Commission on Security & Cooperation in Europe:
U.S. Helsinki Commission

"Containing Russia: Opposing Russian Imperialism in Ukraine and Beyond"

Committee Members Present:
Senator Ben Cardin (D-MD), Chairman;
Representative Steve Cohen (D-TN), Co-Chairman;
Senator Roger F. Wicker (R-MS), Ranking Member;
Senator Richard Blumenthal (D-CT)

Witnesses:
Ambassador Oksana Markarova, Ukrainian Ambassador to the United States;
General (Ret.) Philip Breedlove, NATO's Former Supreme Allied Commander Europe; Distinguished Professor of the Practice and CETS Senior Fellow, Georgia Tech;
Michael Kimmage, Former Policy Planning Staff, U.S, Department of State; Professor of History, The Catholic University of America; Fellow, German Marshall Fund of the United States;
Miriam Lanskoy, Senior Director for Russia and Eurasia, National Endowment for Democracy

The Hearing Was Held From 2:45 p.m. To 4:26 p.m., Room 106, Dirksen Senate Office Building, Washington, D.C., Ben Cardin (D-MD), Chairman, Commission for Security and Cooperation in Europe, presiding

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CARDIN: The Helsinki Commission will come to order. Let me first acknowledge the loss of a great American. Madeline Albright passed away just recently. And we just found out about it. She was an incredible person. I will always remember our personal interactions over many, many years. And she was, of course, our U.N. ambassador under President Clinton, and became secretary of state – the first woman to hold that position. She was a powerful figure in the global community and a powerful figure here in America. I know that her good counsel is going to be missed by all, and on behalf of the Helsinki Commission we express our deepest condolences to her family. She was a refugee from Prague in 1948. So her whole life experience really prepared her for the challenges that she could confront and make such a contribution in regards to furthering diplomacy.

This is our third hearing of the Helsinki –

WICKER: If the senator would yield –

CARDIN: Sure, Senator Wicker.

WICKER: I want to subscribe to the comments of my friend, Senator Cardin, about Madeline Albright. I actually had more dealings with her after she left public service. And were associated together on some human rights initiatives. I had the honor several years ago of being awarded the Václav Havel Award. And Secretary Albright introduced me at that occasion. And it is one of the distinct honors of my career in public service. So I wanted to add my expression of appreciation for a life well-lived and a public service well-rendered.

CARDIN: Your observation about her contributions after she left public office are so well-placed. I was with her on several occasions where she used her talent to help bridge communities and to help advance U.S. national security concerns as a private citizen in an extremely effective manner. What a just, dignified person, what an incredible leader.

We now are holding our third hearing in regards to Ukraine. We had our first hearing, a basic overview of the threat that Mr. Putin posed to Ukraine, under the leadership of Senator Wicker. We had a hearing last week in regards to the Baltic states, the frontline, in regards to countries that understand what Ukraine is going through today since they experienced a similar assault on their country under the Soviet Union. This hearing, we will explore containing Russian oppression – Containing Russia, Opposing Russia's Imperialism in Ukraine and Beyond. We are also, just for the members of the Commission, we are looking at having additional hearings. And they will be coming up rather quickly because of the urgency of the circumstance.

I know that Congressman Cohen is directly interested in helping us put together a hearing in regards to understanding Russia's propaganda campaign. We will have a hearing to deal with the risk factors of the refugees, particularly the children, who could well end up victims of trafficking. And we want to pay attention to that under the Helsinki Commission. I know that Senator Whitehouse is interested in us putting together a hearing that Senator Wicker and I are going to be very much interested in, and that is enforcing the individual sanctions, the Magnitsky

sanctions, and looking at the use of shell corporations, et cetera, and how do we trace to make sure that we actually get the enforcement of our sanctions.

I say all that because we're going to be busy in the Helsinki Commission, and it's just a clear message that we stand with the people of Ukraine. This is good versus evil, make no mistake about it. And when we see what Mr. Putin is doing in Ukraine, we see the horrors that he has created, the atrocities, the use of cluster bombs, the use of supersonic missiles, the targeting of shelters, the targeting of hospitals, the targeting of civilian populations, the atrocities that he is committing, the threats to use chemical weapons, the threat to use nuclear weapons. Mr. Putin needs to be held accountable for these atrocities. He needs to be held accountable as a war criminal. And we are going to continue to point out that, yes, we want Russian troops removed immediately from Ukraine, but we also want accountability for the atrocities that have been created by Mr. Putin.

Make no mistake about it, it was an unprovoked attack in Ukraine. And we, every day, just marvel at the courage of the Ukrainian people. They're an inspiration to all of us. President Zelensky has been an inspirational leader for the global community, and we recognize that he's there fighting for sovereignty of Ukraine, but he's also fighting for the sovereignty of the free world. We recognize that.

I want to first welcome Ambassador Markarova here to our committee. She's been with us before, and we always appreciate her presence. And she's an extremely effective representative of Ukraine. And we appreciate the briefings that you've held for members, and the messages that we've been able to bring back and forth to the Ukrainian government and people. So thank you very much. And we will hear from you after we finish some opening statements and before we call on the panel.

I want to just summarize this very briefly, where we are. I want to compliment the Biden administration for their leadership in supplying lethal defensive weapons to the Ukrainians so they could defend themselves, for leading in the imposition of very strong sectorial and individual sanctions against Russia and Mr. Putin and his oligarchs, and providing humanitarian assistance to the Ukrainian people, those that are refugees – the 3 million that have already left the country to seek safety, and the 10 million that have been displaced since the beginning of this invasion by Mr. Putin.

We need to continue these efforts, as we've all indicated. But I am particularly pleased that we've been able to see global unity with our NATO partners, with our traditional partners, and with basically the global community, with a few notable exceptions that we are continuing to work on. As I said, this is good versus evil. And we are going to continue our resolve in support of Ukraine and its sovereignty. The Helsinki Commission is going to continue to be very much focused on these particular issues, and we welcome how we can continue to play a constructive role.

I personally want to thank Senator Wicker. The two of us have been working today on additional sanctions against Mr. Putin and Russia. We hope to pass today the legislation that passed the United States Congress, House, that would take away PNTR from Russia. I point out

to my colleagues on the floor that when PNTR was granted to Russia, it was coupled with the Magnitsky sanction bill dealing with those that perpetrated the atrocities against Mr. Magnitsky himself. Since that time, we have passed the global Magnitsky statute. I was pleased to partner with our former colleague John McCain and with Senator Wicker on getting those bills to the finish line.

And what Mr. Zelensky asked us to do is to expand those sanctions to including the enablers, that allow Mr. Putin to do what he's able to do. And that's exactly what this global Magnitsky reauthorization bill will do, remove the sunset and expand the sanction list. So we are hopeful that we will be able to get that legislation done. We also want to make it clear that we do not want to see any exports of Russian oil or gas. We can implement that quickly in the United States. We recognize it's a little bit more challenging in Europe, but we do want to make sure that we do not supply any resources to finance Mr. Putin's war against Ukraine, and his human rights violations, and the atrocities that he has committed.

So I just want the Ukrainian people to know that this cause is our top priority in the Helsinki Commission. Mr. Putin has violated every single commitment of the Helsinki Final Act – every single commitment. And he has to be held accountable. And this Commission will do everything we can to make that a reality.

With that, let me recognize Senator Wicker.

WICKER: Thank you, Senator Cardin. And I know our attendees are eager to hear from the witnesses, but it is good to be back together again. And let me reiterate what Chairman Cardin has said. The Global Magnitsky Act, which is set to sunset, needs to be reenacted today with the same strengthened language that President Trump used in an executive order to the benefit of our country and for the safety of individuals around the globe, including Americas, who were having their human rights grossly violated.

So I hope we can do that today or this week, very, very soon. It would be – it would be the height of irony if the legislative body where Magnitsky began failed to join the rest of the globe in strengthening our ability to sanction the kleptocrats who not only steal from the Russian people, violate their human rights in so many, many ways, but also a tool that is used to uncover the money laundering that allows Mr. Putin and his cronies to become multi-, multi-, multibillionaires. So it is good to be here, to hear from these witnesses.

I do appreciate what the administration has done so far, but I do believe I would be remiss if I didn't point out that there's much more that the Biden administration could already have done. And I call on the president today, the secretary of state, and the White House to unleash the full package of sanctions that are available to them, and to enhance the weaponry that we have already made available to our friends in Ukraine. They haven't asked us for boots on the ground. They haven't asked us for military intervention. They said they will fight their war if they have the tools. I think there are many more tools. And I share a bipartisan viewpoint in that respect.

