation efforts. Meanwhile, I had gotten a message from the Serb leadership in Eastern Slavonia asking that I resume my efforts. Although the initial outreach came from Milan Babic (the last "Prime Minister" of the RSK), the Serbs said they would be represented by new leadership from the area. Milan Milanovic—a former assistant minister for Interior in the RSK—headed the Serb negotiating team. The other members—who were not always present—included Slavko Dokmanovic, a former mayor of Vukovar and Goran Hadzic, a former President of the RSK. Both were later indicted for war crimes. UN forces arrested Dokmanovic when he mistakenly believed he could cross safely into Eastern Slavonia from Serbia during the UN administration while Hadzic was the last of the 161 people indicted by ICTY to be apprehended. Milanovic was a phantom. After the signing of the Erfurt Agreement he disappeared, almost as if he never was.

The Croatian Government delegation was headed by Tudjman's Chief of Staff, Hrvoje Sarinic and his deputy, Vesna Skare-Ozbolt. I liked both of them and Vesna remains a friend.

On September 5, I resumed my negotiations. In all of this, I was staffed by Jeff Hovenier, a third tour political officer who had arrived in Zagreb that summer with glowing reviews from his previous assignments. Jeff was with me at every stage of the process—except the several days in Dayton—and was an essential part of our success.

On September 18 I prepared a memorandum outlining a possible settlement. On September 22, I wrote an 18 page proposal for a settlement. Both the plan and the memorandum involved recognition of Croatian sovereignty, a two year transitional administration, the appointment of a transitional administrator, the presence of international military forces, the restoration of Croatian institutions, an ethnically mixed police force, an international commission to guarantee the settlement, and election of local officials at the conclusion of the transitional period. The September 22 draft included extensive human rights language in three articles: Article XI.2 provided for the right of all refugees and displaced persons to return to their homes and to live in security; Article XI.3 provided for the right of all persons to recover property lost as a result of ethnic cleansing and other unlawful acts or because they fled military action; Article XI.4 said that everyone had the right to recover property or to receive compensation regardless of ethnicity. I am pleased that my language on these issues remained essentially the same in all drafts including the final Erdut Agreement.

The September 22 draft also included extensive proposals—based on Croatia's constitutional law for minority areas— for a special status district for Serb majority areas including special rules for education, use of Cyrillic and the like. President Tudjman

firmly rejected these proposals and as the Serbs were not much interested, they went no place.

With the failure of the September 22 paper, I became aware of a new problem. UN envoy Thorvald Stoltenberg planned to hold his own meetings in Eastern Slavonia and Croatia on September 26. I had applied a lot of pressure on the Croatian side to make the concessions in the September 22 draft related to a special status for the Serb areas that had angered Tudjman and Sarinic. (These "concessions" were what Croatia had already accepted in 1991 as a condition of European Community recognition but, by 1995, Croatia was in a much stronger position militarily and diplomatically and no longer wanted to stick with the 1991 agreements on minority rights). I was concerned that the Croatians would prefer the Stoltenberg track as it was much easier for them to resist pressure from a UN mission that they saw as feckless than pressure from the United States. Also, a double mediation process was certain to be confusing.

I went to see Stoltenberg to warn that he could be used to blow up the peace process. Instead, I proposed that we join forces. Although Holbrooke would gently criticize me for bringing Stoltenberg into the process—while conceding it was my call—Stoltenberg and I made for a good team. He was 20 years older and had a way of speaking so deliberately that made him sound like an impartial judge, and not the co-mediator. He left the actual negotiations to me, and then when things got tense with the Serbs, he would lean back in his chair and say,"well, I think Ambassador Galbraith has a point…"

By October 1, it was clear to me that a detailed plan was going no place. I asked Jeff Hovenier to distill the September 22 plan into a statement of general principles to which we could ask the Croatian and Serbian side to agree. I took Jeff's draft, rewrote it (my handwritten draft is in the Croatian National Archives), and labeled the document "Guiding Principles for Negotiation of A Settlement of Eastern Slavonia, Baranja and Western Sirmium. I intended them to be just that—guiding principles, not a final settlement.

In Erdut, on October 3, Stoltenberg and I convened the only face to face negotiations held between the Serbian delegation and the Croatian government delegation during this whole process. Stoltenberg made some introductory comments and I outlined the points that were in the proposed principles. Sarinic began his statement with both a warning to the Serbs not to stretch out the process and some very conciliatory language. Milanovic and Sarinic each proposed a few small changes in the guiding principles that I readily accepted. Both sides then agreed to the 11 point draft and authorized Stoltenberg and me to announce it. For the first time, the Serbs had accepted reintegration into Croatia.

It was a huge breakthrough. However, I considered this to be just a first step—albeit a big first step—toward a comprehensive peace deal. As it turned out, the October 3 Guiding Principles was the text of the peace agreement. With the exception of one addition we made in November—the inclusion of a joint council of Serb municipalities—the language of the October 3 Agreement is the same as the final Erdut Agreement of November 12, 1995.

The negotiations were meant to resume on October 9 in the US embassy but broke down over the issue of where to have lunch. We resumed our mediation a week later but Serbs refused to meet the Croatians face to face, either in Ilok (their territory where they had proposed to meet) or Osijek, in Croatian controlled territory. Stoltenberg and I met with both sides and collected comments. We seemed close but had no final deal.

