



COMPLICATED NEGOTIATIONS BETWEEN
LITHUANIA AND MOSCOW IN 1990–1992

Česlovas Vytautas Stankevičius

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(Translation from Lithuanian)



Dedicated to the 20th anniversaries of the
re-established independence of Lithuania,
the victory of 13 January 1991
and the withdrawal of the occupation army

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The freely elected Supreme Council of the Republic of Lithuania had the constitutional mandate of the Nation to restore the *full and complete* independence of the Lithuanian state. Having adopted the Act of 11 March 1990 and restored the independence of the Republic of Lithuania and its continuity *de jure*, the Supreme Council had a duty to implement the state's independence *de facto* as well. The publication covers 1990–1992, the period when Lithuania had to regulate its legal state relations with Russia avoiding the imposition of looming new ties with the Soviet Union under transformation then, to achieve the recognition of the independent Lithuanian state and to reach agreements, in 1992, with Russia on speedy withdrawal of the occupation army from Lithuania. It describes how those goals were attained during the complicated negotiations between Lithuania and the Soviet Union and the Russian Federation. The political coordination of the negotiations with Moscow was the responsibility of the Supreme Council. Vytautas Landsbergis, President of the Supreme Council, Head of the re-established Lithuanian State, and Vice-President of the Supreme Council led the negotiations while deputies of the Supreme Council were members of the Negotiation Delegation. The publication reveals the process of parallel negotiations between the Republic of Lithuania and the Soviet Union and between the Republic of Lithuania and the Russian Federation, differences of national positions and the results of the negotiations. The texts of related documents are available in the annexes to the publication.

As the empire of the USSR, which had occupied Lithuania for half a century, was experiencing a deep crisis of the totalitarian political system in the 1980s, Mikhail Gorbachev, the leader of the Soviet regime of the time, began a 'top-down' policy of restructuring the political and economic system of the Soviet Union (Rus. *perestroika*), introduction of wider publicity (Rus. *glasnost*), and international openness. Lithuania took advantage of the opportunity offered by *perestroika* and *glasnost* to hold free democratic elections and elected a legitimate Parliament of Lithuania – the Supreme Council. The representatives of the *Sąjūdis* platform for restoration of Lithuania's independence won an absolute majority of seats. The Supreme Council, which was a democratically elected assembly of national representatives, had a clear mandate of the nation to restore an independent Lithuanian state.

The Supreme Council of the Republic of Lithuania restored the independence of the state *de jure* by the Act of 11 March 1990. The fundamental documents of March 11 legally terminated the half-century annexation, abolished the illegal administration imposed on Lithuania by the occupying state, and established the constitutional continuity of the Republic of Lithuania which independently existed until 1940. This was the first constitutional step of the Supreme Council as a representative assembly exercising the mandate given by the nation. Under the mandate given by the people, the Supreme Council was authorised to fully restore the independence of the Lithuanian state, i.e. not only to declare it *de jure* but also to implement it *de facto*. All the consequences of the occupation and annexation were to be eliminated, the political system based on democratic principles was to be introduced, the public authorities of the sovereign state and the Lithuanian army were to be re-established, the control of the state borders

and territory were to be taken over from occupation structures and exercised independently. However, the primary and most challenging task that awaited the Supreme Council was to terminate the Soviet half-century-long occupation of Lithuania and usurpation of its sovereign rights, to implement the absolute political and legal independence of the Lithuanian state from the occupant power, as well as to restore the fully-fledged position and sovereign rights of the Lithuanian state within the international community and international organisations.

The publication discusses a part of the complicated process of the period between 1990 and 1992 of the actual implementation of Lithuania's independence that was *de jure* restored on 11 March 1990. This part of the process is related to the direct efforts of the Supreme Council in liberating Lithuania from any ties that were forcefully imposed on it by the Soviet empire since 1940, avoiding any new ties with the Soviet Union which was undergoing transformation, disposing of the occupation army, establishing equality-based inter-state relations between Lithuania and Russia, and restoring fully-fledged international recognition of the independence of the Lithuanian state.

The conditions for the actual establishment of Lithuania's independence after 11 March 1990 were especially complicated. Military forces of the USSR still held control of Lithuania's territory, air space, and state borders. Large combatant and special forces units of the Soviet Army with more than 200 000 troops were deployed on the territory of Lithuania, including its capital Vilnius as well as other major cities and strategically important locations, in 1990.

Under these circumstances, the fate of the actual independence of the Lithuanian state depended on the success of the negotiations, aimed at restoring inter-state relations based on international law, with the Soviet empire, which had occupied and completely annexed Lithuania half a century before, and which despite the policies of *perestroika* and *glasnost* pursued by Mikhail Gorbachev was not inclined to come to terms with the real independence of Lithuania.

The Parliament of the Republic of Lithuania, democratically elected on 11 March 1991, and the Government, as well as the entire Lithuanian nation, were showered with ultimatums and openly threatened with the military force of the Soviet empire. The structures of the Soviet Union engaged in subversive

activities inside Lithuania. Finally, the Soviet Union resorted to military force against Lithuania in January 1991.

The continuous and real direct threat to the preservation and consolidation of Lithuania's independence restored on 11 March 1990 was dispelled only when the Soviet empire, as the source of this threat, based on a totalitarian regime and power, ceased to exist and the control of its military forces and secret services was taken over by the government of the Russian Federation under the leadership of President Boris Yeltsin.

From 11 March 1990, Lithuania sought genuine negotiations between the two states on an equal footing. Through negotiations Lithuania wanted to restore the recognition of the independent state of Lithuania, resume relations between Lithuania and Russia (the Soviet Union) which were based on treaties before 1940, avoid any new imposed political or legal ties with the Soviet Union, agree on procedures and deadlines for the withdrawal of the occupation army from its territory without even any temporary juridical status of its presence. However, this will be discussed later on.

The author of the article believes that the success or failure to practically implement the independence restored *de jure* on 11 March 1990 depended on at least five essential factors: the strong will demonstrated by the Lithuanian nation to protect and defend the restored independence of the state; the consistent and firm policy of the Supreme Council of the Republic of Lithuania aimed at anchoring Lithuania's independence without stipulations through negotiations with Moscow; the process of liberalisation of the Soviet empire (*perestroika*) carried out by Mikhail Gorbachev; growing powers of the government of the Russian Federation led by Boris Yeltsin as an alternative to Gorbachev; and the evolution of the USSR relations between the USSR and the United States of America, as well as the most influential European countries, such as the United Kingdom, France, and Germany.

As is discussed further in the article, Lithuania's efforts to immediately implement complete independence were considered by Western leaders as dangerous and its future prospects as unrealistic. Soon, it was evident that Western countries expressed their reserved political support for Lithuania, called for a dialogue between Moscow and Vilnius, and warned Gorbachev

against using force; however, in support of Gorbachev's reforms, they would provide no direct assistance to Lithuania in achieving its complete independence through negotiations with the Kremlin. Therefore, Lithuania was left on its own to address, through negotiations with Moscow, the issue of relations with Moscow, which determined the fate of the independence proclaimed on 11 March 1990. The entire burden of responsibility for the actual implementation of independence, for negotiations with Moscow, their strategy, results, and possible outcomes fell on the then Head of the Lithuanian State, Vytautas Landsbergis, and the Supreme Council of the Republic of Lithuania under his leadership with the absolute majority of deputies elected with the *Sąjūdis* platform.

The Supreme Council of the Republic of Lithuania not only politically conducted the negotiations with Moscow, but also directly performed them. It was an organic role that the Supreme Council played. Firstly, it was the Parliament which had an exceptional constitutional mandate of the people to restore an independent state. Secondly, whereas according to the Provisional Basic Law effective from March 1990 until the adoption of the Constitution of the Republic of Lithuania in 1992¹, the *de jure* restored Republic of Lithuania had predominantly the features of a parliamentary republic. A separate institution of the President did not exist in the governmental structure of the Lithuanian state at that time. The President of the Supreme Council was the head of state and *ex officio* had the supreme authority to represent Lithuania in the sphere of international relations.² He conducted foreign policy, which was directed toward the primary goal of restoring the recognition of the independent state of Lithuania and its government, re-establishing inter-state relations with the Soviet Union and other foreign countries, and implementing Lithuania's sovereign rights in the international community and international organisations.

The Supreme Council set the composition of the delegations representing Lithuania at the negotiations with the Soviet Union and the Russian Federation, and defined their authority and concrete objectives for the negotiations. The

1 In order to ensure the continuity of the Republic of Lithuania in legal terms the validity of the 1938 Constitution was upheld on 11 March 1990, then suspended immediately afterwards. The Provisional Basic Law was enacted instead.

2 According to Article 86 of the Provisional Basic Law, "the *President* of the Supreme Council of the Republic of Lithuania shall be the highest official representative of the Republic of Lithuania and shall represent the Republic in international relations."

President and the Presidium of the Supreme Council coordinated, within their competence, the course of the negotiations with Moscow. The Supreme Council used to appoint its President and his Deputy as heads of the state delegations for the negotiations with the USSR and the Russian Federation, and members of the Supreme Council as members of the respective delegations. It is necessary to underline that respective members of the Government, competent representatives of governmental bodies, legal and other experts and specialists were also directly involved in negotiations as members of the delegations or their expert groups and made considerable contributions to the results of the negotiations.



About the author. Česlovas Vytautas Stankevičius was born on 27 February 1937. Signatory to the March 11 Act of Independence of Lithuania; 1990-1992 Member of the Supreme Council of the Republic of Lithuania, Vice-President of the Supreme Council of the Republic of Lithuania; 1990-1991 Member of the State Delegation for the Negotiations with the Soviet Union, authorised Head of the Delegation since February 1991; 1991-1993 Head of the Lithuanian State Delegation for the Negotiations with the Russian Federation; 1996-2000 Member of the Seimas and Minister of National Defence; 2001-2005 Ambassador of the Republic of Lithuania to the Kingdom of Norway; 2005-2008 Advisor to the Minister of Foreign Affairs; 2008-2012 Deputy Speaker of the Seimas and Chairman of the Seimas Committee on European Affairs.

THE PROBLEM OF LITHUANIA'S INDEPENDENCE IN THE CONTEXT OF RELATIONS BETWEEN THE WEST AND THE USSR

The policies of *perestroika* and *glasnost* pursued by Mikhail Gorbachev allowed the East and the West to end their confrontation, tear down the Iron Curtain, which had divided Europe, as well as enhance their mutual trust and more constructive cooperation. Gorbachev's new policy opened prospects for the USA together with the USSR to resolve important international problems, such as the partitioning of Germany and its capital Berlin after World War II, Germany's potential membership of NATO after its reunification, conclusion of treaties on conventional armed forces in Europe and reduction of strategic arms (ballistic missiles and nuclear warheads, START 1), as well as elimination of the threat caused by Iraq.

The political priority of the leaders of the USA and major European countries was support to Gorbachev and his *perestroika*, which led to changes in the totalitarian political system of the Soviet empire, created prerequisites for the fall of the Iron Curtain dividing Europe and put an end to the military confrontation between the USSR and the West and the Cold War. The leaders of the USA and the most influential countries in Western Europe associated the hopes of ending the Cold War and successfully resolving major international problems with Gorbachev as a long-standing leader of the USSR, and the successful course of his *perestroika* and *glasnost* policies, which was a primary interest of the West. Western leaders wanted Gorbachev to retain his control over liberalisation processes in the empire that possessed a huge nuclear arsenal and to ensure that these processes were irreversible and did not result in a revenge of totalitarian communist forces or sudden disintegration of the USSR that might lead to a risk of instability, which could harm the fundamental interests of the West.

The general public and many politicians in the West, especially members of parliaments, supported the efforts by Lithuania and two other Baltic States in

regaining their independence in a peaceful way. Following the Baltic human chain, which was a demonstration unprecedented in the world and organised by Estonians, Latvians, and Lithuanians back in 1989, the case of the Baltic States emerged and remained on the main agenda of the relations between the West, especially the USA, and the USSR.

The dialogue between the Presidents and Foreign Ministers of the USA and the USSR on the issue of the Baltic States, striving for their independence, in the context of mutual relations between the USA and the USSR was covered in depth by Strobe Talbott and Michael Beschloss, direct witnesses and famous experts in US foreign policy and its relations with the USSR in particular, in their book titled *At the Highest Levels. The Inside Story of the End of the Cold War*.³

The issue of Lithuania, as well as the other two Baltic States, emerged on the agenda of the US-USSR summit, at the first meeting of the leaders of the two states, Mikhail Gorbachev and George Bush in the stormy Mediterranean Sea near Malta on 2-3 December 1989. The US President stressed at the meeting that throughout the period of 49 years, the USA had never recognised the annexation of the Baltic States and had not relinquished aspirations to their independence.⁴ However, in favour of Gorbachev's *perestroika*, Bush asserted that if Gorbachev did not use power against Lithuania, the US Government would reciprocate with a restrained position on the issue of Lithuania since as Bush said, "We don't want to create big problems for you".⁵ Gorbachev promised to refrain from using military force against Lithuania acknowledging that otherwise it would mean the end of *perestroika*. He promised, "We'll look at *any form of association [between the Baltic States and the central Soviet government] that meets mutual interests*," nevertheless, he also underlined that the Kremlin would not tolerate a unilateral separation of the Baltics from the USSR because the USSR had the constitution to address this issue; therefore, the process would be neither easy nor swift.⁶

3 Beschloss, M. and S. Talbott. 1993. *At the Highest Levels. The Inside Story of the End of the Cold War*. Boston/London/Toronto.

4 Ibid, p. 164.

5 Ibid.

6 Ibid.

Since the free world considered the success of Gorbachev's liberalisation of the Soviet Union, which threatened world peace and international security, as a priority, Western leaders reacted to the unconditional independence declared by Lithuania with concern, seeing it as an additional problem created by Lithuanians for Gorbachev and his *perestroika* and a complication in addressing international issues that were more important to the West at that time. For instance, Jacques Attali claims that having learnt about the independence declared by the Lithuanian Parliament, Francois Mitterrand did not conceal his irritation, saying "*Lithuanians will ruin everything.*"⁷

After Lithuania's declaration of independence on 11 March 1990, the USA, as well as the European countries that had not recognised the forceful incorporation of Lithuania into the Soviet Union, faced a difficult problem of shifting from their policy of non-recognition of annexation to the policy of diplomatic recognition of Lithuania. Following the adoption of the Act of 11 March 1990 by the Lithuanian Parliament, US President George Bush sought to keep his promise given in Malta not to create more problems for Gorbachev. As mentioned above, the US President held the position of non-recognition of the forceful incorporation of the Baltic States into the USSR, but he was not going to replace it with the diplomatic recognition of the Baltic States. He instructed his advisers to draft a statement allowing him to walk a delicate line between the non-recognition of Lithuania's annexation and his attempt not to create too much trouble for Gorbachev. He authorised the White House Press Secretary Fitzwater to announce the statement.⁸

The Statement of the White House published on 11 March 1990 reads, "The United States has never recognized the forcible incorporation of the independent states of Estonia, Latvia, or Lithuania into the USSR. We have consistently supported the Baltic peoples' inalienable right to peaceful self-determination. The new Parliament has declared its intention to restore Lithuanian independence. The United States would urge the Soviet government to respect the will of the citizens of Lithuania as expressed through their freely elected representatives and expects the government of Lithuania to consider the rights of its minority population. [...] We call upon the Soviet government to address its concerns and

7 In *verbatim records* by Jacques Attali, Adviser to François Mitterrand (Tome 3 chronique des années 1988–1991. Paris: Fayard, 1995).

8 Beschloss, M. and S. Talbott. *At the Highest Levels*, p. 194.

interests through immediate constructive negotiations with the government of Lithuania.”⁹ Demonstrating a subtle balance in its position, the United States considered the acts adopted by the Lithuanian Parliament on 11 March 1990 as a declared intention to restore independence and urged the Soviet Government to respect the will of the Lithuanian citizens expressed by the Supreme Council, i.e. respect the adopted Act on Independence.

On 12 March 1990, Max Marlin Fitzwater, National Security Adviser to the US President, announced to the media, on behalf of the President, that the US would not grant diplomatic recognition to Vilnius as the Lithuanian government had to take control of its territory and destiny in order to gain recognition. Meanwhile, many members of the US Congress did not support the President’s position. On 21 March 1990, 116 US Senators and Congressmen wrote a letter to George Bush calling for immediate diplomatic recognition of Lithuania.¹⁰ On 22 March 1990, George Bush reiterated that the US had never recognised Lithuania’s annexation, “however, there are certain realities in life”, therefore, Lithuanians should talk with Soviet officials and resolve the existing differences of positions.¹¹ Since the essential difference in positions rested upon dependence or independence, Bush considered that the preservation of the integrity of the USSR at that time was more important to international peace and stability than an independent Lithuania.¹²

The official position of the French Minister of Foreign Affairs, Roland Dumas, was issued in a statement on 12 March 1990, which was formulated in the following way: “France has never recognised Lithuania’s annexation of 1940 and [...] the recognition granted to Lithuania in 1922 is still effective; despite the loss of sovereignty, the Baltic States, as the entities of international law, suffered annexation; therefore, they require no additional act of recognition.”¹³ At the press conference held on 20 March 1990, the French President Mitterrand said, “France has never recognised the fact of Lithuania’s annexation by the Soviet

9 George Bush, Presidential library and museum, Public papers, 1990-March.

http://bushlibrary.tamu.edu/research/public_papers.php?id=1637&year=1990&month=3

10 The resolution on immediate recognition of Lithuania’s independence was put to the vote in the Senate on 21 March (rejected by 59 against and 36 in favour). Beschloss, M. and S. Talbott. 1993. p. 199.

11 Beschloss, M. and S. Talbott. *At the Highest Levels*, p. 199.

12 *Ibid*, p. 196-197.

13 Satkauskas, R. 2001. *The Practice of France with Respect to the Baltic States // Baltic Yearbook of International Law*. Vol. 1. p. 116.

Union. We continue to believe that the country had the right to demand the recognition of its sovereignty [...] however, first of all, we believe that no force can be used during this crisis.”¹⁴

Western leaders, preoccupied with the success of *perestroika*, advocated for a dialogue between Lithuania and Gorbachev on a ‘mutually acceptable solution’. As can be seen further on in the text, the ‘mutually acceptable solution’ could have been a compromise on Lithuania’s independence accepting one or other form of state association with a new USSR planned by Gorbachev. This compromise would have been acceptable to the West too, also because Estonia and Latvia, differently from Lithuania, had taken a softer stance on the transition to their full independence. Thus, Estonian and Latvian independence directly depended on Lithuania’s ability to retain and consolidate its declared full independence.

Concerned with global objectives, the leaders of the most influential Western countries at the time did not envisage any realistic possibility for Lithuania to implement its full independence. The position of the United States and its allies can be briefly described as follows: Lithuania’s independence declared by the representatives, democratically elected by the Lithuanian people, expressing the will of the nation has to be respected, the problems that the USSR experiences as a result have to be addressed without using force, while the conflicting parties must seek a ‘mutually acceptable solution’ through constructive negotiations. This attitude of the West directly pointed at a compromise on the independence itself. In other words, the independence, in future negotiations, should have been regarded as the subject-matter of the negotiations. Consequently, in the future negotiations between Lithuania and the Soviet Union, the latter would have been granted a clear advantage in advance, therefore, the results would have depended on whether and how they were acceptable to the government of the USSR.

The Lithuanian leader Vytautas Landsbergis and the Supreme Council faced a dilemma of either accepting “certain realities” and agreeing to the immediate beginning of dialogue on unequal footing with the USSR on a so-called mutually acceptable solution, i.e. the degree of autonomy from the reformed

14 Landsbergis, V. 2010. *Kovo vienuoliktoji prieš dvidešimt metų ir šiandien*. (March 11 Twenty Years ago and Today) Vilnius, p. 53.

USSR, or persistently seeking negotiations where Lithuania and the USSR would engage as equal sovereign states and full independence of Lithuania declared by the Act of 11 March 1990 would be implemented without any reservations. Landsbergis and the majority of the *Sąjūdis* Members in the Supreme Council were determined to hold the latter stance.

Nevertheless, we must admit and acknowledge that the condition attached by the US President George Bush vis-à-vis Gorbachev on the non-use of force was an important factor which made a crucial impact on the leadership of the USSR, preventing them from the attempt to overturn the democratically elected Lithuanian government by military force right after 11 March 1990 and delaying it until 13 January 1991. This gave ten months of precious time for Lithuania to establish the declared independence as a political reality on the international level.

THE VIABILITY OF THE 11 MARCH ACT PUT TO THE TEST

Soon after the Act of 11 March 1990 on the Re-establishment of the State of Lithuania was proclaimed, Lithuania approached the administration of the USSR with the proposal to start negotiations. In his letter of 12 March 1990 written on behalf of the Supreme Council, Vytautas Landsbergis, President of the Council, informed the then Chairman of the Supreme Council of the USSR Mikhail Gorbachev about the adopted Lithuanian acts of independence and presented an official offer to the USSR to start negotiations regarding the settlement of the issues related to the restoration of the independence of Lithuania.

On 12 March, the extraordinary USSR Congress of People's Deputies started in Moscow where the law on the alleged "secession" of the USSR republics from the USSR had to be adopted. It was drafted in a way which made "secession" impossible. The Congress elected Mikhail Gorbachev President of the USSR. On 15 March 1990, the Congress passed the resolution which established that the "unilateral decrees" of 11-12 March 1990 of the Supreme Council of the Republic of Lithuania were "invalid". The Congress established that "until the procedure and consequences of secession from the USSR are determined by law, the unilateral decrees of the Supreme Soviet of the Lithuanian SSR, which violate Articles 74 and 75 of the Constitution of the USSR, are invalid". The Congress assigned the President of the USSR to ensure "the rights and interests of the USSR, as well as union republics, on the territory of the Lithuanian SSR."¹⁵

Gorbachev sent the Congress resolution to Landsbergis and demanded to be informed about its implementation within three days. On 18 March 1990, in his letter to the President of the USSR Mikhail Gorbachev, Landsbergis replied that the conclusion of the USSR Congress of People's Deputies on the invalidity of the decisions of the Supreme Council of the Republic of Lithuania "lacks a legal

15 Document 3. The Road to Negotiations with the U.S.S.R., State Publishing Centre, Vilnius, 1991. p. 72.

basis”.¹⁶ On 22 March 1990, in a letter written on behalf of the Supreme Council of the Republic of Lithuania addressing the deputies of the USSR, Landsbergis expressed protest against the resolution of the Congress and indicated concrete USSR legal acts which the resolution contradicted. In the letter, Landsbergis confirmed that the Republic of Lithuania was ready to immediately enter into negotiations with the USSR.¹⁷

On 31 March 1990, USSR President Gorbachev addressed the Supreme Council of the Republic of Lithuania with the first ultimatum to Lithuania. In his address, he underlined that the path Lithuania had chosen was disastrous and demanded “immediate repeal of the adopted illegal acts at the session of the Supreme Council of the LSSR”. He also added that “this step would open a possibility to consider the whole complex of existing problems on *the only acceptable basis – the Constitution of the USSR*.” On 2 April 1990, the Presidium of the Supreme Council of the Republic of Lithuania replied to Gorbachev that it was ready “to discuss Lithuania’s legal status from the Soviet Constitutional and international legal perspective”¹⁸ at any level with the representatives of the USSR government. Readiness for dialogue was once again endorsed in Landsbergis’ letter of 5 April 1990 to USSR President Gorbachev.¹⁹

Although the resolution of 24 December 1989 of the USSR Congress of People’s Deputies, signed by Gorbachev, had proclaimed the Soviet-German secret agreements of 1939 null and void while indirectly recognising the forced incorporation of Lithuania, Latvia, and Estonia into the Soviet Union in 1940 illegal, once again after 11 March 1990, just like in June 1940, the USSR chose to speak with Lithuania in the language of ultimatums and had no intentions of entering into negotiations.²⁰ In March 1990, the Soviet Union deployed 3000

16 In the letter, Landsbergis quoted the following comment of the USSR professor of the constitutional law and Deputy Chairman of the USSR Supreme Council Anatoly Lukyanov, “The right of the Soviet republics to secede from the Soviet Union is unconditional; therefore, its realisation does not require consent from the USSR.”

17 Document 6. The Road to Negotiations with the U.S.S.R., State Publishing Centre, Vilnius, 1991, p. 75-77

18 Ibid, doc. 13. p. 85-87.

19 Ibid, doc. 18. p. 91-92.

20 In this context it is worth noting that the then Lithuanian Foreign Minister Juozas Urbšys, who had received Stalin’s ultimatum to Lithuania on 14 June 1940, though already was in poor health after serving his sentence in Siberia’s prisons, felt it his duty to contribute to the search for a way of renewing legal relations with the Soviet Union. Urbšys handed over his suggestions to the Supreme Council from Kaunas on 2 April 1990. In his letter he wrote the following (quote taken from the copy of the author’s personal archive), “I am sending you a draft resolution which could perhaps be a suitable reply to the [USSR] President’s demand. I imagine that the following procedure could take place: 1. The demand of the [USSR] President is read

additional paratroopers in Lithuania, began seizing civilian buildings with military force, threatened the Supreme Council by tanks moving close at night, and ordered foreign diplomats to leave Lithuania.

In response to the USSR's demonstration of military force in Lithuania, the US administration warned Anatoly Dobrynin, the USSR Ambassador to the US, that should the Soviet Union use force against Lithuania, the US would respond accordingly. On 26 March 1990, US Senator Edward Kennedy flew to Moscow.

(continued)

in the Supreme Council [of Lithuania] and without further discussions the Presidium [of the Supreme Council of Lithuania] is assigned to prepare a reply. 2. In the next sitting, the Presidium presents the draft reply to the Supreme Council. By avoiding reckless opinions and reprehending the opposite side, it is deliberated [at the Supreme Council] and finally edited.”

The draft resolution of the Supreme Council of Lithuania, handwritten by Urbšys, was based on the resolution of 24 December 1989 of the USSR Congress of People's Deputies on political and legal assessment of the German-Soviet Non-Aggression Pact of 1939. The draft resolution quoted excerpts of the USSR's resolution on the relations between the Soviet Union and Lithuania and Estonia which were regulated by treaties at the time. It also referred to the treaties of 1920, 1926-1933, and 10 September 1939, including the commitments undertaken by the parties. They were followed by a quote from the resolution of the USSR Congress of People's Deputies on the assessment of the illegitimacy of the German-Soviet Non-Aggression Pact and its secret protocols.

The draft resolution stipulates that “the Supreme Council of Lithuania takes into consideration the resolution of the USSR Congress of People's Deputies denouncing Stalin's actions which violated contractual obligations of the Soviet Union with regard to Lithuania and considers the resolution the USSR's re-entry into earlier agreements as a solid basis providing an opportunity to renew the friendly relations that connected Lithuania and the Soviet Union (...) prior to the events of 1940.”

The draft resolution, proposed by Urbšys, is worded as follows, “The Supreme Council of Lithuania is convinced that both parties' return to the treaty of 10 October 1939 would be a good instrument and basis of bringing the current relations between Lithuania and the Soviet Union to a peaceful and steady phase where mutual interests are respected.”

One can see the following motives in the draft resolution proposed by Minister Urbšys. On the one hand, since the supreme body of the Soviet Union recognised the violation of the treaties with Lithuania that existed until 1939, the Soviet occupation of 1940, and the annexation of Lithuania as illegitimate, the USSR could engage in revising the Treaty of 10 October 1939 “without losing face”. On the other hand, by the 10 October 1939 Treaty the USSR “returned” Vilnius and a large adjacent area to Lithuania, which had been recognized to belong to Lithuania by the Treaty of 12 July 1920 and which was later occupied by Poland. Furthermore, by coming back to the renewal of the Treaty of 1939, the Soviet Union would recognise the continuity of the Republic of Lithuania. Finally, pursuant to the Treaty of 1939, the Soviet Union should terminate the occupation of Lithuania and could leave a set size of army garrison (bases) for only a limited period of time.

Minister Urbšys's suggestion was considered in the club of the Members of the Supreme Council majority, elected from the *Sąjūdis*. The links between the Treaty of 10 October 1939 and the Molotov-Ribbentrop Pact, including the circumstances and consequences of its forced imposition on Lithuania, were assessed. It was unanimously concluded that negotiating the revision of the 1939 Treaty which was forcefully imposed on Lithuania was not acceptable.

He asked Gorbachev whether there could be any circumstances under which he would use force against Lithuanians. Gorbachev replied that “*force would be used only if there is violence that threatens the lives of others*”.²¹ Thus, all that USSR structures needed to do was to organise provocations which would be a pretext to use military force. Having received a report from Kennedy, on 29 March 1990 President Bush sent Gorbachev a private letter where he reminded him of the meeting in Malta and repeated that he did not want to aggravate Gorbachev’s dilemmas; however, Bush urged Gorbachev to keep to his promise not to use force against the Baltic States.

Washington started looking for a possibility of compromise between the essential positions of the Republic of Lithuania and the USSR. When Eduard Shevardnadze arrived in Washington on 3 April 1990 to plan a meeting between Bush and Gorbachev to be held in May, US State Secretary, James Baker, asked him: what if Vilnius were not to repeal but just to suspend the Act of 11 March? Would the Soviets be ready for a “meaningful, serious dialogue” with Lithuania and “lift the sanctions”? Instead of providing a direct answer, Shevardnadze only said, “*The Lithuanians will come around. There is a split in the Lithuanian leadership. Things will work themselves out.*”²² Later, at the meeting of the two ministerial advisers Dennis Ross and Sergey Tarasenko, the latter explained, “We’re willing to go along with your idea of a suspension of the independence decree. But the Lithuanians have to be willing to come to Moscow. Gorbachev felt humiliated when he asked Landsbergis to come to Moscow and Landsbergis refused.”²³ Baker conveyed this news to Landsbergis.²⁴

In the meantime, Gorbachev kept to his adamant position. On 14 April 1990, Mikhail Gorbachev and Nikolai Ryzhkov²⁵ presented the second ultimatum to Lithuania in the letter addressed to the Supreme Council and Government of Lithuania. They demanded repeal of all the previously adopted acts establishing the independence of Lithuania and *restoration of the status of Lithuania which existed prior to 10 March 1990* within the next two days. If the Supreme Council failed to meet the demand within two days, they threatened to terminate the supply of produce from the Soviet republics which was crucial to Lithuania. It is

21 Beschloss, M. and S. Talbott. 1993. p. 200.

22 Ibid, p. 202.

23 Ibid.

24 Ibid.

25 Chairman of the Council of Ministers of the USSR.

important to note that by demanding the repeal of the legal acts adopted by the Supreme Council of the Republic of Lithuania, Gorbachev no longer contested their legitimacy and validity. Perhaps, he took into consideration the urge of the US president of 11 March 1990 to respect the will of the citizens expressed by the parliament of the Republic of Lithuania.

Since Lithuania did not comply with the ultimatum, the Soviet Union embarked on an economic blockade of Lithuania on 18 April 1990. Oil imports to Lithuania were brought to a halt and the supply of raw materials and materials necessary for the industrial production of Lithuanian companies was blocked. On the same day, the Supreme Council of the Republic of Lithuania adopted a resolution²⁶ which endorsed its allegiance to the Act of 11 March and resolved: “1. Not to adopt new political legal acts before 1 May 1990, during the preliminary consultations between the Republic of Lithuania and the USSR *in case they started*. 2. Invite the Soviet Union to renounce any violence, economic included, against the Republic of Lithuania and its citizens. 3. Propose the Soviet Union to start consultations on the negotiations with the authorised delegation of the Republic of Lithuania.”