I have a statement here, to the extent that I'm able to put it in the record I will do so. But at this point I yield back my time and hope that we can get onto witnesses fairly soon. Thank you, Mr. Chairman.

CARDIN: Thank you, Senator Wicker.

Congressman Cohen, our co-chair of the Commission, is with us through Webex.

COHEN: Thank you, Mr. Chair. I appreciate it.

I understand there's been some comments made about the loss of our great former Secretary of State Madeline Albright, and I share those thoughts about her exemplary life and the sadness at her passing. I also wanted to mention the ironic tragedy of a gentleman who was killed in Kyiv yesterday who was a Holocaust survivor. I think he was in four concentration camps, something like that. And Putin, who claims he's de-Nazifying Ukraine, killed one of the Holocaust survivors who's been a great supporter of letting people know the horrors of the Holocaust and what the Nazi danger is. And it's not in Ukraine.

General Breedlove, I'm going to ask you, and you probably have prepared remarks – but my main concern – I concur somewhat with Senator Wicker. I didn't hear his total remarks, but I support the president in bringing our European allies together on sanctions and other issues. And we need to work together or else it will be looked upon as an American war with Russia, and that's what we don't want. But I believe we should give, facilitate, the transference of the Polish airplanes or, if they need to be, if they're Hungarian, Moldovan, Slovak – whoever has the planes they can fly.

There was a story in The New York Times today that said that the Ukrainian Air Force has done a spectacular job, and that's why Russia has not taken over control of the skies over Ukraine. They've had dogfights, they've been successful in shooting down missiles, they've been successful in shooting down some Russian planes, and they've made their sorites and come back, they survived. But I believe it was President Zelensky who said they'll have more pilots at some point than planes, and they need planes.

I understand – and I'm not a defense expert by any means. I'm not even on the scoreboard. But they want the planes. They think they need them. They've been effective. I understand that the certain anti-aircraft weapons and drones are effective too, and they should have those as well. But I don't understand why they don't get the planes. If Zelensky and everybody from Ukraine says give us the planes, and if they have the pilots that have done a spectacular job flying the planes, they can do even more with more planes. And we, in my opinion, need to do everything we can to facilitate that.

Their pilots are willing to fly the planes. We should give them the planes, in my opinion. And I'd appreciate your thoughts on that as an Air Force retired general. And it just seems we should do everything we can. You just can't watch these films of the just disaster, destruction of cities, and families uprooted and giving up all their possessions, and the kids going to school

where they don't understand the language and leaving behind their friends, and their fathers, and their uncles, and you name it.

And for us not to do everything for this man who is insane – Navalny was right, he is insane. And maybe there's sanity within, but I don't know. He's a narcissistic, he's a sociopath, he's cruel, and he's doing the unthinkable, unfathomable, and who knows where he'll stop. I don't think the planes personally would get him to get into World War III and shoot a nuclear weapon off or do anything to the United States. But I'd like your thoughts on that too. And with that I yield back, and I thank you for your career and your appearance today.

CARDIN: We're joined by Senator Blumenthal, who is dividing his time, taking a break from the Judiciary Committee today on the confirmation hearings of our Supreme Court justice. Senator Blumenthal.

BLUMENTHAL: Thanks very much, Senator Cardin. Thanks to this very, very distinguished panel. And I apologize that we are in the middle of hearings on Judge Jackson to be our next Supreme Court justice. And I am actually up for my questioning in somewhere between 30 and 60 minutes, we believe. So I apologize that I am going to have to leave. I hope to come back.

But let me just say we had a bipartisan trip to Ukraine in January before this conflict began. Madam Ambassador, we went to the Polish-Ukraine border just weeks ago, in a profoundly moving experience. And as I said to President Zelensky, all of us said, and as I can say to you today, we are united in America behind you, as you well know from the standing ovation that President Zelensky received when he addressed us, and the reception you've received when you've come to visit with us. This cause is all of our cause. And I have a button that I use when I go to rallies in Connecticut – and I've been to seven or eight now – and its says: I am a Ukrainian. Just as President Kennedy said, decades ago when he visited Berlin, and said: I am a Berliner.

We are all Ukrainian. And that means more military support, whether it's planes or more anti-aircraft batteries, or Stinger and Javelin missiles, and other kinds of armament that will protect you from the reign of terror from the skies. If the Ukrainians have a fair fight on the ground, they will win. They will push the Russians out of Ukraine. It is the dominance it the skies, the reign of terror on cities – maternity wards, hospitals, nurseries, residences – that Vladimir Putin is inflicting. And stronger economic sanctions also are what I hope will be pursued by the administration, as well as humanitarian relief. Because I saw in those faces and voices of people coming across the border horror and terror, the fear of the unknown that they face. And of course, they were all women and children because the men are staying to fight.

So we need to recognize the importance of human rights, which are protected by the Helsinki Commission, that are deeply at stake. And I hope that we will engage in a massive humanitarian relief program, even as we aid in concluding the war, which we all pray will in fact end soon. Two quick points: President Biden is at this moment on his way to meet with leaders of the Western world. And he has demonstrated real leadership in unifying the NATO countries and in building a consensus. He's been deliberate and responsible, and rightly cautious about

escalation. I've been an advocate of more military assistance as well as stronger economic sanctions. I will continue to be so.

But I hope that he will continue this leadership as he goes to NATO and seeks continued unity among our NATO allies. And I am grateful to the people of Ukraine for showing us a lesson in courage because we are all Ukrainians in our own national security, as well as our rights being at stake. And as I go back to our Judiciary Committee, involved in confirming another United States Supreme Court justice, what has been on my mind is those faces and voices of refugees seeking nothing more than the freedoms we have and that we are using today in that hearing room, and that Americans use every day and often take for granted. And the plight of Ukrainians reminds us how precious these freedoms are, and how blood has been shed and continues to be shed, and lives lost, to preserve those freedoms.

Thank you. Thank you all for being here. I'll try to be back. Thanks, Mr. Chairman.

CARDIN: Thank you, Senator Blumenthal. Appreciate it very much.

We're going to deviate from our normal practice and hear first, before we hear from the panel, from the ambassador from Ukraine to the United States, Oksana Markarova, who, as I said before, has been an incredible spokesperson for the Ukrainian people and government. Madam Ambassador.

MARKAROVA: Dear Commission members, dear ladies and gentlemen, dear Chairman, thank you very much for having me here today. After Russia attacked us in 2015 and illegally occupied Crimea, and illegally occupied part of Donetsk and Luhansk Oblasts, Ukraine was no threat to anyone. And even though we had all the legal rights to reclaim our territorial integrity and independence, we only used diplomatic tools to do so. And that didn't stop Russia. And on 24th of February, as you know, they brutally attacked us again. This time, from north, east, south. This time from the air. And today is the 28th day of this brutal war that a nuclear power, large country, is – autocratic regime – is waging on free, peaceful, and independent Ukraine.

This, as you, Chairman, rightfully said, is not only an attack on Ukraine. It's a brutal violation of all the norms of international law, including the U.N. Charter and the Final Helsinki Act. Ukrainians have made our choice. We would like to be free, independent. We would like to be part of European Union. We would like to be part of transatlantic community. We would like to simply peacefully live in our own country. And this attack is to prevent us from doing so. So what is happening in Ukraine is not only about Ukraine. Of course, it's the people of Ukraine who suffer today, but it affects everyone. And the very foundation of the world rule-based order, as we all knew and respected it after the World War II, has been under attack today.

We believe, unfortunately, that Russia will not stop in Ukraine. And they say so publicly. That is why it's the job for Ukraine, but all civilized world, to actually contain this threat and stop this war while it's still local in Ukraine. Today Russian troops continue to attack us on the ground. Today they continue to attack us from Belarus. Today they continue to attack us from our occupied Crimea and partially occupied Donetsk and Luhansk Oblasts by missiles,

aviations, tanks, artillery, all kind of prohibited weaponry, but also by cyberattacks and disinformation. When their blitzkrieg that they probably initially planned failed, they resorted to terror. And we see it on a daily basis on the – all TV channels here how they are specifically targeting civilians, killing women, killing children, destroying unnecessary civilian infrastructure, actually targeting specifically kindergartens, schools, churches, museums.

