

# The International Recognitions of Lithuania and Their Value (1918–1924)

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**Abstract.** This article analyses the process of Lithuania's international recognition in the period of 1918–1924. It attempts to determine the legal meaning (theoretical and practical aspects) of the international recognition granted to Lithuania by different countries. It examines the hindering and driving factors for international recognition; correlations between different cases; their evaluations; and, their legal and political value. It is concluded that, in most cases, other countries were encouraged to establish de facto relations with Lithuania and to grant de facto and de jure recognition on the basis of the factual situation and real-life practice. The major obstacle that hindered de jure recognition was the principle of an 'indivisible Russia' and Lithuania's dispute with Poland over Vilnius. The first recognitions de jure, which were obtained from Germany and Soviet Russia as the former sovereigns, as well as the recognitions conferred by the five Great Powers and the Holy See, conveyed the greatest legal and political value in establishing the independent state of Lithuania.

**Keywords:** international recognition; de facto recognition; de jure recognition; legal and political value; Estonia; Latvia; Lithuania

## INTRODUCTION

De facto and de jure recognition were of paramount legal and political importance for the re-established state of Lithuania in every case it was granted. This position was most explicitly articulated by the representatives of the Lithuanian National Council (in Lausanne) in a conversation with the French representative, which took place in Bern on 9th February 1918: “Lithuania will be grateful to every state for its recognition, irrespective of which belligerent group it belongs to.”<sup>1</sup> The Lithuanian Government utilised the already established de facto relations, along with the de facto and de jure recognition received from other states in 1920–1921 as an argument to pursue recognition from other small states, and the great European and American powers.<sup>2</sup> Every new case of recognition conveyed added political value as it strengthened Lithuania’s positions in the international arena, potentially contributing to solving the questions of Vilnius and Klaipėda. De jure recognition accorded to Lithuania by the Conference of Ambassadors rendered the greatest legal and political value, as it “finalised and crowned Lithuania’s fight for political independence.”<sup>3</sup>

Chronological and geographical factors of Lithuania’s international recognition have become topics of research among historians specialising in law and international law. Giršas Rutenbergas wrote and defended his dissertation, *Die baltischen Staaten und das Völkerrecht*, in 1928.<sup>4</sup> Three chapters of his dissertation (3–5) were also published in the Lithuanian journal *Teisė*.<sup>5</sup> Albert Geouffre de Lapradelle, Aleksandras Jaščenka, and Ladas Natkevičius also wrote on the topic of Lithuania’s international recognition during the interwar period.<sup>6</sup> Historians abroad during the

- 1 Telegram from German envoy in Bern Gisbert von Romberg to the Chancellor of the German Reich, 9th February 1918. Politisches Archiv des Auswärtigen Amts (PAAA)\_RZ201\_021714\_163–165.
- 2 Letter from Jurgis Savickis to the Norwegian representative in Copenhagen, 18th May 1921. Riks Arkivet (RA) Udenriksdepartamentet (UD), 1918–1924, hefte Norsk anerkendelse af Litauen (Hefte Litauen), 107–109.
- 3 Lietuvos pripažinimas de jure. – Lietuva, 29th December 1922, 1.
- 4 G. Rutenbergas. Die baltischen Staaten und das Völkerrecht: die Entstehungsprobleme Litauens, Lettlands u. Estlands im Lichte des Völkerrechts. Verlag der Buchhandlung G. Loeffler, Riga, 1928.
- 5 G. Rutenbergas. Tarptautinė teisė ir mažosios valstybės. – Teisė, 1926, 9, 1–6;  
G. Rutenbergas. Lietuvos, kaip nepriklausomos valstybės, susikūrimas ir jos pripažinimas tarptautinės teisės šviesoje. – Teisė, 1927, 11, 35–51; Lietuvos, kaip nepriklausomos valstybės, susikūrimas ir jos pripažinimas tarptautinės teisės šviesoje. – Teisė, 1927, 12, 28–63.
- 6 Consultations de MM. A. de Lapradelle, Louis Le Fur et André N. Mandelstam: concernant la force obligatoire de la décision de la Conférence des ambassadeurs du 15 mars 1923. Jouve & cie, Paris, 1928, 13–39; A. Jaščenka. Tarptautinės teisės kursas. 1 tomas, Konstitucinė tarptautinė teisė. Lietuvos Universiteto Biblioteka, Kaunas, 1931, 132, 137, 150, 155; L. Natkevičius. Aspect politique et juridique du différend Polono-Lithuanien. 2e leid. Spaudos fondas, Kaunas, 1930, 51–66.

Soviet period were mostly interested in the recognition granted by the United States, Switzerland, and Lithuania's international recognition in general.<sup>7</sup> After independence was restored on 11th March 1990, Juozas Šatas was among the first to write about Lithuania's international recognition, and the realities of the past and the present.<sup>8</sup> Matters of de facto and de jure recognition granted by specific countries have been addressed by Juozas Skirius, Algimantas Kasparavičiaus, Zenonas Butkus, Česlovas Laurinavičius, Audronė Veilentienė, Vaidotas Mažeika, Saulius Pivoras, Sandra Grigaravičiūtė, Dalia Bukelevičiūtė, Luboš Švec, Vilma Bukaitė, and Julien Gueslin.<sup>9</sup> These historians investigated bilateral relations with a specific country, the Great Powers, or several neighbouring countries, evaluating their value to Lithuania. These analyses of specific cases were independent from one another and did not outline the correlations between them.<sup>10</sup> The latter eventually resulted in erroneous propositions