The US president warned Gorbachev that the crisis in Lithuania, triggered by the blockade, threatened to disrupt the US-USSR trade agreement the drafting of which was almost completed. Seeking to include Germany and France in the Lithuanian case, Bush encouraged Helmut Kohl and François Mitterrand to send a letter to Landsbergis suggesting suspension of the Act of 11 March.²⁷ In their joint letter of 26 April 1990, Mitterrand, President of France, and Kohl, Chancellor of the German Federal Republic, addressed the head of the Republic of Lithuania, Vytautas Landsbergis²⁸, and suggested that Lithuania should *temporarily suspend the after-effect of the parliament resolutions [11 March 1990]*. Thus this way the resolutions themselves would not lose their value, i.e. it would not mean the renunciation of the independence but instead would be a handy instrument to speed up the negotiations with the Soviet Union. An important difference was that the wording used by Mitterrand and Kohl

26 Resolution of the Supreme Council of the Republic of Lithuania of 18 April 1990 on the Development of Relations between the Republic of Lithuania and the Soviet Union.

27 Beschloss, M. and S. Talbott. 1993. p. 206.

28 *Lietuvos Respublikos užsienio politika 1990-1991 (Foreign Policy of the Republic of Lithuania)*. 2007. Vilnius, MFA and VSU. p. 61-62.

intended *the suspension of the decisions* arising from of the Act of 11 March to be *a condition for starting the negotiations*; meanwhile, in its Resolution of 18 April 1990, the Supreme Council of the Republic of Lithuania saw *the beginning of the negotiations as a condition not to adopt new decisions* resulting from the Act of 11 March.

On 3 May 1990, the US president set a meeting with Kazimira Danutė Prunskienė, Prime Minister of the Republic of Lithuania, in the White House, thereby clearly showing his preference for her over Landsbergis.²⁹ At the meeting with the US President, Prunskienė “*offered to postpone the full implementation of independence until 1992 if negotiations with Moscow were proceeding constructively.*”³⁰ Bush commended Prunskienė’s patience and farsightedness.³¹

On 12 May 1990, Landsbergis together with Anatolijs Gorbunovs, Speaker of the Latvian Parliament, and Arnold Rüütel, Speaker of the Estonian Parliament, agreed to go to Moscow at Gorbachev’s invitation to participate in a sitting of the Federation Council of the Soviet Union headed by the President of the USSR. The Council was composed of heads of parliaments of the USSR republics; therefore, Landsbergis did not attend them, having been previously invited by Gorbachev to the Council sittings. This time, Landsbergis, Gorbunovs and Rüütel decided to participate in the sitting of the Council together, but only as observers, and later on have the promised separate meeting with Gorbachev. Such a meeting did take place and Ryzhkov, Chairman of the Council of Ministers of the USSR, also participated in it. During the meeting which, according to Landsbergis, came along in a rather constructive atmosphere, the leaders of the Soviet Union kept explaining that the blockade would be lifted once Lithuania found a way *to repeal* the “*declaration*” of 11 March; thus, all that was needed was finding a formula which would open the door for a dialogue.³²

On 16 May 1990, Landsbergis, Head of State, and Prunskienė, Head of Government, signed a joint declaration of the Parliament and Government of Lithuania in which they stated that during the period of inter-state negotiations with the USSR, Lithuania agreed to temporarily suspend the unilateral

29 President Bush met Landsbergis only well over half a year later, i.e. on 10 December 1990.

30 Beschloss, M. and S. Talbott. 1993. p. 207. On page 204, the authors write that the two-year suspension of independence was the Kremlin’s idea.

31 Ibid, p. 207.

32 Landsbergis, V. *Lūžis prie Baltijos (Breakthrough at the Baltic)*. Vilnius, 1997. p. 194.

implementation of the decisions resultant from the documents restoring the independence of Lithuania which could be an object of the negotiations. Prunskienė wished to go to Moscow on 16 May 1990 and present the declaration to the Soviet Union leaders herself. On 17 May 1990, she met with the USSR President Gorbachev and Prime Minister Ryzhkov.

After she came back from Moscow, Prunskienė informed the Supreme Council of the Republic of Lithuania that the leaders of the Soviet Union did not voice categorical demands to repeal the Act of 11 March; however, they wanted it to be suspended temporarily. They considered the formula provided for in the declaration of the Supreme Council concerning the suspension of the unilateral actions or unilateral decisions insufficient because the declaration concerned only the suspension of actions resultant from the documents of 11 March 1990. They wanted a decision to be taken which would “*temporarily suspend the documents of the Supreme Council and start dealing with a whole set of questions related to the restoration of the independence of the country.*”³³ It is important to note that among the practical issues to be addressed, the leaders of the Soviet Union also named *the question of the territory of Lithuania*. In the sitting of the Supreme Council, Prunskienė confessed that she intended to head the future negotiations herself: “I hastily said that, perhaps, most probably I will be heading the delegation during the [process of] practical negotiations.”³⁴

After the meeting with Baker on 18 May 1990, Gorbachev promised to start direct negotiations between Moscow and Vilnius only on the condition, however, that the Parliament of Lithuania suspended the declaration of independence. Gorbachev described the 17 May 1990 meeting with Prunskienė to Baker in the following way, “I had a good discussion with Mrs Prunskienė. *She will go back to her parliament and argue for suspension of the declaration of independence. I hope she’ll manage to get it through.*”³⁵

On 17 May 1990, the Lithuanian representatives Kazimira Danutė Prunskienė, Česlovas Vytautas Stankevičius and Bronislovas Juozas Kuzmickas met with US State Secretary James Baker at the US Embassy in Moscow. Baker imparted the US wish that the Supreme Council of the Republic of Lithuania would step up

33 Verbatim records of the 19 May 1990 sitting of the Supreme Council.

34 Ibid.

35 Beschloss, M. and S. Talbott. 1993. p. 211.

the adoption of a necessary resolution of the Supreme Council in implementing its preparation for the negotiations. The Lithuanian representatives explained to Baker that the most important documents could not be suspended because in that case the status of Lithuania would become ambiguous and Lithuania would enter into the negotiations as the Lithuanian Soviet Socialist Republic. Baker acknowledged that there were no guaranties that Lithuania's status in the negotiation process would be that of an independent country. As for the suspension of the underlying acts, according to him, it was more likely a matter of semantics, because suspension did not imply annulment and the 'frozen' acts could once again be 'de-frozen'.³⁶

Since Gorbachev had declared that the form of a declaration was not satisfactory and thus a legal act – a resolution of the Supreme Council – was necessary to be adopted, on 23 May 1990 the Parliament of the Republic of Lithuania passed a resolution the provisions of which were similar to the ones of the declaration of 16 May 1990, i.e. to “*suspend the implementation of those actions and decisions resultant from the Acts of 11 March 1990 which are related to interests mutually defined as objects of negotiations in the period of official inter-state negotiations.*” Gorbachev stated to the Lithuanian *representatives* who delivered the resolution to Moscow³⁷ that the resolution of 23 May 1990 was not satisfactory too. Gorbachev claimed that he purportedly “*does not object in essence to Lithuania's secession from the Soviet Union*”, but it required negotiations, and the condition for starting the negotiations was the suspension of the Act of 11 March.

Being aware of the dominant attitude among the members of the Supreme Council against the announcement of a moratorium directly on the Act of 11 March, President Landsbergis did not initiate the adoption of the more dangerous resolution of the Supreme Council required by the Kremlin.

On 16 June 1990 on behalf of the Government, Prime Minister Prunskienė initiated a *draft* resolution of the Supreme Council of the Republic of Lithuania on a moratorium. It was first announced on the radio and only then Prunskienė presented it to the President and Presidium of the Supreme Council. In her book called *Gintarinės ledi išpažintis* (Confession by the Amber Lady) she explained why it was done particularly in this way, “*Having announced it [the*

36 Verbatim records of the 19 May 1990 sitting of the Supreme Council.

37 Egidijus Bičkauskas.

draft], we had consolidated our initiative and the process had to be further taken up by all the Lithuanian people, because there were many of those interested in getting out of the blockade as soon as possible.”³⁸ In the press release distributed by the Government Information Agency, it was stated, “This *step* of Lithuania will be an active and positive action assessing the position which was expressed specifically by the Eastern and Western political powers to solve the problem of Lithuania with *an approach that is acceptable to all*” (sic!).

On behalf of the Government, Prunskienė’s draft suggested formulating the resolution of the Supreme Council in the following way, “For the period of the negotiations with the Soviet Union, the Supreme Council of the Republic of Lithuania announces a *temporary moratorium* on the Act of 11 March 1990 of the Supreme Council of the Republic of Lithuania *on the Re-establishment of the State of Lithuania*.”

Thus the draft proposed to declare a moratorium on the Act itself and not on the actions implementing it. It also referred to the negotiations in general, neither defining their inter-state character, nor the subject to be negotiated. Such a resolution was absolutely unacceptable to the majority of members of the Supreme Council because it did not comply with the provisions which had already been formulated in the previous documents adopted by the Supreme Council.

Head of State Landsbergis started preparing alternative versions of the draft “moratorium”. It took two weeks to draft the new versions with all terms, conditions, and safeguards needed for inter-state negotiations. When at least four versions of the resolution were drafted, Landsbergis decided to meet with Gorbachev and preliminarily inform him of the potential decisions of the Supreme Council.

The meeting between Landsbergis and Gorbachev took place in the Kremlin on 26 June 1990.³⁹ Gorbachev started the conversation by saying, “We have been waiting for your decision for a long time. A solution is needed... We have reached the stage when all the republics have adopted their basic documents

38 Prunskienė, K. 1991. *Gintarinės ledi išpažintis* (Confession by the Amber Lady). p. 64.

39 Apart from Landsbergis, the meeting was also attended by the author of this publication, by Egidijus Bičkauskas, Mikhail Gorbachev, and Anatoly Lukyanov.

and, on this basis, started working on the union treaty. All issues will be settled along these lines.”

Landsbergis presented Lithuania’s standpoint towards the demand for a moratorium. He said that it was impossible to impose a moratorium on the Act of 11 March. It was only possible to talk about the suspension of the actions arising from this Act, which were relevant to the USSR. There was an essential question whether the moratorium on actions would be effective from the beginning of the negotiations and for how long. Therefore, there was a need for negotiations or consultations on negotiations. Negotiations should commence only following an agreement on the subject of the negotiations, on the parties to the negotiations as well as the terms and conditions of the negotiations. One should also define what would happen in the case negotiations broke down due to the inability of the Supreme Council to perform its functions. When Landsbergis finished, Gorbachev said, “It seems that you are softening your position when you talk about suspension. Let me read your versions.”

Having carefully read the Russian translations of the draft resolutions of the Supreme Council of the Republic of Lithuania, Gorbachev said the following comment, “We are not progressing with the necessary decisive step. All the republics make their decisions and submit their proposals. Thus we are approaching talk on the new treaty on the union of sovereign republics with due regard to multilateral cooperation between our nations. [...] You have been ignoring it. You are proceeding as if nothing has happened.” Landsbergis replied, “We have our position which is reflected in the draft resolution.”

Gorbachev was trying to be persuasive, “Returning to 10 March [1990] is necessary for two to three months *until* we find a solution and *decide on future inter-state links*. This may be links of a confederation or those of association which will not restrict your sovereignty, except for the matters you transfer to the union. Differentiated bonds [of a union] should not put you off. A commonwealth would be worse. [...] We must take the course towards a union. You [come up] with your proposals, we with ours, so we need to compare them. With the launch of the process, all restrictions [i.e. blockade] will be revoked. But the moratorium and the return to March 10 go first. [...] At the moment, a chance should not be missed for you to be able to submit your proposal to

suspend the Act without revoking it. It's just a manoeuvre.”⁴⁰ In response to Landsbergis's statement that it was impossible for the nation to return to 10 March 1990 and that this demand was leading to an impasse, Gorbachev urged, “*A decision should be made, Vytautas Vytautovich.*”⁴¹ When the author of this publication reminded that Lithuania's draft version provided for the moratorium on the actions resulting from the Act, Gorbachev was short, “It is an old position.”

The next day, on 27 June 1990, Landsbergis, President of the Supreme Council of the Republic of Lithuania, this time together with Prime Minister Prunskienė met with Gorbachev in his residence. The meeting was also attended by Anatoly Lukyanov, Chairman of the USSR Supreme Soviet; Nikolai Ryzkov, Chairman of the USSR Council of Ministers; and Anatoly Yakovlev, Gorbachev's right-hand man, representing the USSR, and Supreme Council deputies Vladimiras Jarmolenko, Česlavas Okinčicas and Saulius Šaltenis, representing Lithuania. Gorbachev tried once again to convince Lithuania's delegates to go for a compromise: the Lithuanian side had to suspend the Act of 11 March, while the USSR would not demand to revoke it. Landsbergis pointed to the change in Gorbachev's yesterday's position, “Now he talked about finding the right formula of seeming suspension of the Act of 11 March, in particular its implementation, for some time. They could have decided that last night. [...] The moratorium meant the suspension or freezing of the actions under the Act of March 11, the details, however, being unclear. [...] Upon our departure, the most important thing for us was the USSR's consent to negotiate, even though on the condition of the moratorium.”⁴²

Instead of a resolution that the USSR leadership requested, on 29 June 1990 the Supreme Council of the Republic of Lithuania adopted a new statement declaring that the Supreme Council, “[...] *aiming at inter-state negotiations with the USSR announces, upon the launch of these negotiations, a 100-day moratorium on the Act of 11 March on Restoration of the Independent State of Lithuania, i.e. suspends the legal actions arising therefrom. The start, objectives, and terms and conditions of the negotiations between the Republic of Lithuania and the USSR shall be set out in a special protocol approved by the delegations*

40 Quote from the author's notes taken during the meeting.

41 *Russian: Nuzhno reshitsia, Vytautas Vytautovich.*

42 Landsbergis, V. *Lūžis prie Baltijos* (Breakthrough at the Baltic). Vilnius, 1997. p. 201.

authorised by the parties.” The statement provided for the extension or revoking of the moratorium by the Supreme Council; *in the case of* the collapse of the negotiations or the inability of the Supreme Council to carry out the function of state governance would have made the moratorium null and void. Following two days of consideration of different versions of the statement at the Supreme Council, the aforementioned text was adopted by a vote of 69 to 35 with 2 abstentions and 4 non-votes.

As we see, the Supreme Council’s statement of 29 June 1990 stipulates a) that the moratorium would *apply to the legal actions arising from the Act of 11 March and b) become effective only when the protocol on the start of the inter-state negotiations between the USSR and the Republic of Lithuania is signed.* However, the statement with the key word “moratorium” was sufficient for Gorbachev to lift Lithuania’s blockade on 1 July 1990 without losing face.

The following chapter describes the consultations between Lithuania and the USSR on the protocol on the start of the negotiations between the parties provided for in the statement of 29 June 1990 of the Supreme Council and the “negotiations on negotiations”. It is noteworthy to say that the imposition of the moratorium on the legal actions arising from the Act of 11 March was avoided because the Soviet Union did not agree to sign the protocol on the start of the negotiations. Therefore, at the end of December 1990, the Supreme Council simply had to announce the statement of 29 June 1990 null and void.

Though the world press interpreted the statement of 29 June 1990 as the Lithuanians’ major concession to Gorbachev, who allegedly cracked down on them, the Act of 11 March was safeguarded from the moratorium directly applicable to it, and the status of the restored independent state of Lithuania escaped ambiguity. Thus, the Act of 11 March remained viable, withstanding the three ultimatums of 31 March 1990, 14 April 1990 and 10 January 1991 by Soviet Union President Gorbachev demanding to revoke the Act, avoiding the imposition of the moratorium, and persisting through the military aggression of 13 January 1991.

THE COURSE OF LITHUANIA'S PARALLEL NEGOTIATIONS WITH THE USSR AND THE RUSSIAN FEDERATION

Phase I: from the end of Lithuania's economic blockade on 1 July 1990 to the armed aggression of 13 January 1991

The chapter above shows that the bilateral political dialogue between the Republic of Lithuania and the USSR was actually enabled as late as the beginning of July 1990 when the USSR leadership ceased demanding to revoke the Act of 11 March and agreed to negotiate with Lithuania. Since Lithuania needed to avoid Gorbachev's scenario providing for the negotiations between "the centre and the republic", its aim was to enshrine the status of inter-state negotiations on equal footing in a bilateral protocol prior to the launch of the official negotiations. In the run-up for the negotiations, the Supreme Council of the Republic of Lithuania was passing laws without restricting its powers because the statement of 29 June 1990 committed it to impose the moratorium on legal actions only upon the start of the negotiations with the USSR.

From the spring of 1990, the Government of the Russian Federation, headed by Yeltsin, started playing an increasing role in the politics as the second centre of political power in Moscow. On 12 June 1990, the Supreme Council of the Russian Soviet Federal Socialist Republic (RSFSR) adopted the Declaration on National Sovereignty. The adoption of the document was an impetus to the formation of the internal independence of the RTFSR (hereinafter referred to as the Russian Federation) and for its diminishing dependence on the imperial power of the Soviet Union, headed by Gorbachev, in the area of domestic policy. Point 5 of the Declaration on National Sovereignty of the Russian Federation declared "a fully-fledged representation of the RSFSR in other Union's republics and foreign countries." This ensued in the formation of the Russian Federation as an entity of international relations, which had chosen a democratic way of development.

Despite the emergence of two competing poles of political power in Moscow, the Soviet Union, headed by Gorbachev, still remained the factual and globally influential entity of international relations possessing enormous military and nuclear might. The Russian Federation ('New Russia') led by Yeltsin had barely started gaining a profile in the international arena. Thus, there was a vague prospect of concluding a fully-fledged treaty between Lithuania and Russia at the time. On the other hand, contrary to the Kremlin, the leadership of the Russian Federation took a tolerant stand towards Lithuania's efforts to entrench its independence and showed the wish to establish a cooperation relationship with Lithuania. This was a favourable factor for opening negotiations with the government of the Soviet Union.

As soon as the end of May 1990, on his way to Prague for the meeting with Vaclav Havel, the then President of Czechoslovakia, Landsbergis informally met with Yeltsin, elected Chairman of the Supreme Council of the Russian Federation, in Moscow and discussed the prospect of negotiations between the Russian Federation and the Republic of Lithuania with him.⁴³ Landsbergis proposed to draft an agreement on the main legal and political principles of inter-state relations between the two countries.⁴⁴ Nevertheless, first and foremost, Lithuania needed, with legal accuracy and tactical alertness, to get ready for the negotiations with the Soviet Union.

On 5 July 1990, the Supreme Council of the Republic of Lithuania adopted the Resolution "On the Preparation for the Inter-state Negotiations with the USSR". This Resolution laid down the essential and most likely historic decision that "*the inter-state negotiations with the USSR, on the part of the Republic of Lithuania, is led by its Supreme Council.*" The Supreme Council hereby established that the Presidium of the Supreme Council and the Government together should form the Commission for the Preparation for the Negotiations and submit it to the Council's approval. The Commission was ordered to draft and submit to the Supreme Council the principles of mutual relations between the Republic of Lithuania and the USSR. The Resolution provided for the formation of the State Delegation for the Negotiations upon the agreement between the Republic of

43 Landsbergis, V. *Lūžis prie Baltijos* (Breakthrough at the Baltic). Vilnius, 1997. p. 210.

44 During the consultations in Vilnius on 24 August 1990, the Lithuanian side referred to the agreement on the Declaration of Principles in Moscow (See *Pro Memoria* of 24 August 1990 by Bukinas, First Secretary, Ministry of Foreign Affairs).

Lithuania and the Soviet Union on the objectives and terms and conditions of the negotiations.

At that time, the initiative to negotiate was taken by the Russian Federation. On 8 July 1990, Boris Yeltsin, Chairman of the Supreme Council of the Russian Federation, and Ivan Silayev, Prime Minister, in their joint letter to Landsbergis, President of the Supreme Council of the Republic of Lithuania, and Prime Minister Prunskienė made a proposal to immediately start drafting “*the agreement between our republics*”, to commission the representatives and conclude the agreement “embracing all cooperation areas of mutual benefit in 1991 and afterwards⁴⁵.”

On 9 July 1990, USSR President Gorbachev approved by his decree the delegation of the Soviet Union for the negotiations with Lithuania, headed by Ryzkov, Chairman of the USSR Council of Ministers. The decree still called Lithuania the *Soviet Socialist Republic of Lithuania*. The delegation included ministers and deputy ministers of the Soviet Union, the KGB chief and other senior officials.

By its Resolution of 11 July 1990⁴⁶, the Supreme Council of the Republic of Lithuania set up the Commission for Political, Legal and Diplomatic Preparation for the Negotiations with the USSR of 10 persons (with 9 Deputies of the Supreme Council among them)⁴⁷ and instructed it to consider and submit to the Supreme Council the major provisions on the negotiations between the Republic of Lithuania and the Soviet Union, the principles of mutual relations and the draft protocol (act) on the start, objectives, and terms and conditions of the negotiations. The Resolution established that the Commission itself “does not conduct inter-state negotiations in any form”. As a means of precaution, the Commission for the Preparation for the Negotiations was established rather than for the negotiations in order to prevent Lithuania’s involvement in the negotiations prior to the agreement on the terms and procedure of these negotiations.

45 According to the copy of the letter from the author’s archive.

46 Resolution No 1-365 of 11 July 1990 of the Supreme Council “On the Commission for Political, Legal and Diplomatic Preparation for the Negotiations with the USSR”.

47 Bronislavas Juozas Kuzmickas, Pranas Kūris, Kęstutis Lapinskas, Kazimieras Motieka, Romualdas Ozolas, Audrius Rudys, Aloyzas Sakalas, Algirdas Saudargas, Gediminas Šerkšnys, and Gediminas Vagnorius.

By another resolution of the same date⁴⁸, the Supreme Council authorised President Landsbergis and Prime Minister Prunskienė to start forming the State Delegation for the Inter-state Negotiations between the Republic of Lithuania and the Soviet Union, which “would be authorised by a separate resolution to sign the protocol on the start, objectives and terms and conditions of the negotiations as well as begin and conduct the negotiations.”

In response to the proposal by Russian Federation leaders Yeltsin and Silayev, the Supreme Council of the Republic of Lithuania, by its Resolution of 19 July 1990 “on the Negotiations between the Republic of Lithuania and the Russian Soviet Federal Socialist Republic”, established the Parliamentary-Governmental Commission of the Republic of Lithuania for Consultations with the Russian Soviet Federal Socialist Republic, consisting of 15 persons (with 13 Members of the Supreme Council among them)⁴⁹ and chaired by Vice-President of the Supreme Council, i.e. Česlovas Vytautas Stankevičius. The Supreme Council authorised the Commission to work out the principles, objectives, and terms and conditions of the negotiations and to coordinate the issues relating to the preparation for the negotiations with the Estonian and Latvian commissions and delegations.

On 20 July 1990, Gorbachev convened the meeting of the leaders of the USSR republics with the view to considering the terms and conditions of “a new union treaty”, the leadership of the Baltic States being invited as well. Since Lithuania did not agree to the consideration of such a treaty, Landsbergis refused to take part. So did the leaders of Estonia and Latvia. On her own initiative, Prime Minister Prunskienė attended the meeting and afterwards even had a tête-à-tête meeting with Gorbachev.

Retelling her interaction with Gorbachev in her book⁵⁰, Prunskienė writes, “Our conversation was short but business-like. When taking the floor I had said that we were talking about a treaty with the union rather than a union treaty: “Not

48 Resolution No 1-366 of 11 July 1990 of the Supreme Council “On the Formation of the State Delegation for the Inter-state Negotiations between the Republic of Lithuania and the Soviet Union”.

49 Česlovas Vytautas Stankevičius, Laima Liucija Andrikienė, Povilas Budrys, Virgilijus Čepaitis, Kęstutis Glaveckas, Vytautas Jurna, Juozas Karvelis, Valdemaras Katkus, Antanas Merčaitis, Česlovas Okinčicas, Rolandas Paulauskas, Liudvikas Narcizas Rasimavičius, Zita Šličytė, Kazimieras Uoka, and Eduardas Vilkas.

50 Prunskienė, K. *Gintarinės ledi išpažintis* (Confession by the Amber Lady), 1991.

in the union but with the union”. So Gorbachev said then, “Let’s look for the definition of this “with”. Maybe, a commonwealth? Therefore I asked whether this treaty should be time-limited, e.g. for three years. Gorbachev’s answer was the following: “Of course, but we have to negotiate”. “So what international status will we have?” I asked again. “Independent, to be sure”, he answered and added that he would introduce us into international organisations himself. [...] “Why don’t you negotiate? Why do you drag it out? Let’s negotiate and look for the definition and identification of the relationship.” He mentioned Finland and reminded me that I had repeatedly spoken in public about Lithuania’s readiness to trade with Europe and Russia. Thus he as if implied his power.”⁵¹

On 27 July 1990, the leaders of the Estonian, Latvian, and Lithuanian Republics and the Russian Federation (Rüütel, Gorbunovs, Landsbergis and Yeltsin) met in Jurmala, Latvia. The jointly signed communication of the meeting contained the decision “to immediately start with the drafting of initial bilateral political and legal agreements between the Russian Federation and the Republic of Latvia, the Russian Federation and the Republic of Lithuania, the Russian Federation and the Republic of Estonia, as well as agreements on economic, scientific and technical, commercial, social, inter-state, cultural and other relations and citizenship issues. The states will not put forward any preconditions”. The communication stated that this task would be assigned to special commissions established by the states and headed by the Deputy Chairmen of their Supreme Councils, while the political and legal agreements would be signed by the Chairmen of the Supreme Councils.⁵²

On 7 August 1990, the Supreme Council of the Republic of Lithuania approved the major provisions and objectives of the negotiations between the Republic of Lithuania and the Soviet Union, set by the Commission for Political, Legal and Diplomatic Preparation for the Negotiations with the USSR⁵³, and appointed the heads of parliamentary and governmental expert groups established by the Commission⁵⁴. The Commission mapped out the following major publicly unavailable negotiation provisions (mandate): Lithuania enters the negotiations

51 Prunskienė, K. 1991. *Gintarinės ledi išpažintis* (Confession by the Amber Lady), p. 76.

52 Quote from the copy of the communication in Russian, signed by the leaders of the four states, from the author’s archive.

53 Resolution No 1-467 of 7 August 1990 of the Supreme Council “On the Key Provisions and Objectives of the Negotiations between the Republic of Lithuania and the USSR”.

54 Resolution No 1-468 of 7 August 1990 of the Supreme Council.

as a sovereign state aiming at entrenching its independence by respective agreements; for defining the relationship between the Republic of Lithuania and the USSR, the Lithuanian delegation adheres to the founding Independence Acts of the Republic of Lithuania of 16 February 1918 and 11 March 1990, the principle of the continuity of legal powers of the state, and the Peace Treaty with Russia of 20 July 1920; the National Delegation is not authorised to sign any bilateral document, which would treat the Republic of Lithuania as a part of the USSR or would link the Republic of Lithuania to the USSR in any form other than relations between the two states.

The following objectives of the negotiations between the Republic of Lithuania and the USSR were set out and approved: 1) to achieve full independence of the Republic of Lithuania [from the Soviet Union] and the legal recognition of independence by the USSR; 2) to establish the fully-fledged and mutually beneficial inter-state relations between the Republic of Lithuania and the USSR; 3) to achieve the recognition of the current borders of the Republic of Lithuania; 4) to agree on the dates and stages of the withdrawal of the armed forces of the USSR from the territory of the Republic of Lithuania and *on the USSR's support for Lithuania's neutrality*; and 5) to achieve the waiving of claims to state property in Lithuania's territory by the USSR.

On 21 August 1990, the Supreme Council of the Republic of Lithuania approved⁵⁵ the following members of the State Delegation of the Republic of Lithuania for the Negotiations with the USSR: Aleksandras Algirdas Abišala, Pranas Kūris, Vytautas Landsbergis, Romualdas Ozolas, Kazimiera Danutė Prunskienė, Algirdas Saudargas, Česlovas Vytautas Stankevičius, and Emanuelis Zingeris. Vytautas Landsbergis, President of the Supreme Council, was appointed as the Head of the State Delegation in accordance with the prerogatives provided for in the Provisional Basic Law.

In the run-up for the consultations with the Russian Federation, the Negotiation Commission, set up by Lithuania on 10 August 1990, sent the draft Declaration on the Key Principles of Political and Legal Relations between the Republic of Lithuania and the RSFSR prepared by the Lithuanian side⁵⁶ to Ruslan

55 Resolution No 1-494 of 21 August 1990 of the Supreme Council "On the Approval of the Members of the State Delegation of the Republic of Lithuania".

56 The copy is kept in the author's archive.

Khasbulatov, First Deputy Chairman of the Supreme Council of the Russian Federation. The preamble of the draft proposed to acknowledge that Lithuania was forcibly incorporated into the USSR following the Soviet-German agreements and secret protocols of 1939-1940. The draft Declaration also proposed to establish as its first principle that the major provisions of the Peace Treaty of 20 July 1920 were the starting point of building bilateral relations.

The draft declaration included the provision on Russia's backing for Lithuania's demilitarisation and neutrality. At the time, this provision of the *Sąjūdis* election platform, which, as mentioned before, also appeared in the mandate of the Delegation for the Negotiations with the USSR, approved by the Supreme Council of the Republic of Lithuania on 7 August 1990, was still considered to be a "key" supported by Russia and acceptable to the USSR, which would help Lithuania to get rid of the occupation army and USSR military bases.

Since the Russian Federation had declared its state sovereignty together with its intention to transfer a part of its sovereign powers to the union ('new USSR') while Lithuania had declared its full independence, the draft Declaration treated this difference of the status as an important principle, which would lie at the basis of the future agreements between the two states. The draft promoted the principle that the rights and duties of the parties arising from the future agreements should not depend on the USSR, be transferred to it or in any way bind Lithuania.

On 24 August 1990, Vilnius hosted the first consultations of the Negotiation Commissions of the Supreme Council of the Republic of Lithuania and the Supreme Council of the Russian Federation. At this meeting, the Supreme Council of the Republic of Lithuania was represented by the following Council Members: Česlovas Vytautas Stankevičius (Chairman of the Commission), Laima Liucija Andrikienė, Virgilijus Čepaitis, Kęstutis Glaveckas, Juozas Karvelis, Valdemaras Katkus, Česlavas Okinčicas, Liudvikas Narcizas Rasimavičius, Kazimieras Uoka, and Eduardas Vilkas. The Commission of the Supreme Council of the Russian Federation consisting of nine Deputies was headed by academic Alexandr Grinberg, Chairman of the Committee for Relations with the USSR Republics of the RSFSR Supreme Council.⁵⁷ The

⁵⁷ Commission members: Baburin, Bondarev, Kazhokin, Krasavchenko, Mananikov, Pochinok, Chuplygin, and Shelov-Kovediayev.

exchanges focused on the framework of the relations between the states and the draft Resolution submitted in advance by the Lithuanian side.

