

Russia, the Baltic States and the West

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In the course of 1993, Russia seemed to make a major shift in its regional policy as well as in its posture toward the United States.¹ Foreign policy statements regarding Russian interests in the "near abroad" became more assertive. Russian military involvement in the republics of the former Soviet Union has become not only more visible and widespread, but also more clearly linked to an effort to integrate them into the Commonwealth of Independent States (CIS). The year ended with the announcement of a new military doctrine that included vaguely defined conditions for intervention in the territory of the former Soviet Union.² Some observers characterized the perceived policy shift as a reflection of a resurgence of "imperial" or "proto-imperial" ambitions.³ What most observers overlooked, however, was the fact that the pattern of interventionist and coercive policies was by then well established in Russia's relations with the Baltic states. It is a pattern marked by violations of sovereignty, the use of political and economic pressures, and threats to maintain indefinitely Soviet—and then Russian—military presence in the Baltic states.

On 17 September 1991, the day Estonia, Latvia and Lithuania were admitted to the United Nations, they were still under occupation by another member-state: the Soviet Union. An estimated 200,000 troops of the Baltic Military District, with its headquarters in Riga, were stationed in their capital cities (Tallinn, Riga and Vilnius) and on bases throughout their territories. The Soviet Union had refused to agree on a troop withdrawal date or on a redefinition of the status of these forces that would be consistent with the restored independence of the Baltic states.⁴ Subsequently, Russia refused to accept a deadline for complete withdrawal unless the Russians living in Estonia and Latvia were assured of their "rights." On one occasion, the Russian government announced the suspension of troop withdrawals because of alleged human rights violations in the two countries.⁵ During negotiations, it repeatedly threatened to disrupt trade and raise tariffs against Baltic goods. In the course of talks on withdrawal, which often deteriorated into Russian shouting sessions, Russian delegates threatened to "never" withdraw their troops or leave the "strategic" bases in the Baltic states.⁶ In May 1993, while the talks were once again stalemated, Russian Defense Minister Pavel Grachev warned Estonia that if necessary it would not take long to reinforce the troops still stationed in Estonia.⁷

It was only under persistent Western pressure, making it clear that continued Russian military presence in the Baltic states was unacceptable

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and would impede Russian efforts to forge closer ties with Europe as well as the United States, that Russia, after years of acrimonious negotiations, punctuated by threats and repeated deadlocks, withdrew its army from Lithuania—at the end of August 1993. The agreement with Lithuania was easiest to achieve not only because of the small Russian population in that country, but also because there were no bases that were considered to be of strategic importance located on its territory—although the most direct ground transportation route from Russia to the Kaliningrad region is through Lithuania.⁸ Negotiations with Estonia and Latvia remained stalemated until President Clinton became involved in forging a compromise formula.⁹ Russia had been intransigent over the ABM radar installation near Skrunda, insisting that it could not be relinquished because of its strategic importance. The agreement reached with Latvia in April 1994 provided for Russian operation of the station for another four years, but under civilian control and international observation. The agreement with both Latvia and, three months later, Estonia included concessions on Russian army veterans and demobilized personnel allowing them to obtain permanent resident status. By the end of August 1994, the last of the Russian troops were withdrawn—although many were simply demobilized in place in Estonia and Latvia. That marked the end of the most egregious Russian infringement on Baltic state sovereignty, but the increasingly more strident assertions claiming a special role as “peacekeeper” and “protector of the legitimate rights” of the Russian population in the “near abroad” continues to focus attention on the question: Is Russia to be a nation or once again an empire? The West may once again have to decide whether an empire would be a suitable “partner.”¹⁰

Russia as “Protector”

Although the Russia-as-protector-of-Russians-in-the-“near-abroad” theme is addressed both to the Baltics and to Russia’s domestic audience, particularly nationalists of various political hues, allegations of human rights violations are intended primarily for Western audiences. Relying on the fact that such allegations, however ill-founded, arouse international concern, especially when relatively little is known or understood about a given case, high-level Russian officials including President Yeltsin accuse Estonia and Latvia of human rights violations. These charges have been made in bilateral talks with Western leaders as well as in every international forum that the Baltic states have turned to for support on the troop withdrawal issue, including the United Nations, the Conference on Security and Cooperation in Europe (CSCE), and the Council of the Baltic Sea States.