- 7 C. R. Jurgėla. *Lithuania and the United States: The Establishment of State Relations*. Lithuanian Historical Society, Chicago, 1985, 7–12, 217–221; A. N. Tarulis. *American–Baltic Relations 1918–1922: The Struggle over Recognition*. The Catholic University of America Press, Washington, 1965, 349–370; A. E. Senn. *Swiss Recognition of Lithuania, August 1921*. – *Lituanus*, 1978, 24/1, 5–12. See: <[http://www.lituanus.org/1978/78\\_1\\_01.htm](http://www.lituanus.org/1978/78_1_01.htm)>, accessed 14th September 2022; P. Čepėnas. *Naujųjų laikų Lietuvos istorija*. T. 2. Fotografuotas leidimas. *Lituanus*, Vilnius, 1992, 708–718.
- 8 The book by Juozas Šatas does not include references, making it unclear to whom the author actually referred. The content of the text presupposes that the author was familiar with and drew from the research by Rutenbergas. The text abounds in the paraphrased thoughts by Rutenbergas. See: J. Šatas. *Lietuvos tarptautinis pripažinimas: praeities ir dabarties realijos*. Lietuvos „Žinijos“ draugijos leidykla, Vilnius, 1991, 5–30.
- 9 J. Skirius. *JAV suteikto tarptautinio pripažinimo Lietuvai 1922 m. problema*. – *Jurisprudencija*, 2002, 33/25, 42–52; J. Skirius. *Lietuvių visuomenininkas ir diplomatas Bronius Kazys Balutis*. Vaga, Vilnius, 2001, 226–238; A. Kasparavičius. *Tarp politikos ir diplomatijos*. Šventasis Sostas ir Lietuvos Respublika. LII leidykla, Vilnius, 2008, 84, 103, 106, 111, 123; Z. Butkus. *Tarp Trečiojo Reicho ir Trečiosios Romos: Vokietijos ir Sovietų politikos poveikis Baltijos šalių tarptautinei ir vidaus padėčiai tarpukaryje*. VU leidykla, Vilnius, 2019, 233–242; Č. Laurinavičius. *Lietuvos–Sovietų Rusijos Taikos sutartis (1920 m. liepos 12 sutarties problema)*. Valst. leidybos centras, Vilnius, 1992, 164–166; A. Veilentienė. *Išsaugoti nepriklausomybę: Lietuvos Seimo veikla užsienio politikoje 1920–1927 metais*. Lietuvos nacionalinis muziejus, Vilnius, 2020, 42–61; V. Mažeika. *Danijos santykiai su Lietuva 1918–1940 m.* LII leidykla, Vilnius, 2002, 28–35; S. Pivoras, Švedija ir Lietuvos pripažinimas *de jure*. – *Lituanistica*, 1999, 45/4, 32–49; S. Grigaravičiūtė. *Skandinavija Lietuvos diplomatijoje 1918–1940 metais*. Saulabrolis, Vilnius, 2002, 54–58, 70–72; D. Bukelevičiūtė. *Lietuvos ir Čekoslovakijos dvišalių santykių dinamika 1918–1939 metais*. VU leidykla, Vilnius, 2010, 24–31; L. Švec. *Čekoslovakijos pabaltės stovykla 1918–1939: Vývoj politických a hospodářských vztahů Československa s Litvou, Lotyšskem a Estonskem v meziválečném období*. Univerzita Karlova v Praze. Nakladatelství Karolinum, Praha, 2001, 49–78; V. Bukaitė. *Lietuvos Respublikos politiniai ir diplomatiniai santykiai su Prancūzija 1919–1940 m.* Daktaro disertacija. Humanitariniai mokslai, istorija (05 H). Vilnius, 2013, 60–72; J. Gueslin. *Prancūzija ir Lietuvos klausimas (1920–1923 m.): tarp iliuzijų ir realios politikos*. – *Istorija*, 2002, 51, 33–34.
- 10 In the text, the term ‘correlation’ is understood as a connection that can be seen between specific cases of de facto and/or de jure recognition granted to Lithuania. These connections come from the influence of decisions made in certain states upon those made in others. On some occasions, that influence actually meant diplomatic pressure. For more, see: *Telegram from the Swedish Foreign Ministry to the Norwegian Department of Foreign Affairs, 25th September 1921*. RA UD, 1918–1924, Hefte Litauen, s. 123; *Telephoned telegram from the Danish Foreign Ministry to the Norwegian Department of Foreign Affairs, 24th September 1921*. RA UD, 1918–1924, Hefte Litauen, s. 125.

relating to the impact and motives of the specific cases of recognition.<sup>11</sup> It also gave rise to the different evaluations of recognition wordings.<sup>12</sup> Little attention was paid to comprehending the legal meaning of international recognition in each specific case, which is essential in ascertaining its value. However, what is most problematic is that researchers (with the exception of Rutenbergas, Jaščenka, Natkevičius) who endeavoured to evaluate international recognition from the perspective of international law drew upon the theory and practice of recognition enshrined in contemporary international law rather than of the period in question (Šatas, Skirius).

The aim of this research is to evaluate the *de facto* and *de jure* recognitions granted to Lithuania during the period of 1918–1924, their context, legal meaning, political significance, and value from the perspective of international law during those years. ‘Value’ is selected as the key concept because international recognition is not only a legal action, but also a political one. As such, the act of recognition conveys effects that enable the evaluation of their legal and political value to Lithuania. This article covers the period from the first *de jure* recognition extended to Lithuania by Germany on 23rd March 1918 to the *de jure* recognition conferred on Lithuania by Bulgaria on 3rd November 1924. These chronological boundaries are marginally crossed in addressing the circumstances of the first request for the recognition of independence of 8th–9th February 1918, and the *de jure* recognition which occurred by establishing diplomatic relations with Poland on 19th March 1938.

In addition to the abovementioned authors, this work also utilises the research of several other scholars.<sup>13</sup> Notably, Aldona Gaigalaitė’s analysis of the acceptance of the Polish ultimatum to Lithuania.<sup>14</sup> Evaluations of the legality of the Suwałki Agreement by Regina Žepkaitė, Petras Miškinis, and Gintautas Vilkelis.<sup>15</sup> Rudolfas Valsonokas’ interpretation of Article 433 of the Peace Treaty of Versailles as the *de*

11 Čepėnas argues that the recognition process was driven by the active involvement of Lithuanians in the US, but according to Skirius it was stimulated by the resignation of Boris Bakhmetev, and the permission to use the specific wording of the recognition which was granted to the Baltic states. See: P. Čepėnas. *Naujųjų laikų Lietuvos istorija*, 715; J. Skirius. *JAV suteikto tarptautinio*, 44, 47.