The Russian delegation submitted quite a number of remarks concerning Lithuania's draft. It was of the opinion that, as it was agreed in Jurmala, a bilateral agreement rather than a declaration of principles should be drafted. Russia's representatives thought that the draft declaration prepared by Lithuania put forward certain preconditions. According to the Russian side, the Peace Treaty of 1920 did not have full legitimacy for Russia because 50 years afterwards not all of its provisions were acceptable. It would have been quite complicated for Russia to unilaterally recognise Lithuania's "secession from the USSR". Russia's representatives also noted that Lithuania's proposal to point out to the different statuses of the countries would rule out the conclusion and, more importantly, ratification of any agreements, therefore any direct statements on the difference of statuses should be avoided. The consultations also involved the discussion on the potentially new wordings by the Lithuanian side, thus the agreement was reached to hold another meeting about two weeks later.⁵⁸

Taking into account the remarks made by the Russian Negotiation Commission during the consultative meeting of 24 August 1990, the Lithuanian Commission for the Negotiations with the Russian Federation prepared the draft Bilateral Agreement on the Principles of Political and Legal Relations and Cooperation between the Republic of Lithuania and the RSFSR (Draft No 2 of 12 August 1990)⁵⁹. The Chairman of Lithuania's Commission for the Negotiations sent this draft to Khasbulatov, First Deputy Chairman of the Supreme Council of the Russian Federation. In this draft Bilateral Agreement, the Lithuanian side proposed *inter alia* the following two principles: a) the states are for the elimination of the consequences of Lithuania's forcible incorporation into the USSR in 1940; and b) the principle provisions of the Treaty of 12 July 1920 between Russia and Lithuania will serve as the starting point for any agreements between the two states. The proposal was made on the principle of reciprocal recognition of sovereignty of both the Republic of Lithuania and the Russian Federation in accordance with the principal legal acts adopted by both parties, i.e., Lithuania's Independence Act of 11 March 1990 and Russia's Declaration on

58 The consultative meeting of 24 August 1990 is thoroughly described by Bukinas, First Secretary of the Ministry of Foreign Affairs. *Pro memoria*. The copy is kept in the author's archive.

59 The copy is kept in the author's archive.

State Sovereignty of 12 June 1990. Lithuania's draft still contained the provision on Lithuania's aspirations for demilitarisation and neutrality. However, Lithuania scrapped this provision in later versions of the draft Agreement.

The Russian Commission presented its draft. The wordings proposed by Lithuania with respect to eliminating the consequences of forcible incorporation of Lithuania into the USSR in 1940 and the validity of the 1920 Treaty provisions were excluded from it. The Russian side considered them to be very problematic. The Russian draft took account of Lithuania's draft and included the wording whereby the parties independently exercised their sovereignty in the fields of defence and security by taking account of the interests of international security and Lithuania's aspirations to permanent neutrality, and envisaged the conclusion of a separate agreement on possible cooperation in this field.

On 28 September 1990, the heads⁶⁰ of the Commissions of Latvia, Estonia and Lithuania for the Negotiations with the Russian Federation met in Riga for mutual consultations. The heads of the Latvian and Estonian Commissions identified a change in Russia's negotiating positions. They addressed Ruslan Khasbulatov, First Deputy Chairman of the Supreme Council of the RSFSR, by a joint letter noting that all the three states shared a common approach in their negotiations with Russia. Stating that Russia's position was probably changing they asked him to arrange a joint meeting to ascertain Russia's position.⁶¹ The meeting, however, did not take place.

In view of the proposals brought forward by the Negotiation Commission of Russia, the Negotiation Commission of Lithuania prepared the third version of the Agreement of 10 October 1990 and forwarded it to Russia's Commission. The version submitted by Lithuania included a proposal to add a provision to the agreement which might be more acceptable to Russia. In accordance with this provision, both parties to the agreement assumed that eliminating of the consequences of the forcible incorporation of Lithuania into the USSR in 1940 would create a climate for mutual trust between the parties and the nations. It also offered to acknowledge the experience in adhering to the Peace Treaty of 1920 and its continuity in respect of the present and future relations between the parties.⁶²

60 Andrejs Krastiņš, Endel Lippmaa and Česlovas Vytautas Stankevičius.

61 According to the copy of the letter from the author's archive.

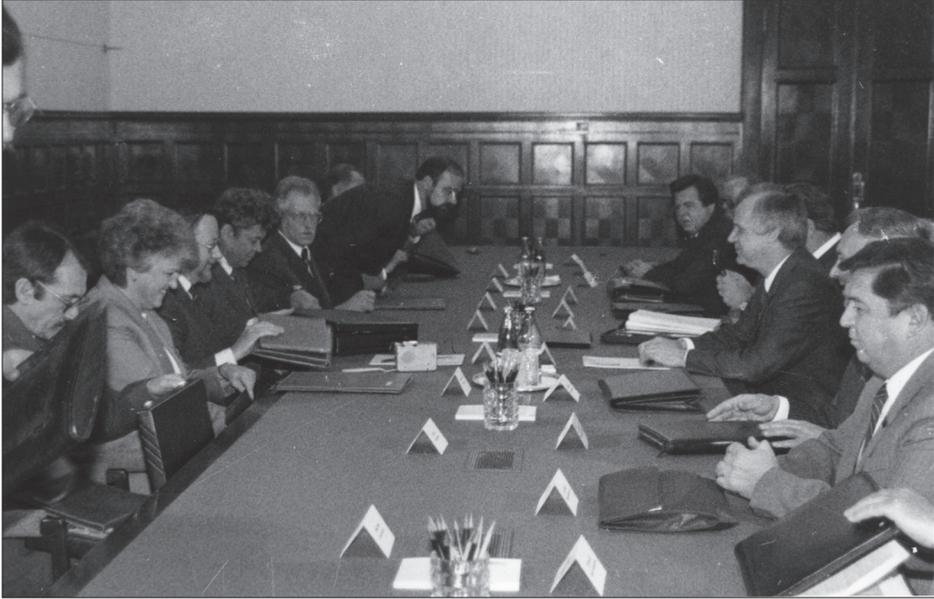
62 The copy of the draft agreement is kept in the author's archive.



The State Delegation for the Negotiations with the Soviet Union at Vilnius airport. From right to left: Landsbergis, President of the Supreme Council; Stankevičius, Vice-President of the Supreme Council; Saudargas, Minister of Foreign Affairs; and Kūris, Minister of Justice, Vilnius, 1 October 1990. Photo by Stasys Laukys. LCSA. 0-119299



The State Delegation for the Negotiations with the Soviet Union leaves for the negotiation meeting in Moscow. In the front row (from left to right): Stankevičius, Kuzmickas, Landsbergis, and Prunskienė; in the second row: Bičkauskas, Kozyrovičius, and Ozolas (by the window). Photo by ELTA.



The negotiation meeting between the State Delegations of the Soviet Union and the Republic of Lithuania at the Kremlin, Moscow, on 2 October 1990. On the left: Ozolas, Prunskienė, Landsbergis, Stankevičius, Kuzmickas, and Abišala. On the right, in the centre: Ryzhkov, Chairman of the USSR Council of Ministers. Photo by ELTA.

The first consultative meeting between the authorised state delegations of the USSR⁶³ and the Republic of Lithuania⁶⁴ to discuss the preliminary issues finally took place in the Kremlin on 2 October 1990. It was historic because the authorised representatives of the USSR and the Republic of Lithuania met at a negotiation table to discuss the relations between the two countries for the first time since 14 June 1940 when Stalin, the USSR dictator, presented the Lithuanian delegates⁶⁵ with the ultimatum declaring occupation. Both state delegations acknowledged the consultative nature of the meeting. In essence, it was the beginning of the “talks on negotiations”. This meeting deserves a detailed description.

63 Headed by Nikolai Ryzhkov, Chairman of the Council of Ministers of the USSR.

64 Headed by Vytautas Landsbergis, President of the Supreme Council of the Republic of Lithuania.

65 Juozas Urbšys, Minister of Foreign Affairs, and Ladas Natkevičius, Envoy to the Soviet Union.

The Soviet Union and Lithuanian delegations were led by Nikolai Ryzhkov, Chairman of the USSR Council of Ministers, and Vytautas Landsbergis respectively. Aleksandras Abišala, Bronislovas Juozas Kuzmickas, Pranas Kūris, Romuladas Ozolas, Kazimira Danutė Prunskienė, Algirdas Saudargas, Česlovas Vytautas Stankevičius and Emanuelis Zingeris⁶⁶ as members of the Negotiation Delegation represented Lithuania at the meeting too. The USSR delegation comprised of more than thirty people, i.e. ministers, deputy ministers and other high-ranking officials of the USSR, sat in two rows at a long green baize table in front of the small Lithuanian delegation.

At the beginning of the meeting Vytautas Landsbergis officially handed the head of the USSR delegation a draft protocol prepared by Lithuania on the opening of the negotiations between the USSR and Lithuania, the aims and content of the negotiations. The draft protocol proposed defining the aim of these negotiations as the restoration⁶⁷ of legitimate relations, on equal basis, between independent states – the Republic of Lithuania and the Soviet Union.

Landsbergis stressed that Lithuania's delegation was political and that its task was to discuss the political content of future negotiations. Experts within the delegations could deal with particular issues. Ryzhkov agreed that both delegations could discuss the issues in detail since they both had the necessary legal authority granted by the decree of the USSR President and the resolution of the Supreme Council of the Republic of Lithuania respectively. He said that the USSR delegation consisted of political representatives as well as delegates from sector ministries. He accepted the draft protocol on the negotiations on condition that its content would be discussed later.

As for the procedures of negotiations, Landsbergis proposed that the parties should come to an agreement concerning the place of the consultations, possibly Vilnius, the consultation timetable and working languages (English, Lithuanian and Russian), transcription, and recording. He also suggested preparing joint communications after the meetings which would be a better

66 Egidijus Bičkauskas, Permanent Representative of the Republic of Lithuania, was also present at the meeting.

67 Document 78. The Road to Negotiations with the U.S.S.R., State Publishing Centre, Vilnius, 1991. p. 160.

solution than separate press releases by each state. After repeating his proposal to start the negotiations from the protocol, he mentioned that the negotiations could take place in Vilnius or Prague⁶⁸. Ryzhkov stated that the meeting place should be Moscow where Lithuania had its representation and that it would be more convenient to work there. As regards language, “It would be too early to highlight that we have to use different languages. Russian is the national language of our country and only time will tell what happens next. At this stage one working language should be enough, and the documents could be drawn up in Russian and Lithuanian. English has nothing to do with this matter.”⁶⁹

Landsbergis explained that “Russian is not our shared state language. We raise this issue of language to achieve equal conditions which should not be removed from the agenda completely.” In his answer Ryzhkov agreed with the use of the Russian and Lithuanian languages in documents. Landsbergis continued with the following statement, “We would like to make a comment on terminology. If your delegation members use the term ‘the Soviet Socialist Republic of Lithuania’, we will have to explain each time that such an entity does not exist. The place of the negotiations does not pose any problems, but the argument in favour of it cannot be solely related to Lithuania’s representation in Moscow since we can establish the USSR representation in Vilnius.” Ryzhkov replied that, “We live in one state, but I understand your reaction. As to the terms, you can refer to your country as the *Republic of Lithuania* and we will call it the *Soviet Socialist Republic of Lithuania*.” When Prunskienė noted, “If we do not use uniform terminology, the chances for the negotiations will be low because the terminology conveys the essence and the terms denote our position,” Ryzhkov responded that he would not draw far-reaching conclusions from the terminology used.

Ryzhkov commented on Landsbergis’ request for the negotiation timetable stipulating when specific political problems would be handled by stating, “The timetable depends on the starting positions. We have looked through your draft protocol and we cannot accept the pre-defined decisions. It is not appropriate to put forward preconditions to negotiations. There is no point in conducting negotiations when its objective is set in advance. We had to rely on the resolution

68 Vytautas Landsbergis had such a proposal from Vaclav Havel, President of Czechoslovakia.

69 All extracts come from the notes by the author in the course of the meeting (the author’s translation from Russian).

by the Third Congress of People's Deputies, but later on we also provided for the possibility of conducting negotiations during the moratorium."

Landsbergis rejected the idea that the protocol helped to solve the problems in advance. "The protocol strives for normal conditions, i.e. without the blockade and without your borders separating us from the rest of the world, etc. The negotiations should in principle be conducted on a level playing field, though the big and small one will never stand on an equal footing. We could say much regarding unequal conditions. The protocol would only harmonise the conditions. We work on unequal terms which were set 50 years ago. It would be good if the USSR repealed its Act of 3 August 1940 on the Incorporation of Lithuania. Then we would move a step closer to the equal footing and the end of the Second World War. Our ultimate goal cannot be vaguely stated. It is very clear. The Third Congress of People's Deputies took place after the decisions on our independence were made. It adopted a premature decision on non-secession of the republics from the USSR," he argued. Ryzhkov retorted, saying "Wasn't the Act of 11 March adopted in a moment of rashness? Everything should have been discussed with the people."

The Soviet Union side proposed to discuss the terms of a new USSR treaty at the upcoming negotiations. Ryzhkov, Head of the USSR government, stated that "You know our position: we want you to be active participants for the union treaty. But you don't want this. This issue is open to negotiation. [...] Why do you want to set yourself a task of seeking independence only? During a period of 50 years, the republic (of Lithuania) integrated into the federal state where your representatives were members of the governing bodies without discrimination." When Landsbergis said that sovereignty for us meant an independent state rather than a constituent part of another country, Ryzhkov provided the following question "Would a confederation be acceptable to you? [...] Careful thought must be given to a new union treaty and a solution must be found. Perhaps the Baltic States need a different status than others. Perhaps we will be able to find a winning formula that you will gladly accept."

Then a discussion about economic ties ensued. Ryzhkov raised an issue concerning the general economic plan of the USSR for 1991 in respect of which Lithuania had not made any proposals. Prunskienė maintained that there was no need for centralised union planning because economic relations could be regulated through Lithuania's direct contacts with the Russian Federation and

other Republics of the USSR as well as direct relations with economic partners. Ryzhkov rejected the idea, stating that without union planning Lithuania would lose its access to coal, oil and other vital resources because the governments of the Russian Federation and other Republics of the Union could not ensure the provision of various important resources that are within the competence of the “central body”. Landsbergis and Prunskienė went on explaining that Lithuania did not entrust the “central body” of the USSR with the economic governance of the country and that it offered the USSR economic cooperation on equal terms. Finally, both sides agreed to maintain the established relations of economic cooperation between economic operators of the Republic of Lithuania and the USSR.

The USSR delegation raised the question as to whether Lithuania would enforce the USSR law on pensions for military pensioners, participants in the Second World War, and what arrangements and funds Lithuania would secure to pay pensions to the war participants residing in the country. Landsbergis’ answer was that Lithuania was not a belligerent country in that war and therefore it could not provide the USSR citizens with pensions from its budget as laid down in the USSR law. Issues concerning the provision of the USSR funds which Lithuania could allocate to those persons should be settled through negotiation. It was agreed that this issue would be examined by an expert group.

At the end of the meeting Ryzhkov proposed to discuss the issue of “observers” with the aim of bringing the representatives of the Soviet Polish nomenclature in Lithuania and “Russian” factories under USSR control in Vilnius, all of which opposed the independence of Lithuania, to the negotiating table. Landsbergis firmly rejected the proposal, claiming that it would be unclear whom they represented and which delegation they were from. *“Are negotiations supposed to be held on such a level so as to represent factories and nurseries?”* Ryzhkov said, *“Ten or, perhaps, one hundred enterprises which do not want to be placed at Lithuania’s disposal have applied to us.”* Landsbergis passed the following remark, *“You want our internal opposition to be here. The opposition from your side would perhaps be too large to accommodate here. We would need a stadium for it.”* Ryzhkov understood that there was no room for such “observers” on the Lithuanian side and, quite possibly, he was reluctant to seat them at the negotiating table on his side. In turn, Landsbergis consented to include a vague wording into the communication according to which “the preparation

for the negotiations will include a debate on what form the consideration of the opinion of different social groups should take.”

The heads of the delegations agreed to set up a bilateral working group, the Lithuanian side represented by Romualdas Ozolas⁷⁰ and the USSR party by Vitaly Doguzhiyev⁷¹, and to entrust it with the preparation of relevant proposals for the next meeting. After the four-hour meeting, an information note agreed upon by the Heads of both Delegations was distributed stating that the Delegations agreed to continue their work on bilateral trade and economic relations in 1991, entrusted the expert groups with the formulation of proposals concerning the solution to immediate practical problems and provision of pensions to war veterans, and that “the meeting took place in a businesslike environment and, in the view of both Delegations, it proved useful.”

Meetings between the expert groups of the State Delegations of the USSR and the Republic of Lithuania took place in Moscow on 18-19 October 1990. These meetings revealed that substantial disagreements between the countries about the protocol on the opening of the negotiations remained. The following wording in the protocol seemed unacceptable to the USSR representatives: designation of the Republic of Lithuania as a negotiating party, references to the agreements of the 1920-1940 period underpinning the USSR-Lithuania relations, and formulation of the objective of the negotiations as the restoration of the former good neighbourly relations between the two states in accordance with international law. The USSR representatives declared that Lithuania’s participation in the negotiations as an independent state was unacceptable because its status would allegedly become clear only after the negotiations, i.e. they proposed to negotiate again whether Lithuania may or may not be independent.

The second consultative meeting between the State Delegation of the Republic of Lithuania for the Negotiations with the USSR⁷² and the Delegation of the Soviet Union for the Negotiations with Lithuania⁷³ took place in the Kremlin on

70 Member of the Negotiation Delegation of Lithuania, Deputy Prime Minister of the Republic of Lithuania.

71 Member of the Negotiation Delegation of the USSR, First Deputy Chairman of the Council of Ministers of the USSR.

72 Headed by Vytautas Landsbergis, President of the Supreme Council of the Republic of Lithuania.

73 Headed by Nikolai Ryzhkov, Chairman of the Council of Ministers of the USSR.

20 October 1990. The parties at the meeting defined their positions in relation to the status of the participants in the forthcoming negotiations, formulation of the objective for the negotiations and adherence to the principles of international law. The positions of the parties still differed substantially. The representatives of the Soviet Union said that Lithuania's proposals concerning the protocol put forward preconditions and called for preliminary recognition of Lithuania as an independent state. The meeting agreed to open the delegation-level negotiations at the end of November and, in the meantime, to hold expert-level consultations on the draft protocol regarding the opening of the negotiations, the approval of which the Lithuanian side still sought.

These expert groups met in Moscow on 23 and 29 October 1990, however no significant progress was made. The representatives of the Soviet Union conceded only that the negotiating party could be referred to as "Lithuania" rather than the "SSRL" or "the Republic of Lithuania". On 19 November 1990, the expert groups of the Republic of Lithuania and the Soviet Union Delegations held another meeting, this time over military issues. Mikhail Moiseev, Chief of the General Staff of the USSR Army, Army General, and the head of the USSR expert group at that time, suggested preparing the material on the legal status of the temporary presence of the USSR army in Lithuania. The Lithuanian delegates, however, agreed to prepare the material on the withdrawal of the army rather than its presence.

Although on 2 October 1990 the negotiating parties reached an agreement to maintain the established economic cooperation between the Republic of Lithuania and the Soviet Union, the USSR government maintained its embargo on trade with Lithuania. Therefore Landsbergis, Head of State, and Prunskienė, Prime Minister, lodged their protests in public statements and in their telegrams to the USSR government.

The Negotiation Commissions of the Republic of Lithuania and the Russian Federation during that period exchanged written proposals concerning the draft treaty between the Republic of Lithuania and the Russian Federation. At some point after 10 October 1990⁷⁴, the Negotiation Commission of the

74 The author's archive contains the 3rd draft of the General Agreement on the Principles of Political and Legal Relations and Cooperation between the Republic of Lithuania and the Russian Federation dated 10 October 1990 and revised by the Lithuanian side.

Russian Federation communicated its version of the draft “Treaty on Interstate Relations between the Russian Soviet Federal Socialist Republic and the Republic of Lithuania”⁷⁵.

Lithuania could not accept the wording of some key articles in the draft treaty prepared by Russia. They reflected the then objectives of sovereignty that the Russian Federation had declared on 12 June 1990 with a provision of delegating some sovereign rights to the Soviet Union under reform. Lithuania was not happy with the following, “[*The Parties*] recognise each other’s inherent right to independence and sovereign statehood” in the preamble, or “[*The Parties*] recognise each other as sovereign states and as entities of international law” in Article 1, both of them resulting from the status declared by the Russian Federation on 12 June 1990. Thus, finding a symmetrical definition of mutual recognition and thereby indirectly reflecting differences in the statehood status of the countries presented a serious challenge in further negotiations with the Russian Federation. The Lithuanian delegates also wanted the treaty to contain a reference to the Peace Treaty of 1920 between Lithuania and Russia, evaluation of the annexation of Lithuania by the USSR in 1940, as well as recognition of independence and continuity of Lithuania to be based on the Act of 11 March. From November 1990 onwards, the Lithuanian side was made to refer to the draft prepared by the Russian side in its amendments and new elements. The Russian side also tabled new proposals in the course of the negotiations. This will be discussed below.

The meeting of the expert groups from the USSR⁷⁶ and the Republic of Lithuania⁷⁷ took place in Moscow on 30 November 1990. The discussions on a potential protocol on the beginning of the negotiations and terms and conditions were continued further. The representatives from the USSR side submitted an alternative draft of the protocol. They maintained that Lithuania was still part of the Soviet Union since there was the Act of 11 March 1990, however, there was also the act of 15 March 1990 (the author’s note: i.e. the resolution of the

75 The author’s archive holds the draft prepared by the Russian side without a date with some minor handwritten amendments by Vytautas Landsbergis.

76 The expert group from the USSR was led by Vitaly Doguzhiyev, First Deputy Prime Minister of the USSR with the participation of Ostrovsky, Head of the International Treaties Board of the Ministry of Foreign Affairs of the USSR, and others.

77 The Republic of Lithuania was represented by Romualdas Ozolas (head of the group), Aleksandras Algirdas Abišala, Egidijus Bičkauskas, Pranas Kūris, Aloyzas Sakalas, Algirdas Saudargas, and Romualdas Krukauskas.

Extraordinary Congress of the People's Deputies of the Soviet Union declaring the Act of 11 March 1990 null and void). At the meeting, Romualdas Ozolas noted that compared to the previous meetings, the USSR had toughened its stance.

The verbatim records of the meeting shows that the USSR indeed took a hard stance: Lithuania had to choose whether to commence official negotiations on 4 December 1990, the only date acceptable to Prime Minister Ryzhkov, without having signed a protocol defining an inter-state character of the negotiations and begin a moratorium on the Act of 11 March 1990, or to live with no negotiation meetings at all. Vitaly Doguzhiyev, First Deputy Prime Minister of the USSR, explicitly stated, "If the negotiations are not held on 4 December 1990, I see no point in holding them at all. I will officially propose to the leadership of the USSR to take the decision on the termination of any negotiations and enforce the Constitution of the USSR."⁷⁸ That was the signal that the consultations on the start of the negotiations, referred by us as 'talks on negotiations', ended at that meeting.

On 1 December 1990, the heads of parliaments of Lithuania, Estonia, and Latvia signed a joint appeal of the parliaments of the three countries to the 4th Congress of People's Deputies of the USSR held in Moscow proposing to the Congress to adopt a resolution on the recognition of the independence of Lithuania, Estonia, and Latvia and negotiations with them. However, tendencies of revenge overwhelmed the Congress and Eduard Shevardnadze, Minister of Foreign Affairs of the USSR, who spoke at the meeting affected by those tendencies, warned about a threat of dictatorship in the Soviet Union and declared his resignation.

Vytautas Landsbergis sent a telegram to Ryzhkov, Prime Minister of the USSR, on 3 December 1990 proposing to hold the meeting previously agreed on by the State Delegations for the Negotiations in December 1990. Nevertheless, he did not receive any response from the head of Government of the Soviet Union. Meanwhile, the political and military leadership of the Soviet Union were already planning the use of military force against Lithuania.

78 The verbatim records of the meeting from the author's archive.

In its resolution adopted on 28 December 1990, the Supreme Council of the Republic of Lithuania stated that the USSR had not agreed to sign the negotiation protocol, which the Council had associated with the commitment to declare a moratorium on new legal actions resulting from the Act of 11 March 1990 in its statement of 29 June 1990. Therefore, the Supreme Council of the Republic of Lithuania declared the provisions of the statement of 29 June 1990 on the declaration of the moratorium, as well as the requests laid down in its previously adopted resolutions on the necessity of the protocol on the beginning of the negotiations and terms and conditions null and void and allowed the State Delegation of the Republic of Lithuania to start the interstate negotiations with the USSR without any request to sign the protocol. The Supreme Council committed the State Negotiation Delegation to prevent any infringement of the sovereignty of the Republic of Lithuania in the process of the negotiations. Therefore, an obligation to declare a moratorium imposed on Lithuania became null and void without any necessity to fulfil it, which did not have any real consequences for Lithuania.

In January 1991, the Soviet Union, under the leadership of Mikhail Gorbachev, decided to carry out military aggression against Lithuania and return it to the Soviet Union by force. During the first days of January 1991, additional military troops were deployed in Lithuania, Latvia, and Estonia. They used force to recruit young Lithuanian men to the Soviet Army, occupied the telephone exchange and the buildings of the national defence service. Gorbachev issued an appeal on 10 January 1991 with the third ultimatum to the Supreme Council of the Republic of Lithuania proposing “*immediately and completely re-establish the validity of the USSR Constitution and of the Constitution of the Lithuanian SSR, and to the revoke the anti-constitutional acts*”.⁷⁹ By this Gorbachev recognised once again that the Constitution of the USSR was not in effect in Lithuania and it was only by military force that he could enforce it there.

The Supreme Council of the Republic of Lithuania rejected Gorbachev’s ultimatum by the statement of 11 January 1991 underlining that the demand in the form of an ultimatum to legalise the constitution of a foreign country “would legally imply accession to the USSR or the legalisation of the annexation of Lithuania by the Soviet Union carried out in 1940.” In its statement, the Supreme Council recalled that the 2nd Congress of People’s Deputies of the

79 Document 116. The Road to Negotiations with the U.S.S.R., State Publishing Centre, Vilnius, 1991. p. 205.

USSR had condemned the ultimatum carried out by the USSR in the past, as well as the policy of violating international law.⁸⁰

From the very beginning of January 1991, when the Soviet Union army and its KGB forces started intensive aggressive actions in preparation to quell the Lithuanian nation by force and to overthrow the Supreme Council and Government of the Republic of Lithuania, the Members of the Presidium of the Supreme Council and a number of its Members stayed in the parliament building round the clock and spent nights in their offices.

After midnight on January 13, USSR tanks, paratroopers and special KGB units began an assault on the unarmed people guarding the buildings of the Lithuanian Radio and Television and the TV Tower. About 90 Members of the Supreme Council, who managed to reach the Parliament building by the time, began an extraordinary sitting at 3 a.m. An assault on the Parliament building could be anticipated at any moment. The Members like thousands of courageous unarmed defenders surrounding the Supreme Council building were determined not to retreat but to stand firm for Lithuania's freedom and to fulfil their duties to the end.

The Law on the Republic of Lithuania Government-in-Exile was urgently drafted and adopted at the tragic night sitting of 13 January. The Law established that if and when the Supreme Council of the Republic of Lithuania, legally elected in 1990, were violently prevented from exercising its authority, a government-in-exile of the Republic of Lithuania had to be formed, which would assume authority in case the Supreme Council of the Republic of Lithuania was not able to assemble and take decisions freely. It is at that precise time that under the circumstances the Government of the Republic of Lithuania, appointed on 11 January 1991, would give up its authority. Minister of Foreign Affairs, Algirdas Saudargas, was appointed Head of Government-in-Exile (Prime Minister) and was authorised to appoint Members of his Government-in-Exile and diplomatic representatives of Lithuania. The Provisional National Defence Command headed by Vytautas Landsbergis was formed by the Supreme Council Resolution.⁸¹

80 Document 119. *The Road to Negotiations with the U.S.S.R.*, State Publishing Centre, Vilnius, 1991. p. 207-208.

81 Delegated to the Defence Council were Prime Minister Šimėnas and the following Members of the Supreme Council: Abišala, Butkevičius, Laurinkus, Ozolas, and Vaišvila.



*Deputies of the Supreme Council of Lithuania at the Plenary Hall during a break of the sitting, early morning of 13 January 1991. Balys Gajauskas, former resistant to the Soviet regime, political prisoner, jailed for 32 years in the USSR prisons (in the front row); 2nd row from left to right: Stasys Kropas, Birutė Valionytė; 3rd row: Algirdas Patackas, Kazimieras Uoka, Saulius Šaltenis; 4th and 5th rows: Gintautas Iešmantas, Mečislovas Treinys, Eimantas Grakauskas, Gediminas Ilgūnas.
Photo by Romualdas Rakauskas.*

On 13 January 1991, the armed forces of the USSR, subordinated to President Mikhail Gorbachev, occupied the building of the Lithuanian Radio and Television, TV Tower, Printing House, and a number of other buildings, killing 14 unarmed defenders and injuring hundreds of them, including a dozen heavily wounded. Thanks to the unyielding determination of Lithuanian citizens to defend Lithuania's freedom and independence and the Supreme Council, as well as mass public and government protests around the world, the planned military aggression was hindered. The Supreme Council of the Republic of Lithuania survived.

Boris Yeltsin, Chairman of the Supreme Council of the Russian Federation, came to Tallinn during the 13 January 1991 aggression. Arnold Rüütel, Anatolijs Gorbunovs, Vytautas Landsbergis, and Boris Yeltsin signed a statement of the Republic of Estonia, Republic of Latvia, Republic of Lithuania, and Russian

Federation⁸² and an appeal of the four states to the Secretary General of the United Nations.⁸³ The statement was addressed to the United Nations and to governments and parliaments around the world. The following two out of eight articles of the statement are relevant for our topic at hand: “1. The Parties shall reciprocate in recognition of their *national sovereignty* [...] 7. Estonia, Latvia, Lithuania, and the Russian Federation confirm their resolve to develop mutual relations *on the basis of international law* and mutual agreements.” As mentioned above, the President and Government of the Soviet Union would not give their consent even to the start of the negotiations on the relations based on the said principles.

82 Document 119. The Road to Negotiations with the U.S.S.R., State Publishing Centre, Vilnius, 1991. p. 207-208.

83 Ibid, doc. No 124. p. 237-238.

Phase II: from the armed aggression of 13 January 1991 to the international recognition of Lithuania and the end of the Soviet Union's existence

Estonia and Latvia entered into treaties with the Russian Federation on 12-13 January 1991 in Tallinn without offering any amendments to the drafts prepared by the Russian side. The preamble in each of the draft Treaties declares that the parties recognise the “*inalienable right of each Party to national independence*”. Article 1 of the preamble states that the parties “recognise each other’s right to *exercise national sovereignty in any form of their choice*”⁸⁴. The wording matched the status of the Russian Federation as a sovereign state prepared to transfer a part of its sovereignty to the Soviet Union and did not interfere with the official status of Estonia and Latvia. The Latvian Parliament had declared the independence of Latvia and announced a transitional period for its full implementation on 4 May 1990. On 30 March 1990, the Estonian Parliament had passed an act declaring the reestablishment of Estonia’s independence and announced a transitional period for its full implementation. Apparently, this was why both Estonia and Latvia agreed to sign the Treaty with the Russian Federation as soon as possible without changing the wording referred to above.