On October 31, I flew to Dayton where the talks opened on November 1. Holbrooke decided that Eastern Slavonia should be the top agenda item—no doubt wishing to clear away this obstacle to a Bosnia agreement and to build a sense of momentum. That afternoon, Christopher, Holbrooke, Chris Hill and I convened in the Carriage House for a joint meeting with Tudjman and Milosevic. When Tudjman arrived (with Granic and Susak) Christopher offered him a glass of white wine and had one himself. Milosevic showed up 45 minutes late. He had clearly been drinking. He ordered red wine and did not stop at a single glass. At Christopher's request, I outlined the state of play in the Eastern Slavonia negotiations. Before the meeting adjourned, the two Presidents agreed to request Stoltenberg and me to return to the Region to resume our mediation. Anticipating this, I had—in consultation with Holbrooke—written a paper with the request in advance and the two presidents initialed it.

After the Croatian and American delegations left, I stayed behind in the Carriage House to discuss Eastern Slavonia with Milosevic. It was clear to me that the substance of the deal was done and Milosevic said as much: "You should relax for a few days; go to Dubrovnik." Frankly, I don't think Milosevic cared at all about the Eastern Slavonia Serbs. This was a card for him to play at the appropriate time.

After Milosevic left the Carriage House, I asked the air force steward how much red wine had been drunk. She said she had served a bottle and a half. Milosevic was the only one drinking red wine.

I returned to Croatia with Stoltenberg on Tudjman's plane on November 1 On the plane, I wrote yet another version of a more comprehensive peace deal and secured Tudjman's approval. Stoltenberg and I resumed our mediation with a new draft. At some point, we came up with the idea of a Joint Council of Serb Municipalities as a substitute for the more detailed special status district.

About a week later, Milosevic decided it was time to play the Eastern Slavonia card. Chris Hill prepared a draft agreement. As none of the Americans at Dayton had much of an idea about the issues in Eastern Slavonia, Chris Hill took the language of the Guiding Principles that had been agreed on October 3 and added our idea for a Joint Council of Serb Municipalities. This was the text of the final Erdut Agreement. That left only the length of the transitional period. In his lawyerly fashion, Christopher constructed a compromise between the Croatian demand for a one year transitional period and the Serbian demand for a two year period. Article 1 of the Erdut Agreement says it is for a one year period, extendable for a second year at the request of either side.

The Erdut Agreement provided the legal basis for the only truly successful UN mission in the Balkans. A Security Council resolution established the United Nations Transitional Administration in Eastern Slavonia (UNTAES) that implemented the key provisions of the Erdut Agreement. UNTAES disarmed the Serb paramilitaries and demilitarized the region. It facilitated the restoration of Croatian state institutions. It established a multi ethnic police force. It conducted local elections and, most importantly, it created conditions so that Croats, ethnic Hungarians and others who could had been brutally expelled in 1991 could return to their homes while making it possible for Serbs to remain. When the UNTAES mission concluded, Eastern Slavonia had the distinction of being the only place in the former Yugoslavia where the ethnic group losing control (Serbs) stayed.

I consider the Erdut Agreement a highlight of my diplomatic career. But, much as I would like all credit, the truth is more complicated. There were countless agreements in the former Yugoslavia that were negotiating triumphs (I was the author/mediator of several) but that were never actually implemented. Three factors contributed to the success of the Erdut Agreement. First, credit goes to Jacques Klein who was UNTAES' first administrator. A career foreign service officer and two star general in the air force reserve, he made himself into a larger than life character, at once bombastic and charming. He intimidated the local Serbs and managed to be chummy with Tudjman, himself a former Yugoslav General. Second, credit goes to President Tudjman, Vesna Skare Ozbolt and the Croatian government team who decided to make the Erdut Agreement work. Finally, credit goes to that part of the local Serb population that decided to take the risk of staying.

The Erdut Agreement was unusual in the annals of modern American diplomacy. The entire process was conducted by a bilateral embassy rather than from Washington or by a special envoy. While I faithfully reported each step we took in the process (and the process began in April 1994), I never received feedback, guidance or instructions. I got support when I needed it—notably UN Security Council endorsement of the Z-4 Plan—but I don't think anyone in Washington understood the issues or the state of the negotiations. Which was fine with me.

Q: All right, so let's talk about the Dayton Accords, and looking back 30 years now, at this almost anniversary, and given that it's going to be in a month, what are some of the lessons learned that basically looking back to those accords. What are some of the strengths and what are some of the weaknesses of the accords looking back that you might have not seen when you were negotiating.

GALBRAITH: Well, they're two very different questions: strengths and weaknesses of the accords and lessons learned. There are enormous weaknesses to the accords. They have ended up keeping Bosnia as a significantly dysfunctional state. But this was not a case of a group of constitutional lawyers trying to devise a good constitution for a new country and making a mistake. Constitutional writing is not primarily a lawyerly exercise; it is a negotiation that is not much different from a peace negotiation. This is a lesson I've taken from my own experience because I managed the process leading to the creation of East Timor's constitution and helped the Iraqi Kurds negotiate de facto

independence in Iraq's 2005 Constitution. The writing of the United States constitution was also a negotiation. Who would have thought it was a brilliant idea to have some people counted as three fifths of a person? The slavery clauses and two chamber structure of the US constitution (the colonial legislatures were unicameral) were the result of bargaining between the slave holding states and the free states, and between big states and small states.

In my view, the Dayton Accords represented the most that could be accomplished in terms of preserving Bosnia Herzegovina as a single state and also ending the war. At the initialing on November 21, I was struck by Izetbegović's comment. He said, "This is an unjust peace, but it is better than war." I agreed with him. Dayton was an unjust peace. It was also better than continuing the war.