The allegations have clearly been intended to serve a multifold purpose. First, to delay perhaps indefinitely a comprehensive troop withdrawal, especially from Skrunda and the Latvian ports of Liepāja and Ventspils—with its valuable intelligence-gathering facility—the Russian government sought to establish a link between human rights issues and the withdrawal of its troops. President Yeltsin, Defense Minister Pavel Grachev, and others insisted that a continued military presence was needed to protect the

Russian-speaking population of Latvia and Estonia against some unspecified threat. A closely related goal was to gain Estonian and Latvian acquiescence to permanent residence status for veterans, including those of the KGB and other intelligence services, and demobilized troops, regardless of where they had been recruited. Second, to compel Estonia and Latvia to grant immediate and automatic citizenship to all their inhabitants—the “zero option”—Russia sought to enlist Western support and exert pressure on the two states by claiming that the draft citizenship and naturalization law of Latvia and Estonia’s law on citizenship and aliens violated the human rights of their Russian population. Russia threatened on several occasions in the course of the Estonian and Latvian legislative process, that it would not withdraw its troops unless both states adopted laws that were consistent with the “zero option.”

Lithuania, whose Russian population is less than eight percent, had already adopted legislation that granted the right of automatic citizenship to all its residents. But for Estonia, whose Russian population is 30 percent; and Latvia, where it is 32 percent, such legislation was not politically feasible. Indeed, the resignation of Latvia’s first foreign minister, Jānis Jurkāns, was precipitated by his public endorsement of the “zero option” for Latvia. Finally, Russia used the allegations of human rights violations and claims that the citizenship laws were inconsistent with European standards to block or impede Baltic integration into Western Europe.

International Response

Russian efforts failed to fully achieve any of these goals. The United States and the European countries were firm in their rejection of Russian attempts to link troop withdrawal to any other issue, including the set of problems related to the Russian populations in Estonia and Latvia.¹¹ Not only did the Western governments refuse to accept the purported logic underlying the linkage, but they took a formal collective stand on the issue in the form of CSCE and United Nations decisions, demanding Russia accede to the consensus calling for “early, orderly, and complete” troop withdrawal from the Baltic states.¹² The West did not, however, object to Russian demands that veterans and demobilized personnel be granted permanent resident status and Russia remained adamant on this point to the end.

On the citizenship issue, the interests of the European states and Russia coincided in one major respect. Both feared a massive influx of Russian émigrés from Estonia and Latvia if they were not given assurances of being able to obtain citizenship or permanent residence. Nonetheless, having examined the relevant laws, the CSCE and the Council of Europe recommended essentially non-substantive changes that would make the laws consistent in principle and practice with European models. In the Latvian case the most important provision to be modified in response to the recommendations was the explicit use of quotas to limit the number of individuals able to acquire citizenship in any given year. The final version of the law relies primarily on age group categories to define annual eligibility for citizenship.¹³ In Estonia’s case, the most important recom-

mentation was to make the language requirement less burdensome.¹⁴ The other recommendations focused mainly on the need for clarification of vague or ambiguously stated criteria and requirements that could lead to arbitrary treatment of citizenship or residency applicants. In effect, they not only avoided making major substantive recommendations to Estonia and Latvia, but the CSCE and the Council of Europe also resisted recommending a "zero option," something no Western government would consider politically acceptable for itself.

At the same time, it has become clear that the concerns over emigrants as presented to the West by Russia—whether they had been real or merely politically useful—were greatly exaggerated. The Russian Federal Migration Service acknowledged that the migrants from the Baltic states represented only 1.7 percent of the total 640,000 immigrants. Most had arrived from Tajikistan, Georgia and Azerbaijan.¹⁵

Russia was brusquely rebuffed when it sought to block Estonia's admission to the Council of Europe in May 1993. The following year Russia failed to prevent a favorable recommendation for admission by a Council delegation after its visit to Riga and a review of the final version of Latvia's citizenship law. Thus, all three Baltic states have gained membership or associate status in the most important European regional organizations. In addition to the CSCE, the Council of Baltic Sea States and the European Council, they have associate partner membership in the Western European Union, which has decided to offer full membership at a future date.