Meanwhile, Lithuania pursued its full recognition by the Russian Federation not its right to national independence, or its right to exercise sovereignty in any form of its choice. Lithuania wanted the Russian Federation to clearly and unequivocally recognise the Republic of Lithuania as an existing independent state. Shortly after the *USSR* aggression against Lithuania on 13 January 1991, the Russian side offered Lithuania to sign a draft Treaty identical to the ones signed by Latvia and Estonia. The Lithuanian side disagreed with the wording referred to above and some other wording in the draft Treaty proposed by Russia and sought to amend them. Moreover, the Lithuanian side continued to insist on a reference in the preamble of the Treaty to the Peace Treaty of 12 July 1920 and the annexation of Lithuania by the *USSR* in 1940.

84 The quote comes from the identical draft treaties signed by Estonia and Latvia and the draft Treaty submitted for signature to Lithuania, kept in the author’s archive.

Boris Yeltsin, Head of the Russian Federation, urged the Russian negotiators to swiftly coordinate the Treaty on the Foundations of Inter-State Relations between the Republic of Lithuania and the Russian Federation and prepare the document for signing. Lithuania was equally interested in concluding the Treaty as soon as possible. While abroad, Saudargas⁸⁵, Lithuanian Minister of Foreign Affairs, urged by phone the Lithuanian Delegation to complete the Treaty drafting process as soon as possible. The Althingi of Iceland was particularly interested in concluding the Treaty or at least completing the coordination process, as the Icelandic Parliament was preparing to renew the validity of Iceland's decision of 1922 recognising an independent Lithuanian state. Therefore, from January on, the negotiations with the Russian Federation were particularly intensive.

The differing status of the parties was one of the main challenges in the negotiations and obstructed the search for a mutually acceptable symmetric formula of mutual recognition. The representatives of the Russian Federation, in fact, proposed to treat the parties as former Soviet Republics that had legally declared their sovereignty and were to be considered new sovereign states. The wording proposed by Russia and accepted by Estonia and Latvia did not meet the interests of Lithuania, and the reason was not only the fact that this would result in equalising the status of the Republic of Lithuania with the status of Russia. The Lithuanian side could not accept that by the Treaty Russia would recognise the Republic of Lithuania only as a new independent state, but not as a state the continuity of which was suspended by the occupation and re-established on 11 March 1990.

The political leadership of the Russian Federation of the time led by Boris Yeltsin was unwilling to declare the continuity of the Russian state. They adhered to the concept that after declaring its sovereignty on 12 June 1990, the RSFSR became "a New Russia", which did not recognise the legitimacy of the Bolshevik government that had taken the power away from the Government under Alexander Kerensky through the coup d'état in 1917. This also entailed non-recognition of the Soviet Union as a successor to the rights and duties

85 He had an extraordinary mandate of the Supreme Council to form the Government of the Republic of Lithuania in exile, should the Supreme Council be unable to freely exercise the powers conferred thereupon by the nation.

of the Russian state.⁸⁶ Therefore, the Russian side offered equal treatment of Lithuania and Russia as new independent states in the Treaty.

During the negotiations, the Russian Delegation disagreed with the proposal of the Lithuanian Delegation to include in the draft treaty a reference to the 1920 Peace Treaty between Lithuania and Russia. The Russian side did not deny the legality of the Peace Treaty, but motivated its refusal to include a reference thereto by saying this would raise territorial and border issues with Belarus, and the USSR leadership could use this to protest over the new Treaty between Lithuania and Russia. They had a serious point there.

Though the parties were unable to reach agreement over the provisions of the preamble proposed by Lithuania, the text of the Treaty was to be coordinated rapidly. On 16-17 January 1991, during the negotiations meeting between Lithuania and Russia in Moscow, Gennady Burbulis, the Russian representative, and the author of this publication representing Lithuania jointly stated that “a significant part of the work on the draft Treaty was completed, but some individual articles needed major amendments (Rus. *dorabotka*), which the parties intended to complete in the near future.” After the negotiating meetings on 16-20 January 1991, the wording on the recognition in Article 1 of the draft Treaty was still the one proposed by Russia, and it did not refer to the March 11 Act. Such a reference remained separate in the preamble. Therefore, the Lithuanian side still sought to amend the wording of Article 1, however there was still no agreement on the matter.

During the meeting in Moscow on 30 January, the Russian Delegation accepted the new proposal of the Lithuanian Delegation to rephrase Article 1 *by integrating references to the independence acts of both parties* taken from the preamble. The new version of Article 1.1 proposed by Lithuania stated that “*The High Contracting parties recognise each other as full-fledged subjects of international law and sovereign states in conformity with their status enshrined in the fundamental acts adopted by the Russian Soviet Federated Socialist Republic on 12 June 1990 and the Republic of Lithuania on 11 March 1990.*”

86 It was only on 24 December 1991 that the Russian Federation announced itself to be the successor of the rights and duties of the USSR. Thus, the Russian Federation legally connected the chain of the continuity of the Russian state from 1917 to 1991: from the Russian Empire to the RSFSR in 1917, to USSR in 1922, to RSFSR in 1990, and to the Russian Federation in 1991.

The wording declaring that Russia recognised the Republic of Lithuania in conformity with the key provisions of the Act of 11 March 1990 meant that Russia fully recognised the continuity of the independent Lithuanian state, annexed for half a century and restored in 1990. The exceptionally important wording of Article 1 remained unchanged until the Treaty was finally signed. The Russian side only agreed to the wording after the Lithuanian negotiators settled for a compromise. They renounced their request for a reference to the Lithuanian-Russian Peace Treaty of 1920 in the preamble, as it finally became clear that agreement could not be reached otherwise. The Lithuanian side also agreed to accept a wording of the second clause of Article 1 stating that the Parties recognised each other's inalienable right to independence and completeness of the authority of the state. For Lithuania it was redundant, but it was relevant to Russia.

On 30 January 1991, Česlovas Vytautas Stankevičius and Vladimir Lukin representing the respective Negotiation Delegations of the Republic of Lithuania and the Russian Federation endorsed the pages of the draft Treaty, where most articles were essentially agreed upon.

By 30 January, the parties still lacked agreement concerning two points in the preamble: the Russian party's proposal to include the following text, that [the Parties] "draw a line under the events and actions in bilateral relations that had prevented the nations of the High Contracting Parties to fully and freely exercise their national sovereignty, [...]" and the Lithuanian proposal to include the following text, "in view of the fact that elimination of the aftermath of the forced incorporation of Lithuania into the USSR in 1940 will create additional confidence between the High Contracting Parties, [...]".

Both sides continued insisting that their proposed provisions should remain in the preamble. The Lithuanian side would have agreed to include the paragraph proposed by Russia in the preamble, provided the Lithuanian wording recognising the fact of annexation by the USSR in 1940 was included as well. However, the Russian side still lacked the political will to adopt the wording regarding the annexation of Lithuania.

After the aggression on 13 January 1991, the leadership of the USSR started signalling its intention to return to the negotiating table. By the Decree of 1 February 1991, Mikhail Gorbachev, President of the USSR, appointed a new

delegation of the Soviet Union for the negotiations with Lithuania headed by Vitaly Doguzhiyev, First Deputy Chairman of the Council of Ministers of the USSR. The delegation was charged to “discuss a package of political, social, and economic issues with the representatives of the *Lithuanian SSR*”. The wording of the Decree entailed the intention of the President of the USSR to hold “negotiations between the delegations” of the Republic of Lithuania and the Soviet Union, instead of negotiations between the two states. Lithuania was to be forced into some ‘ministerial negotiations’ with the ministries of the USSR, as the Soviet Union delegated heads and deputy heads of various ministries to the delegation. The object of negotiations referred to in the Decree as “a package of issues”, a well-known cliché of the USSR Government, also attests to the fact. Gorbachev’s Decree did not anticipate any prospect for settlement of the inter-state relations between Lithuania and the USSR. Gorbachev simply retreated to the “(non)-secession from the USSR” doctrine, the position first taken in the spring of 1990.

By the Decree of 5 February 1991, Mikhail Gorbachev ordered the authorities of Lithuania to carry out the referendum on the preservation of the Soviet Union on 17 March 1991. Anticipating the decision of the Soviet Union to organise the referendum, the Supreme Council of the Republic of Lithuania had adopted a decision on 16 January 1991 to organise a plebiscite for the inhabitants of Lithuania regarding an amendment to the Constitution of the Republic of Lithuania by supplementing it with the following essential provision: “the state of Lithuania shall be an independent democratic Republic.” The preparations for the plebiscite took partial account of the advice to organise a referendum in Lithuania given by US President Bush to Vytautas Landsbergis during their meeting at the White House in 1990.⁸⁷ By conducting the foreseen plebiscite, and not the mandatory referendum, Lithuania could avoid a possible ambiguity as to whether the country would be considered to have taken the final and irrevocable decision to be an independent state by the Act of 11 March 1990 or by the referendum in 1991.

87 This is described by Vytautas Landsbergis in his article *Aukščiausioji Taryba 1991 m. kovose už Lietuvos valstybę* (The Supreme Council in the Battles for the Lithuanian State) in the publication *1991-ųjų sausis – rugsėjis: nuo SSRS agresijos iki tarptautinio pripažinimo* (January-September 1991: from USSR Aggression to International Recognition) 1990-2008. Vilnius: Seimo leidykla *Valstybės Žinios*. p. 10.

By the abovementioned Decree of 5 February 1991, Gorbachev proclaimed in advance the illegality of the plebiscite to be organised by the Lithuanian Parliament in Lithuania on 9 February 1991. Regardless of that, the plebiscite was carried out. The turnout was 85%, and 90.5% out of the voters voted for Lithuania to be an independent democratic republic.

On 11 February 1991, immediately after the plebiscite, the Althingi of Iceland became the first parliament in the world to adopt a decision granting further validity to the decision of the Government of Iceland of 1922 recognising the independent Republic of Lithuania. On 18 February 1991, the Supreme Council of the Republic of Lithuania adopted the Proposals to the Supreme Council of the USSR. The document announced the results of the plebiscite in Lithuania and proposed to “charge the state negotiation delegation of the USSR to launch negotiations with the state delegation of the Republic of Lithuania over the renewal of recognition of Lithuania’s independence and conclusion of a relevant treaty between our states”.⁸⁸

Upon the change of the prime Minister of the Republic of Lithuania⁸⁹, the Supreme Council of the Republic of Lithuania adopted the decision on 21 February 1991 to change some of the members in the Lithuanian State Delegation for the Negotiations with the USSR.⁹⁰ In view of the fact that the First Deputy Chairman of the Council of Ministers of the USSR was appointed to head the USSR Delegation, by order of 25 March 1991 Landsbergis, President the Supreme Council, appointed Stankevičius, Vice-President of the Supreme Council (the author of this publication) to lead the negotiations with the USSR and “act on his behalf on all the remaining issues”.⁹¹

Subsequent to previous arrangements by phone, on 27 February 1991, Vytautas Stankevičius, Head of the Lithuanian Delegation, met with Vitaly Doguzhiyev, First Deputy Prime Minister of the USSR, Head of the USSR Negotiation

88 *Collection of Documents of the Supreme Council and Presidium of the Republic of Lithuania*. Vol. 2. p. 535-636.

89 Gediminas Vagnorius became Prime Minister.

90 The composition of the partially modified delegation was as follows: Vytautas Landsbergis (the Head), Gediminas Vagnorius, Česlovas Vytautas Stankevičius, Algirdas Saudargas, Pranas Kūris, Butkevičius, Valdemaras Katkus, Aleksandras Algirdas Abišala, Kęstutis Glaveckas, Emanuelis Zingeris, and Romualdas Ozolas.

91 Quote from the copy of the ordinance kept in the author’s archive.

Delegation, in his office on Marx Avenue in Moscow.⁹² The negotiating dialogue between the heads of the Delegations started from an assessment of the situation. The representative of Lithuania defined the use of military force against Lithuania on 13 January as a military response to Lithuania's negotiating ambitions. Doguzhiyev tried to refute such a definition. He stated that the actions of the army were neither planned nor organised in advance.

The Lithuanian representative suggested that a normal situation should be re-established before starting the negotiations, i.e. the USSR military forces engaged in the attack of 13 January should withdraw from Lithuania's capital and the facilities occupied by the troops should be returned to Lithuania. Doguzhiyev responded that he lacked competence to make any promises concerning the return of the occupied premises, he would have to collect more information on the subject, and additional negotiations would be needed.⁹³ In his opinion, this could be the first issue on the negotiations agenda. Later, the sides came back to the subject. The representative of Lithuania proposed, "let us agree on the following formula: the troops withdraw, diplomats come. This would be normal." Doguzhiyev reiterated that he had to clear things up on this.

Referring to the eventual renewal of the negotiations, Doguzhiyev said that "talks can be resumed no earlier than after 11 March 1991." He proposed to resume the work of the working groups before that. The representative of Lithuania reiterated that before resuming the talks at the working group level, the situation in the country needed to be normalised, and first of all the army needed to be withdrawn from the premises of the national radio and television, the communications bodies, and the Press Palace. Doguzhiyev reiterated that he had to clear things up on this.

The Lithuanian representative posed a direct question regarding the objective of the talks. He asked whether it was feasible to talk about the renewal of recognition of the Republic of Lithuania and restoration of official relations between the Republic of Lithuania and the USSR such as they were before 1940. In response, Doguzhiyev said that his task was "to persuade Lithuania not to leave the Soviet Union". "If we fail to persuade you, we will opt for another solution, but not the one where you leave and that's it". According to Doguzhiyev,

92 Egidijus Bičkauskas, permanent representative of Lithuania in Moscow, participated in the talks.

93 Adviser to the Delegation, Romualdas Krukauskas, made an audio recording of the talks.

the final revisions to the new draft Union Treaty may open the door to other solutions. Thus, he did not exclude a third way out. According to Doguzhiyev, if the Delegations started dealing with the issue of Lithuania's secession from the USSR outright, the negotiations would have to be different, the law on secession of a republic from the USSR would need to be used and "what this would lead to is unclear". The Lithuanian representative remarked that Lithuania did not consider its independence an object of negotiations, but was ready to consider all the arising issues relating to the relations with the USSR. For Lithuania, "leaving the USSR" was not a problem, as the country had never joined the Soviet Union in the first place.

The Lithuanian representative went on to say that it was desirable for the Soviet side to understand that sovereignty lied with the nation and not some "central government" and that it was up to the nation and not the government to decide whether to give the sovereignty back or not and which mechanisms should be used. In reply, Doguzhiyev said he did not think that anyone had taken sovereignty away from Lithuania. According to him, the Soviet Union had some "perversions" and wrongs, but this was the case vis-à-vis all the Soviet Republics. From now on, he said, the Soviet Union would be essentially different in content and in terms of the standing of sovereignty of the republics. "If we only speak about Lithuania's leaving the union, this will be an endless story". Doguzhiyev emphasised that in this case issues would have to be addressed through consultation with the central authorities of the USSR and the representatives of other Republics.⁹⁴

Nevertheless, after the meeting of the heads of the two Delegations, the Soviet Union slightly modified its stringent negotiating positions⁹⁵. On 4 April 1991, an official working meeting of the state-level Negotiation Delegations was held in Moscow. During the meeting, the first significant progress on the conditions for the beginning of the official negotiation was achieved. The Protocol⁹⁶ signed by the Heads of the two Delegations established the agreed principles and

94 Abridged translation of the verbatim records is provided in Annex 1.

95 This probably happened due to several factors: the failed aggression of the USSR against Lithuania on 13 January 1991; the near completion of the negotiations between the Republic of Lithuania and the Russian Federation concerning the Treaty on the Foundations of Inter-State Relations; the decision of the Althingi of Iceland on the validity of the recognition of Lithuania's independence; and the difficulties Mikhail Gorbachev faced in reaching agreement with the key USSR Republics on their status under the newly drafted USSR Treaty.

96 See Annex 2.

procedures for the future negotiations, paving the way for the negotiations between the two equally independent states. The agreed principles included: the refusal to attach preconditions; equality of the parties; respect for the sovereignty of each state; and respect for the universally recognised principles of the law. It was the first document to determine the objective of the future negotiations as *regulation of the relations between the Republic of Lithuania and the USSR*. *In its essence the Protocol was the document on the start of negotiations, the one that Lithuania had been aspiring to signing since October 1990*. However, the list of issues proposed by the USSR for the negotiations (referred as “*kompleks voprosov*” in Rus., “a package of issues”) clearly demonstrated that it was willing to continue swamping the negotiations into consideration of conditions of “secession from the Soviet Union”, which were legally unjustified and not acceptable to Lithuania. For instance, the package covering national security, border regime, army and defence capabilities, a financial system, banks, and ownership were among the vague issues listed on the demand of the Soviet Union Delegation. Even though both parties had agreed that expert groups would embark on the preparatory work for the negotiations in April 1991, the USSR was evidently taking its time before it began with the process.

During his visit in Vilnius on 1 April 1991, Fiodor Shelov-Kovediayev, envoy of the Russian President Boris Yeltsin, said that Russia was unwilling to endorse the reference to the 1940 annexation in the preamble of the draft Treaty and would propose to include this text in a separate statement to be announced after signing the Treaty. Yet in mid-April the Negotiation Delegations of Lithuania and Russia finally agreed that the preamble of the Treaty on Inter-state Relations between the Republic of Lithuania and the Russian Federation would include the wordings proposed by both sides referred to above. This meant that both Russia’s suggested text on drawing a line under the past events and actions and the wording proposed by Lithuania as regards the annexation of Lithuania by the USSR in 1940 would be included in the preamble, provided the heads of both states endorse them during the meeting held to sign the Treaty, or, in other words, provided Boris Yeltsin endorses the reference to the annexation in 1940.

At a later stage of negotiations, an agreement was reached to modify the Russian wording concerning the past events. As a result, the expression “draw a line under the events and actions of the past” was modified to “attribute the events and actions to the past”. This was done because the Lithuanian side wanted to

avoid the possible interpretation of the words “draw a line” as a refusal to raise the issue of the aftermaths of the illegal past actions. The Lithuanian negotiators thought that the words “attribute the events and actions to the past” would rather be seen as a refusal to repeat the said actions in the future. The parties agreed to modify the wording “*the aftermath of the 1940 forced incorporation of Lithuania into the USSR*” by “*the aftermath of the 1940 annexation violating Lithuania’s sovereignty*”.

In April 1991, the members of the Lithuanian State Delegation for the Negotiations with the USSR completed the drafting of the Lithuanian Memorandum on the necessity to re-establish the legal inter-state relations between the Republic of Lithuania and the Soviet Union addressed to Mikhail Gorbachev, President of the Soviet Union. On 20 April 1991, Vytautas Landsbergis, Head of the Lithuanian State, signed the Memorandum and sent it to Mikhail Gorbachev.⁹⁷ The Memorandum clearly establishes the facts and arguments concerning legal interstate relations regulated by the treaties between the Republic of Lithuania and the USSR between 1920 and 1940 and the circumstances of the breach of the treaties in 1940. The Memorandum highlights the need to re-establish official relations between Lithuania and the USSR in accordance with the principles of international law. The document suggests that the leadership of the USSR should adopt the relevant decisions, appoint a state negotiation delegation of the USSR, and authorise it to conduct constructive inter-state negotiations.

In the meantime, the Lithuanian negotiators negotiating with Russia on the Treaty on the Foundations of Inter-State Relations had already reached agreement on the text of the Treaty. However, the final initialling of the Treaty by the Heads of the Delegations had to be deferred after the Russian President authorised the Russian Delegation to further continue the negotiations and additionally draft the agreement on cooperation between Russia and Lithuania for the development of the Kaliningrad Region that became an enclave. The negotiations on this agreement lasted approximately two months. Concurrently, some editorial amendments to the Treaty on the Foundations of Inter-State Relations were also made upon the consent of the parties.

97 Document 189. *The Road to Negotiations with the U.S.S.R.*, State Publishing Centre, Vilnius, 1991. p. 295-301.

The first half of 1991 was marked by significant constitutional changes in the supreme power structure of the Russian Federation, still officially called the Russian Soviet Federal Socialist Republic. By the referendum of 5 March 1991, the Russian citizens endorsed the establishment of the institution of the President. As a consequence, on 24 May 1991, the Constitution of Russia was duly amended. On 12 June 1991, on the first anniversary of the declaration of sovereignty of the RSFSR, the former Chairman of the Supreme Council of the Russian Federation and Head of State Boris Yeltsin was elected to the post of the President of the Russian Federation by 57% of votes in the first round of direct democratic elections. Yeltsin's new constitutional powers were a very important factor favouring the conclusion of the Treaty on the Foundations of Inter-State Relations between Russia and Lithuania.

The drafted Treaty on the Foundations of Inter-State Relations between the Republic of Lithuania and the Russian Soviet Federal Socialist Republic was initialled by the Heads of the Lithuanian and Russian Delegations for the Negotiations in Moscow on July 1991⁹⁸. The Agreement between the Republic of Lithuania and the Russian Soviet Federal Socialist Republic for the Cooperation in the Economic, Social and Cultural Development of the Kaliningrad Region of the RSFSR concomitant with the Treaty was also agreed upon and initialled. The leaders of the Russian Federation and the Republic of Lithuania, Yeltsin and Landsbergis, met in Moscow on 18 July 1991. The heads of both countries came to an agreement that the drafting of the Treaty was finalised and set the date for signing it on 29 July 1991.

The official meeting between Vytautas Landsbergis, Head of the Republic of Lithuania, and Boris Yeltsin, President of the Russian Federation, with the participation of both State Negotiation Delegations for signing the Treaty on inter-state relations between the two countries took place in the Kremlin, in Moscow on Monday, 29 July 1991. The Preamble paragraph under which both countries supported the elimination of the consequences of Lithuania's annexation by the USSR in 1940 was discussed once again during the meeting under the initiative of the Russian Government representatives. Both leaders agreed upon the interpretation of the Preamble stating that the Russian Federation was not liable for the crime against Lithuania perpetrated by the

98 Vladimir Lukin and Česlovas Vytautas Stankevičius.

USSR entailing the responsibility for the USSR to eliminate the consequences of Lithuania's annexation⁹⁹. Russian President Yeltsin took a sound and respectable decision to sign the Treaty on the Foundations of Inter-State Relations between the Republic of Lithuania and the Russian Soviet Federal Socialist Republic with the wording agreed upon at the negotiations including the Preamble paragraph, highly significant for the relations between the two states.

In the effort to implement Article 11 of the Treaty on the Foundations of Inter-State Relations between the Republic of Lithuania and the Russian Soviet Federal Socialist Republic, on the 29 July 1991 heads of governments of both states, Vagnorius and Silayev, signed the Agreement between the Republic of Lithuania and the Russian Soviet Federal Socialist Republic for the Cooperation in the Economic, Social and Cultural Development of the Kaliningrad Region, RSFSR, settled by the Negotiation Delegations of both states. To implement Article 19 of the Treaty, Ministers of Foreign Affairs Algirdas Saudargas and Andriėj Kozyrev signed a Protocol on the Establishment of the Plenipotentiary Representation of the Republic of Lithuania in the Russian Soviet Federal Socialist Republic and the Plenipotentiary Representation of the Russian Soviet Federal Socialist Republic in the Republic of Lithuania¹⁰⁰.

The Supreme Council of the Republic of Lithuania ratified the Treaty of 29 July 1991 on 19 August 1991, i.e., on the same day when the radical imperialist forces of the USSR attempted a coup d'état in Moscow. The Supreme Council of the Russian Federation ratified the Treaty half a year later than Lithuania: on 17 January 1992, when the Russian Federation had already declared itself the continuer of all the Soviet Union rights and obligations, hence, all liabilities as well. Later, the Treaty was registered with the Secretariat of the United Nations.

With hindsight, one may say that the text of the Treaty is not a perfect example of a legal text but that Lithuania succeeded at negotiating it based on what the other party to the negotiations agreed upon. Nevertheless, the recognition of the independence of Lithuania, re-established by the Act of 11 March 1990, has already been in effect for two decades and will continue to be so. One has to acknowledge the fact that the Russian Federation under Yeltsin's

99 At the time, the Russian Federation like other Soviet republics, was not a successor to the Soviet Union and did not agree to share the responsibilities of the USSR with it.

100 The copy of the Protocol is kept in the author's archive.



Heads of States Vytautas Landsbergis and Boris Yeltsin are signing the Treaty on Inter-State Relations at the Kremlin, Moscow, 29 July 1991. Standing (from left to right): Stankevičius, Vice-President of the Supreme Council, and Vagnorius, Prime Minister; behind them: Saudargas, Minister of Foreign Affairs; Bičkauskas, Chargé d'affaires a.i. to the Russian Federation; and Rasimavičius, MP. On the right: Kozyrev, Minister of Foreign Affairs of the Russian Federation; Silayev, Chairman of the Council of Ministers; Vice-President Rutszkoy; and Khasbulatov, Chairman of the Supreme Soviet.

Photo by Vladimiras Gulevičius.

LCSA. P-22298.

leadership negotiated and concluded the Treaty with Lithuania on respectable grounds. The wording regarding Lithuania's annexation by the USSR in 1940, hardly negotiated then, remains significant even twenty years later when representatives of Russia's Government repeatedly attempt to deny the fact of occupation and annexation of the Baltic States by the USSR and still look for ways of bringing the states that liberated themselves from the empire back under Russia's control.

Gorbachev's plan was that the treaty establishing the "new USSR" (with the name changed from the Union of Soviet Socialist Republics to the Union of Sovereign Socialist Republics) would be signed in Moscow on 20 August 1991. The treaty stipulated that "each Republic as a party to the Treaty shall be a sovereign state", while the Union of Sovereign Socialist Republics (USSR)

“shall be a sovereign federal democratic state”.¹⁰¹ The treaty had to lay down the foundations of the constitution for the new USSR. Nine former USSR Republics intended to sign the treaty;¹⁰² however a decision was taken for the Presidents of the Russian Federation and Kazakhstan to sign it on 20 August and for the Presidents of other Republics to do it later. Having not signed the treaty, Lithuania would have found itself outside the “new USSR”. Beyond any doubt, the leadership of the USSR would have continued its efforts to impose a separate treaty on Lithuania binding it to the “new USSR”. However, on the eve of the day intended for signing the treaty, establishing the “new USSR”, on 19 August, radical communist imperialistic forces began a coup d’état in Moscow aiming to preserve the “old USSR” by force.

Following the failed coup d’état of 19-21 August 1991 in Moscow, the State Council of the USSR under the leadership of Gorbachev recognised the independence of the Republic of Lithuania by its Resolution of 6 September 1991¹⁰³, “with reference to the concrete historical and political situation that existed before the entry of the Republic of Lithuania into the USSR”,¹⁰⁴ and decided to hold negotiations with the Republic of Lithuania. Shevardnadze, who resumed the post of the USSR Minister of Foreign Affairs, was appointed by President Gorbachev’s decree to head the USSR Delegation for the Negotiations with Lithuania. Under the decree, representatives of the Russian Federation and Belarus were included in the USSR delegation “taking into consideration their special interest”.

Vytautas Landsbergis tasked the author of this publication, heading the Lithuanian Delegation for the Negotiations with the USSR, to meet with Shevardnadze and exchange opinions on the pending negotiations, firstly regarding the withdrawal of the USSR troops from the territory of Lithuania and regarding the prospects for the regulation of the inter-state relations with the USSR on the basis of an agreement. The Head of the Lithuanian Delegation met

101 Under the draft agreement which is kept in the author’s archive.

102 Russian Federation, Ukraine, Belarus, Kazakhstan, Azerbaijan, Kirghizstan, Uzbekistan, Tajikistan, and Turkmenistan.

103 Resolution No GS-1 of 6 September 1991 of the State Council of the USSR “Regarding the Recognition of the Independence of the Republic of Lithuania”.

104 The Council refers to the 24 December 1989 Resolution of the Congress of People’s Deputies of the USSR on the Political and Legal Appraisal of the Soviet Non-aggression Treaty, which declared the secret protocols of Molotov-Ribbentrop null and void.

the head of the Soviet Union Delegation, Eduard Shevardnadze, at Lithuania's representation in Moscow on 1 November 1991.

Shevardnadze expressed satisfaction with being entrusted with negotiations that were unprecedented in the history of the USSR with the Republic of Lithuania and noted that they would be affected by "the complicated historical experience". Nevertheless, the most important task in the negotiations was to preserve what had been positive and useful and aim at benevolent relations between the countries in the future. He said that he was "prepared to *pay maximum respect to Lithuania's requests*" also noting that a number of issues were still unclear as he had to learn about the positions of the USSR ministries and departments.

Responding to Shevardnadze's statement regarding "the complicated historical experience", Lithuanian representative reminded him of the Lithuanian nation's resistance in 1940-1990 and its sacrifices for freedom, deportations committed by the USSR and mass imprisonments, as well as the bloody deeds perpetrated by USSR troops in January 1991. He endorsed Shevardnadze's statement that it was necessary to find ways for restoring confidence between the two states. The preconditions for confidence would have to be established prior to the negotiations. How was it possible to negotiate on the same footing when the troops of one of the parties to the negotiations were standing behind the back of the other negotiation party and exerting pressure? Thus, first of all, the USSR Government would have to withdraw its troops, at least from Vilnius. If the army moved, the premises occupied by the army would have to be transferred to Lithuania and that would facilitate the negotiations. Shevardnadze expressed understanding regarding the difficulty of speaking about independence-related guarantees in the presence of the foreign troops. "Only the occupying army, however, can be deployed in a country fast. Withdrawal takes time. [...] People will not forgive us in case of unrest in the army" as there would be a shortage of flats to have them resettled in Russia. The Lithuanian representative stated that withdrawal or non-withdrawal of the troops was not a subject of negotiations and that the withdrawal of the troops could not be linked to the construction of flats for the military personnel or any other conditions.

Referring to the subject of the future negotiations, the Lithuanian delegate stated that the main aim of the negotiations for Lithuania was political agreement,

ensuring mutual confidence of the countries and good neighbourly relations. A peace treaty had to be concluded to address the problem which dated back to 15 June 1940. Thus Lithuania would not want to start the negotiations from secondary issues. The negotiations should not resemble the discussion on relations between “the centre” and “the Republic”. Shevardnadze responded that Mikhail Gorbachev, President of the USSR, had not tasked him with negotiations regarding the agreement on political bilateral relations between the states. That would be subject of the second phase. First, existing problems had to be addressed and only then future relations established. According to him, the development of political agreement would require an extensive amount of time. Shevardnadze was explicit about the fact that the USSR still intended to negotiate only those issues (“a package of issues”¹⁰⁵) that would be raised by the ministries of the USSR. He only promised to communicate the arguments of Lithuania to the President of the USSR¹⁰⁶.

The conversation provided with a clear understanding that although the Soviet Union recognized the restored independence of Lithuania on 6 September 1991, President and Government of the USSR wanted to continue negotiations with Lithuania based on the *secession doctrine*¹⁰⁷ and discuss the “terms and conditions of secession from the USSR”. There were no real prospects in sight regarding the negotiations and agreement on the bilateral framework agreement matching up to the Treaty already signed between the Republic of Lithuania and the Russian Federation on 29 July 1991.