Let me make a point: God didn't write any constitution. All are human creations including our own. Their interpretation changes, their wording changes, their usefulness changes. For a period of time a constitution may be terrifically useful but it may also run past its sell by date. And in many ways, the Dayton Accords have run past their useful time. They stopped the war, but they created enormous complexity. The problem is, what do you do now about it?

I think the answer lies in the process of integrating Bosnia into Europe. We were talking earlier about the Northern Ireland agreement. That worked because both Britain and Ireland were in the European Union. So in some sense, these national identities became less important. Irish unity is kind of a sentimental goal of a vanishing generation. And, to the extent that Bosnia could be integrated into the European space, into Schengen, into the European Union, or the European common area, then all the nationalisms that were central to the war, hopefully will become a mostly sentimental issue for older people.

The other point I'd make is that a lot of what followed Dayton was good, particularly the justice component. The Croatia and Bosnia wars from 1991 to 1995 were in many ways a replay of the Yugoslav civil war exactly fifty years earlier. At the end of World War II, the British turned thousands of Ustashe (fighters for the pro Nazi Croatian regime) over to Tito. He executed them—and other Ustashe supporters—and that was that. There were no public trials, no televised accounting for all the crimes the Ustashe had committed nor was there any accountability for the crimes committed by Serbian monarchists (the Chetniks) or by Tito's partisans. In the absence of accountability, false narratives and myths from that time fueled the extremists—some of whom had participated in the World War—but were mostly the children of those who had. Serb extremists described themselves as Chetniks while there were those in Croatia who tried to rehabilitate the NDH (Croatia's puppet Nazi regime). Indeed Tudjman himself toyed with the idea of burying Utashe dead and partisan dead in Jasenovac, the site of the biggest concentration camp in Yugoslavia during World War II. (I strongly protested this idea—as did others—and Tudjman backed down).

I'm hoping that by having had the trials, by having the accountability, by forcing people to see what happened at Srebrenica in 1995 and in north and eastern Bosnia in 1992—in

places like Visegrad, Prijedor and Kozaracs—that this will help Bosnia to move on.

So I think justice is an important part of peace implementation.

I would like to say a word about the Croatia case which was settled at the same time as Dayton, but not at Dayton. In 1991, the JNA and Serb paramilitaries engaged in large scale ethnic cleansing in Eastern Slavonia and the Krajina region. In 1995, the Croatian military retook the Krajina and the Serb population fled, mostly in advance of the Croatian forces. On November 12, I signed the Erdut Agreement that provided for the peaceful reintegration of Eastern Slavonia into Croatia (I discuss the history of this at length earlier in this oral history). Over the two years of UN administration of Eastern Slavonia as provided by the Erdut Agreement, many expelled Croats returned to Eastern Slavonia while most Serbs remained.

But this left the problem of Serbs who had fled to Bosnia and Serbia as a result of Operation Storm. Initially, Tudjman called these people "optanci"—meaning they had opted out of Croatian citizenship. In August he decreed that an optanci who didn't return within 30 days could never return. This fit his idea for an ethnically homogeneous Croat nation. Under pressure from us—and actually almost entirely me as Washington was focused on Bosnia—he extended the deadline for Serb return to December and then dropped the deadline altogether.

I was disappointed with the European countries who were mostly silent on this issue. But, as Croatia moved toward joining NATO and the European Union, its leaders recognized they had to resolve the issue in a manner consistent with human rights standards. Croatia passed laws to facilitate the return of Croatian Serbs and to make it possible for them to recover their property.

In short, the process of European integration was critical to the resolution of ethnic conflict in Croatia, which is why I believe this is the path to fix the problems in Bosnia.

You asked about lessons learned: Academics and policy wonks love to look for lessons learned from one situation and then to apply them to another. But I think this is risky. Each situation is different and applying supposed lessons from one conflict to another can contribute to disaster.

I saw this first hand with regard to the Iraq War. In the lead up to the 2003 War, the Bush Administration kept asking about lessons learned from Dayton and Bosnia. Some of the key figures from Dayton said one big lesson learned was not to hold elections too soon after conflict ends and the international forces deploy. The argument was that by holding early elections in Bosnia, no time was given for multi ethnic or non nationalist to emerge as alternatives to the nationalist parties who did not share Dayton's vision of a multi ethnic state.

I am not at all convinced that postponed elections would have changed the outcome in Bosnia. But applying this lesson to Iraq was a disaster. A prolonged—-and admittedly

incompetent—US run Coalition Provisional Administration fueled an insurgency without in any way diminishing the power of the nationalist or religious parties. Iraq's Kurds never wanted to be part of Iraq and no amount of time was going to convert them away from their desire for independence. The Shia majority—finally liberated from eighty years of Sunni domination—was always going to support the Iranian backed Shia religious parties. The Bush Administration would have done much better to have held early elections, turn things over to the Kurdish nationalist parties and the Shia religious parties and let them sort things out with the Sunnis. By pursuing our own goal of a single Iraqi identity—not shared by Iraqis—we converted ourselves from liberators to occupiers and made ourselves targets.

In general, rather than trying to apply lessons from other situations, Americans would do better to learn more about the place where they are working. Noah Feldman, a constitutional lawyer hired by CPA , observed that Americans on his flight to Kuwait at the start of the occupation were reading books about the US occupations of Germany and Japan. He thought they would have done better to read books about Shia and Sunnis.

It helps to know something about the place you are planning to occupy. This is more important than any lesson applied from someplace else.

Are there lessons for Ukraine from the Bosnia and Croatia peace processes? Absolutely, but not the ones that are usually cited.