12 J. Skirius. *JAV suteikto tarptautinio*, 45–46.

13 This article draws from recent research, see: S. Grigaravičiūtė. *Pirmasis Lietuvos nepriklausomybės pripažinimo prašymas 1918 m. vasario 8–9 d.: tekstas ir kontekstas*. – *Lituanistica*, 2022, 68/2, 87–121.

14 A. Gaigalaitė. *Penkios dienos Lietuvos istorijoje*. – *Istorija*, 1997, 36, 119–144.

15 R. Žepkaitė. *Diplomatija imperializmo tarnyboje: Lietuvos ir Lenkijos santykiai 1919–1939 m.* Mokslas, Vilnius, 1980, 100–110; P. Miškinis. *Lietuvos ir Lenkijos tarptautiniai teisiniai aspektai (1919–1939)*. Mintis, Vilnius, 1976, 40–46; G. Vilkelis. *Lietuvos ir Lenkijos santykiai Tautų Sąjungoje. Versus aureus*, Vilnius, 2006, 70–74.

facto recognition of the Baltic states.<sup>16</sup> Raimundas Lopata's analysis of the Entente's reaction to the first request for the recognition of Lithuania's independence.<sup>17</sup> Tom Kristiansen's research on Norway's de facto and de jure recognition of Estonia, Latvia, and Lithuania.<sup>18</sup> And, scholarship concerning the recognition of states in international law by Vilenas Vadapalas, Anthony Murphy, Vlad Stancescu, and Mikulas Fabry.<sup>19</sup>

Few authors scrutinise the texts of international recognition. For this reason, attention was given to both published and unpublished sources relating to international recognition. Unpublished sources from the following repositories have been utilised in this article: the Department of Foreign Affairs of the National Archives of Norway; the Political Archive of the German Foreign Office; the Fund of the Ministry of Foreign Affairs (F. 383); the Fund of the Lithuanian Legation in Washington (F. 656) from the Lithuanian Central State Archives; and, the Manuscripts Division of Vilnius University Library (F. 155-996). The research also made use of published sources (collections of sources, memoirs, press, virtual exhibitions, documents accessible on the internet), which include the documents of recognition, treaties, important notes, as well as other related and important information.<sup>20</sup> Concerning methodology, a logical-analytical approach was employed through the notional analysis of sources in the Norwegian, Danish, Swedish, German, French, and English languages. New information from unpublished sources was compared and synthesised with that already circulating in historiography. Additionally, inductive and interpretive

16 R. Valsonokas. *Klaipėdos problema: Fotografuoti. leid. Vaizdas*, Vilnius, 1989, 51–52.

17 R. Lopata. *Lietuvos valstybingumo raida 1914–1918 metais*. Mintis, Vilnius, 1996, 140.

18 T. Kristiansen. *Det fjerne og farlige Baltikum: Norge og det baltiske spørsmål 1918–1940*. IFSINFO [Institut for forsvarsstudier], København, 1992, 4, 24–29.

19 V. Vadapalas. *Tarptautinė teisė: Bendroji dalis*. Eugrimas, Vilnius, 1998, 118; A. Murphy, V. Stancescu. *State Formation and Recognition in International Law*. – *Juridical Tribune*, 2017, 7/1, 6–14; M. Fabry. *The Evolution of State Recognition*. – *Routledge Handbook of State Recognition*. Ed. by G. Visoka, J. Doyle and E. Newman. Routledge, New York, London, 2019, 37–41.

20 Lietuvos Valstybės Tarybos protokolai. Sudarė A. Eidintas, R. Lopata. *Mokslas*, Vilnius, 1991, 146–147; Lietuvos valstybės atkūrimo procesas, 1917 m. liepa–gruodis: Dokumentų rinkinys. Sudarė L. Mažylis, R. Zozaitė. VDU, Kaunas, 2018, 110–111; Lietuvos–Lenkų byla dėl tranzito Nemuno upynui ir Kaišiadorių–Lentvario geležinkelio ruožui. Kaunas, 1931, 1, 95–101; Lithuanian Recognition. Advocated by W. C. McAdoo, H. A. Gibbons, and W. M. Chandler. *Lithuanian Information Bureau*, Washington, 1925, 1–27; V. Sidzikauskas. Lietuvos diplomatinės paraštės. *Vaga*, Vilnius, 1994, 26–30; The following periodicals are meant: *Lietuva*, *Laisvė*, *Lietuvos aidas*, *Vyriausybės žinios*. Tarptautinis lūžis: Lietuvos valstybės pripažinimas *de jure* prieš 100 metų – 28th June 2021. Lietuvos centrinis valstybės archyvas, virtual exhibition, see: <<https://virtualios-parodos.archyvai.lt/virtualios-parodos/34/tarptautinis-luzis-lietuvos-valstybes-pripazinimas-de-jure-pries-100-metu-lcva/exh-235>>, accessed 14th September 2022; Atkurtos Lietuvos nepriklausomos valstybės pripažinimo chronologija – Lietuvos Respublikos Seimas, see: <[https://www3.lrs.lt/pls/inter/w5\\_show?p\\_r=4729&p\\_k=1](https://www3.lrs.lt/pls/inter/w5_show?p_r=4729&p_k=1)>, accessed 14th September 2022.

methods were utilised in the reconstruction of the idea and meaning of the content of the sources.