Very soon, however, the USSR leadership became concerned with the destiny of the Soviet Union itself more than with negotiations with Lithuania. Since the new USSR agreement remained unsigned in August 1991, Yeltsin, President of the Russian Federation, soon began addressing the issue of the USSR’s existence. In Viskuly, Belovezhskaya Forest (Belarus), on 8 December 1991, Russian President Boris Yeltsin, Ukrainian President Leonid Kravchuk and

105 This term favoured by the USSR representatives used to remind one of Lithuanian fairy-tales in which a witch would task an orphan girl to spin a ball of yarn that could never be completed.

106 The substance of the conversation is extracted from the verbatim records kept in the author’s archive.

107 *Secession* is of a Latin origin and means becoming separate, withdrawal. The fact that Lithuania’s independence did not mean secession under international law was comprehensively proven by Dr. Dainius Žalimas, an expert in international law, in his book *Lietuvos Respublikos nepriklausomybės atkūrimo 1990 m. kovo 11 d. tarptautiniai teisiniai pagrindai ir pasekmės* (International Legal Background and Consequences of the Restoration of Independence of the Republic of Lithuania on 11 March 1990) (p. 156-159). 2005. Vilnius: DPI-“Rosma”.

Chairman of the Belarusian Supreme Council Stanislav Shushkevich signed an agreement stating that the Soviet Union ceased to exist “as a subject of international law and geopolitical reality” and a new alliance was established instead: the Commonwealth of Independent States (CIS). The parliaments of the countries that signed the Charter Establishing the Commonwealth of Independent States (CIS) ratified it on 10-12 December 1991.

Two weeks later, the USSR finally ceased to exist thus the negotiations between the Republic of Lithuania and that international entity ceased as well. The Russian Federation declared itself as continuing the Soviet Union thus maintaining full responsibility for its rights and obligations by sending President of the Russian Federation Boris Yeltsin’s letter to the UN Secretary General on 24 December 1991 and the Ministry of Foreign Affairs of the Russian Federation’s Note to the heads of the foreign diplomatic representative offices on 13 January 1992. The Republic of Lithuania had already established its relations with the Russian Federation under the Treaty of 29 July 1991.

Negotiations between the Republic of Lithuania and the Russian Federation regarding the withdrawal of the occupation troops from Lithuania in 1991-1992

Following the universal resumption of international recognition of the Republic of Lithuania in the autumn of 1991, the military leadership of the USSR understood that the withdrawal of the USSR occupation troops from Lithuania and other Baltic States was only a matter of time. At a meeting with the government representatives of Estonia, Latvia, and Lithuania that took place in Moscow on 10 September 1991, Minister of Defence of the USSR Yevgeny Shaposhnikov stated that the withdrawal of troops from the Baltic States would commence, but the expected beginning would not be before 1994, following the withdrawal of the troops from other European states. The Ministry of Defence of the USSR had already been withdrawing troops from several Eastern European states under the concluded agreements and began developing the uniform positions for the negotiations on the terms and procedure of the withdrawal of troops not only from the Baltic States but in general from the former Soviet Republics that had declared their sovereignty. The positions for the negotiations of the Ministry of Defence of the USSR included plans to legitimise at least the most important military bases in their territories.

After the USSR ceased to exist and after the Russian Federation declared itself as continuing the Soviet Union, maintaining full responsibility for its rights and obligations on 24 December 1991, it had to maintain the liability of the USSR to eliminate the consequences of Lithuania's occupation and forceful incorporation (annexation) into the USSR.¹⁰⁸ One of the consequences to be eliminated first was to withdraw the occupation USSR troops from Lithuania. The terms and procedure for the withdrawal of the occupation troops had to become the subject of another round of negotiations between the Republic of Lithuania and the Russian Federation. Reparation for damages to Lithuania also had to be on the agenda of the negotiations.

108 The Statement of the European Communities and Member States of 23 December 1991 underscored that "Russia must continue and implement international rights and responsibilities of the former USSR."

The negotiations on the withdrawal of the occupation army started in Moscow on 17 January 1992¹⁰⁹ at the meeting between the Lithuanian and Russian leaders Landsbergis and Yeltsin, during which the withdrawal of the Russian troops from Lithuania was discussed in the context of further development of relations between the two states, Lithuania and Russia. In the communiqué signed by them, the troops of the former USSR deployed in the territory of Lithuania were officially defined as the “troops being withdrawn from Lithuania”, the “troops under the jurisdiction of the Russian Federation”, the actions of which must not contradict Lithuanian sovereignty and laws.¹¹⁰ The Agreement on the status of the armed forces “being withdrawn” was of principal importance to Lithuania because it envisaged no conditions under which legal temporary presence of the occupation army could be recognised.¹¹¹ The communiqué stipulates that the withdrawal of the armed forces will be conducted on the grounds of the agreement to be concluded by way of negotiations within a month. The communiqué also declares, “The parties shall mutually support (*sodeystvovat*, in Rus.) the orderly withdrawal of the armed forces from the territory of Lithuania, first and foremost, from its capital Vilnius by maintaining, for the period of the withdrawal, the present procedure for payment for the army supplies under the mutually agreed amounts and tariffs.”

On 21 January 1992, the Lithuanian Representation in the Russian Federation received a draft copy of the standard agreement “Regarding the Legal Status and the Procedure for Withdrawal of the Armed Forces of the Former USSR Temporarily Present on the Territory of the Republic of (XXX)” drafted by the Ministry of Defence of the former USSR, then already the Ministry of Defence of the Russian Federation, for all the members of the CIS and sent to them on 16 January. It is important to reveal the essential provisions of this draft because with some amendments they became the starting positions of the Russian Federation in the commencing negotiations with Lithuania.

The draft agreement suggested the following: to grant a legal status of temporary presence to the USSR military units (until their withdrawal); to defend both the sovereignty and territorial integrity of the Russian Federation and of

109 On that day, the Supreme Council of the Russian Federation ratified the Treaty of 29 July 1991 between Russia and Lithuania.

110 The facsimile copy of the communiqué kept in the author’s archive.

111 It is noteworthy that Lithuania was consistently pursuing its stand that the presence of the occupation army was illegal in Lithuania until its complete withdrawal.

the other CIS states on the territory of their temporarily presence; to ensure “security and sovereignty along the external border” of the host country; to ensure that the Constitution of the host country and non-interference into domestic affairs is respected by the armed forces of the Russian Federation and; provide the necessary conditions for the military units to perform their functions and to cover part of their subsistence expenses; to ensure the right to the military units to freely use all the necessary buildings and territories, airfields, networks and other military infrastructure; to ensure the freedom of movement of the military units, aviation and warships and the freedom of their manoeuvre; to reimburse the temporary host country expenses for social and utility expenses; *to acknowledge the right of ownership of the Russian Federation to real property* constructed or used by the military; to provide the Russia’s reserve officers *with a right to the citizenship of the host country* and guarantee the provision of housing; a country from which the army is withdrawn has *to construct military and social buildings at its expense and by its own efforts in the new location of troops’ deployment* in the territory of the Russian Federation, etc.¹¹²

Since the above mentioned draft standard agreement, developed by Russia, was completely unacceptable to Lithuania to be used as a basis for the negotiations, in preparation for the first meeting of the Delegations for the Negotiations on 31 January, on 27 January 1991 the Head of the Delegation for the Negotiations of the Republic of Lithuania together with the members of the Delegation developed Lithuania’s alternative draft proposal on the agreement between the Russian Federation and the Republic of Lithuania on the withdrawal of the former Soviet Union troops from the territory of the Republic of Lithuania¹¹³ which suggested the start of the withdrawal of the Russian troops on 1 March 1992 and the end on 1 September 1992. It was submitted to the President of the Supreme Council Landsbergis for approval on 27 January 1991.

On 30 January 1992, Landsbergis, President of the Supreme Council of the Republic of Lithuania, issued the Decrees¹¹⁴ authorising Vice-President of the Supreme Council Česlovas Vytautas Stankevičius and Council Members

112 Quote from the draft agreement the copy of which is kept in the author’s archive.

113 The draft agreement consisted of 15 articles in Russian, the text is kept in the author’s archive.

114 Decrees No 16 and 17 of the President of the Supreme Council of 30 January 1991 is kept in the author’s archive.

(some of them were also appointed as ministers at the time) Aleksandras A. Abišala, Andrius Butkevičius, Egidijus Jarašiūnas, Mečys Laurinkus, Saulius Pečeliūnas, Gediminas Šerkšnys, and Zigmąs Vaišvila to represent the Republic of Lithuania at the first meeting of the negotiations with the State Delegation of the Russian Federation regarding the withdrawal of USSR troops from the territory of Lithuania.

The negotiations between the State Delegation of the Russian Federation headed by Deputy Prime-Minister Sergej Shakhrai and the State Delegation of the Republic of Lithuania headed by the author of this publication took place in Vilnius on 31 January 1992. Both parties presented their negotiation positions and supporting arguments. The Russian party proposed to discuss the possibility of using certain military facilities as temporary military bases which it considered important in the territory of Lithuania. The Lithuanian Delegation refused to discuss this option. It backed Lithuania's position that all army units must be withdrawn and all military facilities must be transferred to Lithuania. The Lithuanian Delegation stated that the withdrawal of the troops would have to be completed by the end of 1992. The Russian Delegation considered this deadline unrealistic and proposed to discuss a deadline of 1994. The negotiation lasted from morning till after midnight. During the meeting, big differences of the countries' positions were revealed. Nevertheless, following the negotiations, the Heads of the Delegations signed a bilateral communication, containing an agreement that the "withdrawal of military units from the territory of the Republic of Lithuania will commence in February 1992." The Communication also stated that expert groups would start drafting an agreement in Vilnius on 10 February.

On 6 February 1991, the Government of the Republic of Lithuania approved¹¹⁵ the permanent composition of the State Delegation for the Negotiations with the Russian Federation and defined its negotiating powers, indicating funding and other provisions for the Delegation and its experts. The approved State Delegation consisted of the following members: Česlovas Vytautas Stankevičius (Head of the Delegation), Aleksandras A. Abišala, Algirdas Butkevičius, Egidijus Jarašiūnas, Vladimir Jarmolenko, Romuladas Ozolas, Saulius Pečeliūnas, Algirdas Saudargas, Gediminas Šerkšnys, and Zigmąs Vaišvila. The Delegation, however, continued working at the Supreme Council

115 Government Resolution No 124 of 6 February 1992.

because its head and all members were members of the Supreme Council and signatories to the Act of 11 March, although some of them also held positions in the Government. Aleksandras Abišala was appointed to coordinate the preparatory work of the Delegation. The Delegation at its meeting took the decision to set up three working groups headed by the members of the Delegation for addressing different areas of negotiations: Šerkšnys headed the group to discuss political issues, Pečeliūnas headed the group to deal with the terms and procedure of the withdrawal of troops, and Ozolas headed the group to settle the reparation of damages.

The work of the Delegation was collegial. The standpoints for the negotiations were formulated at the “homework” meetings of the Delegation. The Head of the Delegation adopted the Regulations for the State Delegation on 25 February 1992. Besides other issues, it established that “The Head of the Delegation shall lead the negotiations and formulate proposals for the Russian Delegation. The members of the Delegation and experts shall speak during the (negotiation) meetings only with the consent of the Head of the Delegation. During the negotiations, any member of the Delegation may suggest a break. Expert meetings shall take place as agreed by the Heads of the Delegations. Before these meetings, the Delegation shall set the limits of the powers to the experts and give instructions to them.”¹¹⁶

The meetings of the experts of both countries’ State Delegations took place in Vilnius on 11-14 February, then in Moscow on 18-19 March and in Vilnius again on 23-24 April 1992. During the meetings, the representatives of Russia aimed at the negotiations based on the standard agreement drafted by their Ministry of Defence under the essential provisions referred to above, which were unacceptable to Lithuania, thus the expert meetings did not achieve any substantial progress.

Meanwhile, the State Delegation for the Negotiations of the Republic of Lithuania continued elaborating the above mentioned draft agreement, developed at its meetings on 27 January. Egidijus Jarašiūnas, member of the Delegation, together with Vytautas Sinkevičius, a law expert in the Delegation, developed the draft of a separate agreement on the jurisdiction of withdrawing military personnel. The expert groups of the Lithuanian Delegation held

116 Quote from the Delegation Regulation No 18 kept in the author’s archive.

working meetings with the Russian expert groups that took place in February to April following the provisions of these drafts. The Lithuanian negotiators sought that the Lithuanian drafts or at least certain articles of the drafts would be accepted as the basis for the negotiations. Although the negotiations were intense at the time, the Russian negotiators refused to accept Lithuania's proposals. They stated they were unauthorised to do that. Thus no articles of the draft agreements were agreed upon.

On 18 March 1992, Russian President Yeltsin appointed a new head of Russia's Delegation for the Negotiations with Lithuania.¹¹⁷ However, following this change, it became even more evident that Russia was not ready to change its negotiation positions and was simply delaying the negotiations regarding the draft agreements proposed by Lithuania.

Since the agreement to start the withdrawal of troops from Lithuania in February 1992 was reached at the first negotiating meeting in Vilnius, one small technical regiment was withdrawn on 27 February 1991. At the same time, the main Russian army units in Lithuania were supplemented by new personnel in spite Lithuania's ban to bring them into the country. On 28 April 1992, the Head of State of Lithuania Landsbergis sent a telegram to the President of Russia Yeltsin and demanded that Russia discontinued the reinforcement of troops and transportation of military personnel to Lithuania. On 30 April 1992, the Ministry of Foreign Affairs of the Republic of Lithuania handed over the Note of Protest on illegal transportation of new military units to Lithuania to the Russian Ministry of Foreign Affairs.

The official ceremony for exchanging the letters of ratification of the Treaty of 29 July 1991 took place in the building of the Supreme Council, in Vilnius, on 4 May 1992. The protocol on the exchange of ratification letters was signed by Shelov-Kovediayev, First Deputy Minister of Foreign Affairs, on behalf of the Russian Federation, and by Landsbergis, President of the Supreme Council, on behalf of the Republic of Lithuania.

Meanwhile, in May 1992, the negotiations regarding the withdrawal of troops were still stalled as the positions of the countries still differed on essential issues.

117 Viktor Isakov, career USSR diplomat, Ambassador-at Large.



The first negotiation meeting on the withdrawal of Russian troops from Lithuania, Vilnius, Hotel Draugystė (currently Crowne Plaza Vilnius), 31 January 1992. The Lithuanian Delegation: Stankevičius (standing on the right, opening the meeting), Vaišvila and Šerkšnys (seated) with Zingeris standing in the background. The Russian delegation on the left: Shakhrai (in the centre). Photo by ELTA.

When the Russian Federation assumed the continuation of the USSR and full responsibility for its rights and duties and took over all the ministries of the USSR, it changed its positions in the negotiations which had been much more liberal during the negotiations on the Treaty of 29 July 1991. The Delegation of the Russian Federation stuck to the doctrine of *secession*¹¹⁸ “of the former Soviet Republics from the USSR” because while benefiting from the inherited rights of the USSR, Russia refused to acknowledge it inherited its responsibilities and liabilities and aimed at maximum alleviation of the heavy burden of eliminating the consequences of the occupation, committed by the USSR, especially as regards mass withdrawal of the large occupation troops from Central Europe and the Baltic States. The change in the Russian Federation positions was also influenced by the attitudes of the staff of the former USSR Ministries of Defence

118 See the comment in footnote 107.



President of the Supreme Council of the Republic of Lithuania, Landsbergis and Special Envoy of the President of the Russian Federation and First Deputy Minister of Foreign Affairs, Shelov-Kovediayev are signing the Protocol on the exchange of ratification documents to the Treaty of 29 July 1991 on the Inter-State Relations in the hall of the Supreme Council of the Republic of Lithuania. The Lithuania delegation of standing (from left to right): Stankevičius, Head of the Delegation, Abišala, Šerkšnys, Bičkauskas, Jarmolenko, Rasimavičius, Pečeliūnas, and Glaveckas, Vilnius, 4 May 1992.

Photo by Jonas Juknevičius.

LCSA. 0-124712.

and Foreign Affairs as well as the moods of the thousands of military officers of the occupation army corps under withdrawal from Europe.

The Lithuanian Delegation consistently substantiated all its negotiation provisions with the fact that Lithuania had never joined the USSR but was a state occupied by it and forcefully incorporated into the USSR. The Lithuanian negotiators wanted all the problems related to the facts to be addressed in the negotiations following the principles and norms of international law.

The issue of responsibility would constantly arise in the negotiations when discussing the problems related to the withdrawal of the troops and related obligations of Russia. Russia's negotiators wanted to "write-off" the issue of liability for the USSR regime. They claimed that the totalitarian communist

regime of the Soviet Union and its authorities were to blame for the harmful legacy in Lithuania and, therefore, had to bear the responsibility. Russia had also suffered from the regime. Lithuania's negotiators explained that the deeds committed in Russia by its culpable regime were a domestic issue. Lithuania, however, differently from Russia, was an independent state that suffered from the international law violation by a foreign state, the Soviet Union, thus under international law the responsibility for the consequences of the violation fell on the perpetrating state, consequently, the obligation to eliminate those consequences by the Russian Federation as it continued the rights and obligations of the USSR.

The two countries had different opinions regarding Russia's obligation to withdraw its troops from Lithuania. Russia's delegates held on to the view that the obligation to withdraw the troops would arise from the agreements after they were signed. The Lithuanian Delegation was of the opinion that immediate withdrawal of the occupation troops from Lithuania was an absolute international obligation of the USSR that Russia had to exercise, which was not a subject of negotiations but rather a duty deriving from international law, and not the one deriving from the agreements in question. Only the procedure under which the obligation should be implemented could be a negotiation item for the on-going negotiations. The Lithuanian delegates aimed for Russia's unambiguous acceptance of this duty in the pending agreement.

Russia sought for a temporary legal status for its troops still present in Lithuania and recognition of their units as a legal entity. Lithuania insisted that the occupation troops could not gain the status of legal presence as their presence in Lithuania was and remained illegitimate. The troops were a subject of negotiations and they could not become a legal entity. Nonetheless, Lithuania acknowledged the fundamental human rights of the military, thus in the further negotiations only the issues of the Russian military personnel and their family members, but not the rights of the military units, were being settled.

The Russian representatives wanted Russian jurisdiction to be applicable to the units of the Russian troops under withdrawal in the territories controlled before the withdrawal. The Lithuanian representatives did not acknowledge any extra-territoriality applicable to the Lithuanian territories controlled by the foreign troops and maintained that the only laws and authorities that were



President of the Supreme Council of the Republic of Lithuania, Landsbergis visiting the 119th Regiment, 7th Airborne Division deployed in Marijampolė, is talking to Regiment Commander Colonel Degtyov and Lieutenant General Pikauskas, Deputy Commander of the Russian Airborne Forces. Behind them, on the right: Gečas, Deputy Minister of National Defence. Marijampolė, 14 November 1992.

Photo by Gediminas Svitojus.

LCSA. 0-112255.

empowered in the entire territory of Lithuania without exception were those of Lithuania.

The Russian negotiators claimed that the buildings and structures constructed and used by USSR troops were the ownership of the troops, thus the ownership rights consequently belonged to the Russian Federation. It wanted Lithuania to pay compensation for the buildings or to allow further joint management of this property. Moreover, the Russian Delegation substantiated these claims by the acts, issued by the LSSR administration, still treating it as the ostensibly legal government of Lithuania.

The Lithuanian Delegation dismissed such arguments referring to the fact that the authorities of the USSR occupation regime imposed on Lithuania in 1944-1990, including the so-called LSSR government, were illegitimate. Their



Lithuania and the Russian officials inspect Šiaurės Miestelis (Northern Town, Soviet military camp in Vilnius). From left to right: Šerkšnys, Member of the Lithuanian State Delegation; Obertyshev, Ambassador of the Russian Federation; General Frolov, Commander of Russia's 107th Motorised Rifle Division; Gečas, Deputy Minister of National Defence of Lithuania; and Tutkus, Chief of the Joint Staff of the Lithuanian Armed Forces, Vilnius, 4 December 1992.

Photo by Jonas Staselis.

LCSA. 0-103395.

decisions were in no way obligatory to Lithuania and could not entail any legal consequences. The USSR as an occupying state could not legally acquire any ownership in Lithuania or gain any legal benefits. On 28 November 1991, the Supreme Council of the Republic of Lithuania guided by the principles of international law had passed the law¹¹⁹ which determined that the buildings and structures used by the USSR troops unconditionally belonged to the Republic of Lithuania.

¹¹⁹ The Law of the Republic of Lithuania on the assets and transactions illegally controlled by USSR military units and other military structures in the territory of the Republic of Lithuania. Official Gazette *Valstybės Žinios*, 1991-12-20 Nr. 35-951.



The commanding officers of the Russian Army unit at the ceremony of withdrawal from the military camp in Visoriai, close to Vilnius, 1992.

Photo by Paulius Lileikis. LCSA. 0-108226.



The soldiers of the Russian Army unit that is leaving the military camp in Visoriai, close to Vilnius, are happy to go home, 1992.

Photo by Paulius Lileikis. 0-108227.



*Russian tanks from the military camp Šiaurės Miestelis are loaded on platforms in Kirtimai, Vilnius, 1992.
Photo by Paulius Lileikis.
LCSA 0-108261.*



*The Russian Army unit is leaving the military base in Mickūnai, close to Vilnius, 1992.
Photo by Paulius Lileikis.
LCSA. 0-108221.*



Russian tanks from Lithuania to be cut for scrap, Belarus, December 1992.

Photo by Romas Jurgaitis.

LCSA. 0-103553.

During the period of the withdrawal of troops, Russia wanted some of its officers to be dismissed in the process and acquire the status of legal residents of Lithuania. Russia wanted Lithuania to grant “political and civil rights” to those officers. Lithuania rejected such Russia’s demands holding to the view that all Russian military and their family members¹²⁰ belonged to the contingent of the troops under withdrawal and thus could not get the status of legal residents in Lithuania. Nonetheless, Lithuania agreed to allow Russian military personnel and their family members to continue using Lithuanian medical services, kindergartens, schools, utilities, and social services until the withdrawal of the troops was completed; however, subject to payment for the above-mentioned services by the Russian Federation.

Lithuania sought that the negotiations on the procedure for the withdrawal of the Russian army would also resolve the issues of reparation for damages.

¹²⁰ According to the data, submitted by the Russian Defence Ministry, 10 200 families of the Russian officers were still present in Lithuania at the time.

Among other things, Lithuania proposed that the Lithuanian army armaments and military assets seized in 1940 should be compensated by providing new armaments and military equipment necessary for rebuilding the defensive capacity of Lithuania and subsequently another round of negotiations on the reparation of other damage inflicted could be arranged. The Russian Delegation did not deny the legitimacy of these claims during the negotiations and even relevant articles were agreed upon, however, on the last day when almost everything seemed agreed, they refused to sign the agreement with those articles.

A new impulse was needed to reset the negotiations stalled due to the diverging positions. The demand of the nation for the withdrawal of the occupation army expressed through a referendum of Lithuanian citizens was to become such an impulse. Representatives of the Lithuanian Christian Democratic Party at the Seimas came up with an initiative to hold a referendum. On 27 April 1992, the Supreme Council of the Republic of Lithuania passed a resolution to hold a referendum on the demand to quickly withdraw the occupation army of the USSR. Ninety per cent of those who voted during the referendum held on 14 June 1992 endorsed the demand “that the withdrawal of the army of the former USSR from the territory of the Republic of Lithuania start immediately and be concluded in 1992, and that the damages done to the Lithuanian people and the Lithuanian state would be compensated.”

Since the Russian negotiators continued arguing further that it was not possible to withdraw the army with all its heavy weaponry and huge arsenals from Lithuania within the short time-span as required by Lithuania, on 30 June 1992, the Lithuanian Negotiation Delegation officially presented to Russia a detailed timetable worked out by Lithuanian experts for the withdrawal of all the troops of the former USSR from the territory of Lithuania by 31 December 1992. The schedule was based on the estimation of the volumes of cargo and the need of wagons as well as technical capacities of *Lietuvos geležinkeliai* (Lithuanian Railways).

The Helsinki Summit of the Organisation for Security and Co-operation in Europe held on 10 July 1992 made a decisive push in the process of the negotiations between Lithuania and Russia and the agreements on the army withdrawal. When drafting the Summit Declaration, Lithuanian diplomats and their Western colleagues who represented the countries supporting Lithuania's

efforts succeeded in including a special Article 15 on the early withdrawal of the former USSR Armed Forces from the territories of the Baltic States.¹²¹ The Declaration containing such an article was adopted by consensus.

Lithuanian leader, Vytautas Landsbergis, announced an Interpretative Statement regarding Article 15 of the Summit Declaration following its adoption. The Statement reminded that Russia, as the continuer of the rights and obligations of the USSR, had the duty to fully eliminate the consequences of Lithuania's occupation of 1940, including the reparation for damages inflicted to Lithuania, as demanded by the people of Lithuania at the referendum held on 14 June 1992¹²². Since no objections from the represented states followed, the Statement became an official document of the Helsinki Summit of 1992.

The composition of the Lithuanian State Delegation was changed and expanded after its member Aleksandras Abišala became the Prime Minister of the Republic of Lithuania. A number of experienced lawyers who had previously worked as experts joined the Delegation. On 10 August 1992, the Government approved¹²³ the following composition of the State Delegation: Česlovas Vytautas Stankevičius (Head of the Delegation), Audrius Butkevičius, Egidijus Jarašiūnas, Vladimir Jarmolenko, Valdemaras Katkus, Vytas Navickas, Romualdas Ozolas, Saulius Pečeliūnas, Vytautas Sinkevičius, Stasys Stačiokas, Vilenas Vadapalas, and Adolfas Venskuskus¹²⁴.

There was a breakthrough in the negotiations after the Helsinki Summit. Constructively-minded representatives of the Russian Ministry of Defence actively joined the negotiations with Lithuania in July 1992. They took the

121 Article 15 of the Declaration of the Conference for Security and Co-operation in Europe 1992 Summit, Helsinki stated the following: "15. [...] We express support for efforts by CSCE participating States to remove, in a peaceful manner and through negotiations, the problems that remain from the past, like the stationing of foreign armed forces on the territories of the Baltic States without the required consent of those countries. Therefore, in line with basic principles of international law and in order to prevent any possible conflict, we call on the participating States concerned to conclude, without delay, appropriate bilateral agreements, including timetables, for the early, orderly and complete withdrawal of such foreign troops from the territories of the Baltic States."
http://www.osce.org/documents/mcs/1992/07/4048_en.pdf

122 CSCE Helsinki Summit, 1992. Delegation of Lithuania. Interpretative Statement. – Helsinki: July, 1992. The text is annexed in this publication, p. 119.

123 Government Ordinance No. 796, 10 August 1992.

124 Ambassador Adolfas Venskuskus was the Representative of the Republic of Lithuania at the European Union and NATO at that time.

initiative into their own hands in the Russian Delegation in August 1992. The draft agreements prepared by the Lithuanian side were accepted on the negotiation basis. Russia withdrew from some of its previous legally ungrounded positions and took Lithuania's reasonable arguments more seriously. In this way both parties succeeded in reaching a compromise on most clauses of the agreement.

The first article of the draft main agreement endorsed at the Delegations' level was as follows: "The Russian Federation acknowledges its international duties to withdraw the troops and will carry out an organised and complete withdrawal of the armed forces of the Russian Federation from the territory of the Republic of Lithuania no later than by 31 August 1993." The Russian Delegation also agreed to the Article of this draft agreement regarding the compensation for the weaponry and assets of the Lithuanian Armed Forces seized in 1940, as well as for the ecological damage inflicted by the armed forces of the USSR after 24 December 1991, while Russia became the successor of the responsibilities for the armed forces of the USSR. In the general context of the whole agreement Lithuania consented to compromise on the date of the final withdrawal – 31 August 1993. It also agreed that further negotiations regarding the other part of the damage inflicted by the USSR be conducted at a later time.

The negotiation process was not over yet when on 26 August 1992 the Heads of State of Lithuania and Russia agreed to hold an official meeting in Moscow on 8 September 1992 for signing agreements on the withdrawal of the Russian Army. The Delegations of both countries were thus committed to working even more intensely.

The last stage of intense negotiations took place at the Permanent Representation of Lithuania in Moscow. It started in the evening of 7 September and finished in the early hours of 8 September 1992. The Russian Federation Delegation was headed by Vitaly Churkin, Deputy Minister of Foreign Affairs. Even though Mr Churkin assessed the articles of the agreements previously endorsed by both Delegations highly critically and emotionally in an attempt to change them, the Lithuanian delegation managed to maintain the texts of the draft agreements unchanged.

At the same time Audrius Butkevičius, Member of the Lithuanian Negotiation Delegation and Minister of National Defence, together with the military officials from his Ministry, who worked separately from the rest of the Delegations with

Pavel Grachyov, the Minister of Defence of the Russian Federation, and the officers of the General Staff, completed the drafting and coordination of the detailed timetables of withdrawal of military formations and units, by the 8 September morning.¹²⁵

Seven separate agreements were fully co-ordinated and prepared for signing, including the Agreement on the Timetable for the Withdrawal of the Army that was worked out by the Defence Ministers, at the negotiation meeting of the Delegations. It is noteworthy, that the detailed extensive timetable of the withdrawal of the troops had been fully prepared by the two Ministers and was ready for signing as an Annex to the main agreement. However, following the request of the head of the Lithuanian Delegation to make it a separate agreement to be signed on behalf of the agreeing parties, its new version was finalised in the early morning of 8 September 1992.

A few hours later Gennady Burbulis, Secretary of State, Adviser to the President of the Russian Federation, unexpectedly arrived at the Lithuanian Representation in Moscow. He informed Vytautas Landsbergis that the President of Russia found it problematic to sign the negotiated main agreement containing Article 9 that included Russia's commitment to transfer some armaments and military equipment as compensation to Lithuania. He thus asked to take this Article out and suggested that Lithuania drafted a statement to be attached to the agreement, stating that the issues related to the compensation for the damage to Lithuania after 14 June 1940 would have to be resolved in the course of further negotiations between the Republic of Lithuania and the Russian Federation. The Lithuanian representatives conceded to Russia's request to draft such a statement.

However, unexpected events followed. In the evening of 8 September 1992, at the final meeting of the Heads of States and the Delegations of Lithuania and Russia, held in the Kremlin, Boris Yeltsin informed Vytautas Landsbergis that Russia decided to sign only three of the agreements: on the timetable for the withdrawal of the troops, with annexes; on the code of conduct and operation

125 The data from the Ministry of National Defence: the Russian troops being withdrawn from Lithuania in autumn 1992: 182 combat units of various sizes (28 regiments within 5 divisions and 8 other regiments among them) with 34 600 servicemen, 455 tanks, 2 075 armoured vehicles, 402 artillery cannons, 109 aircraft, 120 helicopters, and huge amounts of ammunition. The total area used by the armed forces was 96 000 ha.

of the units, subunits and military personnel of the Russian armed forces under withdrawal; and on the procedure for settling technical and organisational issues of the withdrawal of the Russian armed forces¹²⁶. All the agreements signed came into effect the moment they were signed.

The following previously negotiated agreements were not signed: on the withdrawal of the troops of the Russian Federation from Lithuanian territory (referred to as main agreement); on the jurisdiction applicable to the military of the Russian Federation withdrawn from the territory of the Republic of Lithuania and members of their families; on the regulation of the issues of assets and flats owned by the military of the armed forces of the Russian Federation withdrawn from the territory of the Republic of Lithuania and other persons; on social guarantees for the military of the armed forces of the Russian Federation and members of their families¹²⁷. Mr Yeltsin said the remaining four agreements could be signed in October 1992. Landsbergis consented to this proposal.