In both Croatia and Bosnia, we stuck to a few key principles. No changes in internationally recognized borders, the right of all refugees and displaced persons to return home, and justice. Of all of these, maintaining the internationally recognized borders was the most important. There were those who floated the idea of changing borders to get peace. David Owen proposed that Croatia cede territory north of Brcko so that Eastern and western parts of the Republika Srpska could be linked and he undermined the Z-4 Plan because he wanted to trade part of Eastern Slavonia to Serbia for the return of the Krajina to Croatia.

Even in the US government, there was discussion of changing borders. There was discussion in 1994 of how Bosnia might cede Neum to Croatia and Croatia would give both the Bosnia government and the RS access to the sea south of Molunat. Tudjman himself was open to such a territorial exchange. I strongly opposed it within the US government and no such idea was ever adopted or proposed. I also told Tudjman that we were against any territorial exchanges. David Owen went much further and actually proposed territorial exchanges and I forcefully told the Croatians that we opposed this. Geert Ahrens, Owen's ostensible deputy, was also opposed to his boss's machinations as was the Russian ambassador Leonid Kerestedianc who was much more of an ally than David Owen.

The reason I so strongly opposed territorial deals is that once you open the door to changing the borders then you create an incentive to invade and seize territory. In the former Yugoslavia, the only way to stop this was to say that changes in borders would

never be recognized and thus eliminate Milosevic's incentive to try to hold onto Bosnian and Croatian territory. This stance also eliminated Tudjman's incentive to hold onto Herzegovina or to take Banja Luka, as he sometimes contemplated.

More broadly, the entire post war international system rests on the idea that once a country is admitted to the United Nations and its borders are internationally recognized, then no country can hope to invade and get away with annexing territory. Invasions with the intent of annexing territory were the source of wars—including both World Wars—for centuries prior to 1945. While wars haven't ended and some disputed territory—like Kashmir—is fought over, we have not had wars where one country invades another to annex its territory or seize the country itself: Until Ukraine.

(Of course, Saddam Hussein tried this when he invaded and annexed Kuwait but the end result was that he faced unanimous opposition from the UN Security Council, a UN authorized war that liberated Kuwait, twelve years of severe sanctions, and another war that led to his overthrow and execution. Iraq's annexation of Kuwait was the exception that proved the rule).

That is why I think any peace plan for Ukraine must never include recognition of Russia annexation of Ukrainian territory. There might be a ceasefire in place and a frozen conflict. This could be better than a continued war of attrition that mostly kills young men. Russia may control Ukrainian territory but it can never be accepted that it is Russian territory. Of course, if there is a peace plan that recognizes Russian annexation, it will create an incentive for Russia to resume its attacks sometime in the future, and for other countries to believe that they can invade and annex the territory of another. This will make for a far less peaceful world.

I have one final lesson that relates more broadly to US interventions. It is that less is more. Where we intervene to help local party, the results are better and far less costly. In Bosnia, we intervened to accomplish the Sarajevo government's goal of preserving Bosnia-Hercegovina as a country and ending the war. In Kosovo, we intervened to support the Kosovars' goals of independence. Not a single American—or NATO—soldier died in hostile action in either intervention and the cost was in the tens of billions.

By contrast, the US spent trillions and sustained thousands of casualties in its interventions in Afghanistan and Iraq. In those cases, we substituted our vision of what those countries should be—unitary democratic states—for the desires of the local parties. And we failed miserably at our efforts at nation building.

Instead, we could have turned things over to the local parties. Kurds and Shiites constitute 80% of Iraq's population and they could have sorted things out with the Sunnis. The end result would have been pretty much what we have today—a de facto independent Kurdistan in the north (or possibly fully independent Kurdistan) and a pro-Iranian Shia-run Arab Iraq. Exactly the situation we have today but we have saved trillions of dollars and thousands of American lives.

In Afghanistan, we used very limited force to oust the Taliban in 2001. Northern Alliance forces took Kabul and Kandahar with just a few US special forces at their side supported by airstrikes. We should have then left the Tajik dominated Northern Alliance to sort things out with the Pashtuns. Instead we engaged in a multi trillion dollar exercise in nation building that in August 2021 failed spectacularly. In the 2000 presidential election campaign, George W Bush criticized the Clinton effort in the Balkans saying "we don't do nation building." He then proceeded to try nation building at huge monetary and human cost in Iraq and Afghanistan and failed catastrophically. He was right in the first place: we don't do nation building.

In Ukraine, we are intervening in support of the Ukrainian government to accomplish its objective of defeating a Russian invasion. We don't have any troops on the ground and the cost to us is low—a hundred billion actually spent over three years. Given how much more important Ukraine and Europe are to our national security, this is a bargain as compared to the trillions spent in far less important Afghanistan and Iraq.

Q: So let me ask you about the truth and reconciliation process, and sort of the importance of that process, during and after Dayton, during the implementation, as well as whether it has been successful, like, in the truth and reconciliation, in a way of creating multi ethnic schools, people starting to work together, kind of moving away from the past. You know what is sort of your you know what is sort of your analysis of that process?

GALBRAITH: Well, to me, the essential feature of that process was justice. It was the ICTY [International Criminal Tribunal for the former Yugoslavia] which, by any measure, was amazingly successful. ICTY indicted 161 people and not one of them remained at large. All 161 went to the Hague or died before being brought to justice who were indicted.