To date we already have 3.5 million refugees to the west that left Ukraine through the western border, primarily women and children. But we totally have 10 million people who were forced to leave their house. We have mass graves in the outskirts of Kyiv and Mariupol, something that we thought we would never see in Europe after the World War II. The most painful thing is that 121 children are killed today, 176 wounded, 548 educational institutions completely destroyed – schools and universities. Seventy-two of them do not exist, there is nothing on the ground where they stood.

Russian plans failed because he miscalculated the response from the West, the united response from the civilized world, but also miscalculated Ukrainians. Our President Zelensky, our armed forces, every Ukrainian is defending our country. We will do so, and we will not – and we will not end, we will not get tired, and we will not stop, and we will not surrender. Because this is the only home we have, and we will defend it until the victory.

We also call to hold Putin and everyone who's responsible for this, all the Russians, accountable for all this – for the attack, but also for the war crimes and for all the actions they are doing on the ground. So, as you know, on February 26th, Ukraine submitted our application to International Court of Justice. And on March 16th, they already ordered Russia to immediately stop the invasion. On March 1st, the European Court of Human Rights also indicated to Russia to refrain from any military attacks against civilians and civilian objects.

After the referral of 39 states of the situation in Ukraine to International Criminal Court in the Hague, the prospector also opened a criminal investigation. We also are working to have a separate tribunal. These war crimes and everything that is done to Ukraine and to Ukrainians should not go unpunished. Not only as a justice to Ukrainians, but also as a deterrence for any other dictators that after Hitler in 1939 and after Putin in 2014 and now will have this idea that it's OK in the 21st century to attack a neighboring peaceful country.

I would like to finish with saying how grateful we are to all Americans across the country, for everyone, for all the support and for people around the world for standing together with Ukrainians today. We really appreciate the tremendous support from the United States, from President Biden, from Congress on a strong bipartisan basis, including the military assistance, powerful sanctions, rallying the international support. We are fighting, as I said, the 28th day of a very difficult fight. And as our president says, we need all the tools in order to finish this and in order to defend our country. So while we are grateful for everything we have received, we all need to do more. We all need to do more to stop Putin. We all need to do more to help us to defend our country.

So as we said numerous times, we need more strong sanctions and we need more defensive, and all kinds of weapons including anti-air, including planes, everything short of

boots on the ground, that we actually are motivated, and very capable armed forces, and men and women of Ukraine can use in order to stop this war and in order to defend our country. Special thank you to this Commission, to U.S. Congress and administration for standing with Ukraine in this critical time. Today Ukrainians are united. Today the civilized world is united. And only together can we win this war and prevent it from happening again. God bless America, and glory to Ukraine, and thank you very much.

CARDIN: Well, Madam Ambassador, please express our strong, unified support to provide whatever you need to defend yourself. And that we will continue to participate in the humanitarian assistance. And we continue to look at ways that we can hold those responsible accountable, including sanctions and the war crimes that they have committed. So please express that to your leaders and your people and know that our doors are always open as we stand together in this fight for freedom.

We will now turn to the panel and our witnesses. Our first witness, General Phillip Breedlove. General Breedlove retired as a four-star general in the U.S. Air Force, finishing his 39-year career as commander of U.S. European Command and NATO's supreme allied commander Europe. General Breedlove has extensive experience in our nations senior-most strategic decision making and national security policymaking at both the Pentagon and the National Security Council. He currently is a consultant to industry and serves as a distinguished professor at the Sam Nunn School of International Affairs at Georgia Tech.

Our second witness is Dr. Michael Kimmage, who is a professor of history and department chair at the Catholic University of America. He is also a fellow at the German Marshall Fund. Professor Kimmage specializes in the history of the Cold War, 20th century U.S. diplomatic and intellectual history, and U.S.-Russian relations since 1991. From 2014 to 2016, he served on the secretary's Policy Planning Staff at the U.S. Department of State, where he held the Russian/Ukraine portfolio.

And our third witness is Dr. Miriam Lanskoy, who is the senior director for Russia and Eurasia at the National Endowment of Democracy. Dr. Lanskoy has an extensive background in policy analysis related to post-Soviet Russia and Eurasia, as well as democracy promotion in the region, and will be able to provide us with a clear-eyed perspective of the new political and human rights challenges in the broader region.

Your full testimonies will be made part of our record. You may proceed as you wish. And we will start with General Breedlove, who I understand is with us through Webex.

BREEDLOVE: Chairman Cardin, Ranking Senator Wicker, Co-Chairman Cohen, and Ranking Representative Wilson, thank you for inviting me to testify before the Commission today on a subject of immense importance to America and, indeed, the free world. Before I go any further, I'd just like to just assure Co-Chairman Cohen that I am on record and in print recommending the transfer not only of the MiGs, but the S-300s that our allies are offering up.

Sir, today I do not represent the views of the government, nor of DOD, nor of Georgia Tech where I teach, as you pointed out. Rather, I represent my own thoughts and experiences.

I've served in Europe eight times, at every level of command. As a very young officer I flew my F-16 there, and I was nuclear-qualified. I also spent time with the United States Army, 2nd Brigade, 3rd ID as a tactical air control party, staring across the inter-German border at the Russian forces there. Finally, I closed my career, as you mentioned, sir, as the U.S. European Command commander and the 17th supreme allied commander of Europe. My tour included the last two times that Ukraine was invaded by Russia.

By way of short introduction, immediately after the fall of the wall we entered into a phase of trying to make a partner out of Russia. I called it hugging the bear. Institutions such as NATO created structures that facilitated closer and more coordinated actions, like the 1997 NATO-Russia Founding Act and the NATO-Russia Council of 2002. Meanwhile, our nations – and I make no argument with it – but our nations entered in a period of peace dividends and began to sacrifice readiness and allow our weapon systems to age and, in some cases, lose currency and capability. Defense budgets took a steep decline in real purchasing power, and some European budgets, as we know, were severely cut.

When I was the vice chief of staff of the United States Air Force, my first four-star job, we were then the oldest and smallest Air Force we had ever been in our history. And at that time, you may remember, sir, that part of my task was to make the Budget Act sequestration cuts at that point in our history. In 2008, the invasion of Georgia and occupation of South Ossetia and Abkhazia was a shock and a stark reminder of the true intentions of the opponent that we were trying to bring towards Western values. The way we had handled the invasion of Georgia is a part of why we find ourselves in the ugly messes of 2014 and 2022, in my opinion.

In each of our responses, I believe we were inadequate to task, and now are looking at the problem again. We in Europe and the U.S. quickly got past that invasion in 2008, and we were eager and settled back into business as usual with Russia. However, we know now Russia was continuing military growth and investment, working towards regaining their lost past. Today we're facing an enemy that attacks the West and Ukraine, our great friends, across all elements of national power. When I teach, I talk about DIME: diplomatic, informational, military, and economic power.

Yet, when we respond to Russia, we respond almost exclusively in economic measures – i.e., sanctions. Similarly, when we face radical Islam in these days, we reply dominantly with the military instrument. We seem to be treating these various issues in a silo of excellence rather than across our national powers. Today I advocate for a more active response across all elements of national power, a more balanced all-of-nation response.

Some ideas that I would put forward for consideration – and I'm happy to answer about these in questions. Diplomatically, what are we doing to sanction's voice in the U.N.? We're told all the time that we can't do some of these things, like remove them from the Security Council. I believe we should not be deterred by that's the way the U.N. works. Rather, we should attack these norms in order to make required changes. Just doing that is a big signal, I think. We should seek International Court determination of Putin as a war criminal. There's never been a more clear case played out for the whole world to see. We should seek U.N.-sponsored response to a Russian leader and nation gone rogue.

In the informational sphere, Putin is perpetuating lies externally and internally. What are we doing to get the truth through to his people? What are we doing internationally to those who accept and support his lies? We have the world's greatest cyber capacity. We should use that discreetly to help get real information about Putin's war to the Russians via their social media spaces. Militarily, this criminal war by Mr. Putin is creating a humanitarian disaster of incredible proportion. The impact on children, children being killed, hospitals being targeted, families being separated and displaced, this will scar our world for decades to come.

I am controversial, but I continue to support humanitarian corridors and a humanitarian airlift into Ukraine, protected by a humanitarian no-fly zone. Many are opposed to this and are completely deterred by fears of World War III and nuclear options. Mr. Putin's messaging is very effective about this. He knows it, and he works that message really hard. If we are so fearful of Putin's nuclear card that we do not do all that we can, short of committing U.S. troops, of course, to stop Putin in Ukraine, what is going to stop him then from waving the nuclear card as he sets his eyes on other states, like Georgia, Moldova, or possibly our Baltic NATO allies?