THE LEGAL MEANING  
OF INTERNATIONAL RECOGNITION  
IN THE WORKS OF LITHUANIAN  
SCHOLARS, 1918–1924

The international recognition of the state came to be construed as an institution of international law in the nineteenth century.<sup>21</sup> Its core is the legal meaning of international recognition.<sup>22</sup> The fully recognised, or *de jure* state was entitled to participate in international communication, acquiring the right to implement the effectiveness of the state as a subject of international law. Effectiveness manifested itself through three rights: diplomatic relations (*jus legatione*), treaties (*jus tractatum*), and defence (*jus belli*).<sup>23</sup>

In bilateral communication, international recognition meant that the recognising state entered into the relations stipulated by international law with the recognised state.<sup>24</sup> Rutenbergas (a proponent of Declarative Theory) conceives international recognition as “the recognition of international law” and defines it as “the expression of the will of the old state with respect to the new state whereby it formally confirms the fact of establishment of the new state and joins the life of international law with the new state”.<sup>25</sup> The key point of international recognition in bilateral communication is to empower the recognised state “to implement its effectiveness of international law in respect of the recognising state”.<sup>26</sup> Jaščenka (a proponent of Constitutive Theory) maintained that “the recognition of the state is an act” converting the state “into a subject of constitutional international law”.<sup>27</sup>

Rutenbergas reasoned that the state becomes a subject of international law by the very fact of its establishment, i.e., recognition

21 M. Fabry. *The Evolution of State Recognition*, 37–41.

22 G. Rutenbergas. *Lietuvos, kaip nepriklausomos valstybės*, 12, 29.

23 A. Jaščenka. *Tarptautinės teisės kursas*, 132.

24 This provision has essentially not changed. By the act of recognition, the recognising state “establishes its legal position in respect of the recognised state or government”. See: V. Vadapalas. *Tarptautinė teisė: Bendroji dalis*. Eugrimas, Vilnius, 1998, 118.

25 G. Rutenbergas. *Lietuvos, kaip nepriklausomos valstybės*, 12, 37.

26 *Ibid.*, 12, 37.

27 A. Jaščenka. *Tarptautinės teisės kursas*, 132.

does not establish the state, it only confirms its existence.<sup>28</sup> Consequently, every new state, which may defend its independence, and is ready to exercise the rights and duties provided for the state as a legal entity in international law, has the inherent right to be recognised.<sup>29</sup> International recognition provides the newly established (or re-established) state with political stability for its further development. In the case of Lithuania, the *de jure* recognition given by the Conference of Ambassadors can be regarded as an example which provided political stability to the state.<sup>30</sup> A state which is recognised internationally is freed from the uncertainty resulting from delayed recognition, or its outright rejection.<sup>31</sup> The *de jure* recognition conferred upon Lithuania by Poland is an example of the resolution of such uncertainty. It took place only after an ultimatum was issued to Lithuania and diplomatic relations were officially established with the exchange of notes taking place on 19th March 1938.<sup>32</sup>

Rutenbergas and Natkevičius placed particular emphasis on recognition not imposing any reservations on the recognised state.<sup>33</sup> Such statements pertain to certain cases when the *de jure* recognition given to Lithuania came with certain reservations: the recognition granted by Switzerland (reservation on boundaries); the Conference of Ambassadors (on the internationalisation of the Nemunas River); and, the Holy See (on the establishment of relations with Poland).<sup>34</sup> Scholars specialising in international law occasionally questioned the content and validity of the recognition extended by Germany as conventions had not been signed between Lithuania and Germany.<sup>35</sup> However, a document kept in the Political Archive of the German Foreign Office dissipates any doubts. The document, dated 6th November 1918, contains the clarification of the officers from the German Foreign Office, stating that the Lithuanian state needed no special recognition from the side of the German Government. The recognition granted by Germany on 23rd

28 G. Rutenbergas. Lietuvos, kaip nepriklausomos valstybės, 11, 35, 50.

29 *Ibid.*, 12, 38.

30 Lietuvių-Lenkų byla, 95–101; J. Skirius. Lietuvių visuomenininkas ir diplomatas, 237; P. Čepėnas. Naujųjų laikų Lietuvos istorija, 708–718.

31 G. Rutenbergas. Lietuvos, kaip nepriklausomos valstybės, 12, 38.

32 Diplomatic relations were established between the states after Lithuania accepted the Polish ultimatum. See: A. Gaigalaitė. Penkios dienos Lietuvos istorijoje, 119–144.

33 G. Rutenbergas. Lietuvos, kaip nepriklausomos valstybės, 12, 38; G. Rutenbergas. Recenzija Dr. L. Natkevičiaus knygai *Aspect Politique et Juridique du differend Polono-Lithuanien*. Paris, 1930. – *Teisė*, 1930, 18, 121–128; L. Natkevičius. *Aspect politique et juridique*, 51–66.

34 Transcript of the verbal note by Guiseppe Motta to Chief of the Mission in Bern, Vaclovas Sidzikauskas, 19th August 1921. RA UD, 1918–1924, Hefte Litauen, 115; Lietuvių-Lenkų byla, 95–101; The Holy See granted *de jure* recognition to the Government of Lithuania rather than the State of Lithuania. See: G. Rutenbergas. Lietuvos, kaip nepriklausomos valstybės, 12, 60.

35 G. Rutenbergas. Lietuvos, kaip nepriklausomos valstybės, 12, 54–55.

March 1918 was “addressed to that public body, which was entitled to appoint the Government”, i.e., the Council of Lithuania.<sup>36</sup>

The recognition of states that were established (or re-established) in the wake of World War I took place in two stages: first, *de facto*, then, *de jure*.<sup>37</sup> These concepts vary in the international law of that time, but the key features are the same: *de facto* indicates provisional recognition, while *de jure* means long-term recognition.<sup>38</sup> Jaščenka and Rutenbergas also single out preparatory recognition, which precedes the *de facto* stage: recognition of belligerency, recognition of insurgency, recognition of the nation.<sup>39</sup> In Jaščenka’s view, diplomatic relations can be established with a recognised belligerent state and a consul can be assigned to its territory (usually without the *exequatur* of the local government).<sup>40</sup> This practice was applied during the Klaipėda Uprising, although a Lithuanian representative as opposed to a consul was appointed.<sup>41</sup>

Rutenbergas defined *de facto* recognition as “a legal act, which confirms the fact of the newly established state formally and temporarily without the final decision and enables to establish provisional relations with the said state.”<sup>42</sup> Jaščenka refers to *de facto* recognition as the form of provisional recognition.<sup>43</sup> He argued that “we need to distinguish between the *de facto* recognition of the Government and the recognition of the Government of the newly established state.” Such “recognition of the Government of the state [...] is equivalent to the recognition of the state itself”.<sup>44</sup> The key features of *de facto* recognition are the following: formal, and provisional, enabling entry into provisional relations with established states.