The trials provided an incredible record of the crimes that were committed. The trials were the truth process. And I think truth is an essential precondition to reconciliation, but I think also justice is an essential precondition to justice. I don't think the South African model of truth and reconciliation can work in these circumstances. You can't say, "Oh, I massacred 8000 men and boys in Srebrenica. I'm sorry" and then just go on with your life. Justice is both about the perpetrators but also the victims.

Q: So moving sort of more into, I guess, the diplomatic side and the national security side. I'm curious, because I know various people define the war and the issues happening as a humanitarian issue, but I'm curious, what were the elements that were a national security issue for the US to get involved in to resolve the issue. And what is, the region remains, an important component of American national security.

GALBRAITH: Of course, I thought of it as a humanitarian situation, but I also thought of it as a national security issue. Throughout my career, I have believed that humanitarian and human rights issues are also national security issues. How was Bosnia a national

security issue? We had just emerged from the Cold War, and there was this extraordinary moment to remake the world in a liberal way. Communism was gone. Germany reunited. The Soviet Union disappeared. There was a massive elimination of nuclear weapons and a reduction in military spending. The common European space was expanding to include a democratic Eastern Europe and Russia itself had become a democracy. It was an incredibly hopeful moment for someone like me who had grown up in a world defined by the East-West division, the Cold War and the shadow of nuclear annihilation.

The war in Bosnia marred this hopeful moment. Television—CNN, BBC, the US networks, European networks—brought the war into everyone's home. And, unlike the Vietnam War which we saw just at the evening newshour, CNN brought Bosnia into Americans homes 24/7. We saw snipers gunning down women in high heels on the streets of a European city—Sarajevo—-and no one able to help as they bled to death in the middle of the street.

Bosnia made the United States look impotent and made Europe look impotent. How can we tolerate this? And so that was a national security issue. It is hard to build a new world order when the world's most powerful countries are impotent in the face of atrocities committed by a gang of thugs.

The second national security issue was the threat to the post war global order that kept an extraordinary peace since 1945. Bosnia was, in many ways, the greatest failure of the collective security provisions of the UN Charter—and the UN Charter is above all a collective security treaty—since 1945. And for the US and Europe to do nothing—when they so easily could—that's a huge failure.

I also think it is in the U.S. national security to have an effective Europe. Europe failed in the former Yugoslavia and America belatedly came to the rescue. Since Dayton, Bosnia is primarily an European issue. Fortunately, Europe is more capable and willing to deal with the issues in the Balkans.

Q: So what were some of the lessons, I guess you know that American diplomacy learned from the conflict like as you know lessons for diplomacy more than you know general lessons of the peace implementation and so on. But what were some of the things that American diplomats learned about themselves, and the capacity of American diplomacy from that conflict that later on, were utilizing? the thinking was used for other conflicts, but I'm more kind of interested in learning lessons learned for in a profession, rather than. For Peace implementation.

GALBRAITH: Well, I'll tell you what lessons I learned as a diplomat. I was not a career foreign service officer, but I had spent my career in government working on foreign policy, first as a staffer with the Senate Foreign Relations Committee. At the Foreign Relations Committee, I handled the State Department Authorization legislation, including matters relating to the Foreign Service Act. I probably knew more about the operations of the Department than most foreign service officers. While I was a political appointee, I wasn't some campaign contributor who plopped into the job and who was trying to figure

out where the country's second city was located.

The biggest lesson for me as an ambassador was how much scope I had to operate, to initiate things and to take action. During the most intense period of the war, I would see President Tuđman three or four times a week and sometimes several times a day. And, I would see the Foreign and Defense ministers more than that. Zagreb was also the headquarters for the UN operations in the former Yugoslavia, so I was the point person on those issues as well.

Bosnia was at the center of US foreign policy in this period so there were endless meetings within the State Department and in the interagency. Because no one really knew what to do—or more accurately were not prepared to do what needed to be done—these meetings would conclude with an action item. And that action item often involved sending instructions to Galbraith to deliver either a message to the Croatian government or UNPROFOR. Why me? Zagreb was the only fully functioning embassy in the region. For much of this period, the embassy to Bosnia was in Vienna, not Sarajevo. And, there was a freeze on relations with Serbia. The Belgrade embassy was headed by a charge, and not an ambassador.

So almost every day, I would get a demarche to deliver or some other instructions. Particularly when Steve Oxman was the Assistant Secretary, these instructions made me think of an IPO [Initial Public Offering]. They would have so many caveats that it was hard for Croatian and UN officials to understand exactly what we wanted. (Why were the demarches so complicated? Because each entity in the interagency process would have their issues and all of these would find their way into the demarche. In addition, there was a lot of CYA in these demarches.)

I would dutifully read the talking points to Tuđman, and I would leave him the paper. But what he really wanted to know was what did all this mean? The lack of coherence meant that I had to explain what the US wanted Croatia to do and I did so in the way that I thought made the most sense. I would emphasize those points that I thought most important and say little about all the caveats. I am sure that a different ambassador might have explained things differently. But my goal was to end the Bosniac-Croat War, build an alliance between Sarajevo and Zagreb, and support (or at least not hinder) actions that would lead to a Serb defeat.

The second lesson is that I learned rather quickly that if you're an ambassador you should try to shape or write your own instructions. What is the process of writing instructions? Well, it usually begins with a tasking to the desk officer, in my case the Croatia desk officer. The draft instructions then go for clearance to the deputy office director, the office director, the Assistant Secretary, maybe the Under Secretary, and then over to the NSC. They may be adjusted during the clearance process but the best place to shape instructions is in that first draft written by the desk officer.