Only partly to placate Russia, the CSCE and the Council of Baltic Sea States decided to support its call for the establishment of institutional devices including a High Commissioner for National Minorities and a Commissioner on Human Rights of Minorities¹⁶ that, among other things, would deal with human rights issues in the Baltic states. The opening of offices in Tallinn and Riga has established a CSCE presence in Estonia and Latvia. On the basis of a decision reached at the United Nations World Conference on Human Rights in June 1993, the U.N. General Assembly established the office of High Commissioner for Human Rights. These commissioners and delegations representing the Council of Europe and other international observers investigated Estonian and Latvian practices toward their Russian populations. No evidence was discovered to substantiate the Russian charges of massive or systematic violations of human rights.¹⁷

Baltic Diplomacy

Although from the Baltic point of view it would have been preferable not to have had allegations of any kind made against them, and certainly not to have had the charges placed on the agenda of international organizations, Russia's internationalization of issues relating to the Russian population in Estonia and Latvia created a situation that, on balance, worked in favor of the Baltic states. Because the numerous international observer missions found no evidence of human rights violations, the credibility of Russian allegations was seriously undermined. Russia appeared to be trivializing the

existence of genuine human rights abuses and wasting political and financial resources of international institutions intended to deal with well-founded and thoroughly documented cases.

Most important, however, Baltic representatives were given the opportunity not only to effectively show, with the support of the international observer reports, the lack of evidence of human rights violations, but also to set out in detail and establish

for the record the legitimacy of denying automatic citizenship to those who were not citizens before the 1940 Soviet occupation of their countries. First, they made the point that Estonia, Latvia and Lithuania were never *de jure* parts of the USSR—they had been annexed while *under occupation*.

Therefore, the Baltic states had the right in international law to reinstate the pre-1940 citizenship laws and were under no obligation to recognize the Soviet citizenship of post-1940 immigrants.¹⁸ Second, Estonian and Latvian diplomats asserted that the post-1940 Russian population is not a *minority*,¹⁹ which would have the right to citizenship, but *settlers* who may be granted the right to citizenship. They pointed out that the demographic distribution particularly in Estonia and Latvia,²⁰ was largely the result of deliberate and massive population shifts. The Soviet Union's deportation of several hundred thousand Estonians, Latvians and Lithuanians and the flight of many thousands more in the face of the Soviet invasion, were followed by an even more massive influx of Russian settlers. These included not only the occupation army and in later years its veterans—particularly after they were discouraged from retiring in the Moscow, Leningrad, or Black Sea regions—but also KGB operatives. The largest group of immigrants were the workers and managers of the industries that were imposed on the Baltic republics.

The population transfers shifted the prewar demographics of 8 percent and 10 percent to a postwar percentage of 35 and 40 Russian-speaking population in Estonia and Latvia. The most significant population shifts occurred in Latvian urban centers and in the northern Estonian industrial cities, which underwent a reversal of the 95 percent Estonian and 5 percent Russian population of the interwar period. Riga's Latvian population declined from 63 percent to 36 percent today. In its eight largest cities, Latvians constitute less than half the population—in the interwar period they comprised between 66 and 95 percent of the inhabitants.²¹

As Sweden's former Prime Minister Carl Bildt points out, "If ever there was an example of 'ethnic cleansing' in the Baltics, this is it."²²

Airing grievances concerning Soviet aggression, occupation and deportations would have been considered politically unwise in virtually any other context, but challenged by the Russian allegations to defend their policies, Baltic representatives at the United Nations and elsewhere were

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not being gratuitously quarrelsome. They were not merely dredging up old Soviet history that might be of little interest for most Western governments in the post-Soviet era, but offering an exposition of the legal, political, and moral grounds of their citizenship laws.

Although Russia had the advantage of the "Yeltsin factor"—the wish to support Yeltsin against both his Communist and nationalist opponents—Russian diplomacy on the Baltic issue was less effective than that of Estonia

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and Latvia. The Russian Federation succeeded in placing the two states on the defensive, but the inflammatory language of various government statements including those submitted for circulation as U.N. and CSCE documents not only undermined the credibility of the accusations, but it also cast a

negative reflection on Russia's prestige because it raised the question of ulterior motives: the accusations appeared to be a means of exerting pressure on the Baltic states. Among other things, the statements accused the Estonians and Latvians of committing "genocide" against Russians,²³ of legitimizing "ethnic cleansing,"²⁴ and practicing apartheid. They also challenged members of international organizations to prove their political integrity, in effect, on human rights issues by reaching the "appropriate" conclusions. Two such matters to be addressed were the "lawlessness in Latvia" and "gross violations of human rights" in Estonia.²⁵ Most European governments resisted the subset: choose between supporting Yeltsin for his domestic purposes or rejecting the allegations because they are palpably false.