The legal effects of *de facto* recognition are very important. First, the state becomes eligible to appoint its unofficial representative. The representative of the state recognised *de facto* is accredited to the foreign minister of the host country. Usually, the unofficial representative is

36 Transcript of Document A47456, 6th November 1918. PAAA\_RZ201\_021725\_71–72.

37 G. Rutenbergas. Lietuvos, kaip nepriklausomos valstybės, 12, 38–39; P. Čepėnas, Naujųjų laikų Lietuvos istorija, 703.

38 G. Rutenbergas. Lietuvos, kaip nepriklausomos valstybės, 12, 38–44; P. Čepėnas, Naujųjų laikų Lietuvos istorija, 703.

39 A. Jaščenka. Tarptautinės teisės kursas, 150; G. Rutenbergas. Lietuvos, kaip nepriklausomos valstybės, 12, 28.

40 A. Jaščenka. Tarptautinės teisės kursas, 155.

41 Report by Juozas Pėteraitis to the Prime Minister, 25th January 1923. Lithuanian Central State Archive (LCSA), fund (f.) 383, inventory (i.) 7, case (c.) 378, list (l.) 192–193; S. Grigaravičiūtė. Representation of Lithuania in the Klaipėda Region, 1920–1923. Науковий вісник Дипломатичної академії України, 2013, 20/1, 184–195, see <[http://nbuv.gov.ua/UJRN/Nvda\\_u\\_2013\\_20%281%29\\_\\_28](http://nbuv.gov.ua/UJRN/Nvda_u_2013_20%281%29__28)>, accessed 14th September 2022.

42 G. Rutenbergas. Lietuvos, kaip nepriklausomos valstybės, 12, 43.

43 A. Jaščenka. Tarptautinės teisės kursas, 137.

44 Ibid., 150.

designated ‘delegate’, ‘head of delegation’, ‘head of mission’, ‘authorised representative’ (e.g., Lithuania’s authorised representative to Turkey, the Far Eastern Republic), ‘unofficial representative’, or ‘chairperson of the committee’.<sup>45</sup> The unofficial representative was not authorised to hoist the flag of the state.<sup>46</sup> Therefore, in the mutual correspondence of 1920–1921, officers from Norwegian and Danish foreign ministries observed with surprise that Jurgis Savickis (Lithuania’s unofficial representative to Denmark from 1st January 1919) referred to himself as ‘envoy’ (*Gesandt*).<sup>47</sup> In the Danish list of foreign diplomats Savickis was called unofficial representative.<sup>48</sup> As a rule, the representative of the state recognised de facto was not placed on the list of the members of the foreign diplomatic corps (e.g., in London).<sup>49</sup> The unofficial representative did not take advantage of the privileges that the members of the diplomatic corps were eligible (e.g., to be exempt from taxes and customs duties).<sup>50</sup> Historiography observes de facto recognition of the Baltic states in 1919 as the establishment of unofficial relations.<sup>51</sup> The representatives of the states which recognised Lithuania de facto were not referred to as envoys either (e.g., the British representative was called ‘commissar’, the French representative was designated ‘military agent’). In relation to international law, they were considered diplomats of provisional accreditation.<sup>52</sup>

Secondly, the state recognised de facto becomes eligible to conclude agreements. Provisional agreements were signed between Lithuania and the foreign state which recognised Lithuania de facto, such as the Lithuanian-British agreement of 6th May 1922 that took

- 45 G. Rutenbergas. Lietuvos, kaip nepriklausomos valstybės, 12, 42; Letter of appointment of Juozas Macevičius, 2nd May 1921. LCSA, f. 383, i. 7, c. 214, l. 37; Telegram from Petras Klimas to Bronius Blaveščiūnas in Constantinople, 9th February 1921. LCSA, f. 383, i. 7, c. 214, l. 53. The same in French. LCSA, f. 383, i. 7, c. 214, l. 60; Lietuvių vargai Konstantinopoly. Lietuva, 12th February 1921, 34, 3; Report by Kazimieras Jocius (Lithuanian authorised representative to Siberia) to the Lithuanian representation in Moscow, 31st January 1922. LCSA, f. 383, i. 4, c. 49, l. 187; Report by Johannes Irgens to the Norwegian Department of Foreign Affairs, 21st January 1920. RA UD, 1918–1924, Hefte Litauen, 71; Report by Chairperson of the Lithuanian Executive Committee, M. J. Vinikas, in Washington to the Norwegian representative in Washington, 2nd January 1920. RA UD, 1918–1924, Hefte Litauen, 77.
- 46 Verbal note from the Danish representation in Kristiania to the Norwegian Department of Foreign Affairs, 8th November 1920. RA UD, 1918–1924, Hefte Litauen, 93.
- 47 Transcript of the minutes of the meeting between the Norwegian Department of Foreign Affairs and Jurgis Savickis, 16th August 1921. RA UD, 1918–1924, Hefte Litauen, 111.
- 48 Report by Johannes Irgens to the Norwegian Department of Foreign Affairs, 21st January 1920. RA UD, 1918–1924, Hefte Litauen, 71.
- 49 G. Rutenbergas. Lietuvos, kaip nepriklausomos valstybės, 12, 42; P. Čepėnas. Naujujų laikų Lietuvos istorija, 703.
- 50 A. E. Senn. Swiss Recognition of Lithuania, 5–12.
- 51 T. Kristiansen. Det fjerne og farlige Baltikum, 29.
- 52 G. Rutenbergas. Lietuvos, kaip nepriklausomos valstybės, 12, 42.