If I knew that a demarche or other instruction was coming on an issue that I thought was important—and this definitely did not include repetitive demarches on the same

subject—I would send the points I wanted to the desk officer. I made a point of having good relations with my desk officers, who were usually second or third tour FSOs. Sometimes I would even ask for the instructions I wanted. And, I would talk to Department and NSC officials all the way up the line. I spoke with Oxman maybe two or three times when he was the assistant secretary but once Holbrooke took over we would speak two or three times a day.

The third lesson was specific to the Croatia situation. Senator Moynihan was one of my mentors on the Foreign Relations Committee and he had been an ambassador. As I was about to leave for Zagreb, he asked "what are your instructions?" And I told him—truthfully—that I don't have any. Here I was about to be the first United States Ambassador to Croatia, a country that was at the center of the wars of the former Yugoslavia—number one or two foreign policy issues preoccupying the new administration—and no one gave me any instructions or guidance. And, remember we had no ambassador in Sarajevo and no formal diplomatic relations with Serbia.

The closest thing that I had to instructions was what Steve Walker—the Croatia desk officer—prepared for me to read to Tudjman when I presented my credentials. The statement spoke of US support for Croatia's territorial integrity, our support for the territorial integrity of Bosnia, our desire for peace, and our support for human rights. It turns out that an ambassador can fit a lot into such instructions. And I did so. This included pressuring Croatia to end its involvement in Bosnia in support of the separatist goals of Herceg-Bosna, successfully seeking the release of Bosnian prisoners held by the HVO in inhumane conditions (and sending diplomats to inspect those prison camps), pushing Croatia to remove Mate Boban as the leader Herceg-Bosna (I saw him as an obstacle to ending Muslim-Croat fighting and in December 1993, Granic told me he would be taking a "long vacation." I spoke to a visiting Australian Minister and got them to give Boban a visa as he was on our list of war criminals), and initiating the Croatia Z-4 peace plan.

But this freedom of action came at a price. I was responsible if anything went wrong. So, I scrupulously reported everything that I did. My cables included not just what the Croatians, Bosnians or UNPROFOR said to me but also what I said to them. Holbrooke would regularly tell me not to report my side of the conversations but I was glad I did. When an issue arose about why we had embarked on the Z-4 Plan, I could say that it had been fully reported for months.

So I think that's another lesson.

Then there is the issue of what I didn't report. As an ambassador, I was authorized to go anywhere in the country to which I was accredited. Of course, there were many places in Croatia that were potentially dangerous or controversial. Early in my tenure, Tudjman invited me to the opening of a pontoon bridge crossing the Maslenica Strait. The strait was on the front line and the Serbs had destroyed the original bridge. I dutifully reported the invitation and my acceptance. Diplomatic Security saw the cable and this produced a

round of hand ringing in Washington and ultimately I was told not to go, which was embarrassing.

This was the last time I ever told Washington in advance of plans to go some place in Croatia. I often crossed the front lines to go to Knin or Eastern Slavonia. It was the only way to negotiate peace, to address human rights or to assess the military situation. I was always prudent, not the least because it was not just my life that was at risk but also that of our diplomats and Croatian employees. But, every American who came to Zagreb knew it was a war zone and wanted to be there to help. If we can't take some risks, then we shouldn't have embassies where there is conflict. And, the ambassador is the person responsible for security by regulation and common sense. Not the Secretary of State.

I used the authority I had as ambassador within Croatia in other ways as well. Prior to Operation Storm, President Tudjman asked if I would join a meeting between him and Bosnian President Izetbegovic in Split. I knew the purpose of the meeting was to plan joint military action in Bosnia to relieve the siege of Bihac and to position Croatia militarily to retake the Krajina. I knew that the State Department would never approve my attendance in advance (also the meeting was organized with just one day's notice) but I also knew that Holbrooke would not complain after the fact. At the meeting, I urged that the communiqué include language in which Bosnia formally requested the assistance of Croatian troops pursuant to Article 51 of the UN charter (that provides for individual and collective self defense). This turned out to be highly significant not only for the Croatian offensive up the Livno Valley that relieved the siege of Bihac just prior to Operation Storm but also provided a legal authority for the Croatian Army to sweep into Bosnia after Operation Storm. That Croatan military operation—Operation Mistral—changed the military map in Bosnia and thus made Dayton possible.

In another example, I joined a convoy of Serb refugees fleeing Croatia after Storm. Just after Storm, the Croatian military and the UN agreed to permit Serb civilians to transit from Petrinja in the former Serb held territory through Sisak to the highway and then on the highway to Eastern Slavonia and Serbia. As the first group of Serbs passed through Sisak, a mob attacked them. An AP reporter was there and wrote a story about how the police laughed and did nothing as the crowd threw things at the Serbs. One paragraph described a thug throwing a big rock through the windshield of the car and how the young mother inside was picking shards of glass out of her baby's blanket. I was outraged. I was already seeing Tudjman to deliver a demarche on refugees. I handed over my talking points and then read to him the entire AP story. I said that the Interior Minister should have resigned or been fired over the police's conduct. This made Tudjman angry. I told him that I would join the refugee convoy and he could see the consequences if the US ambassador was attacked.

I then realized I had to follow through. A gesture like this should never be done in secret and the PAO assembled some of the many journalists in Zagreb covering this decisive phase of the war. I had planned—not very heroically—to ride in the convoy in my armored car with the American flag flying. But, when I encountered the fleeing Serbs, they were in small cars and on tractors. As I was handing out water, a garbage collector

originally from Karlovacs invited me to join him and his two young children on their tractor and so I did.