In contrast, Estonian and Latvian diplomats, while remaining firm in their rejection of Russia's allegations and in presenting their own case, adopted a non-confrontational, forthcoming and cooperative strategy in their dealings with international organizations.²⁶ They not only supported the establishment of the Commissioner's offices, but encouraged international observers to investigate the situation of Russians in their states. Both Estonia and Latvia then submitted their draft laws on aliens and citizenship to the CSCE and the Council of Europe and both modified the laws to accommodate their recommendations.

In debates, however, Baltic diplomats did not avoid confrontational language when responding to Russian charges. In one instance, seizing on the often-made Russian claim that their "compatriots have been made stateless in *their own land*," Estonia's minister counsellor at the U.N. Heino Ainso responded by asking: "How did Estonia become their land?" He helpfully supplied the answer: "By naked aggression."

After the Soviet occupation of Estonia, the land belonging to Estonians was confiscated, without compensation; Estonian industry was nationalized, without compensation. So that is how Estonia became their land.²⁷

The Russian failure to convince the international community of the validity of its accusations is reflected not only in the admission of the Baltic states to regional European organizations whose membership criteria include the observance of human rights norms, but also in the progressively milder decisions made on the issue by international bodies such as the U.N. General Assembly and the Commission on Human Rights.²⁸ In effect, it is generally recognized that neither the citizenship or naturalization laws of Estonia and Latvia represent human rights violations (in Latvia, where the pre-1940 Russian population was largest, over 16 percent of the citizens are Russian while over 3 percent of Latvians do not have citizenship). Most important, the laws are deemed to be consistent with those of the European states, ranging from the most liberal provisions of Sweden—as well as those of the United States and Canada—to the most restrictive laws of Switzerland and Germany.²⁹

Nonetheless in July 1994, coinciding with the latest deadlock in the troop withdrawal talks with Estonia and the final stage of the legislative process on Latvia's citizenship law, Russia mounted a particularly vitriolic campaign against the two countries. Once again, it accused Estonia of engaging in ethnic cleansing and preparing to carry out "mass deportations of the Russian-speaking population" while charging Latvia with forcing tens of thousands of Russians to leave the country.³⁰ In milder but more mystifying language, Foreign Minister Andrei Kozyrev demanded that the CSCE and the U.N. respond to "the blatant discrimination against Russians . . . and flouting of their rights, their dignity [*sic*] and their interests."³¹

It is clear that in spite of the lack of evidence for these charges—but how does one address the "dignity" claim?—the question of "rights," however defined, is likely to remain the focus of Russian pressure politics against the Baltic states for as long as it is politically useful to do so.³²

Russia as "Peace Keeper"

A theme that Russia has consistently linked to its allegations of human rights abuses is that Estonian and Latvian discrimination against their Russian population will lead to internal violence, regional instability, and even threaten European security.³³ At the same time, Russia has presented itself as the guardian of peace and stability in the entire area of the former Soviet Union. Russia now claims the right to intervene in the "near abroad" in the event of conflict. It continues to claim that such conflict is imminent in Estonia and Latvia. Coercive diplomacy and aggressive intervention in the name of protecting an allegedly threatened ethnic kin is historically familiar. As Kazakhstan's President Nursultan Nazarbayev recently observed, "any talk about the protection of Russians living in Kazakhstan reminds one of the times of Hitler, who started off with the question of protecting Sudeten Germans."³⁴

Russia is reaching beyond the simple linkage between claims of mistreatment and the right to intervene. It is not only claiming the right to defend the 25 million Russians remaining in the independent states of the "near abroad," but it is also assiduously seeking international legitimation

and financing of its self-defined peacekeeping role. Yeltsin's statement in February 1993, that "the time has come for distinguished international organizations, including the U.N., to grant Russia special powers as guarantor of peace and stability in the former regions of the USSR,"³⁵ was followed by a series of similar assertions by Kozyrev, Grachev, and others. This theme, together with the stress on human rights issues, has become a dominant part of Russian efforts to define their role as a "partner" of the West.³⁶