the form of an exchange of notes without the ratification provision.<sup>53</sup> Other examples are the agreements with Poland, which recognised Lithuania de facto on 4th July 1920; the preliminary peace agreement signed in Suwałki on 7th October 1920; and, the truce agreement of 30th November 1920.<sup>54</sup> In historiography, several authors refer to the Suwałki Agreement as an ‘agreement’ basing their choice on the argument that it is a technical document (on boundary delimitation); yet other authors call it the Suwałki Treaty.<sup>55</sup> With the exception of Rutenbergas, none drew attention to it being termed an ‘agreement’ because Poland had not yet recognised Lithuania de jure.<sup>56</sup>

Thirdly, the state recognised de facto becomes eligible to recognise other states. Lithuania had such a case in the instance of the Far Eastern Republic. The Government of the Far Eastern Republic refused to admit the Lithuanian authorised representative until recognition from the Government of the Republic of Lithuania was received.<sup>57</sup> With de facto recognition, Estonia, Latvia, and Lithuania recognised one another de jure.<sup>58</sup> Finally, states recognised de facto were entitled to wage war against another state, and to make peace with it (*jus belli ac pacis*).<sup>59</sup>

Shifting to the matter of de jure recognition, Rutenbergas defines it as a legal act whereby “the recognised state is granted diplomatic and legal rights on an equal footing with the recognising state.”<sup>60</sup> The main features of de jure recognition are: formal, long-term establishment of permanent, official, and equal relations with the recognised state. The legal effects of de jure recognition are very important: participation in diplomatic organisations; appointment of a fully-fledged diplomatic representative (i.e., envoy extraordinary, minister plenipotentiary); accreditation of the latter to the host country’s head of state (i.e., king, president); placement on the diplomatic list; exemption from taxes and customs duties; and, the right to enter into long-term treaties, which have the force of international law and are subject to ratification.<sup>61</sup> In addition to the above, Jaščenka lists several more benefits, such as

53 Ibid., 12, 42; J. Skirius. Lietuvių visuomenininkas ir diplomatas, 231.

54 Lietuvių-Lenkų byla, 78–89; S. Grigaravičiūtė. Skandinavija Lietuvos diplomatijoje, 126.

55 R. Žepkaitė. Diplomacija imperializmo tarnyboje, 100–110; G. Vilkelis. Lietuvos ir Lenkijos santykiai, 70–74; P. Miškinis. Lietuvos ir Lenkijos santykių, 51–53.

56 G. Rutenbergas. Lietuvos, kaip nepriklausomos valstybės, 12, 43.

57 Note of the Government of the Far Eastern Republic to the Lithuanian representative in Soviet Russia concerning the note of the Government of the Republic of Lithuania to the Government of the Far Eastern Republic on the appointment of Motiejus Čepas of 25th November 1921. LCSA, f. 383, i. 4, c. 49, l. 188–190.

58 G. Rutenbergas. Lietuvos, kaip nepriklausomos valstybės, 12, 38.

59 Ibid., 43–44.

60 Ibid.

61 Ibid., 38–44.

enjoying the protection of international law in the sphere of exclusive domestic jurisdiction, and to protect one's rights and interests by means of international legal instruments (i.e., applying to court, waging war).<sup>62</sup>

A question was posed on numerous occasions in the Lithuanian recognition practice as to which countries' de jure recognition rendered the greatest value, and which made Lithuania eligible to participate in all international conferences that were attended by other de jure recognised states. In February 1922, Lithuania was already recognised de jure by Germany, Soviet Russia, Latvia, Estonia, Norway, Denmark, and Sweden. On 22nd September 1921, Lithuania was admitted to the League of Nations on de jure terms, becoming a member. However, it failed to receive an invitation to the Conference of Genoa (held from 10th April to 19th May 1922).<sup>63</sup> Lithuania was informed that only those countries that had already been recognised de jure were invited to the Conference of Genoa, and Lithuania was not yet conferred with de jure recognition by the Entente Powers. Lithuania presented a counter-argument claiming that the Government of Soviet Russia (which had not yet been recognised de jure) was invited, and appealed to the Swedish Government for diplomatic support. The Swedish representative in Italy was instructed to contact the Italian Government and to inform it that Sweden had already recognised Lithuania de jure, providing grounds to invite them.<sup>64</sup> Though eventually Lithuania received an invitation to the Conference of Genoa, it illustrates that the economic interests of the Great Powers were above the general rules.<sup>65</sup>

On 20th December 1922, the Conference of Ambassadors (France, Great Britain, Italy, Japan) recognised Lithuania de jure, but Lithuania's diplomatic representative in London was only fully recognised when he submitted the Klaipėda Convention, ratified by the Lithuanian *Seimas*. The Norwegian representative in London notified the Norwegian Department of Foreign Affairs thereof on 6th August 1924.<sup>66</sup> This practice is an excellent illustration of the conclusion made by Rutenbergas that de jure recognition only becomes effective with respect to the Baltic states when "the new government of the state is

62 A. Jaščėnka. *Tarptautinės teisės kursas*, 132.

63 It was important for the Lithuanian Government to receive an invitation to the Conference of Genoa, as it was hoped that Lithuania would succeed in obtaining de jure recognition from the great European powers. See: J. Skirius. *Lietuvių visuomenininkas ir diplomatas*, 225–228.

64 Report by Norwegian representative in Kristiania, Johannes Irgens, to the Norwegian Department of Foreign Affairs, 11th February 1922. RA UD, 1918–1924, Hefte Litauen, 171.