It's more easy, I believe to defeat Putin how, working alongside the great Ukrainian military who is fighting so well. There is no no-risk way out of this war. I believe that there are those that have a hope in that way. If we do not change our approach, risk will continue to grow every day as Mr. Putin's frustration grows. I wonder what atrocity is next. Rather than remain deterred without consideration for change, I advocate for a mature discussion about that risk. We love, we support, and we grieve for our Ukrainian brothers and sisters. But we have to also know that this war is bigger than Ukraine. The documents Mr. Putin directed us to sign were about restructuring the very security architecture of Eastern Europe. We need to focus on that and on the Black Sea, and on our eastern front nations.

Finally, in the economic sphere, I am appreciative for what we're doing. But we must acknowledge that sanctions are hurting the Russian Federation. Sanctions are hurting the Russian people. Sanctions are hurting the Russian economy. And I commend to you that those are not the measures of merit. Sanctions have – in my history, and my understanding, and my watch of Mr. Putin – have never changed Mr. Putin's actions. And I believe that should be the measure of merit. In both peacetime and periods of war, a nation seeks to deter potential opponents from taking military action, both conventional and nuclear. Further, a military commander seeks to always gain and maintain the initiative.

During the buildup of Russia's forces and the debates concerning his intentions, we took a very passive deterrent stance. Phrases that we used all the time – we are not going to fight Russia in Ukraine. We will defend every inch of NATO territory. Which, by the way, is a wonderful message to somebody like me who commanded NATO, but I think a horrible message to our brothers and sisters in Ukraine. If he invades, we're going to hit him with – and you use whatever adjective you want – sanctions. While the sanctions were not publicly debated or announced, we were assured several times that we, the United States, had conveyed them explicitly to Russia. Mr. Putin was not deterred. He took measure of our stated intentions and decided to invade.

We have allowed Mr. Putin to accomplish both the goals of deterring us and gaining the initiative. We, the U.S. and NATO, are almost completely deterred, and Mr. Putin is almost completely undeterred. We tell Mr. Putin almost every time we make a speech what we will not do. There are multiple capabilities that Ukraine has asked for that we have not supplied. We were – we have supplied them U.S. Stingers, and they are using them magnificently. But we were late getting those good Stingers to our Ukrainian brothers and sisters. We have yet to supply them the medium and high-altitude SAMs that they have asked for over and over. And we have yet to supply the coastal defense cruise missiles which they so desperately need now as the Russian Navy sits off the coast and pounds Mariupol and portions of the Russian Navy are now aligning themselves, we think, for an amphibious landing nearby Odessa.

And now there's a whole new set of language which worries me, and where we talk about defensive weapons. To a military individual, that's kind of a hard word to talk about because a weapon can be used either defensively or offensively. Are we to assume that only Russia is allowed to use offensive weapons or that only Russia can go on the offense, or that this word is only to be fought on Ukrainian soil? And we have finally, as you know, I mentioned before, I am a proponent for a humanitarian no-fly zone. And that is what Ukraine calls for all the time in their urgent pleas to close the skies.

Finally, we, the U.S. and NATO, have ceded the initiative to the enemy. We have said over and over, if Mr. Putin does this, then we'll do that. We are observing and reacting rather than setting the content, tempo, and tone of the conflict, which is what a military man seeks to do – or woman. I'm advocating that we and our Western partners reevaluate our strategic approach: Mr. Putin should be deterred, vice we in the West. This requires moving away from a passive deterrent posture to affecting a more active deterrence. We should take action to regain the initiative, vice following Mr. Putin's leads. If or when this war touches NATO, we need to be immediately ready, rather than begin a conversation about getting there.

Members of the Committee, in closing, while I sound very critical, I want you to know that I am very appreciative of the things that we are doing. NATO's reactions and preparations to defend NATO are strong. I'm proud of it. And I believe we have more to do. While the sanctions will, once again, not change Mr. Putin's actions, they may change the time and change the actions of those around him. While we have not given Ukraine all the weapon systems they've asked for, the ones we have given them they have used extremely effectively. And while we have been deterred from directly supporting Ukraine on the battlefield, there is hope that the human suffering of the people of Ukraine may yet remind us of the values we hold.

But we need to do more. We have an urgent interest in helping Ukraine to defend their nation and making Mr. Putin fail. We must not let Putin deter us from doing this. That only risks our NATO allies and truly brings us close to confrontation with Russia. Once again, sir, I am very appreciative of your allowing me to be here today, and I do look forward to your questions.

CARDIN: General Breedlove, first of all, thank you for your service to our country, and we very much appreciate your testimony.

We'll now hear from Dr. Kimmage.

KIMMAGE: Thank you. Thank you, Mr. Chairman. Thank you, senators, for the invitation. Thank you to the Commission as well for the invitation. Madam Ambassador, it's an honor to be in your presence for this conversation this afternoon.

The Russian invasion of Ukraine, launched on February 24th, 2022, has altered Europe's strategic dynamic. Prior to the invasion, Europe faced instability to the south due to migrant flows, in Ukraine a long-festering war had been unresolved by eight years by January 2022. These were by no means small problems, but they were more readily manageable than the current situation – a large-scale war in Ukraine waged by Russia with the assistance of Belarus, a Russian leadership that is anything but risk-averse, and whose true strategic intentions are hard to read, a robust effort on the part of the United States and its allies to encourage and supply the Ukrainian military. A vast array of escalatory possibilities stemming either from Russian intent, from accident, or from the desire of one or several actors in the conflict to resolve this crisis, military crisis, more immediately.

U.S. foreign policy has, since 1945 and since the collapse of the Soviet Union in 1991, seen a Europe whole, free and at peace. The United States must now adjust to a Europe living in the shadow of war. To those making strategic adjustments, history can be helpful. In particular, the Cold War doctrine of containment is relevant to contemporary U.S. foreign policy. Containment arose in the late 1940s, at the pen of the diplomat George Kennan, in response to challenges presented by the Soviet Union, first and foremost in Europe. Containment was explicitly a doctrine created for the nuclear age in which we are still living.

In the spring of 2022, a recommitment to containment can contribute to U.S.-Russia policy. It can provide strategic clarity, it can link military with political aspirations, and containment can help describe what U.S. policy is not. The primary meaning of containment was the ambition to contain the Soviet Union. The less well-known meaning of the word applied to the United States. To survive and to prosper in the nuclear age, the United States has to contain itself at times, as it will have to do against Putin's Russia.

Five points about Cold War containment. Since I come before you as a history professor, I can't not begin with history. So five historical points. Five points to follow about the overall situation. And five points briefly in conclusion about where I think U.S. policy should go vis-à-vis the idea of containment.

The first point about containment historically: It was forged to deal with an entirely new strategic situation. The challenge the Soviet Union presented was its combination of military power – its armies have conquered half of Europe during the war – and its political appeal on the other side. When Kennan came up with containment, he worried about this combination of political and military power. That, for example, an election in Italy might result in communist victory, and in the wake of this victory the Soviet Union could start to talk control over Italy. It was the combination of military and political power that was potentially problematic all around the world.

Second point, containment reflected a disagreement within the U.S. government on its proper interpretation. This ran throughout the Cold War. Kennan felt that containment was primarily a political project, meant to push back the appeal of communism in Asia, the Middle East, or Europe. And many, in a way the winners of the argument, felt that containment was primarily a military doctrine meant to contain or to push back against Soviet or Chinese military power.

Third point, containment was proactive. Containment involved – and General Breedlove just mentioned this point about the integration of U.S. forces at the present moment – containment entailed the coordination of the U.S. military force, of intelligence, and of diplomacy. This might mean the active defense of West Berlin in the early Cold War. Containment could also mean the waging of hot war in Korea or Vietnam. It could also mean covert action in countries like Guatemala or Iran. And containment might also have meant during the Cold War the battle for hearts and minds, support for national independence behind the Iron Curtain, advertisements for the American way of life, alliances made with religious communities from the Vatican to the Mujahedeen of Afghanistan. Containment gave direction and purpose to U.S. foreign policy throughout the Cold War.