In October 1992, foreign policy institutions of the Russian Federation started demanding revision of the agreements that had already been reached. The Foreign Affairs Committee of the Russian Parliament decided to advise the President of Russia to defer the signing of the remaining agreements “until they are duly prepared with regard to the rights and interests of Russia and its citizens on the territory of Lithuania”. The Ministry of Foreign Affairs of Russia attempted to initiate new negotiations and presented proposals substantially revising the so-called main agreement negotiated on 8 September 1992 and other agreements. By these proposals the Russian side was seeking to make essential changes in the draft agreements negotiated earlier; they reflected the provisions that Russia had given up in the previous negotiations. Despite the attempts of the Russian representatives to revise the balanced results of the negotiations, the signed agreements remained without changes. They were registered with the Secretariat of the United Nations and served as guidelines for the withdrawal of the Russian troops. The remaining draft agreements¹²⁸ were not renegotiated and were not signed.

126 The texts of the agreements signed are annexed.

127 The texts of these agreements were published in Česlovas Stankevičius' book *Derybos su Rusija dėl kariuomenės išvedimo iš Lietuvos* (Negotiations with Russia on the Withdrawal of Troops from Lithuania), Vilnius: Law Faculty of Vilnius University/Printing Centre at the Ministry of National Defence, 2002.

128 See the reference in the previous footnote.

On 25 November 1992, the General Assembly of the United Nations adopted the resolution A/RES/47/21 “Complete withdrawal of foreign military forces from the territories of the Baltic States”. The United Nations welcomed “recent agreements on the complete withdrawal of the foreign military forces from the territory of Lithuania” and urged the conclusion of the agreements, including timetables, on the withdrawal of the army from Latvia and Estonia.

CLOSING REMARKS

By promulgating the Act of March 11, the Lithuanian Supreme Council not only expressed the will of the nation; by deciding to keep its hands on the steering wheel of the negotiations with the Soviet Union empire headed by Gorbachev and the Russian Federation headed by Yeltsin it also assumed all the risk and direct responsibility for the actual implementation of full independence of Lithuania.

The current article presents a brief overview of the international environment suggesting that the conditions to implement to the full the independence of the State of Lithuania re-established on 11 March 1990 were highly unfavourable. Western leaders criticised the uncompromising stand of Vytautas Landsbergis and the Supreme Council of the Republic of Lithuania with regard to the proclaimed independence and the efforts to implement the basic resolutions of the Act of March 11 without any reservations, as they considered them unrealistic. Western countries were interested in the liberalisation of the Soviet Union rather than “dismantling it”. In fact, what Lithuania could tangibly expect was the implementation of its partial independence only, by binding itself to the transformed USSR with confederation relations for an indefinite period of time. Luckily, idealistic and not “realistic” attitudes were prevailing in the Lithuanian Supreme Council at that time. The Supreme Council of the Republic of Lithuania headed by Vytautas Landsbergis successfully implemented a historical task of

the nation, which was the consolidation of full independence of Lithuania, and achieved more than seemed realistic at that time.

The two Seimas in the history of the Republic of Lithuania – the Constituent Seimas of 1920 and the Supreme Council – had similar key tasks: to restore national independence, create a democratic political system, gain international recognition of the independent state and establish relations with the foreign states and international community. In both cases the starting point in regulation of Lithuania's relations with other states was full liberation from all of its dependence links with the Russian State and the establishment of bilateral state to state relations.

Let's recall the tasks of the Constituent Seimas as defined in the Act of 16 February 1918 proclaimed by the Council of Lithuania: *“The Council of Lithuania also declares that the foundation of the Lithuanian State and its relations with other countries will be finally determined by the Constituent Assembly, to be convoked as soon as possible, elected democratically by all its inhabitants.”*

Let us briefly summarise the activities of the Supreme Council – Reconstituent Seimas of the Republic of Lithuania. After fifty years of occupation the Reconstituent Seimas re-established and consolidated the continuity of the independent State of Lithuania; conducting negotiations with Moscow, it preserved an unblemished mandate of the people; having avoided fatal mistakes, it protected Lithuania against any new links of dependence or associations with Russia; it managed to achieve international recognition of the Republic of Lithuania and restoration of its rights in international organisations. By way of negotiations with Russia, the Supreme Council – Reconstituent Seimas achieved a relatively speedy withdrawal of the occupation army from the territory of the Republic of Lithuania.

By adopting laws, the Supreme Council re-established a democratic political system. It drafted the Constitution of the Republic of Lithuania that was subsequently approved by the people in the referendum and built a solid foundation for a democratic government system of the State of Lithuania. The Act on the Restoration of the Armed Forces of the Republic of Lithuania was passed on 19 November 1992 at the last sitting of the Supreme Council of the Republic of Lithuania; it was the last action of the 985 days of work by the Supreme Council. During a period of almost one thousand days, the Council



The ceremony of signing the Constitution of the Republic of Lithuania in the Presidium Hall of the Supreme Council (currently the Constitution Hall of the Seimas).

The document is being read by President of the Supreme Council, Landsbergis. In the front row from left to right: Secretary of the Supreme Council, Sabutis; Vice-Presidents of the Supreme Council: Stankevičius, Kuzmickas and Motieka; Members of the Supreme Council: Lubys, Laurinkus, Juknevičius, Olekas, Svarinskas, Gajauskas; other Members of the Supreme Council in the back row, Vilnius, 6 November 1992.

Photographer: Jonas Juknevičius.

LCVA. 0-124259.

actually and entirely re-established the independent Republic of Lithuania. Therefore, the decision to name the Supreme Council *the Supreme Council – Reconstituent Seimas of the Republic of Lithuania* was well grounded. It is important to note that the decision to terminate the activities of the Supreme Council – Reconstituent Seimas was taken by the Council itself and was based on the general consensus of its members so that the Seimas of the Republic of Lithuania could be elected with a new mandate and new powers rooted in the Constitution of the Republic of Lithuania that was adopted during its tenure.

As mentioned above, the burden of responsibility for the negotiations with the USSR and the Russian Federation lay on the Supreme Council – Reconstituent Seimas of the Republic of Lithuania. The marathon of 913 days of strained negotiations with Moscow that required huge political efforts was led by the



The Lithuanian State Delegation for the Negotiations, having completed its mission, with Landsbergis, former Head of State of Lithuania, in spring 1993. Seated from left to right: Stačiokas, Abišala, Landsbergis, Stankevičius, Saudargas, and Pečeliūnas. Standing: Šerkšnys, Ozolas, Sinkevičius, Jarmolenko, Katkus, Vadapalas, and Navickas.

Supreme Council – Reconstituent Seimas chaired by Vytautas Landsbergis, the Head of the re-established State of Lithuania. The Deputies elected by the nation – Signatories to the Act of March 11 – were directly involved in the negotiations and made a weighty contribution to their success.

The comparison between the events of 1918 and 1990 might be of interest here. In fact, the period of settling relations between the independent State of Lithuania and Russia in 1918 and 1990 was of about the same length. After the first *de jure* re-establishment of Lithuania's independence on 16 February 1918, it took 516 days to settle inter-state relations between Lithuania and Russia through the negotiations that ultimately led to the Peace Treaty signed on 12 July 1920.

In the case of the second *de jure* re-establishment of independence on 11 March 1990, almost the same period of time, 506 days, separated the declaration about

the re-established independent State of Lithuania and the Treaty of 29 July 1991 regulating Lithuania's inter-state relations with Russia. An additional 407 days of efforts were needed before 8 September 1992, when by means of relevant agreements Lithuania finally succeeded in resolving the issues of the occupation army withdrawal.

Concluding this brief overview of a long story of settling inter-state relations between Lithuania and Moscow, the author would like to highlight his appreciation of the unity and commitment of all the members of the Negotiation Delegation and all the experts some of whom were mentioned above as well as all the members of the Supreme Council – Reconstituent Seimas in pursuing a common goal and concentrating on joint work, emphasising their sense of responsibility and excellent co-operation.

The author also highly values the trust and continuous support of Lithuanian citizens that obliged all the participants of the negotiation marathon to perform the task assigned to them in a responsible manner. Without the support of the Lithuanian citizens and the whole nation the Supreme Council – Reconstituent Seimas would have hardly been able to effectively implement the independence of Lithuania to the fullest.

NEGOTIATION MEETING BETWEEN THE HEAD
OF THE STATE DELEGATION OF THE REPUBLIC OF
LITHUANIA AND THE HEAD OF THE DELEGATION
OF THE USSR (27 FEBRUARY 1991)

27 February 1991

Abbreviated version of the tape-recorded text

Translation from Russian

Participants:

Republic of Lithuania: Česlovas Vytautas Stankevičius (further referred to as Č. S.), authorised Head of the Negotiation Delegation, Vice-President of the Supreme Council; Egidijus Bičkauskas (further referred to as E. B.), Permanent Representative to Moscow; Romualdas Krukauskas, Adviser to the Delegation; *USSR:* Vitaly Doguzhiyev (further referred to as V. D.), Head of the Negotiation Delegation, First Deputy Chairman of the Council of Ministers

Č. S. I asked for a meeting with you as the Head of the Delegation nominated by [the President of the USSR]. I would like to clarify certain issues so that we know what to do next, because the work stopped in December. ...

V. D. Yes...

Č. S. We had made a certain input. Later, other input was made by Soviet Union soldiers in a non-diplomatic way...

V. D. Yes.

<...>

Č. S. We are now in an unenviable situation. We tried to negotiate and we were moving forward somewhat at the negotiating table, but later our suggestions to continue the work remained unanswered. Next, there was a response with actions, provoking the situation that resulted in victims. This situation doesn't change. We are expecting steps in mitigating the situation. More specifically, we are waiting every day for the occupied facilities to be returned and for the troops to be withdrawn. The situation does not facilitate negotiations. We expect it will change. We would like to know your opinion. What do you think?

V. D. Ok, I understand. Let us remember history first. Our meeting back then was postponed. You said you didn't get an answer. The response is that this was because of a direct dialogue between Ryzhkov and Landsbergis. This was when our meeting was postponed. Afterwards, before the Congress, there was one more circumstance: Nikolaj Ivanovich¹ was not in a position to do it. This is how we got so far. You see? So, there seemed to be no uncertainties, whatever we say (...). However, there was a difference of opinion, and this hindered fruitful work. Let me remind you, the issue was as follows: the view on the Protocol² shared by our group differed from the view of your group. Overall, not only the working group, but our entire delegation had a different view on this. We considered the Protocol to be unnecessary, as, in our opinion, after declaring the beginning of negotiations we should rather consider the timing of the next meeting and the introduction of a moratorium on all acts, as we had agreed and how it was written in the documents of both the Soviet Union and Lithuania. This was the point of disagreement between us. However, afterwards you withdrew the issue of the Protocol. That was later (...). You said there was a response with actions. I would not like for us to understand it in that way, because the actions had not been planned in advance. (...) Therefore, the "response with actions" is your wording, to which I disagree. There was no such response. The things that occurred were unpleasant, but they were not a response with actions. I am saying this so that you would not think that everything had been well planned and organised. (...) Therefore, if we stick to the previous position on the negotiations, we should continue the negotiations (...), organise a meeting of the Delegations and then consider the issues we had intended to consider before. (...) Now, as I understand, this issue you have referred to will be added, and may even become the crucial one, I mean the issue on normalisation of the situation. (...) Due to a number of circumstances, including the fact that the cabinet of ministers has not been formed so far, I propose we agree to start or continue the negotiations after the 9th of March. (...) It would be a good idea to organise a meeting of the working groups during the first ten days of the month and organise a meeting of the Delegations on the week of the 11th of March.

Č. S. But can we hope that the consequences of those illegal and criminal actions will be eliminated by that time?

V. D. In any case, I promise you to that there will at least be a position. I haven't looked into this issue and am not ready to answer today as to what to do and how.

1 Ryzhkov, Chairman of the Council of Ministers of the USSR.

2 The protocol on the beginning of the negotiations (the document that Lithuania aspired to signing prior to the official start of the negotiations).

However, by the meeting of the working groups we could probably establish a position; draft an action plan in the working groups, and the delegations might adopt or amend it or something else...

Č. S. We would like to hope that by the time we start working at the working group level the [normal] situation will be restored, the troops withdrawn, and the ownership of the facilities restored. This will amount to restoration of normal conditions. As long as the actions propelled by violence remain in place...

V. D. I need to look into this issue.

Č. S. I encourage you to do so.

V. D. I need to consider this.

E. B. Vitaly Khuseinovich, maybe you really have to address the issue of the buildings, as some party³ interests are already being voiced in this regard. But, as far as I understand, Nishanov⁴, who looked into this issue, categorically stated at the Federation Council that “as for the radio and television, these [were] indeed illegal actions”. He underlined this. I think that this can be addressed even before the meeting of the working groups. Other issues are debatable, but as far as this one is concerned...

V. D. I find it difficult to comment on what Nishanov looked into and on what he said, because I was not fully involved. (...) I need at least to meet Nishanov, so that he explains the situation to me there. Then, most probably, I could give my position, and this would not only be my position, but also that of the entire delegation. Today I am not prepared for this question. I am entirely uninformed about this.

(...)

Č. S. It would be good if the troops were withdrawn and the ownership of the buildings, including first of all the buildings of the radio, television, and press was restored before the beginning of the negotiations. This would be a sign of good will.

V. D. I fully realise that you have the right to say so. Tell me exactly what buildings you have in mind so that I don't have to spend my time searching.

Č. S. There are many buildings that are occupied, like the Police Academy facilities, but the most significant buildings are the television centre, TV tower, and the Press Building. Lithuania has been without information and press, television is paralysed, assets are destroyed, and the people... In addition,

3 USSR Communist Party.

4 Rafik Nishanov, Chair of the Council of the Nationalities of the Supreme Soviet of the USSR.

there are other occupied premises: the Police Academy, National Defence Department, etc.

V. D. The National Defence Department is also occupied?

Č. S. Yes, it is. Some service and communication facilities are also occupied. We can pass the list to you. Shall we send you additional information on this?

V. D. Well, probably, it would be useful.

Č. S. So, we hope that situation will change and we will be able to start working at the negotiating table.

<...>

Č. S. We, as probably you too, do not consider the negotiations to be the final objective. We think that the objective of the negotiations is to achieve certain results which can be recorded in an agreement. I would like to ask you directly. Do you think the real issue [of the negotiations] is recognition of the Republic of Lithuania and restoration of the legal relations dating to pre-1940s? This may remain an off-the-record remark, but we have to be clear about the final objective. We hope to never work in the direction which does not lead to this goal. <...>

V. D. You had raised this question before, and I answered it frankly. I understand your position and make no secrets. My task in the Delegation is to convince you not to leave the Soviet Union. I stress the word: to convince. That is a right you can't deny. If we fail to persuade you, we will opt for another solution, but not the one where you leave and that's it. I think that both sides are interested in mutual relations. <...> If we immediately begin to reconcile our positions, we may differ and not achieve what we could achieve through negotiations. I think that today the end result is unpredictable. At least I would not want to talk about it. I understand your position; you understand our position, too. Maybe during our work some third solution will emerge that will satisfy everyone. Therefore, I say: let's not build obstacles for each other, let's understand each other, sit down at the negotiation table and start discussions. If we fail to tackle one question, let's take the second one, and if we see that it cannot be resolved, we can take up the third one. In the final analysis, there will be some movement, where we will start understanding each other and making decisions. If we fail with our line of action – you win, and thank God for that. After all, the reason for sitting at the negotiation table is to address our issues, and convince each other. <...> therefore, we openly say that our task with you is to try to find a compromise solution that satisfies both sides. I would not like to talk in advance as to what it will be.

<...>

Č. S. Still, it would be easier to solve the problem if the Soviet side understood as soon as possible that <...> we consider our independence non-negotiable. We can discuss any problems that stem from it. We always hoped that the Soviet Union would return to the decision adopted at the Second Congress of People's Deputies, which gave the key to solving the problem⁵. The Soviet side would find it useful if the Baltic issue were separated from other problems in the Soviet Union. <...> we would like the work to begin sooner and the negotiations to be promising and fruitful. You will certainly try to convince us, but you will hardly succeed.

V. D. I understand that we can start from the fact that we will not agree. But why then sit at the negotiation table? Would that be fair?

Č. S. No, this is not what I have in mind. I hope that we will agree. We are ready to understand the Soviet Union's interests. We said so before as well. In my opinion, we are able to find a negotiated solution to ensure that [both] the legitimate interests of the Soviet Union and our legitimate aspirations are met.

V. D. You see, if we start dealing with the issue of Lithuania's leaving the USSR outright, the negotiations will have to be different, and the law on disaffiliation of a republic from the USSR will have to be applied. We would need to think in a different direction and what we would come to is difficult to say. We would start discussing history, geography, and everything in the world. I do not think that this is a viable option.

Č. S. Here's what we would like to say. The problem formulated with reference to [the USSR] Constitution and the USSR laws for all decisions to be made has no prospects of settlement. This is not a viable option.

V. D. Why? After all, the law recognises the right of the Soviet Republics to leave the Union.

Č. S. Yes. But I wish the attitude in the case of Lithuania's secession from the USSR was different. At some point there was no problem of accession [to the USSR]...

V. D. (...) you think that there was no accession. We think that there was an accession. If we start arguing and proving, we won't prove anything.

Č. S. I wish the Soviet side would understand that it is the nation that has the sovereignty and not the central government that decides how to surrender it. Sovereignty may not be taken away so that later we would decide on how to return it and what mechanisms we should use.

5 Assessing the Molotov-Ribbentrop Pacts as illegal.

V. D. You think that somebody has deprived you of your sovereignty and I think that nobody has ever deprived you of it. That's the question. Nobody has deprived you of your sovereignty. And the developments in our country⁶ were related not only to your republic but to all the republics. There were some excessive actions taken and injustice occurred. But this happened in relation to all the republics rather than one or two. Therefore, we are now speaking about the need for change in the Union in terms of its content, as well as the rights, sovereignty, and status of the republics. We are not saying that everything should remain the same. And thus, when I'm saying that we can find a third solution I have in mind a possibility of a third option, namely, the reformed Union and a different attitude. Consequently, we can find a third solution. If we discuss secession only, the discussion will be endless... If it's a complete secession and -- that's it, then we must address the issue of secession following the legislation and change our relations with you as a separate state.

Č. S. We want to discuss the issue of good neighbourly relations, as well as friendly and good relations, the issue of close relations between the Republic of Lithuania and the Soviet Union. (...) We hope for a new attitude to the problem, a uniting ...

V. D. We may find this new attitude, let's start.

Č. S. It depends on your position. We appreciate very much that the Soviet Union has found a new attitude to addressing the problem of Germany, which was also interpreted in a different way for a long time, as well as many other problems in Europe. We would like to be confident that the Soviet Union will solve this problem, which is the last problem of World War II, in a right way too in the context of the entire European process. We would appreciate if the Soviet Union saw the possibility of the entire European community to contribute to addressing this issue, which would reduce tensions. Bearing in mind that the Soviet Union is facing a number of problems and difficulties... We could address this problem in a more realistic way without harming the decisions that are necessary in economic and other terms. We believe that the Soviet Union will find a possibility to do this. It is not only negotiations, but also promising negotiations that we want.

V. D. (...) I understand your intention. On the other hand, you cannot deny that we have a different attitude now both in terms of foreign and domestic policies. The results of the work on the union treaty will be seen in the near future when the draft of the union treaty is finally completed -- I don't mean to

6 Reference to the Soviet Union.

say that this treaty will be signed -- it will offer us a possibility to find other options too.

Č. S. Now when the Soviet Union has not yet taken a necessary political decision, we could at least address the issue in part – concerning border control and perhaps a double control, passport regime, visas, etc. We could address [these issues] prior to the common political issue, and address them as separate items. After the use of force against us, we are facing the more important issue of Soviet military garrisons functioning under a military base regime, preventing them from operating uncontrollably, as well as preventing a paralysis and disruption of the life of the civilian population. We would already like to have some guarantees.

V. D. Well, this is a correct position. I think we'll have to discuss what can be done and what steps can be taken. In any case, you have to understand our situation too, since we have [to think about] the border of the entire country. It is not only your piece of land, but the border of the entire country. Therefore, we don't find it easy to withdraw the army or simply leave the bases. This issue is far more complex. We need to consider possible options. (...) But we need time for this.

Č. S. We are particularly concerned that these repressive units that appeared in our country at the end of the year and took part ... no, they just carried out the operations are still beyond our information or control. I would like to emphasise once again that we hope you will put efforts and ensure the return of [the occupied] buildings and withdrawal of those units. This way you'll demonstrate your good will.

V. D. In any case, I made a promise to you to examine this issue and then I'll be able to formulate my position and present the opinion of our delegation on what can be done and how it can be done (...)

Č. S. The present situation is neither beneficial to the USSR, nor does it add to the credit of the Soviet Union, its army, or anybody else. In my opinion, it's a disadvantage to the Soviet side to maintain this situation. We hope that it will be changed. (...) We are a little doubtful whether we need the negotiations on how to change the situation that was illegally created. It can probably be done with an ordinary decree.

V. D. Did you think that we wouldn't negotiate on a situation caused by military disorder? I have already told you that it had been a spontaneous rather than organised incident; therefore, there's no basis for saying that the situation must be like this.

Č. S. Lithuania is still facing a threat: policing has not been abolished and

violence can be used against any person, including the representatives of the Parliament and the Government. There were cases when Members of Parliament were detained [by the Soviet military officers] and made to lie on the road (...) the USSR has not evaluated the situation yet, and the structures of the Soviet Union's Communist Party voice various alleged and real threats to use violence against the lawfully elected government (...)

V. D. I think [these] statements are unofficial and should not be taken seriously. Threats and violence against official authorities – I don't think that anybody would ...

Č. S. (...) In general-- armoured vehicles are still stationed in our capital. If they stood near the Ostankino Tower⁷, they would irritate everyone [in Moscow] too.

V. D. Probably, probably.

(...)

Č. S. At some point the armoured vehicles moved very intensively. Now they have frozen near the buildings, thus we would like them to start moving slightly [from there].

(...)

V. D. I have noted down all the problems that are causing concern for you. I understand that they should now cause concern for our delegation too. Therefore, we'll get in touch with you next week. Concerning the timetable, as I said before, some day between the 5th and 10th [March] we can convene a working group and from the 11th – a meeting of the delegations.

Č. S. I don't know. You won't most likely manage to solve the issue of the military so soon.

V. D. Do you mean it's not worth meeting if we don't solve it?

Č. S. No. But our people will find it hard to understand why criminals continue to occupy the positions they seized while the [Lithuanian] authorities are negotiating. We need a sign of good will of the USSR in order to normalise the situation (...) Vitaly Khuseinovich, let's agree on the following formula: the military is leaving and diplomats are coming. This will be a normal solution.

V. D. I'm ready to accept your reasoning, if you think that we should do this, we should.

Č. S. This would result in trust and a feeling of security. (...)

V. D. This issue should be analysed in depth.

Č. S. Thank you for your intentions.

7 Television Centre of the USSR situated in the Ostankino residential district.

V. D. Please excuse me for the interruption; I was just about to go, because they want me back in the meeting hall. I hope you understand me, because your life is also similar.

Č. S. Our life is actually a little bit more difficult.

V. D. I don't know, I don't know.

Č. S. Now it's probably too early to discuss how we'll work, concerning the venue [of the negotiations] and time. Will we do it later?

V. D. Yes we'll discuss everything. But last time we made a decision. Will we go back to that discussion?

Č. S. But now we have received offers of service or help.⁸ It will depend on your country which offers we will use and which not. Experts could work in our premises.

V. D. (...) Well, we agreed last time that experts could work in different places, here and in your country. But what do we need those services for? (...)

Č. S. We would like to avoid the situation when the negotiations are carried out between a boss and a subordinate...

V. D. There's no reason for you to say it like that. During our meetings, the working groups worked on the basis of mutual respect. The fact that we had principled [different] positions is another issue, we left some things untold but there was no pressure then. (...) I don't think that we should start from the discussions on choosing a different place. (...) So far, I see no possibility for our delegation to leave Moscow.

Č. S. I understand it's complicated, but I'm going back to what I said at the beginning. In any case, although you now have a different view and a different position, the object of our negotiations is not local, it is international. (...)

V. D. Let's be frank. We've heard a question about international negotiations. You are repeating the same but with different words. But in the previous meetings we agreed that it was not an international issue. Why should we make an exception for Lithuania? For us, all the republics are equal.

Č. S. It is not useful to the Soviet Union to compare the problem of Lithuania with that of Uzbekistan or Kazakhstan. In my opinion, the key [to the solution] was found at the 2nd Congress of People's Deputies of the USSR.

V. D. Well, if we recall the decisions of the Congress we should recall other decisions of the Congress too. There was a decree of the President [of the USSR] as well! I cannot violate the legal status. You should understand this

8 Reference to mediation in the negotiations and negotiation venue offered by third countries, especially Czechoslovakia.

too. Concerning our comparison between your republic and Uzbekistan, we consider all the republics to be equal, only the nature, weight, and meaning of issues may differ. We believe the problems we have with Uzbekistan don't need a Union level [negotiation] delegation. But we have a Union level delegation for [negotiations with] Lithuania. This shows that we give much weight to it.

Č. S. I think it would be reasonable to differentiate between the problem of the union treaty and the relations between the republics inside the Union and our problem.

V. D. We don't know what the new union treaty will be like. (...) We cannot discard the possibility that the treaty will offer options that meet the needs of other republics that are now hesitating.

Č. S. I think that a bilateral treaty between the Republic of Lithuania and the Soviet Union will meet the interests of the Soviet Union too. I have no doubts about it.

V. D. I don't object to that. However, a bilateral treaty may also result in a number of other questions well before its signature. We'll face the following questions: what will our bilateral relations be? Will you remain inside the single market or not?

Č. S. We don't deny all these questions, we can discuss them.

V. D. Under the current circumstances, when the treaty is signed or at least concluded, we'll have to address those issues together with all the republics. The issues of secession [from the USSR] and the relations inside the market will be of interest to all. It won't be left for the central authorities [of the USSR] to decide. I think that when we refer to a reformed Union and new quality of the Union, a natural question will be: who will be in our company? This question is of interest to all. We'll have to address this problem together with the representatives of other republics. It's undeniable.

Č. S. I think the issue of relations between Lithuania and the Soviet Union is identical to that of relations [of the USSR] with Czechoslovakia or Poland...

V. D. You see, (...) I am surprised and annoyed with one factor in this story. You are abandoning the company that you lived in, and shared its joy and sorrow in a very abrupt and defiant way. I am not speaking about how you joined it or didn't join it, but we lived together for fifty years.

Č. S. Yes, but we didn't share much joy.

E. B. Vitaly Khuseinovich, I have checked how many people who were born in the independent Republic of Lithuania still live today. Out of 3 million, 700 thousand Lithuanian residents, which is approximately one million or perhaps less, remember the independent Republic of Lithuania? We shared many things

[inside the USSR], but these people still have an independent Republic in their hearts.

V. D. Let them live; I have in mind a different thing. But since we have lived together for 50 years, you could leave in a different way. This is what I mean.

Č. S. In general, we have nothing against the Soviet Union, any adversarial ... [attitude].

V. D. But you have taken the decision on your own. You haven't told us, "We are going to secede, let's decide on how to do it. Let's go to the negotiating table and let's consider whether we have debts, how much we owe you or you owe us and how we should determine our relations." It would be different. But when you stand up and leave, I wonder why? Even neighbours shouldn't do this.

(...)

Č. S. You can find for yourself whether it is true that only a fraction of Lithuanians or only extremists want independence [are wrong]... The results of our plebiscite have visibly and convincingly proved it.

V. D. And what about the plebiscite? Did the plebiscite say that you are seceding from the Union?

Č. S. The plebiscite showed that a great majority of people said yes for Lithuania's independence. They don't allow us to look for options.

V. D. It's natural. Any republic would say yes for independence, autonomy, and sovereignty. And we understand that it's right. We don't want to judge. I realise that you cannot keep a nation on a leash.

(...)

Č. S. Can I expect, on the basis of this discussion, an improvement of the situation?

V. D. All I can say is that I'm for finding a solution. (...) The situation in the [your] capital and the republic is beyond my comprehension. I have simply not analysed it. (...) Therefore I give you my firm promise to analyse it, shape my position, and act accordingly.

Č. S. In this case I appreciate your intentions.

(...)

Č. S. I'm pleased with the discussion.

V. D. Thank you, me too.

Translation from Russian

PROTOCOL
TO THE OFFICIAL MEETING BETWEEN THE
DELEGATIONS OF LITHUANIA AND THE SOVIET UNION

During the official working meeting, the Delegations discussed the following issues and reached the following agreements:

1. Status of the official meeting of the Delegations: an agreement was reached to consider this meeting as an official working meeting of the Delegations.

2. Principles of the negotiations: both Parties agreed to conduct the negotiations according to the following principles:

- refraining from any preconditions;
- true equality between the Parties;
- respect for human rights and sovereignty of the Parties;
- absence of any illegal forms of pressure on the part of either Party;
- respect for other universally acknowledged principles of law.

3. The goal of the negotiations is the settlement of the relations between the Republic of Lithuania and the Union of Soviet Socialist Republics.

4. Procedural issues of the negotiations:

4.1. Verbatim records of official meetings shall be conducted by the host Party and presented to the other Party within an established timeline;

4.2. Each official meeting shall close with the signing of the minutes of the meeting laying out the issues discussed and agreements reached;

4.3. The meetings shall take place in Moscow and, upon separate agreement, in Vilnius;

4.4. The Russian language shall be used as the working language during the meetings. If necessary, translation from Lithuanian into Russian and vice versa shall be provided. The official documents shall be drawn up in two copies in the Lithuanian and Russian languages, each copy of equal legal power;

4.5. The official meetings of the Delegations shall be held at least once or twice per month;

4.6. The media shall be briefed on the meetings by way of joint press releases. Upon the agreement of the Delegations, certain points may be commented in a limited way;

4.7. A joint working group shall be set up to coordinate the work of expert groups and prepare official meetings of the Delegations.

5. In accordance with the earlier agreements, the expert groups shall work in the following areas:

- ownership;
- economic and trade relations;
- financial system and banking;
- transportation, communications and energy;
- respect for human rights and freedoms and provision of social welfare;
- science and technology and humanitarian and cultural issues;
- army and defence capabilities;
- national security and border regime;
- political, legal and organisational aspects of the relations;
- drafting of the document concerning the relations between Lithuania and the Soviet Union.

In addition, the Delegations agreed to establish an expert group for cooperation in combating crime.

The composition of the expert groups shall be confirmed and communicated to the other Party prior to the next official meeting of the Delegations.

The expert groups shall be obligated to conduct the analysis of legal acts of the USSR and the Republic of Lithuania with an aim to identify violations of rights and legal interests of the Parties. Upon the identification of such violations, both Parties shall submit their recommendations on how to remove the violations and, if necessary, suspend certain actions giving rise to these violations.

6. The next official meeting of the Delegations shall take place at the end of April or the beginning of May 1991. The following issues are planned for discussion:

- building greater confidence in the negotiation process between Lithuania and the USSR;
- national security and border regime;
- economic-trade relations, finance and banks;
- defence capabilities and the army;
- ownership.