65 J. Skirius. *Lietuvių visuomenininkas ir diplomatas*, 230–231.

66 Report by the Norwegian representative in London to the Norwegian Department of Foreign Affairs, 6th August 1924. RA UD, 1918–1924, Hefte Litauen, 197, 199.

capable of maintaining peace and order within the state, to defend it from external enemies and is committed to ensure compliance with international legal order.”<sup>67</sup>

Summing up the importance of recognition from the point of view of international law, international recognition aided in ensuring the participation of the state in international communication and cooperation. The legal effects conveyed by de facto recognition had certain limitations in the spheres of diplomatic representation (*jus legationum*), and the conclusion of treaties (*jus foederum et tractatum*).<sup>68</sup> While de jure recognition had no limitations to implement its legal effectiveness in the areas of diplomatic relations (*jus legatione*), treaties (*jus tractatum*), and defence (*jus belli*).

## HINDERING AND DRIVING FACTORS FOR INTERNATIONAL RECOGNITION

Under the international law of that time, recognition could be granted in the form of a diplomatic note, a treaty, or an international treaty upon the establishment of diplomatic relations.<sup>69</sup> In practice, a note was typically delivered to the Lithuanian president or the foreign minister whereby the recognising state notified the recognition granted to Lithuania. For example, on 3rd March 1921, the Lithuanian Ministry of Foreign Affairs received a telegram from its representative in Tallinn, officially informing them of “de jure recognition granted by Estonia to Lithuania.”<sup>70</sup> The Government of Soviet Russia recognised Lithuania de jure by a bilateral treaty (Article 1). The same format was applied in the case of Poland after diplomatic relations were re-established on 19th March 1938. Meanwhile, Rudolph Valsonok construed Article 433 of the Treaty of Versailles as the

67 G. Rutenbergas. Lietuvos, kaipo nepriklausomos valstybės, 12, 41.

68 Ibid., 43.

69 A. Jaščėnka. Tarptautinės teisės kursas, 140.

70 Information on Estonia’s preparation to recognise Lithuania de jure was received on 28th February 1921. The news was reported in the press on 3rd March 1921: “Dear Minister, I am honoured to inform you that the Government of the Republic of Estonia, guided by the intention to strengthen friendly relations, which have always existed between the two nations, resolved to recognise the independent state of Lithuania de jure. I am truly delighted to be able to communicate this friendly decision on the part of the Republic of Estonia. Please accept my good wishes for Lithuania’s wellbeing. I would also like to take the opportunity to express my respect to You, Mr. Minister. Piip”. On 12th March 1921, Estonian chargé d’affaires, Lt. August Johannes Schmidt submitted his credentials to the Lithuanian Foreign Minister. See: Užsieniai. Ir Estai pripažins Lietuvą. Talinas, II. 28. (Elta). – Lietuva, 3rd March 1921, 2; Telegramos. Lietuva. Kaunas. III–3. (Elta) – Lietuva, 8th March 1921, 3; Politikos žinios. Estų atstovas Lietuvai – Lietuva, 18th March 1921, 2.

de facto recognition of the three Baltic states.<sup>71</sup> Constantine R. Jurgėla also mentions that the governments of Finland, Estonia, Lithuania, and Ukraine were recognised de facto at the Paris Peace Conference.<sup>72</sup>

### *First de facto Recognitions*

It can be assumed that the establishment of de facto relations played an important role in receiving the first de facto recognitions: Sweden (3rd December 1918), Switzerland (14th December 1918), Denmark (1st January 1919), Japan (3rd January 1919), and Norway (23rd January 1919).<sup>73</sup>

It is likely that Sweden's decision to grant de facto recognition to Lithuania was driven by the diplomatic protection of Lithuanian subjects (citizens) taken over from Germany in Russia (Moscow, Petrograd). After Germany officially broke diplomatic relations with Soviet Russia on 5th November 1918, the diplomatic protection of German subjects (citizens) passed to the Swedish consul in Moscow. The Swedish consul in Moscow was also in charge of the case files of Lithuanian subjects (citizens).<sup>74</sup> Besides, in 1918, Stockholm was home to a number of Lithuanian intellectuals who needed Lithuanian passports and visas, as Germany transferred this right to the Provisional Government of Lithuania.<sup>75</sup> On 12th January 1919, the Swedish Government vested Jonas Aukštuolis, the appointed "Lithuanian representative to the Swedish Royal Government", with the right to have his own cipher, couriers, visas, and passports, which could be issued to Lithuanian returnees or travellers to other countries, or to replace the Russian passport with the Lithuanian one.<sup>76</sup>

In the view of Alfred Erich Senn, the consent issued by the Swiss Federal Council on 14th December 1918 to admit "the Lithuanian representative" Vladas Daumantas Dzimidavičius for consulting and information purposes can be considered the de facto recognition of

71 R. Valsonokas. *Klaipėdos problema*, 51–52.

72 C. R. Jurgėla. *Lithuania and the United States*, 10.

73 S. Pivoras. *Švedija ir Lietuvos pripažinimas de jure*, 39–40; S. Grigaravičiūtė. *Skandinavija Lietuvos diplomatijoje*, 55; G. Rutenbergas. *Lietuvos, kaip nepriklausomos valstybės*, 12, 48–49; A. E. Senn, *Swiss Recognition of Lithuania*, 5–12; V. Mažeika. *Danijos santykiai su Lietuva*, 35–36; P. Čepėnas. *Naujųjų laikų Lietuvos istorija*, 717; Manuscript letter registered by the Norwegian Foreign Minister to the Norwegian representative in Copenhagen, 23rd January 1919. RA UD, 1918–1924, *Hefte Litauen*, 41.

74 Iš buvusio Lietuvos valdžios įgaliotinio darbuotės Maskvoje – Laisvė, 27th April 1920, 2.

75 S. Grigaravičiūtė. *Skandinavija Lietuvos diplomatijoje*, 37–47; Letter from Augustinas Voldemaras to Secretary of the German Foreign Office, Dr. W. S. Solf, 30th October 1918. PAAA\_RZ201\_021724\_359–360; Transcript of Document A47456, 6th November 1918. PAAA\_RZ201\_021725\_71–72.