My gesture worked. The police were stationed every 10 feet as we passed through Sisak and, while the crowd jeered at the refugees (and some recognized me and cheered), there were no attacks. The Serbs civilians got through safely. For the rest of my tenure, Tudjman remained angry with me about this episode, once even denouncing "a trackorski diplomat" at a large HDZ rally (but not naming me). Years later, a number of senior Croatians thanked me for helping them avoid something that could have greatly damaged Croatia's reputation.

I tell this story because it illustrates the authority an ambassador has within the country in which he serves. Had I told anyone in Washington what I planned to do, there is no way I would have been allowed to go anywhere near the convoy. But I was best placed to assess the risks and benefits of joining the convoy and my actions arguably avoided a disaster for the Serbs and for Croatia.

I know the tractor ride raised some eyebrows in the Department but I was also pretty sure that no one would send a rebuke—either by phone call or cable—especially since this was a human rights matter. If anything, they would worry that a rebuke would become public and make the official doing it look bad.

Q: So I guess this brings a question about the importance of back channels. And as you said, doing things outside of a scope, not reporting it to diplomatic security. How important were the back channels and in the efforts to end the war and the peace, seeking peace down in the Balkans, and what are some of the lessons you learned from those back channels?

GALBRAITH: Well, I wouldn't describe most of what I did as making use of back channels. I wouldn't describe sending the instructions that I wanted to the desk officer as a back channel. Of course, I spoke regularly with Holbrooke, Chris Hill, Leon Fuerth (Gore's national security advisor) and others in Washington. So, a lot of communication was outside of the cable traffic but not a back channel. Since I came from Capitol Hill, Holbrooke and others often worried that I would use my connections there to advance my policy goals but mostly I did not. I did discuss issues with the press, often on the record and sometimes off the record. This was, perhaps, a more effective back channel, especially for people who were as media conscious as Holbrooke, Tarnoff and Christopher. But, I always had to be careful not to leave fingerprints for the off the record stuff.

I did push for things that were not on Washington's agenda but were consistent with US goals and values. Most notably, from Operation Storm onwards, I pushed hard for Croatia to permit the return of Croatian Serbs. Nobody in Washington instructed me to do this and it only gradually became a US policy goal. In fact, Holbrooke did not want the issue raised too early as he did not want the issue of Serb return to complicate the Bosnia negotiations. But, as it was a fundamental human rights issue, nobody would tell me not

to do this. I think we did change Croatia's policy on the return of Croatian Serbs and this contributed both to the success of UNTAES and to Croatia's ultimately successful path to NATO and the EU.

I guess this gets to another point: the USG has a tendency to use special envoys to deal with crisis situations. But the expertise isn't in Washington but at our embassies. Over my time, the embassy staff grew significantly so that we eventually had 140 people working on Croatia, Bosnia and UNPROFOR issues. By contrast, Croatia was a one person desk in Washington. I was fortunate that there was no special envoy dealing with Croatia. But, it was right that the embassy handled the Croatia process and not a special envoy. We had contacts on both the Croatian and Serbian side; we knew the history; we had the confidence of both sides; and we had the ideas.

Q: So I guess, comparing your experience with maybe the experience that diplomats go through today, basically the White House controlling, the envoys are sent, the embassies are basically losing the influence they used to have. Sort of on the ground experience. I'm curious, is that a challenge for diplomacy? How do you see the role of diplomacy? How do you see the role of the embassy and ambassador in sort of a general sense of diplomacy and sort of also with technology. Technological change. Changes and developments and things are kind of more centralized than they used to be. Is that going to be a problem, and primarily a problem in the Balkans without understanding what's happening on the ground?

GALBRAITH: Well, I think this is a generic question, not specific to the Balkans, and certainly not specific to the Balkans today. Look, when I was an ambassador, the situation wasn't any different. It's true, we didn't have email, but there was the telephone. A senior official in Washington could pick up the phone and call the foreign minister, the defense minister or the president. And from time to time, they did. But the reality is that the people who understand a complicated situation like ours are the ambassador and the diplomats who are working with him or her. The White House can be the decider, but in order to decide, it has to know what to decide. And so much of the time it doesn't know what to decide or what it decides can't be translated on the ground. As with the demarches loaded with caveats, my job wasn't to modify my instructions but to translate them. A translator is inevitably selective. No literary translation works as a word to word translation. How an ambassador explains things matters greatly. So I continue to believe that ambassadors and embassies have enormous scope if they're prepared to use it.

Now, when you're dealing with a situation like mine, a diplomat has to balance his prospects for career advancement versus accomplishing something. I saw my time in Croatia as a unique opportunity to make a difference on a really important issue and to save lives. I decided that I was going to take full advantage of the opportunity and not focus on how it might affect my career. After all, I might never get another opportunity like the one I had.

In some ways I had greater freedom than a career FSO in the same position. My career was in government but I was not a foreign service officer. I didn't have to worry about

my corridor reputation that much. Sometimes sticking your neck out can end badly. My diplomatic career ended in Afghanistan in 2009 when I was the Assistant Secretary General for the United Nations responsible for political issues for the UN mission. I took the view that there should be some relationship between votes cast and results announced in the massively fraudulent presidential elections that the UN funded. Actually, I didn't think I was sticking my neck out very far but I alienated Karzai—the perpetrator and beneficiary of the fraud—and ended up being recalled.