For the Delegation of Lithuania
ČESLOVAS STANKEVIČIUS

For the Delegation of the USSR
VITALY DOGUZHIYEV

Done at Kremlin, Moscow, on 4 April 1991.

Translation from Lithuanian

TREATY
ON THE FOUNDATIONS OF INTER-STATE RELATIONS
BETWEEN THE REPUBLIC OF LITHUANIA AND THE
RUSSIAN SOVIET FEDERAL SOCIALIST REPUBLIC

The Republic of Lithuania and the Russian Soviet Federal Socialist Republic, hereinafter referred to as the High Contracting Parties,

attributing to the past the events and actions that hindered the High Contracting Parties from fully and freely exercising their state sovereignty,

convinced that elimination by the Union of Soviet Socialist Republics of the aftermath of the 1940 annexation violating Lithuania's sovereignty will create additional confidence between the High Contracting Parties and their nations,

having decided, in the interests of the nations of both countries, to develop the relations between the states on the principles of friendship, good neighbourhood, equal rights, and mutual benefit and in compliance with the universally recognized standards of international law,

affirming their adherence to the goals and principles under the Charter of the United Nations Organization and documents of the Conference on Security and Cooperation in Europe,

stating their resolve to abide by the international standards on human rights,

have agreed as follows:

ARTICLE 1

The High Contracting Parties recognise each other as full-fledged subjects of international law and sovereign states in conformity with their status enshrined in the fundamental acts adopted by the Russian Soviet Federal Socialist Republic on 12 June 1990 and the Republic of Lithuania on 11 March 1990.

Each High Contracting Party recognises the inalienable right of the other High Contracting Party to state independence and full sovereignty of its legislative, executive, and judicial authorities on its territory.

The High Contracting Parties undertake to refrain from interference in internal affairs as well as the use and threats of use force in their mutual relations and pledge to respect the sovereignty, territorial integrity, and inviolability of each other's borders in accordance with the principles of the Conference on Security and Cooperation in Europe.

The High Contracting Parties pledge to thoroughly adhere to the universally recognised principles and standards of international law in their mutual relations and refrain from contributing to any actions of third parties that may violate these principles and standards with respect to any of the High Contracting Parties.

ARTICLE 2

The High Contracting Parties shall recognise each other's right to independently exercise their sovereignty in the area of defence and security in ways they find acceptable, contribute to the process of disarmament and reduction of tension in Europe, and use the systems of collective security; the manner of interaction in this area shall be defined by a separate agreement.

ARTICLE 3

Each High Contracting Party shall prohibit by law and preclude the activities of individuals and setting up and functioning of organisations and groups on its territory aiming to forcefully abolish the independence and sovereign statehood of the other High Contracting Party, destroy its territorial integrity, or seize power by force.

The High Contracting Parties shall cooperate in combating organised and international crime.

ARTICLE 4

The High Contracting Parties shall grant equal rights and freedoms to their citizens regardless of nationality and other differences.

Persons who have or are entitled to citizenship of the Republic of Lithuania and are permanent residents of the RSFSR with a permanent place

of employment or any other lawful means of support in the RSFSR at the time of signing of this Treaty shall be entitled to receive the citizenship of the Russian Soviet Federal Socialist Republic based on their own free will and in compliance with the procedure established by the laws on RSFSR; no additional naturalisation requirements other than those prescribed for all other persons shall be applied.

Persons, entitled to citizenship of the RSFSR, who permanently resided on the territory of Lithuania before 3 November 1989 and continue to do so, who have a permanent job or other lawful source of income in the Republic of Lithuania shall be entitled to the citizenship of the Republic of Lithuania based on their own free will and in compliance with the laws of the Republic of Lithuania and shall be exempt from any additional requirements, such as a permanent place of residence and command of the Lithuanian language or any other conditions for naturalisation except for those prescribed for all other persons.

Persons entitled to citizenship of the RSFSR having come to Lithuania at any given time between 3 November 1989 up to and including the date of signature of the Treaty, who have since been permanent residents of the Republic of Lithuania and are either permanently employed in enterprises, institutions, and organisations or possess other sources of income in the Republic of Lithuania shall be entitled to the citizenship of the Republic of Lithuania. The said individuals shall be entitled to acquire the citizenship of the Republic of Lithuania based on their free will and in compliance with the procedure established in the legislation of the Republic of Lithuania. The requirement of a permanent place of residence and command of the Lithuanian language shall not be applicable to them.

The persons indicated in Paragraphs 3 and 4 of this Article may freely exercise their will concerning the acquisition of citizenship of the other High Contracting Party up to the date specified by a separate agreement between the Parties.

In case the persons indicated in Paragraphs 2, 3, and 4 of this Article do not, of their own free will and in compliance with the laws of their country of residence and provisions, acquire the citizenship of their country of residence, they have the right to retain or acquire the citizenship of the other High Contracting Party pursuant to the laws of the other High Contracting Party.

ARTICLE 5

In compliance with the universally recognised principles and standards of international law, each High Contracting Party shall determine the rights and obligations arising from naturalisation in its legislation.

Each High Contracting Party shall grant civil, political, social, economic, and cultural rights and fundamental human freedoms to all persons indicated in Article 4 residing on its territory regardless of nationality, in accordance with the universally recognised principles and standards of international law and the laws of their country of residence, and also provide the members of ethnic, religious, and linguistic minorities with the right to foster their culture, profess their religion, perform religious rites, and use their native language with other members of the abovementioned groups as well as with members of the officially registered communities.

Each High Contracting Party shall grant all human rights and fundamental freedoms under the universally recognised principles and standards of international law and the laws of the country of residence to citizens and persons entitled to citizenship of the other High Contracting Party, who are temporarily on its territory.

In accordance with the universally recognised principles and standards of international law, the High Contracting Parties shall grant the citizens of one High Contracting Party who are on the territory of the other High Contracting Party the right to apply to the plenipotentiary missions of the state of their citizenship for any legal, humanitarian or other assistance.

ARTICLE 6

In view of the right of each High Contracting Party to adopt its own laws on immigration and implement an independent immigration policy, regulation by the High Contracting Parties of issues arising in this area shall be subject to a separate agreement and shall take into consideration the universally recognised principles and standards of international law.

Any issues arising from migration for employment shall also be regulated by separate intergovernmental agreements.

The High Contracting Parties shall establish by separate agreements the procedure and conditions for resettlement of citizens who choose to move from the territory of one Party to the territory of the other Party of their own free will, as well as foresee mutual obligations to render them material and other assistance.

ARTICLE 7

The High Contracting Parties recognise the necessity of cooperation and exchange in the areas of culture, art, healthcare, education, science, information, technology, and other areas.

ARTICLE 8

The High Contracting Parties deem it expedient to develop comprehensive cooperation on equal terms in the area of international relations.

ARTICLE 9

The High Contracting Parties recognize the need to coordinate efforts streamlined at participation in the common international system of environmental protection.

ARTICLE 10

Economic cooperation between the High Contracting Parties shall be regulated by treaties and agreements providing for the most favoured nation status.

The High Contracting Parties shall support the development of mutual economic relations in all areas of the economy, the establishment of joint Russian and Lithuanian ventures and their operation, as well as the development of relations between the owners of private enterprises.

Each High Contracting Party shall inform the other in advance of any economic decisions that might affect the rights and legitimate interests of the other High Contracting Party in the areas of bilateral relations mutually agreed upon.

ARTICLE 11

The Russian Soviet Federal Socialist Republic expresses a special interest in, and the Republic of Lithuania assumes the obligation to contribute to the preservation of favourable conditions for the economic, national, and cultural development of the Kaliningrad Region. These conditions shall be regulated in a separate agreement between the High Contracting Parties.

ARTICLE 12

The High Contracting Parties shall conclude separate intergovernmental agreements on financial and currency relations, banks, bilateral trade, circulation of securities, rates of payment, prices, customs duties, and transport tariffs. The aforementioned list is incomprehensive. The procedure and schedule for conversion to settlement of accounts at global prices shall be established by separate agreements.

ARTICLE 13

The High Contracting Parties shall independently regulate ownership relations on their respective territories.

The legal management of public property and private property owned by legal and natural persons of one of the High Contracting Parties located on the territory of the other High Contracting Party shall be regulated by the laws of the High Contracting Party on whose territory the property is located, unless separate agreements of the High Contracting Parties provide otherwise.

Unresolved issues concerning property on the territories of the High Contracting Parties shall be resolved by the High Contracting Parties under the applicable legal procedure with the participation of third parties, if need may be.

All other ownership issues related to the interests of the High Contracting Parties shall be settled by separate agreements.

ARTICLE 14

The High Contracting Parties shall conclude a separate agreement on non-discriminatory regulation of transit of cargo and passengers through their respective territories in order to ensure the abovementioned transit through their sea, river, and air ports, as well as railways, motorways, and pipe-lines.

ARTICLE 15

The High Contracting Parties shall implement an economic policy to encourage the development of various relations between the Parties and their integration into the international economic area.

This Treaty shall be bilateral and shall not cover the relations of the High Contracting Parties with any third parties.

The principles defined in this Treaty shall be binding for the conclusion of any additional agreements by the High Contracting Parties.

ARTICLE 17

The High Contracting Parties shall organise bilateral consultations concerning the implementation of this Treaty when necessary and at least once a year.

Any dispute that may arise from the interpretation or implementation of this Treaty shall be resolved through bilateral consultations at an appropriate level.

Each High Contracting Party shall retain the right to initiate, through consultation, negotiations on the extension of the term of validity of this Treaty or any of its articles.

Upon agreement of both High Contracting Parties, the provisions of this Treaty may be amended or revised in accordance with the procedure established by the High Contracting Parties.

ARTICLE 18

If need may be and upon mutual consent, the High Contracting Parties shall appoint appropriate commissions together in order to implement the provisions of this Treaty, including Articles 4 and 5.

The procedure for the formation, functioning, and competence of the commissions appointed in accordance with this Article shall be determined by the High Contracting Parties in separate agreements.

ARTICLE 19

The High Contracting Parties deem it expedient to exchange plenipotentiary missions.

ARTICLE 20

This Treaty shall be ratified. The exchange of instruments of ratification shall take place in Vilnius.

This Treaty shall come into force on the day of exchange of the instruments of ratification.

This Treaty shall be valid for ten years, with the exception of Article 1 of the Treaty, which shall be valid indefinitely.

After the expiration of the abovementioned term, the validity of this Treaty shall be automatically renewed for the same term if neither of the High Contracting Parties informs the other in writing, no later than six months before the expiration of the Treaty, of its desire to refrain from renewing the Treaty or its wish to make any amendments.

Made at Moscow on 29 July 1991 in two copies in Russian and Lithuanian, both texts having equal legal power.

FOR THE REPUBLIC
OF LITHUANIA

VYTAUTAS LANDSBERGIS

FOR THE RUSSIAN SOVIET
FEDERAL SOCIALIST REPUBLIC

BORIS YELTSIN

CSCE HELSINKI SUMMIT 1992. DELEGATION OF
LITHUANIA
INTERPRETATIVE STATEMENT¹

Helsinki, July 1992

Mr Chairman,

According to the provision, contained in Paragraph 79 of the Helsinki Final Recommendation, the Delegation of Lithuania wishes to make the following Interpretative Statement:

“Lithuania welcomes the adoption of the Helsinki Concluding Document 1992, especially taking note of Paragraph 15 of the Political Declaration where the most vital concerns of the Baltic States are reflected. Regarding this particular paragraph, Lithuania considers that the importance attached by the Participating States to the issue of the withdrawal of foreign troops from the Baltic States shows that this is not a bilateral problem, since in its essence it is a violation of international law and a delay in removing this violation. This is also underscored in Paragraph 15, which clearly states that these troops are present on the territories of the Baltic States without the required consent of those states, whereby “required” could only be interpreted as required by the virtue of the basic principles of international law. That is why the 51 Participating States are justly concerned about this problem, and each of them committed itself to observing, stating, not tolerating further hesitation to withdraw Russian troops from Lithuania.

Furthermore, this situation is not automatically inherited by us all. Nobody was convicted of the assault on Lithuania in 1940. The responsibility for the aggression and occupation, e.g. for the illegal appearance and presence of foreign troops in Lithuania, is still on the agenda. Besides, this situation is

1 Made by the Head of State of the Republic of Lithuania, Mr Vytautas Landsbergis.

not anonymous, it did not arise from nowhere but the state, the rights and obligations of which were succeeded by Russia, when it was admitted into the UN. When signing the Treaty on the Foundations of Inter-State Relations between the Republic of Lithuania and the Russian Soviet Federated Socialist Republic in Moscow on July 29, 1991, Russia was convinced, that "...once the Union of Soviet Socialist Republics eliminates the consequences of the 1940 annexation violating Lithuania's sovereignty, additional conditions for mutual trust between the High Contracting Parties will be created ...". Now Russia itself will implement this convincement by eliminating the illegal presence of its troops on the territory of sovereign Lithuania as one of the consequences mentioned above. This also applies to compensation for the damages, inflicted on Lithuania, that being the unanimous demand of the referendum of June 14, 1992.

Of special importance was the request in this referendum to withdraw the Russian troops by the end of this year. Only in that way Lithuania can interpret and interprets the term "early", being convinced the CSCE signatories were aware of this unanimous demand of Lithuanian people.

Considering the modalities of proper implementation of "orderly withdrawal", Lithuania holds that it could include further possibilities for the CSCE's meaningful involvement by means of monitoring as well as other available CSCE mechanisms.

Lithuania expects cooperative approach from all the CSCE partners and reserves its right to raise this issue on any occasion, when it deems it necessary." According to Paragraph 79 of the Helsinki Final Recommendations, this Interpretative Statement will be handed to the Executive Secretariat and I request it to be duly recorded.

COMMUNIQUÉ
OF THE WORKING MEETING BETWEEN THE STATE
DELEGATIONS OF THE RUSSIAN FEDERATION AND
THE REPUBLIC OF LITHUANIA

Vilnius, 31 January 1992

As agreed at the working meeting between Boris Yeltsin, President of the Russian Federation, and Vytautas Landsbergis, President of the Supreme Council of the Republic of Lithuania, on 31 January 1992 Vilnius hosted the working meeting between the State Delegation of the Russian Federation headed by Sergei Shakhrai, Deputy Chairman of the Government of the Russian Federation and State Advisor on Law Policy, and the State Delegation of the Republic of Lithuania headed by Česlovas Stankevičius, Vice-President of the Supreme Council of the Republic of Lithuania. The delegations considered the withdrawal of units of the former USSR armed forces, falling within the jurisdiction of the Russian Federation, from the territory of the Republic of Lithuania.

During the open and constructive dialogue, the Parties confirmed that they were ready to cultivate good neighbourly and mutually beneficial relationship between the Russian Federation and the Republic of Lithuania in accordance with the principles of the UN Charter and other universally recognised rules of international law as well as in strict adherence to the obligations assumed under the principles of the Conference for Security and Co-operation in Europe and the provisions of the Treaty on the Foundations of Inter-State Relations between the Republic of Lithuania and the Russian Federation. The Parties highlighted that the ratification of the Treaty took the inter-state relations to a completely new level, laid the basis for further inter-state negotiations on military-political, economic, humanitarian and other issues as well as preconditioned Russia's and Lithuania's constructive participation in further development of the process taking place in the whole Europe and strengthening of European and international stability and cooperation.

The Russian delegation underscored that the matters relating to the withdrawal of the army would be solved with due respect to the national independence and

sovereignty of the Republic of Lithuania and in strict adherence to its laws and the agreements between the Parties. The Lithuanian delegation stated that it was ready to give due consideration for the concerns of the Russian Federation relating to the withdrawal of the army from the Lithuanian territory.

The Parties agreed to immediately start drafting the agreement on step-by-step withdrawal of the army, which would establish the terms and procedure of the withdrawal as well as the legal status for the period before the final withdrawal. The delegations agreed to consider this meeting as the start of the negotiations aimed at the preparation of such an agreement. At the same time, the Parties stated that there were factors affecting the terms and schedule of the withdrawal, including security of the Republic of Lithuania and social security of officers of the Republic of Lithuania, and agreed to take account of them when considering the issues pertaining to the withdrawal. According to the Parties, the withdrawal of the army falling within Russia's jurisdiction from the territory of the Republic of Lithuania will contribute to ensuring security and stability on the European continent and worldwide.

The agreement was reached that the withdrawal of the military units from the territory of the Republic of Lithuania would start in February 1992.

It was approved that the most critical points relating to the maintenance of the military units in the territory of the Republic of Lithuania would be solved in an expedient manner.

The Parties intend to discuss the conditions under which the Russian Federation could transfer a certain amount and certain types of weapons, military equipment and ammunition for equipping national defence units of the Republic of Lithuania.

The Parties agreed to establish the inspection procedure, appoint inspectors and, on the bilateral basis, carry out the inspection of the objects possessed by the to-be-withdrawn army in the territory of the Republic of Lithuania.

The Parties also agreed to set up expert groups for the preparation of the agreement and decided that they would commence their work in Vilnius on 10 February 1992.

SERGEI SHAKHRAI

ČESLOVAS STANKEVIČIUS

Translation from Lithuanian

**TIMETABLE OF THE WITHDRAWAL OF THE ARMED
FORCES OF THE RUSSIAN FEDERATION
FROM THE TERRITORY OF THE REPUBLIC
OF LITHUANIA**

*Based on Article 3 Paragraph 1 of the Agreement
between the Republic of Lithuania and the Russian Federation of 8 September 1992
on the Withdrawal of the Armed Forces of the Russian Federation
from the Territory of the Republic of Lithuania¹*

No.	Command, Formations, Units	Deployed in	Status of Withdrawal	Deadline of Withdrawal			
				1992		1993 (by 31 Aug.)	
				3rd-4th quarter	1st quarter	2nd quarter	3rd quarter
Land Force							
1	107th Motor Rifle Division	Vilnius	withdrawal in progress	----->			
2	913th Rocket Artillery Regiment	Telšiai	withdrawal in progress	----->			
3	405th Independent Regiment of Unmanned Aerial Vehicles	Tauragė	withdrawal in progress	----->			
4	66th Radar Brigade	Žagarė	withdrawal in progress *	----->			
5	9th Sapper Regiment	Kaunas	withdrawal in progress *	----->			
6	27th Independent Electronic Warfare Battalion	Plungė	withdrawal in progress	----->			
7	367th Independent Helicopter Regiment	Kaunas	withdrawal in progress	----->			
8	334th Heavy Artillery Brigade	Plungė	withdrawal in progress *	----->			

1 The Agreement between the Republic of Lithuania and the Russian Federation on the Withdrawal of the Armed Forces of the Russian Federation from the Territory of the Republic of Lithuania was concluded and initialled but not signed.

9	434th Independent Pontoon Bridge Battalion	Kaunas	withdrawal in progress *	----->			
10	477th Mobile Technical Repairs Workshop	Kėdainiai	withdrawal in progress *	----->			
11	1014th Independent Missile Fleet Battalion	Kėdainiai	withdrawal in progress *	----->			
12	173rd Antiaircraft Artillery Training Ground	Kretinga	withdrawal in progress	----->			
13	5191st Storage Base	Pabradė	withdrawal in progress *	----->			
Airborne Force							
14	7th Airborne Division	Kaunas	withdrawal in progress	----->	----->	----->	----->
15	242nd Airborne Troops Training Centre	Gaižiūnai	withdrawal in progress	----->	----->	----->	----->
16	332nd Warrant Officers School	Gaižiūnai	withdrawal in progress	----->			
Air Defence Force							
17	257th Air Traffic Control Point	Kaunas	withdrawal in progress	----->			
18	169th Antiaircraft Missile Brigade	Nemunas	withdrawal in progress	----->			
19	406th Antiaircraft Missile Brigade	Vilnius	withdrawal in progress	----->			
20	2308th Independent Radar Battalion	Degučiai	withdrawal in progress	----->			
21	2307th Independent Radar Battalion	Vilnius	withdrawal in progress	----->			
22	2307th Independent Radar Battalion	Kaunas	withdrawal in progress	----->			
Air Force							
23	18th Transport Aviation Headquarters	Panevėžys	withdrawal in progress	----->			
24	128th Transport Aviation Regiment	Panevėžys	withdrawal in progress	----->			
25	600th Transport Aviation Regiment	Kėdainiai	withdrawal in progress	----->			
26	117th Independent Electronic Warfare Aviation Regiment	Šiauliai	withdrawal in progress	----->			
27	53rd Fighter-bomber Regiment	Šiauliai	withdrawal in progress	----->			
28	81st Independent Unmanned Aerial Vehicles Regiment	Šiauliai	withdrawal in progress	----->			
29	96th Independent Repairs Battalion	Šiauliai	withdrawal in progress	----->			

30	115th Independent Airfield Engineer Battalion	Vilnius	withdrawal in progress	----->			
31	349th Independent Airfield Engineer Battalion	Kupiškis	withdrawal in progress	----->			
Navy							
32	3rd Coastal Defence Division	Klaipėda	withdrawal in progress	----->	----->	----->	----->
33	5316th Mobile Torpedo Base	Plungė	withdrawal in progress	----->			
34	61st Aviation Training Ground	Klaipėda	withdrawal in progress	----->			
35	107th Independent Aviation Engineer Battalion	Plungė	withdrawal in progress	----->			
REAR SERVICES, SPECIAL TASK FORCES							
36	867th Fuel Base	Vaičiūnai	withdrawal in progress*	----->			
37	758th Fuel Depot	Kazlų Rūda	withdrawal in progress*	----->			
38	3456th Missile Fuel Depot	Pagėgiai	withdrawal in progress*	----->			
39	2509th Food Depot	Kaunas	withdrawal in progress*	----->			
40	1350th Clothing Depot	Kaunas	withdrawal in progress	----->			
41	6820th Central Base	Klaipėda	withdrawal in progress*	----->			
42	1145th Military Hospital	Kaunas	withdrawal in progress	----->			
43	1319th Military Hospital	Klaipėda	withdrawal in progress	----->			
44	1267th Military Hospital	Šiauliai	withdrawal in progress	----->			
45	1819th Military Hospital	Vilnius	withdrawal in progress	----->			

Notes:

1. Annex 1 to the Timetable of the Withdrawal of the Armed Forces contains the list of independent units, subunits and offices that constitute formations and units as well as those that are not included in the timetable of the withdrawal.

2. Annex 2 contains the list of military units, subunits, and offices of the Border Guard of the Russian Federation and the Federal Agency of Government Communications and Information under the President of the Russian Federation being withdrawn from the territory of the Republic of Lithuania.

3. *The sequence of the withdrawal of the military units listed in the Timetable as the “7th Airborne Division, 242nd Airborne Force Training Centre, and 3rd Coastal Defence Division” may be changed upon prior agreement of the Parties.*

4. *The main troops of the 107th Motor-Rifle Division shall be withdrawn no later than by the end of November, and the whole Division shall be withdrawn by the end of 1992.*

5. *The units marked with * in the “Status of Withdrawal” box shall be withdrawn to be disbanded.*

The Timetable shall come into force on the date of its signature.

Done at Moscow on 8 September 1992, in two original copies in the Lithuanian and Russian languages, each text being equally authentic.

For the Republic of Lithuania
(signature)
Mr AUDRIUS BUTKEVIČIUS
Minister of National Defence
Republic of Lithuania

For the Russian Federation
(signature)
General PAVEL GRACHYOV
Minister of Defence
Russian Federation

ANNEX 1

TO THE TIMETABLE OF WITHDRAWAL OF THE ARMED FORCES OF THE RUSSIAN FEDERATION FROM THE TERRITORY OF THE REPUBLIC OF LITHUANIA

LIST OF INDEPENDENT UNITS, SUBUNITS AND OFFICES THAT CONSTITUTE
FORMATIONS AND UNITS AS WELL AS THOSE THAT ARE NOT INCLUDED
IN THE TIMETABLE OF WITHDRAWAL

No.	Management Bodies, Formations, Units	Deployed in	Deadline of Withdrawal
LAND FORCE			
1	107th Motor-Rifle Division	Vilnius	31 Dec. 1992
	Division Headquarters	Vilnius	31 Dec. 1992
	77th Motor-Rifle Regiment	Vilnius	31 Dec. 1992
	660th Motor-Rifle Regiment	Ukmergė	31 Dec. 1992
	664th Motor-Rifle Regiment	Vilnius	31 Dec. 1992
	106th Tank Regiment	Vilnius	31 Dec. 1992
	695th Independent Missile Battalion	Ukmergė	31 Dec. 1992
	379th Self-Propelled Artillery Regiment	Vilnius	31 Dec. 1992
	980th Independent Anti-Tank Artillery Battalion	Vilnius	31 Dec. 1992
	384th Antiaircraft Missile Regiment	Ukmergė	31 Dec. 1992
	640th Independent Reconnaissance Battalion	Vilnius	31 Dec. 1992
	1298th Independent Sapper Battalion	Ukmergė	31 Dec. 1992
	104th Independent Chemical Protection Company	Vilnius	31 Dec. 1992
	1400th Independent Communications Battalion	Vilnius	31 Dec. 1992
	304th Independent Repair and Restoration Battalion	Vilnius	31 Dec. 1992
	1029th Independent Material Support Battalion	Vilnius	31 Dec. 1992
	401st Independent Medical Battalion	Ukmergė	31 Dec. 1992
	50th Independent Medical Company	Vilnius	31 Dec. 1992
2	1195th Independent Local Rifle Company (918th Missile Artillery Regiment)	Telšiai	30 Jun. 1993
3	66th Radio Engineering Brigade	Žagarė	30 Jun. 1993

		Brigade Headquarters	Žagarė	30 Jun. 1993
	1833rd	Independent Radio Engineering Battalion	Žagarė	30 Jun. 1993
	1834th	Independent Radio Engineering Battalion	Žagarė	30 Jun. 1993
	1835th	Independent Radio Engineering Battalion	Žagarė	30 Jun. 1993
4	527th	Independent Communications and Radio Engineering Support Company (367th Independent Helicopter Regiment)	Kaunas	31 Dec. 1992
5	428th	Independent Airfield Technical Supply Battalion (367th Independent Helicopter Regiment)	Kaunas	31 Dec. 1992
6	1121st	Independent Radio Relay Battalion	Tauragė	31 Aug. 1993
7	1688th	Postal Military Courier Communications Centre	Vilnius	31 Aug. 1993
8	1856th	Postal Military Courier Communications Station	Tauragė	31 Aug. 1993
9	663rd	Postal Military Courier Communications Station	Plungė	31 Aug. 1993
10	1857th	Postal Military Courier Communications Station	Ukmergė	31 Aug. 1993
10	105th	Chief Mechanic's Section	Kėdainiai	31 Aug. 1993
12	365th	Independent Local Rifle Company	Kėdainiai	31 Aug. 1993
13	800th	Guard Dog Handler Section	Kėdainiai	31 Aug. 1993
14	2805th	Alarm Security Section	Kėdainiai	31 Aug. 1993
15	616th	Artillery Munitions Depot	Linkaičiai	31 Aug. 1993
16	1014th	Fire Fighting and Rescue Military Team	Linkaičiai	31 Aug. 1993
17	210th	Independent Local Rifle Company	Linkaičiai	31 Aug. 1993
18	2194th	Guard Dog Handler Section	Linkaičiai	31 Aug. 1993
19	575th	Alarm Security Section	Linkaičiai	31 Aug. 1993
20	6447th	Headquarters of Repair and Restoration Base	Kaunas	31 Dec. 1992
21	6460th	Headquarters of Repair and Restoration Base	Kaunas	31 Dec. 1992
22	118th	Mobile Repair Plant	Kaunas	31 Aug. 1993
23	226th	Mobile Repair Plant	Kaunas	31 Aug. 1993
24	143rd	Armoured Fighting Vehicle Repair Plant	Kaunas	31 Aug. 1993
25		Military Commander's Office (of the Garrison)	Vilnius	31 Aug. 1993
26		Military Commander's Office (of the Garrison)	Kaunas	31 Aug. 1993
27		Military Commander's Office (of the Garrison)	Šiauliai	31 Aug. 1993
28	1406th	Fire Fighting and Rescue Military Team	Pagėgiai	31 Aug. 1993
29	1652nd	Fire Fighting and Rescue Military Team	Kėdainiai	31 Aug. 1993
30		Fire Fighting and Rescue Service	Klaipėda	31 Aug. 1993
31		Military Prosecutor's Office (of the Garrison)	Vilnius	31 Aug. 1993
32		Military Prosecutor's Office (of the Garrison)	Kaunas	31 Aug. 1993
33		Military Tribunal (of the Garrison)	Kaunas	31 Aug. 1993
34		Officers' Club (of the Garrison)	Vilnius	31 Aug. 1993
35		Officers' Club (of the Garrison)	Gaižiūnai	31 Aug. 1993
36		Officers' Club (of the Garrison)	Kaunas	31 Aug. 1993
37		Officers' Club (of the Garrison)	Panevėžys	31 Aug. 1993

AIRBORNE FORCE

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38	7th Airborne Division	Kaunas	31 Aug. 1993
	Division Headquarters	Kaunas	31 Aug. 1993
	97th Parachute Regiment	Alytus	31 Aug. 1993
	108th Parachute Regiment	Kaunas	31 Aug. 1993
	119th Parachute Regiment	Marijampolė	31 Aug. 1993
	1141st Artillery Regiment	Kalvarija	31 Aug. 1993
	744th Independent Antiaircraft Missile Artillery Battalion	Kaunas	31 Aug. 1993
	185th Independent Military Transport Aviation Squadron	Kaunas	31 Aug. 1993
	72nd Independent Reconnaissance Company	Kaunas	31 Aug. 1993
	743rd Independent Communications Battalion	Kaunas	31 Aug. 1993
	143rd Independent Sapper Battalion	Kazlų Rūda	31 Aug. 1993
	286th Postal Military Courier Communications Station	Kaunas	31 Aug. 1993
	6th Independent Repair and Restoration Battalion	Kaunas	31 Aug. 1993
	1692nd Independent Airborne Support Battalion	Kaunas	31 Aug. 1993
	1681st Independent Material Support Battalion	Kaunas	31 Aug. 1993
	313rd Independent Medical Battalion	Kaunas	31 Aug. 1993
	State Bank field branch (51502th Military Unit)	Kaunas	31 Aug. 1993
	215th Shooting Range	Kazlų Rūda	31 Aug. 1993
39	242nd Airborne Force Training Centre	Gaižiūnai	31 Aug. 1993
	Training Centre Headquarters	Gaižiūnai	31 Aug. 1993
	226th Airborne Force Training Regiment	Gaižiūnai	31 Aug. 1993
	301st Airborne Force Training Regiment	Gaižiūnai	31 Aug. 1993
	285th Airborne Force Training Regiment	Gaižiūnai	31 Aug. 1993
	743rd Independent Parachute Training Battalion	Karmėlava	31 Aug. 1993
	1120th Self-propelled Artillery Training Regiment	Prienai	31 Aug. 1993
	367th Independent Antiaircraft Missile Artillery Training Battalion	Gaižiūnai	31 Aug. 1993
	113rd Independent Sapper Rifle Training Battalion	Gaižiūnai	31 Aug. 1993
	300th Independent Communications Training Battalion	Kaunas	31 Aug. 1993
	340th Independent Military Transport Aviation Squadron	Pociūnai	31 Aug. 1993
	148th Independent Airborne Heavy Equipment Training Battalion	Gaižiūnai	31 Aug. 1993
	45th Independent Repair and Restoration Training Battalion	Gaižiūnai	31 Aug. 1993
	184th Independent Medical Training Battalion	Gaižiūnai	31 Aug. 1993
	373rd Independent Motor Vehicle Training Battalion	Gaižiūnai	31 Aug. 1993
	214th Shooting Range	Gaižiūnai	31 Aug. 1993
	2945th Joint Storage Facility	Gaižiūnai	31 Aug. 1993