Fourth point, containment was most proactive in those places that were not yet communist. In the contested domains of the Cold War, the U.S. applied its many powers strenuously. Yet, containment left the Soviet or communist side largely untouched. Kennan thought that the Soviet Union was too repressive and not Russian enough to survive forever. Kennan did not equate containment with democracy promotion, nor did he expect a post-Soviet Russia to become a democracy. The success of containment was a success in the end only with the Soviet Union and never with China. Not only did China not collapse, its influence has grown immensely over the past few decades. We've never managed to – we've never succeeded or managed to contain China.

Fifth point, containment was a long-term policy. For Kennan, unconditional surrender was a conceivable outcome in some wars, but it was very often the wrong framing of many wars. Many wars, he observed as a historian, end in negotiated settlements. Kennan did not believe that the United States could defeat the Soviet Union outright, hence it should not seek unconditional surrender. Kennan's conviction took on new meaning when the Soviet Union gained access to nuclear weapons in 1949, and when the costs of direct confrontation with the Soviet Union became exorbitant. Containment appealed to the patience – to patience and to diplomatic engagement with the Soviet Union when possible. Thus, in conclusion, historically containment was a balancing act.

Five points about the current situation that attempt to update containment for contemporary conditions. The challenge that Putin's Russia presents, much like the Soviet Union, is part military and part political. The military challenge is, I think, clearly the most acute one. Since 2008, as General Breedlove mentioned, when Russia invaded Georgia, Putin had been pursuing an expansionary foreign policy. Putin's military modernization has given him the capacity to engage in conventional military conflict in Ukraine in 2014, to make an expeditionary move in Syria in 2015, and to mount a massive invasion of Ukraine in 2022. Putin's rhetoric suggests that he might be willing to apply conventional force or use nuclear

weapons outside the territory of Ukraine. To this, the Kremlin can add instruments of soft power, which range from outreach to the Russian diaspora, from networks within the world of Orthodox Christianity, to overt and covert efforts at manipulating the political order and information space of countries outside of Russia. On balance, though, the political and military powers of Putin's Russia are not on par with those of the Soviet Union.

Second point, it's hard to see the political threat – this is, again, bearing the Soviet example in mind – it's hard to see the political threat Russia embodies as fundamentally destabilizing. What's striking in 2022 with the war in Ukraine is Russia's almost complete failure to capture the narrative. It's had a bit of success in China, a bit of success in India and in the global south, but it's completely failed to persuade the populations of Europe and the United States. Only with great difficulty can Putin separate himself from the actions of his invading army. Putin has also inadvertently reenergized the transatlantic relationship in ways that actively undermine his own interests. Russia's threat in 2022 is mostly military therefore, and it is quite a lot less than global. Russia is not performing militarily at all well in Ukraine. The core issue then is how far Russia will go militarily in Ukraine, and to what extent Putin's military designs on this country can be thwarted.

Third point, the Cold War is an excellent precedent for combining the overlapping responsibilities of government – again, this idea of integration. First and foremost, today's military dimension of the consequent need to provide the Ukrainian military with whatever it needs to endure and to prevail. Russia's war in Ukraine also has a crucial political, diplomatic component. This is to ensure that the true story of the war is told, and told to big audiences, to remind audiences of the war's stakes and to construct the widest possible alliance of support for Ukraine. The key tool for the United States and its allies is economic sanctions. There's an acute need as well to coordinate the military, diplomatic, and economic component of policy.

Fourth point, the United States has considerable agency in Ukraine. Its support to Ukraine is giving Ukraine hope. No less essential is the U.S. commitment to European security through NATO and through other channels. The United States has far less agency in Russia. Putin's demise might be a boon to the United States, the prospect of a Russian democracy should remain in view, but a new Berlin Wall is being erected in Europe as we speak, and it will dramatically reduce U.S. leverage within Russia. Sanctions are quite likely to embitter the Russian population against the United States. U.S. foreign policy will have to acknowledge severe limits in terms of what can be accomplished in Russia.

Fifth point, the brutality of Putin's war, the first major war in the era of social media, has generated an immense moral and political outcry. This has helped to ground sanctions policy and military assistance to Ukraine. The outcry has the potential to favor quick solutions. Yet, the Cold War strategic dilemmas are still in effect. Russia possesses the largest conventional military in Europe and the United States is in no position to defeat Russia in Ukraine, not to mention inside of Russia itself. An escalation to nuclear conflict is not out of the question. Containment must block Russia in Europe by containing its formidable military and relatively modest political power. And containment must also rein in unconsidered military escalation on the side of the United States and its allies.

Five points by way of conclusion, briefly. First, Russia is not the global superpower that the Soviet Union was. Containment of Russia will not, I think, become the ordering principle of U.S. policy, as containing the Soviet Union was for so long, and as the global war on terror was after 9/11. It's best not to overestimate Russia's capacities, especially in light of how badly the war has been going for Russia. Putin's strategic blunder may furnish the United States with opportunities for improving relations with Turkey and, though this is more tricky, with China. At issue is not only the task of containing Russian power, at issue is the task of managing and, at times, of exploiting the weakness Russia has brought upon itself by waging a costly, criminal, and ultimately unwinnable war – unwinnable for Russia.

Second, Putin has shown himself to be more reckless than any of the Soviet leaders were. The best technique for containing Russia is to take advantage of Putin's recklessness. This could be translated into the construction of sizable alliances in Europe and Asia whose goal will be to degrade the Russian war machine through sanctions and through the prevention of technology transfer. The long-term thinking that went into containment is essential here. Slowing down Russia's military modernization may or may not help to end the war in Ukraine. It will make it more difficult for Russia to wage other wars.

Third, and I think most important for this audience, the narrative that justifies containment must be constantly refreshed, because containment is a long-term policy. This is of particular importance to member of Congress, who are in close touch with their constituents. It should be impressed upon the American public that Russia's war in Ukraine does not just violate Ukrainian sovereignty and does not just wreak havoc with the people of Ukraine, it is an assault upon Ukraine's capacity for liberty and self-government. That narrative, I think, needs to be made as emphatically and as eloquently as possible.

Fourth, containment never assumed the quick collapse of the Soviet adversary. Its value was the way in which it helped to manage relations between Washington and Moscow, to honor core U.S. interests and values, and to ensure that this relationship never slipped into direct military conflict – that the Cold War stayed cold. Even if Putin does not fall in the midst of this war or in its aftermath, he is – even if Putin does fall, he is likely to be replaced by a hardliner. And the military and security services are likely to maintain their grip on Russia. Sanctions should be folded into a policy of containment not because they will initiate regime change but because they will allow Washington to deal capably with the regime that is there and likely to stay in the Kremlin.

Fifth and final point: Containment's deepest appeal policy-wise is its connection to achievable goals. Regime change in Russia is beyond reach. Total victory in Ukraine is beyond reach. Russia's defeat on the battlefield is beyond reach. Russia's surrender in Ukraine is beyond reach. Yet, Russia is a country that is vulnerable in so many ways. It has made itself much more vulnerable by choosing to fight the wrong war in Ukraine. Russia can easily be outmatched in the information space, the Russian economy will suffer greatly under sanctions, and that will limit Russian military power over time. Russia can be prevented from winning in Ukraine – it may already have been prevented from winning, in large part because the Ukrainian military knows what it is fighting for.

In addition, U.S. and allied help is given to Ukraine, and is greatly important, and is akin to the help given to the United Kingdom in the first two years of World War II. It's Ukraine's lifeline. And this military assistance is a perfect example of containment in action. Policy success should be measured not against maximalist dreams in which Putin, and with him Russian military power, exit the scene. Russian power is here to stay. Policy success should be measured against the much more achievable goal of containing this very power. Thanks very much.

CARDIN: Well, thank you very much for your testimony. We appreciate it very, very much.

We'll now hear from Dr. Lanskoy.

LANSKOY: Thank you. I'm very grateful to the co-chairs, Senator Cardin and Representative Cohen, and the ranking members, Senator Wicker and Representative Wilson, and to all the commissioners, for the opportunity to testify here today. I'm grateful to the Commission for its support of human rights and for this opportunity to analyze the regional consequences of the war. The National Endowment for Democracy is a private nonprofit foundation dedicated to the growth and strengthening of democratic institutions around the world. We've been working in Eurasia to support civil society and encourage democratic development for over 30 years, and we maintain a large and diverse grants portfolio.

So what are the large-scope and medium-term effects of the war? And what does it entail for the longer-time horizon? With very few divisions or defections among the Russian government or military and given the fact that virtually any outcome can be presented to the Russian public as a victory, the Putin regime may indeed survive this war. As part of the negotiations to end the war, would the U.S. and Europe consider rescinding the wide-ranging sanctions that have been applied? However, even if Putin regime survive this war and the sanctions are rescinded, the enormous costs of the war and the total reassessment of Russia in Europe will have profound and unpredictable consequences.