In view of Yeltsin's assertion that Russia will not be able to remain in a position of "indifferent onlooker" if Russians in Estonia decide to "protect themselves"—an obvious scenario for intervention—coupled with his claim that Latvia's "statehood . . . is not yet fully established," Kozyrev's suggestion that the Russian goal of "gradual reintegration" [of the former Soviet Union] is to proceed on a "voluntary and equal" basis³⁷ is less than convincing. It is hard to argue that Georgia, for example, joined the Commonwealth of Independent States voluntarily.³⁸ Certainly the Baltic states could not be more determined to remain un-reintegrated.

The test of Russia's suitability as a "partner" of the West may well lie in its policies toward the Baltic states.³⁹

Notes

¹ For a discussion of the shift from a Russian point of view, see: Alexei Pushtov, "Letter from Eurasia: Russia and America: The Honeymoon is Over," *Foreign Policy* No. 93 (Winter 1993).

² A detailed exposition of the doctrine, but not the text of the document itself, was published in *Rossiskie Vesti*, 18 November 1993, pp. 1 and 2.

³ See, for example, Zbigniew Brzezinski, "The Premature Partnership," *Foreign Affairs* 73 (March/April 1994).

⁴ The renaming, in November 1991, of the Baltic Military District as the Northwestern Group of Forces was a symbolic concession to Baltic independence.

⁵ Commission on Security and Cooperation in Europe, "Human Rights and Democratization in Estonia," *Implementation of the Helsinki Accords* (Washington, DC, September 1993) p. 18.

⁶ Author's interviews with members of the Estonian and Latvian delegations to the talks on Russian troop withdrawals, Tallinn and Riga, June 1992.

⁷ *Foreign Broadcast Information Service, Daily Report, Central Eurasia*, 9 May 1994 (FBIS-SOV-94-189) p. 11.

⁸ Lithuania did have, near Kaunas, the Soviet Union's only paratroop training camp.

⁹ *The New York Times*, 30 January 1994, p. 14.

¹⁰ The often repeated theme of Russia-as-Partner-of-the-West has most recently been recapitulated by Russian Foreign Minister Andrei Kozyrev in the May/June 1994 issue of *Foreign Affairs* (Vol. 73).

¹¹ Only weeks before the 26 July 1994 Estonian-Russian agreement on troop withdrawal, the United States Senate once again linked aid for Russia to complete Russian troop withdrawal from the Baltic states.

¹² See U.N. Documents 47/21, 25 November 1992 and 48/18, 15 November 1993 (United Nations Press Release, *Resolutions and Decisions of Its Forty-Seventh Session*, New York, 1 February 1993, and *Forty-Eighth Session*, 20 January 1994) pp. 21-22 and 17-18, respectively.

¹³ For the final version of Latvia's Citizenship Law, see: *Labrīt*, 11 August 1994. For a translation see: FBIS-SOV-194-162, pp. 69-74.

¹⁴ For a summary of some of the issues involved, see: UBA/BATUN, "The 'Law on Aliens' Controversy in the Republic of Estonia," 3rd ed. (New York: UBA/BATUN, 1 January 1993).

¹⁵ ITAR-TASS World Service, 24 August 1994: Sergei Solntsev, Head of the Russian Federation Migration Service Press Office, statement (FBIS-SOV-94-165, 25 August 1994).

¹⁶ The full title is the "Council of Baltic Sea States Commissioner on Democratic

Institutions and Human Rights, Including the Rights of Persons Belonging to Minorities."

¹⁷ See, for example, Ibrahim Fall, "Summary of the Report on a Fact-Finding Mission to Latvia," as received by Latvia's Permanent Representative to the United Nations, 27 November 1992; and FBIS-SOV-94-037, 24 February 1994, p. 58.