By contrast, I far exceeded my mandate as a UN official in East Timor and it ended very well for the country and for me. While there, I established East Timor's interim government, became a member of East Timor's first cabinet and negotiated a treaty on behalf of East Timor that quadrupled the country's oil revenues from the Timor Sea. The Timor Sea Treaty that I negotiated gave East Timor 90% of the hydrocarbons under the Timor Sea, replacing an Australia-Indonesia treaty that shared them 50-50. It also eliminated restrictions on how much East Timor could tax the companies working in the Timor Sea further boosting East Timor's revenues. The Australians strongly objected to a UN official negotiating a bilateral treaty on behalf of a country—this was the first and only time the UN has ever done this—and Australian Foreign Minister Alexander Downer tried to get the UN to fire me on three separate occasions. Doing something may be risky from a career point of view but why be in public life if you don't want to accomplish something.

Q: So let me ask you, talking about Richard Holbrooke. What are some of the lessons you learned from him? Regarding diplomatic skills, did he influence you in some way? Were there some qualities in his approach that he was applying in a region, but that you literally, you use later on.

GALBRAITH: I will mention a few things about Holbrooke. The first is that he had extraordinary self confidence, and that mostly served him very well. He made himself into a larger than life person in terms of his dealings, both with the leaders in the Balkans and later in Afghanistan and Pakistan. He could also listen. He picked up well on what the Balkans leaders said and could use that. Within the US government, he listened most to the people he liked.

He was a master of the bureaucracy. When Clinton and Christopher moved him from ambassador to Germany to assistant secretary for European affairs, they did so because they were desperate for someone to take charge of the Bosnia issue. But, Christopher didn't entirely trust Dick to stay with the program. Other parts of the bureaucracy trusted him even less. So, when he launched the initiative in September 1995 that ultimately led to Dayton, his team included people from the NSC, the Joint Chiefs, and the Secretary of Defense's office. Early on, Holbrooke told me that they were there to monitor him and to make sure he stayed within his instructions. His genius was that he converted the monitors into his emissaries back to their respective agencies.

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Holbrooke was very good at reading other people. He flattered Tudjman, clearly aware of Tudjman's pride in his academic achievements—-'Mr President, I would like your advice

as a historian on…" . He was chummy with Milosevic—two New York bankers talking. He could be sympathetic with Silajdzic, whom he saw as a Hamlet-like figure, and he bullied Izetbegovic (in my view, this was not as effective as he thought). And, he was always aware of the weaknesses of his American colleagues. He knew that I was not close to the former Carter people who dominated the upper parts of the State Department and that they looked with suspicion on people coming into the administration from Capitol Hill. One of Holbrooke's favorite lines to me was: "I'm your only friend in Washington." Yet for someone so good at figuring other people out, Dick was unaware of his own weaknesses. He was clueless as to how he came across to President Obama and his team and this caught up with him in Afghanistan.

Q: All right, let me ask you a final question. In your opinion, what should be the most significant strategic objective of the U.S. and Bosnia, Herzegovina, and also in Western Balkans over the next decade?

GALBRAITH: The integration of Bosnia, Serbia, Macedonia, Kosovo and Montenegro into the European Union and to the greater European space. This is the ultimate solution to the problems of the Balkans that have bedeviled European—and global—-security for centuries. The people of the Western Balkans are not just Bosnians or just Croatians or just Serbs, they are also European. After World War II, France and Germany got together to form the predecessor organizations to the European Union and it is the European Union that ended centuries of wars in western Europe.

But you also said that you asked me about the most important strategic goal for the United States. American influence is today not what it was 30 years ago. The future of the Balkans is up to the Europeans. The U.S. can participate but from the sidelines.

What happened in the 1990s was a unique moment in history. The Cold War had ended. Russia was down. It had an economy smaller than the Netherlands, and it wanted to partner with the United States. China had not yet risen. Having declared 1992 to be the year of Europe, the European Union tried to solve the Balkans crisis and proved utterly incapable of doing so. But 30 years on, Russia has recovered and is an aggressive power hostile to the west. China has risen and, while not necessarily hostile to the west, it's certainly a major actor. The Europeans are also much more powerful politically and economically.

The U.S. diminished itself through a series of unforced errors in this century, notably the war in Iraq and the behavior of Donald Trump. Europeans and Americans even have questions about whether democracy will survive in the US. I was the first ambassador to a country that just emerged from communism and which had a president with some authoritarian tendencies. I would often give talks about democracy. Talks about the importance of an independent, non-partisan judiciary, the importance of accepting the results of elections that you lose, the importance of not using the judicial process against your adversaries. I would be embarrassed to give such a talk today. All this has absolutely eroded America's standing. We don't have the power that we once had in the 1990s and we need to accept that. That's the reality.

Q: Is there anything else that he would like to say while we're still on the record?

GALBRAITH: I don't think so. But to summarize our discussion about lessons, I would say the following: First, be careful about applying the lessons from one situation to another. Each situation is different and unique. Second, if you want a durable peace, stick to fundamental principles including no annexation of territory, the right of everyone to return to their homes and justice. If the US goes forward with Trump's plan to force Ukraine to cede territory it will be a disgrace and the peace is unlikely to work. Also, it could open the door to a Pandora's box of future wars for territory. Third, technology has not diminished the importance of an ambassador in a crisis situation. Sure, foreign ministers or heads of government can talk to each other now in a way that wasn't possible 200 years ago. But, even more important, they still need to know what to say. For this we need good ambassadors and good diplomats on the ground. Finally, my advice to anyone in public life, but especially diplomats, is this: Don't be afraid to do something. Sure, it could end badly as it did eventually for me in Afghanistan. But, mostly it contributed to a great run. And, if you aren't in public life to do something, you shouldn't be in public life.

Q: On that note, let me turn off the recording.

End of interview