On more than one occasion in the past, military disappointments triggered reform efforts and led over the medium-term to openings. Throughout Russian history, the modernizing and democratizing part of Russian society was precisely that part which was integrated with Europe. This is a part of society that is today most directly impacted by the economic crisis and most likely to be either on the run, taking literally any flight or any train to any foreign destination, or still inside Russia steeling themselves for what comes next. Putin has spoken already of the need to purify the nation by ridding itself of the fifth column.

Expulsion from the Council of Europe leaves the door open to reinstating the death penalty in Russia. The loss of access to the European Court for Human Rights is devastating for those who sought to use this international mechanism to hold the government accountable. Political prisoners and opposition activists on trial this week – Alexei Navalny, who yesterday got a nine-year term and Andrei Pivovarov will be on trial tomorrow. For them, this is a great loss, having the prospect of appeal to international mechanisms, especially the European court, is a way to put pressure on the regime and attract attention to political prisoners. Today there are

over 400 political prisoners in Russia, the number of those detained in anti-war protests is over 15,000. The OSCE and, of course, HDIM are another very significant avenue for civil society in Russia to try and hold its own government accountable.

The Kremlin's efforts of information control now extend to blocking social media and trying to isolate Russians from the global internet. Our approach should be to engage and connect with Russian people, even as we oppose the Russian government. There are technological means to bypass censorship which can be employed to reach out to the Russian public, by amplifying the voices of recently exiled Russian journalists and civil society. Putin's efforts to gather together the lands of the former empire apply not only to Ukraine and the countries of the Caucasus and Central Asia. Particularly Armenia, Georgia, and Kazakhstan, people have reason to fear that they can also become targets of aggression in the medium-term.

If they are to chart an independent and pro-democratic course, they need our attention and support. While public sentiment, even in the most authoritarian states, is sympathetic to Ukraine, the governments throughout the regions are reluctant to take a public stance. Uzbekistan is the only one in Central Asia that recognized Ukraine's territorial integrity, like, publicly reaffirmed it, and has stated that it will not recognize the independence of the breakaway republics. Russia has gained enormous leverage over Belarus. It is the main arbiter of the conflict in Nagorno-Karabakh and continues to maintain a military presence in Abkhazia and South Ossetia, giving it leverage over the Caucasus. And following the U.S. withdrawal from Afghanistan, Russia is the main grantor of stability in Central Asia.

We need to be more involved with each country, more in tune with their particular needs and predicaments. Supporting the EU application of Ukraine, Moldova, and Georgia is one such path. Building awareness in Armenian society that mending relations with Turkey would create opportunities for them abroad and open up other paths. Reinvigorating the Minsk process as a form of mediation for Nagorno-Karabakh, helping Georgians to overcome their bitter and polarizing divisions – these sorts of policies would strengthen these states and give them the space to embrace the sort of positions that they hold privately.

Central Asia lies between Russia and China, and yet it is often neglected in our strategic thinking. They're already suffering economic shocks and are likely to experience more turbulence as the currency continues to lose value and fears of wheat shortages and instability mount. Needlessly impoverished, they are governed by kleptocratic regimes that plunder natural resources from society and stash proceeds abroad. As these states try to maintain a neutral stance and resist pressure to support Russia, we can use this moment to reengage in the region and help them to strengthen their sovereignty and independence from Russia and China. Central Asia should not become collateral damage to sanctions, but rather be incentivized to pull away from Russia.

As a major destination for refugees, they can become a source of vibrant new diaspora communities of Afghans, Ukrainians, Russians. Given that Central Asia is eager to welcome foreign economic investment, we should make genuine democratic reform a necessary corollary. Finally, this moment of extraordinary human suffering, but also profound international solidarity, could be directed to strategic ends. In addition to standing with Ukraine and doing all in our

power to end the war, we may also consider some medium- and long-term goals, conduct systemic reform to counteract transnational kleptocracy, build regional solidarity among democratic groups throughout Europe and Eurasia to counteract authoritarian regimes, develop deeper relations with the states of Caucasus and Central Asia based on a nuanced understanding of their strategic predicaments while also holding them to democratic standards. Distinguish between Putin regime and its various enablers and the Russian people, preserve support and amplify the voices of Russian democrats now fleeing the country and those who remain inside. Thank you.

CARDIN: Well, thank you for your testimony. I think your final points are really important issues for us to double down on. So thank you for that summary. Let me start, and whoever wants to respond, maybe I'll start with the general. You talked about a Cold War. This is not a Cold War. And is there anyone here who believes that Russia's desires don't go beyond Ukraine? We know that they're already in Moldova and Georgia, but you mentioned many countries that are not NATO members that feel very threatened that Mr. Putin has his desire to use military against their borders?

So it's – the comparison about a Cold War I don't quite fully understand, because I do think that we'll see what – how much resources are used in Ukraine, but that Mr. Putin doesn't intend to stop at Ukraine. And those of us who feel a little bit more comfortable with the NATO alliance, I can tell you that our eastern partners don't feel particularly safe as to what's happening today, and feel that they're vulnerable, and that Mr. Putin could use his arsenal, which is an asymmetric arsenal, to provoke a conflict with a NATO country that could cause some confusion as to our responsibilities under the NATO treaty.

So I guess my question is, I'll start with General Breedlove if I might, is there any doubt in your mind that Mr. Putin, given the opportunity, would use his military beyond Ukraine?

BREEDLOVE: Thank you, Chairman, for the opportunity. No, there is no doubt. Again, those two documents that they gave us and said: Sign these or you'll get other measures – which we understand now – both of those outlined a very different Europe than we have now. In fact, it advocated moving NATO and equipment out of the bordering nations. And essentially I coined it as NATO back and U.S. out, to allow them room to re-expand into their border nations and set the same arrangements that they had during the Warsaw Pact and Soviet Union days. So, Chairman, I believe you're on it.

I actually believed we were in a warm war before Ukraine was invaded, again, for the third time, because if we look at all the actions that Mr. Putin and Mr. Gerasimov and others were doing below the line of kinetic response – all of the things to include the – I mean, the pipeline interruption in the southeast, where gas prices went out of control due to a Russian attack, they're meddling in elections all around Europe and the United States. The war was already on. It was just a below-the-line warm war. And now we see the true colors as Mr. Putin invaded Ukraine. And I agree with you one last time, Chairman. I do not believe this is the last of it.

CARDIN: Thank you. Before I go to the other two witnesses, I understand the ambassador's going to need to leave. Any final comments that you would like to make?

MARKAROVA: Thank you very much, Chairman, everyone on the Commission. Just wanted to say that unfortunately during these 28 days that we are fighting, and that Russia is brutally attacking Ukraine, we see that the support for Putin among Russian people actually increased. So it's not only one bad Putin who's responsible for this. It's unfortunately, you know, these imperialistic ideas and thoughts that cannot stand. The Ukrainians just want to be democratic and live in our own country.

So I just want to agree that this is not only about Ukraine, and that we – today I ask everyone to focus on more support to Ukraine, more sanctions on everyone, including the secondary sanctions that actually would preclude some countries to benefit from – and help Russia to continue having this war. And only together we can stop it. So I would like to thank you. And please use us as a resource. We're always here to come provide you with all the information. And we are thankful for all the support. Thank you.

CARDIN: Thank you, Madam Ambassador. You're always welcome. Thank you.

Dr. Kimmage, I want to give you a chance. You gave an excellent analysis of the Cold War and the challenges that we face in objectives during a Cold War, which I found to be very, very helpful in understanding history. So let me ask you the question, is there – do you believe that we could be entering a period of a cold war between the United States and Russia? That Russia would stop with Ukraine, regardless of how it ends? We expect Ukraine will maintain its sovereignty, and I don't mean to give any other outcome that we will accept, but do you believe Russia would want to enter a period of not challenging additional borders?

KIMMAGE: Thank you very much for the question, Senator. I think that there are a lot of direct parallels between now and the Cold War. And they cut in a couple of different ways. There's a zero-sum nature now to the conflict between—call it the West, we could call it the transatlantic alliance on the one side, and Russia on the other where, as already mentioned, Moldova, Belarus, lots of countries outside of Ukraine are going to be a part of this conflict. And I think Russia is very much bogged down in Ukraine. I think for reasons of military capacity there's no way that they're going to make a move on the Baltics, or on Poland, or any of these places. But we have to keep that in mind as a possibility, given how radical Putin has chosen to be with the war in Ukraine.