	State Bank field branch (51518th Military Unit)	Gaižiūnai	31 Aug. 1993
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AIR DEFENCE FORCE

40	1265th	Independent Radar Company	Juodkrantė	31 Dec. 1992
41	902nd	Independent Radar Company	Kapčiamiestis	31 Dec. 1992
42	909th	Independent Radar Company	Palanga	31 Dec. 1992
43	4744th	Material and Technical Support Base	Kaunas	31 Dec. 1992
44	687th	Motor Vehicle Repair Workshop	Kaunas	31 Dec. 1992
45	5222nd	Motor Vehicle Depot	Kaunas	31 Aug. 1993
46	5880th	Chemical Depot (Air Defence Corps)	Kaunas	31 Dec. 1992

AIR FORCE

47	18th	Military Transport Aviation Division	Panevėžys	31 Dec. 1992
	1361st	Independent Communications Battalion	Panevėžys	31 Dec. 1992
	14th	Aviation Repair Workshop	Panevėžys	31 Dec. 1992
	735th	Motor Vehicle Repair Workshop	Kėdainiai	31 Dec. 1992
	1867th	Postal Military Courier Communications Station	Panevėžys	31 Dec. 1992
	788th	Security Section	Panevėžys	31 Dec. 1992
	562nd	Independent Communications and Radio Engineering Support Battalion	Panevėžys	31 Dec. 1992
	654th	Independent Airfield Technical Support Battalion	Panevėžys	31 Dec. 1992
	1229th	Airfield Air Traffic Control Centre	Panevėžys	31 Dec. 1992
	481st	Independent Communications and Radio Engineering Support Battalion	Kėdainiai	31 Dec. 1992
	84C	Independent Airfield Technical Support Battalion	Kėdainiai	31 Dec. 1992
	1228th	Airfield Air Traffic Control Centre	Kėdainiai	31 Dec. 1992
48	661st	Independent Communications and Radio Engineering Support Company (of 117th Independent Electronic Warfare Aviation Regiment)	Šiauliai	31 Dec. 1992
49	301st	Independent Airfield Technical Support Battalion (of 117th Independent Electronic Warfare Aviation Regiment)	Šiauliai	31 Dec. 1992
50	5405th	Aviation Technical Base (of 53rd Fighter-Bomber Regiment)	Šiauliai	31 Dec. 1992
51	1699th	Automated Control Post (of 53rd Fighter-Bomber Regiment)	Šiauliai	31 Dec. 1992
52	1129th	Airfield Air Traffic Control Centre	Šiauliai	31 Dec. 1992
53		State Bank field branch (45153th Military Unit)	Šiauliai	10 May 1993
54	1865th	Postal Military Courier Communications Station	Šiauliai	31 Dec. 1992
55	256th	Aviation Repair Plant	Šiauliai	10 May 1993
	879th	Independent Security Platoon	Šiauliai	10 May 1993
	837th	Fire Fighting Team	Šiauliai	10 May 1993

	608th	Flight Test Station	Šiauliai	10 May 1993
56	163rd	Officers' Club	Šiauliai	31 Dec. 1992
57	401st	Security Section	Šiauliai	31 Dec. 1992
58	202nd	Aviation Repair Plant	Kaunas	10 May 1993
	878th	Independent Security Platoon	Kaunas	10 May 1993
	824th	Fire Fighting Team	Kaunas	10 May 1993
	607th	Flight Test Station	Kaunas	10 May 1993
59	131st	Measuring Equipment Laboratory (Air Force)	Kaunas	31 Dec. 1992
60	338th	Aviation Repair Plant	Panevėžys	10 May 1993
	881st	Independent Security Platoon	Panevėžys	10 May 1993
	839th	Fire Fighting Team	Panevėžys	10 May 1993
	609th	Flight Test Station	Panevėžys	10 May 1993
61	225th	Military School for Junior Aviation Specialists	Radviliškis	31 Dec. 1992

NAVY

62	3rd	Coastal Defence Division	Klaipėda	31 Aug. 1993
		Division Headquarters	Klaipėda	31 Aug. 1993
	9th	Coastal Defence Regiment	Klaipėda	31 Aug. 1993
	22nd	Artillery Regiment	Klaipėda	31 Aug. 1993
	277th	Tank Regiment	Klaipėda	31 Aug. 1993
	1063rd	Antiaircraft Missile Regiment	Klaipėda	31 Aug. 1993
	273rd	Coastal Defence Regiment	Telšiai	31 Aug. 1993
	287th	Coastal Defence Regiment	Telšiai	31 Dec. 1992
	966th	Independent Missile Battalion	Klaipėda	31 Aug. 1993
	126th	Independent Tank Battalion	Klaipėda	31 Aug. 1993
	1271st	Independent Anti-tank Artillery Battalion	Klaipėda	31 Aug. 1993
	494th	Independent Communications Battalion	Klaipėda	31 Aug. 1993
	187th	Independent Sapper Rifle Battalion	Klaipėda	31 Aug. 1993
	1026th	Independent Material Supply Battalion	Klaipėda	31 Aug. 1993
	299th	Independent Repair Battalion	Klaipėda	31 Aug. 1993
	32nd	Independent Medical Company	Klaipėda	31 Aug. 1993
	102nd	Independent Chemical Safety Company	Klaipėda	31 Aug. 1993
	86th	Independent Reconnaissance Battalion	Klaipėda	31 Aug. 1993
	1905th	Paramilitary Security Team	Klaipėda	31 Aug. 1993
		Klaipėda Officers' Club	Klaipėda	31 Aug. 1993
		Military Commander's Office (of the Garrison)	Klaipėda	31 Aug. 1993
63	63rd	Aviation Equipment Commander's Office	Ariogala	31 Dec. 1993
64	72nd	District Observation Headquarters	Klaipėda	31 Aug. 1993
	1359th	Radio Engineering Company	Klaipėda	31 Aug. 1993
	1844th	Radio Engineering Platoon	Nida	31 Aug. 1993

	1839th	Radio Engineering Platoon	Palanga	31 Aug. 1993
65	217th	Communications Centre	Klaipėda	31 Aug. 1993
	873rd	Amplifier Point	Klaipėda	31 Aug. 1993
66	993rd	Amplifier Point	Palanga	31 Aug. 1993
67		Cable Subsection of the Independent Communications Regiment	Nida	31 Aug. 1993
68	1981st	Joint Navy Armaments and Material Goods Depot	Plungė	31 Aug. 1993
	309th	Fire Fighting Team	Plungė	31 Aug. 1993
69	1642nd	Independent Service Company	Plungė	31 Aug. 1993
70	2566th	Gynaecological Section (of 1319th Military Hospital)	Klaipėda	31 Aug. 1993
71	2572nd	Children's Section (of 1319th Military Hospital)	Klaipėda	31 Aug. 1993
72	2070th	Joint Storage Facility	Klaipėda	31 Dec. 1992
73	194th	Hydrography Service Subsection	Klaipėda	31 Aug. 1993
74	1039th	Postal Military Courier Communications Station	Klaipėda	31 Aug. 1993
75		State Bank field branch (49335th Military Unit)	Klaipėda	31 Aug. 1993

REAR SERVICES, SPECIAL TASK FORCES

76	1801st	Security Patrol Group (of 5th Road Depot)	Vilnius	31 Dec. 1992
77	1034th	Fire Fighting Team (of 759th Fuel Depot)	Kazlų Rūda	31 Aug. 1993
78	1490th	Independent Local Defence Rifle Platoon (of 758th Fuel Depot)	Kazlų Rūda	31 Aug. 1993
79	941st	Guard Dog Handler Section (of 758th Fuel Depot)	Kazlų Rūda	31 Aug. 1993
80	327th	Fuel Storage Section	Kazlų Rūda	31 Aug. 1993
81	3542nd	Food Depot	Šiauliai	31 Aug. 1993
82	2331st	Fire Fighting Team (of 867th Fuel Base)	Vaičiūnai	31 Aug. 1993
83	43rd	Independent Local Defence Rifle Platoon of the 867th Fuel Base)	Vaičiūnai	31 Aug. 1993
84	1426th	Guard Dog Handler Section (of 867th Fuel Base)	Vaičiūnai	31 Aug. 1993
85	276th	Fire Fighting Team (of 3456th Missile Fuel Depot)	Pagėgiai	31 Aug. 1993
86	601st	Paramilitary Security Team (of 3456th Missile Fuel Depot)	Pagėgiai	31 Aug. 1993
87	1429th	Paramilitary Security Team (of 3456th Missile Fuel Depot)	Pagėgiai	31 Aug. 1993
88	353rd	Fuel and Lubricant Laboratory	Pagėgiai	31 Aug. 1993
89	25th	Transport and Fuel Distribution Point	Pagėgiai	31 Aug. 1993
90	3334th	Supreme Military Mission	Mažeikiai	31 Aug. 1993
91	1598th	Fire Fighting Team (of 2509th Food Depot)	Kaunas	31 Aug. 1993
92	1468th	Paramilitary Security Team (of 2509th Food Depot)	Kaunas	31 Aug. 1993

93	1599th	Fire Fighting Team (of 3542th Food Depot)	Šiauliai	31 Aug. 1993
94	1470th	Paramilitary Security Team (of 3542th Food Depot)	Šiauliai	31 Aug. 1993
95	905th	Fire Fighting Team (of 1350th Material Goods Depot)	Kaunas	31 Aug. 1993
96	1472nd	Paramilitary Security Team (of 1350th Material Goods Depot)	Kaunas	31 Aug. 1993
97	2902nd	Military Mission (Central Military Directorate, Ministry of Defence)	Kaunas	31 Aug. 1993
98	121st	Military Transportation Commander's Office (54915th Military Unit)	Vilnius	31 Aug. 1993
99	122nd	Military Transportation Commander's Office (64265th Military Unit)	Šiauliai	31 Aug. 1993
10C	120th	Military Sea Transportation Board	Klaipėda	31 Aug. 1993
101	123rd	Military Transportation Commander's Office	Klaipėda	31 Aug. 1993
102	2853rd	Paramilitary Security Section (of 1145th Military Hospital)	Kaunas	31 Aug. 1993
103	170th	Medical Depot	Kaunas	31 Dec. 1992
104	171st	Medical Depot	Šiauliai	31 Dec. 1992
105	199th	Medical Depot	Vilnius	31 Dec. 1992
106	14th	Sanitary Epidemiological Platoon	Kaunas	31 Aug. 1993
107	109th	Outpatient Clinic	Kaunas	31 Aug. 1993
108	106th	Outpatient Clinic	Vilnius	31 Aug. 1993
109	2522nd	Gynaecological Section	Vilnius	31 Aug. 1993
110	2565th	Gynaecological Section	Kaunas	31 Aug. 1993
111	2527th	Children's Section	Vilnius	31 Aug. 1993
112	151st	Mobile X-ray Room	Kaunas	31 Aug. 1993
113	502nd	Mobile Dentist's Office	Kaunas	31 Aug. 1993
114	473rd	Military Retail Shop	Šiauliai	31 Aug. 1993
115	203rd	Military Retail Shop	Vilnius	31 Aug. 1993
116	209th	Military Retail Shop	Kaunas	31 Aug. 1993
117	485th	Military Retail Shop	Panevėžys	31 Aug. 1993
118	2192nd	Construction and Assemblage Section	Šiauliai	31 Aug. 1993
119	4049th	Construction and Assemblage Section	Panevėžys	31 Aug. 1993
120		Apartment Maintenance Service	Kaunas	31 Aug. 1993
121		Apartment Maintenance Service	Vilnius	31 Aug. 1993
122		Apartment Maintenance Service	Jonava	31 Aug. 1993
123		Apartment Maintenance Service	Šiauliai	31 Aug. 1993
124		Apartment Maintenance Service	Klaipėda	31 Aug. 1993
125		Social Security Section	Vilnius	31 Aug. 1993
126		Fire Inspectorate	Kaunas	31 Aug. 1993
127	5373rd	Military Mission	Kaunas	31 Aug. 1993

128	232nd	Finance Unit	Vilnius	31 Aug. 1993
129	1884th	Postal Military Courier Communications Centre	Alytus	31 Aug. 1993
130	1883rd	Postal Military Courier Communications Centre	Marijampolė	31 Aug. 1993
131	1882nd	Postal Military Courier Communications Centre	Kalvarija	31 Aug. 1993
132	1881st	Postal Military Courier Communications Centre	Gaižiūnai	31 Aug. 1993
133	700th	Security Patrol Team	Gaižiūnai	31 Aug. 1993
133	5222nd	Motor Vehicle Depot	Kaunas	31 Aug. 1993
135	1252nd	Military Mission	Vilnius	31 Aug. 1993
136	1360th	District Control Centre	Vilnius	31 Aug. 1993
137	1754th	Military Mission	Klaipėda	31 Aug. 1993
138	2518th	Military Mission	Kaunas	31 Aug. 1993
139	37th	Self-propelled Mine-laying Platform	Klaipėda	31 Aug. 1993
140	602nd	Harbour Patrol Craft	Klaipėda	31 Aug. 1993
141	67th	Sea-Diving Ship	Klaipėda	31 Aug. 1993
142	337th	Military Mission	Vilnius	31 Aug. 1993
143	2148th	Military Mission	Kaunas	31 Aug. 1993
144	1974th	Military Mission	Vilnius	31 Aug. 1993
145	2318th	Military Mission	Vilnius	31 Aug. 1993
146	1355th	Central Motor Vehicle Base	Vilnius	31 Aug. 1993
147	1899th	Security Patrol Team	Vilnius	31 Aug. 1993
148	3910th	Military Mission	Panevėžys	31 Aug. 1993
149	2294th	Military Mission	Vilnius	31 Aug. 1993
150	4152nd	Military Mission	Vilnius	31 Aug. 1993
151	5393rd	Military Mission	Panevėžys	31 Aug. 1993
152	3542nd	Food Storage Depot	Šiauliai	31 Aug. 1993
153	88th	Special Operations Group	Kretinga	31 Aug. 1993

For the Republic of Lithuania
(signature)
Mr AUDRIUS BUTKEVIČIUS
Minister of National Defence
Republic of Lithuania

For the Russian Federation
(signature)
Army general PAVEL GRACHYOV
Minister of Defence
Russian Federation

ANNEX 2
TO THE TIMETABLE OF THE WITHDRAWAL OF THE
ARMED FORCES OF THE RUSSIAN FEDERATION FROM
THE TERRITORY OF THE REPUBLIC OF LITHUANIA

LIST
OF UNITS, SUBUNITS, AND OFFICES OF THE BORDER GUARD OF THE
RUSSIAN FEDERATION AND THE FEDERAL AGENCY OF GOVERNMENT
COMMUNICATIONS AND INFORMATION UNDER THE PRESIDENT OF THE
RUSSIAN FEDERATION BEING WITHDRAWN FROM THE TERRITORY OF THE
REPUBLIC OF LITHUANIA

I. Border Troops of the Russian Federation

No.	Designation	Deployed in	Deadline of Withdrawal
1.	Border Guard Detachment(2297th Military Unit) of six border outposts	Kaliningrad	no later than 31 Dec. 1992
2.	Border Guard Detachment (2114th Military Unit)of five border outposts	Klaipėda	no later than 31 Dec.1992
3.	Independent Checkpoint	Vilnius	no later than 31 Dec. 1992
4.	Independent Checkpoint	Klaipėda	no later than 31 Dec. 1992
5.	Military Hospital (2515th Military Unit)	Kaunas	no later than 31 Dec. 1992
6.	Border Commander's Office (2297th Military Unit)	Marijampolė	no later than 31 Dec. 1992

For the Republic of Lithuania
(signature)
[AUDRIUS BUTKEVIČIUS]
Minister of National Defence
Republic of Lithuania

10 September 1992

For the Russian Federation
(signature)
[Major General ALEKSANDR TYMKO]
Chief of Staff of the Border Guard
Russian Federation

10 September 1992

AGREEMENT BETWEEN THE REPUBLIC OF LITHUANIA
AND THE RUSSIAN FEDERATION ON THE RULES OF
CONDUCT AND FUNCTIONING OF THE
UNITS, SUBUNITS AND SERVICEMEN OF THE ARMED
FORCES OF THE RUSSIAN FEDERATION BEING
WITHDRAWN FROM THE REPUBLIC OF LITHUANIA

The Republic of Lithuania and the Russian Federation hereinafter referred to as the “Parties”, have agreed as follows:

ARTICLE 1

The units and subunits of the armed forces of the Russian Federation shall remain in the garrison towns and separate military installations till their complete withdrawal.

The units and subunits of the armed forces of the Russian Federation shall not use the areas as well as training grounds and former military forest districts outside the garrison towns and separate military installations.

ARTICLE 2

The commanders of the units and subunits of the armed forces of the Russian Federation shall have competence over issues of military service in the garrison towns and military installations without prejudice to the laws of the Republic of Lithuania that ensure security of its residents, environmental security, and nature protection.

ARTICLE 3

Movement of military transport between the garrison towns, airfields or other separate military installations shall only be permitted after the movement procedure, routes, and times have been approved by the Plenipotentiary of the Government of the Republic of Lithuania.

The procedure for the reconciliation of movement of the military transport shall be determined by the Plenipotentiaries of the Governments of the Parties.

ARTICLE 4

Armed servicemen shall not be permitted to stay or move outside the garrison towns and separate military installations, unless they are on their way to the destination which they are to guard or escort a convoy of money or material assets according to the timetable approved by the Plenipotentiary of the Government of the Republic of Lithuania. The Plenipotentiaries of the Governments of the Parties shall also have the right to find agreement on other cases of movement of armed military personnel of the armed forces of the Russian Federation from one place to another.

In case the provisions of this Article are not complied with, the weapons and ammunition shall be seized by the Police of the Republic of Lithuania according to the procedure laid down in the laws of the Republic of Lithuania.

ARTICLE 5

The servicemen performing compulsory military service shall be permitted to visit cultural and other facilities and stay outside the garrison towns and military installations only if they wear military uniforms and they are groups, accompanied by an officer or warrant officer.

ARTICLE 6

No military patrol shall be permitted in the towns, residential areas, on the roads and other areas of the Republic of Lithuania.

The military inspectorate of vehicles shall function only in the cases and under the procedures approved by the Plenipotentiary of the Government of the Republic of Lithuania.

ARTICLE 7

Military road transport may cross the state border of the Republic of Lithuania at the established border crossing points only with the permission of the Plenipotentiary of the Government of the Republic of Lithuania and

upon submission of cargo documents and declarations to the Customs of the Republic of Lithuania.

ARTICLE 8

No measures to maintain or inspect combat readiness of the units and subunits of the armed forces of the Russian Federation shall be taken outside the garrison towns and military installations.

ARTICLE 9

No redeployment, even temporary, of the units, subunits and military equipment of the armed forces of the Russian Federation shall be permitted within the territory of the Republic of Lithuania, unless they are being withdrawn.

No replacement and replenishment of the personnel of the units and subunits of the armed forces of the Russian Federation shall be permitted.

No weapons, military equipment and ammunition shall be replaced and additionally supplied.

ARTICLE 10

The units, subunits and servicemen of the armed forces of the Russian Federation shall be engaged in no intelligence activities on the land, air space, and territorial waters of the Republic of Lithuania as well as from the territory of the Republic of Lithuania.

ARTICLE 11

Drivers of military vehicles shall only be trained in the garrison towns and only during day time.

ARTICLE 12

Military caterpillar-tread vehicles shall not move outside the garrison towns unless they move along the route agreed for the withdrawal of the unit or subunit. Special platforms shall usually be used to haul military caterpillar-tread vehicles.

ARTICLE 13

The command of the units and subunits of the armed forces of the Russian Federation shall ensure and bear responsibility for the secure storage and maintenance of weapons, ammunition, toxic, radioactive, and other dangerous substances in the depots and areas of the garrison towns and military installations.

ARTICLE 14

The command of the units and subunits of the armed forces of the Russian Federation shall be held responsible for the safety and preservation of the occupied objects of cultural heritage according to the laws of the Republic of Lithuania.

ARTICLE 15

The procedure for the use of radio frequencies by the units and subunits of the armed forces of the Russian Federation shall be determined by mutual agreement between the Plenipotentiaries of the Governments of the Parties.

ARTICLE 16

Flights in the airspace of the Republic of Lithuania and movement of navy vessels in the territorial and inland waters of the Republic of Lithuania shall only be permitted under the laws of the Republic of Lithuania and upon agreement between the Parties.

ARTICLE 17

Until the complete withdrawal of the armed forces of the Russian Federation, the Government of the Republic of Lithuania shall continue to supply water, heating and electricity, shall provide communication, postal, and other services to the units and subunits of the armed forces of the Russian Federation being withdrawn and collect the fees the rates of which are equivalent to the rates set for public institutions of the Republic of Lithuania, whereas foodstuffs shall be supplied at contractual prices.

ARTICLE 18

This Agreement shall enter into force on the date of its signature.

Done at Moscow on 8 September 1992 in two original copies in the Lithuanian and Russian languages, each text being equally authentic.

For the Republic of Lithuania
(signature)
Audrius Butkevičius

For the Russian Federation
(signature)
Pavel Grachyov

PROTOCOL
ON THE PROCEDURE FOR SETTling TECHNICAL AND
ORGANISATIONAL ISSUES OF THE WITHDRAWAL OF THE
ARMED FORCES OF THE RUSSIAN FEDERATION FROM THE
TERRITORY OF THE REPUBLIC OF LITHUANIA

In accordance with Article 3 of the Agreement between the Republic of Lithuania and the Russian Federation on the Withdrawal of the Armed Forces of the Russian Federation from the Territory of the Republic of Lithuania, the Parties have agreed as follows:

ARTICLE 1

The units and subunits of the armed forces of the Russian Federation shall be withdrawn in a planned manner in accordance with the provisions of Articles 1, 2 and 3 of the Agreement between the Republic of Lithuania and the Russian Federation on the Withdrawal of the Armed Forces of the Russian Federation from the Territory of the Republic of Lithuania as well as the Timetable of the Withdrawal, approved by the Parties, and the Annex thereof.

ARTICLE 2

The Plenipotentiary of the Government of the Russian Federation shall file the application for the withdrawal of the units and subunits of the armed forces of the Russian Federation with the Plenipotentiary of the Government of the Republic of Lithuania at least a month prior to the start of the withdrawal planned.

The above period shall be reduced for the units and subunits to be withdrawn within a month from the date of signature of this Protocol.

ARTICLE 3

An application for the withdrawal of a unit and subunit shall contain the following: the reference number of the unit and subunit to be withdrawn; its location; the term planned for its withdrawal; the official authorised to transfer the property, land parcels and installations possessed by the unit and subunit to be withdrawn; the number of servicemen (with the number of officers, warrant officers, midshipmen, soldiers, and sailors specified), the number of civilians and their family members; the quantities of major kinds of military equipment and the type of military assets (dangerous cargoes included); the property belonging to the servicemen, civilians and their family members; the locations where the unit or subunit will be loaded; the means of transportation; the movement route(s) to the state border of the Republic of Lithuania; and the border crossing point(s) of the Republic of Lithuania.

ARTICLE 4

The application for the withdrawal of a unit or subunit shall be considered by the Plenipotentiary of the Government of the Republic of Lithuania. The permit specifying the mandatory terms and conditions of the withdrawal shall be issued at least 10 days before the planned withdrawal of the unit or subunit starts. In these cases, the Lithuanian Party shall consider favourably the applications for dispatching seagoing vessels from the Russian Federation to the Republic of Lithuania.

Where necessary, upon the approval by the Plenipotentiary of the Republic of Lithuania and under the terms and conditions established by the Parties, unarmed work teams may be seconded to load the movable property of the units and subunits of the armed forces of the Russian Federation to be withdrawn.

ARTICLE 5

Prior to the issuance of a permit to withdraw a unit or subunit, the inspection group of the Republic of Lithuania shall inspect the unit or subunit to be withdrawn and the land parcels and installations in its possession.

The procedure and scope of the inspection shall be established by the Protocol on the Inspection of Units and Subunits of the Armed Forces of the Russian Federation approved by the Plenipotentiaries of the Governments of the Parties.

The Plenipotentiary of the Russian Federation shall notify the Plenipotentiary of the Government of the Republic of Lithuania about the time the loading of the units' or subunit's property and military equipment into containers, railway waggons and vehicles will start at least 72 hours in advance.

Loaded containers, railway waggons and vehicles shall be inspected and sealed by the representatives of the Customs and Railways of the Republic of Lithuania. In these cases simplified customs declaration forms shall be used.

ARTICLE 7

The Plenipotentiaries of the Republic of Lithuania and the Russian Federation shall prepare the documents on the transfer to the Republic of Lithuania of land parcels, installations, equipment, inventory and property, left behind by the unit or subunit being withdrawn, at least 7 days before its withdrawal.

Forms of documents and procedure for the transfer to the Republic of Lithuania of land parcels, installations and property, left behind by the unit or subunit being withdrawn, shall be reconciled and approved by the Plenipotentiaries of the Governments of the Parties.

While the aforementioned documents are being reconciled and approved, the inspection group of the Plenipotentiary of the Government of the Republic of Lithuania shall comprehensively inspect the land parcels and installations.

ARTICLE 8

The main transportation routes to be used for the withdrawal of the units and subunits to the state border of the Republic of Lithuania shall be the following:

- 1) by road: Klaipėda-Vilnius highway, the southern bypass of Vilnius to Minsk highway, Medininkai border checkpoint;
- 2) by rail: all railways of the Republic of Lithuania;
- 3) by air: Šiauliai, Kėdainiai and Panevėžys airfields;
- 4) by sea: Klaipėda Seaport.

The columns of the units and subunits being withdrawn shall be escorted by the Traffic Police, other agencies and the military inspectorate of vehicles of the Republic of Lithuania to the state border of the Republic of Lithuania or the places where they will be loaded on to rail, sea or air transport.

ARTICLE 9

The officials responsible for the unit or subunit to be withdrawn shall submit to the State Border Guard Service and the Customs of the Republic of Lithuania the following: a list of names of persons in the column, on the train or vessel; declarations of the military property carried away; and declarations of personal property carried away. The aforementioned documents shall be submitted at the loading station or the last railway station in the territory of the Republic of Lithuania in case of rail transport; at the established stop at the state border of the Republic of Lithuania in case of road transport; at the port of loading in case of maritime transport; and at the airfield of loading in case of air transport.

ARTICLE 10

Representatives of the Customs of the Republic of Lithuania shall be entitled to check whether the seals on containers, railway waggons and vehicles are present and intact. In case the seals are broken, the cargo shall be inspected with the representatives of the units and subunits to be withdrawn.

The cargoes, which are not indicated in the declaration, shall not be allowed to cross the border of the Republic of Lithuania.

ARTICLE 11

The procedure of departure of the family members of the servicemen shall be established by the Plenipotentiaries of the Governments of the Parties, and the procedure of transportation of personal property of the family members shall be laid down in the Agreement between the Republic of Lithuania and the Russian Federation on the Procedure for the Regulation of Issues Relating to Personal Property and Flats of the Military Personnel and Other Persons Belonging to the Armed Forces of the Russian Federation Being Withdrawn from the Territory of the Republic of Lithuania.

ARTICLE 12

Apart from the border checkpoints provided for in Article 8 of this Protocol, additional border checkpoints, where the units or subunits being withdrawn will be allowed to cross the state border of the Republic of Lithuania, shall be established by the Authorised Representative of the Government of the Republic

of Lithuania upon agreement by the Plenipotentiary of the Government of the Russian Federation.

ARTICLE 13

The unit or subunit shall be considered withdrawn from the territory of the Republic of Lithuania only when the last member of its servicemen and all of its military equipment and property, which must be carried away, have crossed the state border of the Republic of Lithuania.

The fact of the withdrawal of the unit or subunit from the territory of the Republic of Lithuania shall be recorded in the act signed by the Plenipotentiaries of the Governments of the Parties.

ARTICLE 14

This Protocol shall come into force on the date of its signature.

Done at Moscow on 8 September 1992 in two copies in the Lithuanian and Russian languages, each text being equally authentic.

(signature)
Audrius Butkevičius
For the Republic of Lithuania

(signature)
Pavel Grachyov
For the Russian Federation

United Nations
General Assembly

A/RES/47/21

72nd plenary meeting
25 November 1992

COMPLETE WITHDRAWAL OF FOREIGN MILITARY FORCES FROM THE TERRITORIES OF THE BALTIC STATES¹

The General Assembly,

Having considered the item entitled “Complete withdrawal of foreign military forces from the territories of the Baltic States”,

Considering that the United Nations, pursuant to the provisions of its Charter, has a major role to play in, and responsibility for, the maintenance of international peace and security,

Recalling with particular satisfaction that independence was restored in Estonia, Latvia and Lithuania through peaceful and democratic means,

Recognizing that the stationing of foreign military forces on the territories of Estonia, Latvia and Lithuania without the required consent of those countries is a problem remaining from the past that must be resolved in a peaceful manner,

Welcoming recent agreements on the complete withdrawal of foreign military forces from the territory of Lithuania,

Welcoming also the bilateral talks on the complete withdrawal of foreign military forces from the territories of Estonia and Latvia,

Concerned about the continuing absence of any agreements for the complete withdrawal of foreign military forces from the territories of Estonia and Latvia,

Taking note of the report of the Secretary-General entitled “An Agenda for Peace”, pursuant to the statement of 31 January 1992 adopted at the conclusion of the meeting held by the Security Council at the level of Heads of State and Government,

¹ The official text is available at: <http://www.un.org/documents/ga/res/47/a47r021.htm>

Mindful that the timely application of preventive diplomacy is the most desirable and efficient means to ease tensions before they result in conflict,

Welcoming the “Helsinki Document 1992 - The Challenges of Change”, in particular paragraph 15, agreed upon at the Conference on Security and Cooperation in Europe, held at Helsinki on 9 and 10 July 1992,

Recognizing that the Conference on Security and Cooperation in Europe is a regional arrangement in the sense of Chapter VIII of the Charter of the United Nations, and as such provides an important link between European and global security,

Recognizing also that regional organizations participating in complementary efforts with the United Nations may encourage States outside the region to act supportively,

1. Expresses support for the efforts made by the States participating in the Conference on Security and Cooperation in Europe to remove the foreign military forces stationed on the territories of Estonia, Latvia and Lithuania without the required consent of those countries, in a peaceful manner and through negotiations;

2. Calls upon the States concerned, in line with the basic principles of international law and in order to prevent any possible conflict, to conclude without delay appropriate agreements, including timetables, for the early, orderly and complete withdrawal of foreign military forces from the territories of Estonia and Latvia;

3. Urges the Secretary-General to use his good offices to facilitate the complete withdrawal of foreign military forces from the territories of Estonia, Latvia and Lithuania;

4. Requests the Secretary-General to keep Member States informed of progress towards the implementation of the present resolution and to report thereon to the General Assembly at its forty-eighth session;

5. Decides to include in the provisional agenda of its forty-eighth session the item entitled “Complete withdrawal of foreign military forces from the territories of the Baltic States”.

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