¹⁸ International law on occupation is clear on the point that settlement of occupied territory is not lawful. Consequently settlers from the occupying state, arriving in the country under occupation, do not have a right to citizenship (Claire Palley, "Experts Report to the Subcommittee on Minorities Questions," cited by Georgs Andrejevs at the 49th Session of the Commission on Human Rights, Geneva, 15 February 1993. See also, Eyal Benvenisti, *The International Law of Occupation* [Princeton, New Jersey: Princeton University Press, 1993]).

¹⁹ For a consideration of some of the difficulties involved in defining a "minority," see: Roland Oliver, "The Minority Rights Group: What's in a Name?" in *Minorities: A Question of Human Rights?*, Ben Whitaker, ed. (New York: Pergamon Press, 1984).

²⁰ Lithuania's demographic composition is similar to that of the pre-1940 period primarily because of the higher birth rate of the Lithuanian population.

²¹ Marje Joeste, et.al. eds., *The Baltic States: A Reference Book* (Tallinn, Riga, Vilnius, 1991) pp. 16 and 92.

²² Carl Bildt, "The Baltic Litmus Test," *Foreign Affairs* Vol. 73 (September/October 1994) p. 79.

²³ Abdulakh Mikitayev, chairman of the President's Commission on Citizenship, quoted by Interfax, 6 July 1994 (FBIS-SOV-94-130, 7 July 1994) p. 8.

²⁴ On a bizarre note, Russia's U.N. Representative Yulij Vorontsov objected to the use of ethnic cleansing in a Security Council resolution condemning Serbian terrorization of non-Serbs (The New York Times, 6 April 1994). For the most recent use of the term in accusations against Estonia, see: Yulij Vorontsov, "Letter dated 19 July 1994 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary General" (U.N. Document A/49/265), p. 2.

²⁵ Vorontsov, "Letter dated 26 July 1994" (U.N. Document A/49/286, 29 July 1994).

²⁶ Significantly, Estonia and Latvia adopted the same approach in meeting their obligations as new members of the League of Nations. See Rita Putiņš Peters, "Baltic State Diplomacy and the League of Nations Minorities System," *The Baltic in International Relations Between the Two World Wars*, John Hiden and Aleksander Loit, eds. (Stockholm: Baltic Studies Center, Stockholm University, 1988).

²⁷ Statement before the Commission on Human Rights, 49th Session, Geneva, 8 February 1993 (Permanent Mission of Estonia to the United Nations). Emphasis added.

²⁸ See U.N. Documents 47/155, 16 December 1992, and 48/115, 20 December 1993, *Resolutions and Decisions of Its Forty-Seventh Session*, 1 February 1993 and *Forty-Eighth Session*, 20 January 1994) pp. 339 and 444, respectively.

²⁹ Roger Brubaker, *Citizenship and Nationhood in France and Germany* (Cambridge: Harvard University Press, 1992), pp. 81 and 206.

³⁰ Vorontsov, "Letter dated 19 July 1994."

³¹ Vorontsov, "Letter dated 8 August 1994" (U.N. Document A/49/304) p. 2.

³² Russia's spokesmen at the U.N. and elsewhere repeatedly assert that this issue is to be the primary focus of their relations with Estonia and Latvia.

³³ See, for example, President Yeltsin's statement of 4 August 1994 as quoted by ITAR-TASS (FBIS-SOV-94-151, 5 August 1994, pp. 9-10).

³⁴ Quoted by Brzezinski, "The Premature Partnership," p. 76.

³⁵ Quoted in Fiona Hill and Pamela Jewett, "'Back in the USSR,' Russia's Intervention in the Internal Affairs of the Former Soviet Republics and the Implications for United States Policy Toward Russia," Harvard University, John F. Kennedy School of Government, January 1994, p. 1.

³⁶ Andrei Kozyrev, "The Lagging Partnership," *Foreign Affairs* 73 (May/June 1994).

³⁷ Kozyrev, "The Lagging Partnership," p. 69; Yeltsin is quoted by Heino Ainso and Urmas Wompa, "Internationalization of Estonia's Alien Legislation," paper presented at the XIV Conference on Baltic Studies, University of Illinois at Chicago, 1994, p. 4.

³⁸ See: Hill and Jewett, "'Back In the USSR,' Russia's Intervention . . ."

³⁹ Carl Bildt suggested making Russia's policy toward the Baltic states the "litmus test" of Russian claims to a non-aggressive foreign policy. Bildt, *Foreign Affairs*.