So, you know, I think the Cold War is relevant in two ways at the moment. One is that the Cold War was often itself hot. You had two hot wars for the U.S. in Vietnam and Korea. And the Cold War was full of proxy wars. You know, a lot of what the U.S. is doing in Ukraine is reminiscent of the U.S. did in Afghanistan in the 1980s, down to the Stinger missiles that – it's the same weapon that the U.S. was supplying there. So the proxy wars where borders move, where there's military engagement, where things are fluid and dangerous, that was the Cold War. That's the situation on the ground in Ukraine at the moment.

But there's one other aspect of the Cold War that's relevant at the moment. And this speaks to the question of no-fly zones and how far the U.S. should go. And one thing that the U.S. always tried to do during the Cold War was to avoid military engagements between uniformed American soldiers and uniformed Soviet soldiers. That was considered to be the threshold, you know, that you couldn't go beyond. And I think that that's still relevant now. I don't think that we would want uniformed American soldiers in Ukraine, I don't think we'd want them engaging Russian soldiers. I think the Biden administration has been very clear about that. That's what kept the Cold War cold, and that's still a relevant point at the present moment.

But proxy wars, there were a million of them. And we should draw as many lessons as we can about how to succeed with them because that's, in a way, what's happening right before our eyes in Ukraine.

CARDIN: Dr. Lanskoy, let me raise the issue of engagement. Because it's interesting, the Helsinki Final Act of 1975, Russia, the Soviet Union, was very interesting in pursuing that, because they wanted the legitimacy of being part of an organization that was committed to democratic principles that included the United States. So there was some reluctancy on behalf of the United States initially, but the Soviet Union was very anxious to be engaged. We're now looking at isolating Russia.

We are wondering whether – there was a suggestion made here – their role in the United Nations is certainly that we should be looking at, their role within OSCE is something that we're looking at, as to whether they should have full participation considering they violated all of their commitments within OSCE. Our sanctions, in a way, try to isolate Russia. And as you – I forgot which witness pointed out, the ICC, the availability of protection for some of their citizens, being part of EU, the Council of Europe – those issues do provide certain protection here and certain engagement. And yet, in our strategy to isolate Russia globally, on the table are further steps that could isolate the government even more. Your views as to the strategy, the pros and cons, and where should we be putting our priorities?

LANSKOY: Thank you very much, Senator, for that question. I wonder whether it can be known whether it's possible to isolate them in those settings where they exercise – where they have a platform, be promoting themselves in ways that are fundamentally inappropriate, but keep other mechanisms or other arrangements that do provide some leverage for protection for people who are victims of human rights abuses in Russia. And I don't – I don't think this is necessarily easy. (Laughs.)

And for the Helsinki Final Act, I think it was really a surprise to people how powerful the human rights components would become. It was at the time much more about security and economics, but it was this principle that the state was responsible both internally and externally. That was – that gave a push for the whole development of how we monitor human rights and try to pursue human rights. That principle, to me, is important. And if we can figure out how to sustain it. And it was a huge triumph at the time, the idea that the Soviet Union agreed to some kind of accountability on these issues.

So it's a shame to lose that, even though, of course, Russia should be isolated and punished. And I don't disagree with any of that. I just wonder whether it can be nuanced.

CARDIN: Good points. Senator Wicker.

WICKER: Well, thank you, Senator Cardin. And regrettably, I've been having to go in and out. It's a convenience that my office is right across the hall – (laughs) – but it also facilitates interrupting my ability to hear all of the witnesses. I assume, General Breedlove, you are still listening and part of this.

BREEDLOVE: Yes, sir. I am.

WICKER: OK. Well, it seems to me that your approach is starkly different form that of Dr. Kimmage. And I thought I would ask a question or two about that. You advocate – well, OK, let's go to the end game first. It seems to me that Dr. Kimmage believes this war cannot be won by either side. And my hope has been that actually Ukraine would eventually win and somehow would be able to expel the Russians from the territory that they've conquered.

So what is your view there? What is victory? And what is a satisfactory outcome, in your view?

BREEDLOVE: Senator, thanks for the opportunity. I do disagree a little bit with Dr. Kimmage, but it's – but then that's nuanced. How do you find a winner now after what's happened in Ukraine? Even if Ukraine is victorious at this point, the destruction of this country, the wanton criminality of this attack, is just horrendous. So, you know, to say that there's a clear winner would be tough.

But here's what I do believe. The world grossly misjudged the ability of the Ukrainian people to fight and misjudged their will, just like Mr. Putin misjudged both of those. And now we see a Ukrainian military that has held its own; not only held its own, but it's performed well against the Russians. And the Russians have made mistakes to facilitate that. But at this point we're starting to see the Ukrainian military turn around and make some very serios threats to the Russian forces.

So here is the outcome I would love to see, and that is that Mr. Putin's forces would culminate, based on all of the supply and morale problems that they're having and their ability to be able to fight Ukraine on their terms, and then Mr. Putin either chooses to cease work and try to sue for what he has in hand, or someone takes him from power in Russia and they sue for what they are in hand.

But I think, to the doctor's remarks, any conclusion at this point is not going to favor either side the way they want. And that's the main sticking point. I would never advocate for Ukraine having to give up any of the land that Mr. Putin has temporarily taken hold of. And I think that's going to be the major sticking point.

But I've been a little bit rambling here. But sir, I think that, given more help from external sources, Russia could continue on and cause a lot more problems for Ukraine. If Ukraine is allowed to fight as it is now, they have a fighting chance.

WICKER: OK, I'm going to continue, if the chair will indulge me, with some questions for you, General, and then see if we can get some responses.

Antiship missiles are to you an obvious next step to be provided by the United States and our allies to sink the Black Sea fleet. Of course, Russia is going to say this is escalatory. You also advocate sea mines, electronic-warfare systems to deceive, mislead, jam, and direct long-range precise fires, among others. So what do you say to people who say that would be an escalation and might lead to the use of chemical or nuclear weapons or might involve the United States in a war against Russia?

And then I'm going to ask you about the International Criminal Court.

BREEDLOVE: Senator, Mr. Putin is introducing everything that he has, to include supersonic missiles. He has changed tactics from trying to fight the military to his battle now is with the people of Ukraine. And so I guess my answer to you, sir, is not flippant or meant to be disrespectful, but Mr. Putin is introducing all manner of new kinds of weapons and capabilities.

So then why is it escalatory when Ukraine brings those same capabilities to the fore? And the reason that I push for coastal-defense cruise missiles is because Ukraine asked for them early. They were denied, and they really haven't come up again. But now we see Russia's fleet pounding Mariupol from the water and Russia's fleet preparing for the possibility of an amphibious landing nearby Odesa. So here is a navy threatening the army with these new asymmetric capabilities, and Ukraine is left without coastal-defense cruise missiles.

So I would just say there is no zero-risk way forward, but Mr. Putin is not deterred from bringing new weapons to the fight. Why would we deny Ukraine the ability to defend their coasts?

WICKER: And then, if I might, without prolonging this, how do you bring a charge of being a war criminal to – how do you begin proceedings at this point before the international tribunal?

BREEDLOVE: Sir, I am – I'm going to beg your forgiveness here. I'm not a lawyer. I would get our – that's one of those things I think NATO and our nation should be pursuing with the international courts, and do it in the appropriate way. I don't think you need a whole lot more evidence than what we're watching every day.

The ambassador talked about all the hospitals have been knocked down. We watched one of them in Mariupol happen on world TV screens. And I just don't think, if we had the right team of lawyers involved, this would be too hard to do. Sir, I'm sorry I don't know the details.

WICKER: OK, Dr. Kimmage, there's a lot for you to respond to if you care to. So I'll give you an opportunity.

KIMMAGE: Well, thank you, Senator, so much for the question.

I mean, I think that one thing that we can't do in this situation, to sort of pick up where the comments left off just a moment ago, is analogize to Yugoslavia in the 1990s and analogize Russia to Serbia. You know, Russia is just vastly bigger. It's a nuclear power. We're not going to be able to do to Russia what we did to Serbia in that conflict.

And so, in terms of bringing Putin to justice, there's every reason to – the war crimes arising as we speak – but unless we're able to defeat Russia and somehow – or the Russians overthrow Putin – he's going to stay behind that wall and be, I think, in many respects, impervious to those accusations. It doesn't mean that it's not good to make those accusations and to tabulate the names of Russian officers who commit war crimes and see what can be done, but it's not going to be Milosevic behind bars in The Hague at the end of this conflict, in my estimation.

And just to go back to the first question that you asked, I mean, it's my prediction – I would love for General Breedlove to be correct that Russian soldiers might mutiny, that the Russian population would rise up and put an end to a war that will be devastating for Russia. I think that that's self-evident at the moment. And for that reason, Russia might really pull back not just from the territory that they've occupied since February 24th but from Crimea. And we could have what we've strived for since I was in the State Department in 2014, which is a Ukraine that has its full sovereignty, independence, and autonomy.

But I think the law of averages suggests in this conflict, given that Russia's military is enormous, that they have all kinds of air power that they haven't used, they have lots of escalatory possibilities on their side, that Putin will not give up and that he will not surrender and that he will not back down, whatever that means in his terms.

You know, I think there are lots of good reasons for Putin to come to the table to negotiate, and there might be ways in the short term to do it. I think it's probably tricky, but my guess is that this conflict will end in a negotiated settlement. And it will be a dance, a long dance, between Zelensky and Putin as to who's willing to compromise on which point. But Ukraine won't get everything it wants and Russia won't get everything it wants. And it's really a question of time and, of course, a question of what happens on the battlefield.

But for Ukraine to expel Russian forces from its territory – you know, I'm not a military expert; I can't say what it would take in terms of what the U.S. would provide and what partners and allies of Ukraine would provide, but it just seems beyond what's really conceivable. And so that just points the arrow toward some kind of negotiated settlement at some point. That's my view of the conflict.

WICKER: Mr. Chairman, it might be fair to ask Dr. Lanskoy if she'd like to weigh in about any of these issues.

LANSKOY: Thank you.

I guess I would just add that, in addition, if we're speaking about war crimes, I would want to put Chechnya and Syria there as well among the –

WICKER: Absolutely.

LANSKOY: – among the cities that have been leveled and the kind of – (laughs) – the whole range of atrocities that has gone on. But I also – you know, there are efforts to document these things and there's already an ICC case opened on the Ukraine war and there's efforts to document – and it's been enormously important always to document and to seek proceedings, even if you can't ultimately carry it all out to the end, but at least you can establish what happened. And that will be – that is in itself enormously important, even if you can't get Putin himself behind bars or, you know, on the stand.

And those – you know, those kinds of efforts, I think, are very, very important. So we saw, for instance, some of the same military units and individuals engaged in Chechnya and then in the Donbas or in Georgia, often the same individuals, often the same kinds of war crimes. So, yes, I agree with what Dr. Kimmage just said in terms of it's not – it's hard to imagine Putin up there as – on trial. Yet the possibilities of holding even lower-level officials or military accountable, or even just having the records, is very important.

CARDIN: Congressman Cohen has been very patient. Congressman Cohen via Webex.

COHEN: I heard your response and that you support the utilization of airplanes from other former communist Soviet-bloc nations to Ukraine. What is your response to the Defense Department or administration thought that those planes would be shot down easily and that they would not provide as much help as the antiaircraft systems would that they're trying to secure through Turkey or other defense provisions?

BREEDLOVE: Well, sir, it would be hard for me to start arguing with my old department, but I would just say that the Ukrainian air force has done a pretty good job with the MiGs that they have. And so I would expect that they would do a pretty good job with any more MiGs they would get.

I do actually agree, though, that it's important that we get that medium- and high-altitude capability to Ukraine, because it's the combination of the surface-to-air missiles and the MiGs that really makes this capable. And so I would just say that, having led a few air campaigns and flown in a few air campaigns, having some more airplanes is pretty much normally going to be helpful.

COHEN: Well, I agree with you. I just wanted to know what your thoughts were.

President Zelensky addressed the Israeli Knesset, I believe, yesterday or the day before, and he expressed his displeasure at the fact that Israel had not helped them with an Iron Dome

system. I've visited Israel. I recall the Iron Dome. Many of the missiles that they intercept are more rockets from Hamas and whatever. Is the Iron Dome capable of helping with the type of missiles that are being fired by the Russians in Ukraine?

BREEDLOVE: That's what it's optimized for, sir. It's optimized for, as you talk about, the smaller missiles and the mortars and things like that. And it is a magnificent capability for doing that. I would focus first on getting them the S-300s and possibility the S-400s, which give them the medium- and high-altitude capability, and with the S-400 a little bit of an ability to intercept some of the missiles that are coming in. As you know, Russia has now fired over 1,100 missiles into Ukraine. And so that's a problem.

COHEN: My colleague, my ranking member, who's not on the call, Mr. Wilson, always asks about and advocated earlier some type of weapon called a Harpoon that's apparently effective with boats; ships, I think. We don't call them boats; we call them ships. What's the – what do you know about the Harpoon and the possible advantage to the Ukrainians and the facilitating of it from us?

BREEDLOVE: So that missile falls into the category that I was just talking to the chairman about, the coastal-defense cruise-missile capability. And actually, sir, what I would advocate for for coastal-defense cruise missiles is to work with our NATO allies to provide – both the Norwegians and the Polish militaries have really good coastal-defense cruise missiles that they could get to Ukraine faster than we could get Harpoons in there. And the Harpoon is a very different system, employed in a different way. They would be much quicker to bring about the NASAMS and the Polish kit if we were to work those two nations to get those capabilities to them there. But, sir, the point is, the Harpoons are a coastal-defense cruise missile, and I do advocate for giving them the capability to defend their coasts.

COHEN: The Russians have used hypersonic missiles. They are a scary thought because they're – I don't think we have an ability to stop them. And I suspect the Ukrainians don't either. Is that the main advantage of the hypersonic missile, the inability to be detected and/or deterred? And if that is the main inability, which I'm guessing it is, but we'll just kind of go on with that supposition, why do you think the Russians have only used them two or three times? And when they use them two or three times, is that just kind of a – they don't have a great inventory of those weapons, or are they just – or just kind of want to show the West we've got these missiles, and back off?

BREEDLOVE: So, sir, I'm a bit of a contrarian on this subject. They have fired, I think, at least two. And they used them to almost zero effect. They fired them just like any of the other 1,100 missiles that they have fired at targets, the very same targets. I think it was more sending a message to the West that we're upping the ante; we're going to start using some of these special weapons, et cetera.

But the fact of the matter is the Ukrainians have zero capability to defeat any of the 1,100 that were shot at them, much less now the hypersonic. So it really was not of consequence to the Ukrainians. And yes, sir, you were right. We even have trouble with defending against some of these capabilities.

COHEN: I guess those were my main questions. I don't want to take much more time. Let me ask you this. I believe you said in your testimony that some of our weapons have gotten there late and haven't been as – our logistics haven't been as quick or as effective. Is that the problem with our decision-making, or is that the problem with our military and/or our transit in getting them there?

BREEDLOVE: So, sir, what I was referring to were the Stingers. We got – we, the West, got Stingers there almost immediately. But a lot of those Stingers were two generations old and supplied by some of our allies. And we are thankful for them doing that. I'm not complaining about that. But we were slower getting the more advanced versions that we use in the U.S. military to them. And I believe that was a matter of releasability of some portions of the kit.

COHEN: There was some announcement I heard today of a possibility – this might have been a newsperson ruminating; might have been – (audio break) – the idea of us possibly contributing chemical masks or masks that would defeat chemical weapons. Do we have – (audio break) – to do that? (Audio break) – something in the media about that. Does that just kind of give Russia the idea that they're going to start doing it?

BREEDLOVE: Sir, I think that that's a tough question to talk about, because this is a big army and a big place. And I do not know – I've been out of the active military now for six years. I do not know the status of our supply, et cetera, et cetera. But to outfit an army with chemical gear, which is not issue one and wear it for five months; it's issue one, wear it a little while, issue another, wear it a little while. And so stocks are a big problem. I just – I am unqualified, sir, to talk to you about our – the depth of our supplies and our ability to provide those.

COHEN: Thank you, General Breedlove. I give back the balance of my time.

CARDIN: Well, let me thank all three of our witnesses. This has been an extremely helpful hearing. This information will be very helpful to us and it will be shared with all of our commission members and with the members of the House and the Senate.

And there being no further business, the hearing will stand adjourned with our thanks.

BREEDLOVE: Thank you, sir.

COHEN: Thank you all.

[Whereupon, at 4:26 p.m., the hearing ended.]