76 S. Grigaravičiūtė. *Skandinavija Lietuvos diplomatijoje*, 56–58.

Lithuania by Switzerland.<sup>77</sup> Lithuanian representatives in Germany did not treat and interpret this action as *de facto* recognition. As a result, Šaulys (3rd December 1919) and Sidzikauskas (12th December 1919) applied to the Swiss Political Department asking to recognise Lithuania *de facto*. The Division of Political Affairs of the Swiss Political Department replied that it had already been done by the Federal Council's decision of 14th December 1918.<sup>78</sup> It should not be surprising, because there were also similar cases in the Estonian practice concerning Norway's *de facto* recognition.<sup>79</sup> In fact, the Norwegian Government construed the first meetings with the unofficial Estonian, Latvian, and Lithuanian representatives as the establishment of *de facto* relations with them.

Danish *de facto* recognition was expressed verbally on 1st January 1919 during the visit of Augustinas Voldemaras (Prime Minister and Foreign Minister), and Jurgis Savickis (a representative of the Lithuanian Society's Central Committee in Copenhagen) in Copenhagen. Savickis was appointed as "Lithuania's representative to the Danish Royal Government".<sup>80</sup> The Danish press reported that the purpose of Voldemaras' visit was "for Denmark to start treating Lithuania in the same way as it was done by Switzerland and Sweden [...] so that it would recognise the Lithuanian [...] representative *de facto*."<sup>81</sup> On 11th January 1919, Voldemaras and Savickis informed the Norwegian representative in Copenhagen about the establishment of *de facto* relations with Denmark.<sup>82</sup> Official *de facto* recognition was received in the form of the note on 6th November 1920.<sup>83</sup>

Norway was encouraged to reconsider recognition of Lithuania by a letter from the Swedish mission in Kristiania reporting on the *de facto* recognition accorded to Lithuania by Sweden.<sup>84</sup> The Norwegian foreign minister then replied that Norway was not planning to recognise Lithuania *de facto*.<sup>85</sup> The visit of Voldemaras and Savickis to

77 A. E. Senn. *Swiss Recognition of Lithuania*, 5–12.

78 *Ibid.*

79 In January 1920, Estonian representative in Copenhagen, Karl Menning, paid a visit to Kristiania with the purpose of obtaining recognition from Norway. In an interview, he said that Norway was the only Nordic country which had not yet recognised Estonia *de facto*. T. Kristiansen. *Det fjerne og farlige Baltikum*, 25.

80 V. Mažeika. *Danijos santykiai su Lietuva*, 35–36.

81 *Ibid.*

82 Report by Norwegian representative in Copenhagen, Johannes Irgens, to the Norwegian Department of Foreign Affairs, 11th January 1919. RA UD, 1918–1924, Hefte Litauen, 39.

83 Telegram 168 by Jurgis Savickis to the Lithuanian Ministry of Foreign Affairs on Denmark's *de facto* recognition of Lithuania, 6th November 1920. LCSA, f. 383, i. 7, c. 365, l. 171.

84 Letter by the Swedish Royal Mission in Kristiania to Norwegian Foreign Minister, Nils Claus Ihlen, 6th December 1918. RA UD, 1918–1924, Hefte Litauen, 31–32.

85 Manuscript answer by the Norwegian Foreign Minister to the Swedish Mission in Kristiania, 9th December 1918. RA UD, 1918–1924, Hefte Litauen, 33.

Norwegian representative Johannes Irgens in Copenhagen encouraged the Norwegian Department of Foreign Affairs to reconsider its position. He was asked to inform the Norwegian Government that Lithuania was willing to enter into de facto relations with the Norwegian Government. Irgens mentioned an opportunity to establish trade relations. He offered Norwegian herring and fish in exchange for Lithuanian grain.<sup>86</sup> On 23rd January 1919, the response was received from the Norwegian foreign minister that Norway agreed to establish unofficial (de facto) relations with Lithuania.<sup>87</sup>

Lithuania entered into de facto relations with Japan in Paris on 3rd January 1919, before the Peace Conference.<sup>88</sup> Japanese diplomatic and military representatives in Finland took interest in Lithuania's political situation and orientation. On 18th June 1919, the Lithuanian representative in Finland, Vytautas Gylys (appointed on 11th February 1919), was informed by the Japanese representatives that "Lithuania's independence is already *fait accompli*."<sup>89</sup> The opinion expressed to Gylys on the future of the Baltic states entails that Japan was encouraged to accord de facto recognition to Lithuania by its wish to see strong Baltic states who were in close contact with the Far East.<sup>90</sup> Unfortunately, this position did not extend to de jure recognition, which was granted together with other Allied Powers during the Conference of Ambassadors.

An overview of the first de facto recognitions reveals that the establishment of relations with Lithuania was encouraged by real-life needs: to exchange information; consult on relevant questions; protect Lithuania's subjects (citizens); and, establish trade relations.

### *Germany and Soviet Russia*

The recognitions granted by Germany (23rd March 1918) and Soviet Russia (12th July 1920), which constituted the first de jure recognitions of Lithuania, were exceptional. Germany promised to recognise Lithuania by signing the agreement of 1st December 1917 on the condition that Lithuania declared independence and its future ties with Germany.<sup>91</sup> It was done by the Council of Lithuania by the Statement of 11th December

86 Report by Norwegian representative in Copenhagen, Johannes Irgens, to the Norwegian Department of Foreign Affairs, 11th January 1919. RA UD, 1918–1924, Hefte Litauen, 39.

87 Manuscript letter registered by the Norwegian Foreign Minister to the Norwegian representative in Copenhagen, 23rd January 1919. RA UD, 1918–1924, Hefte Litauen, 41.

88 P. Čepėnas. *Naujųjų laikų Lietuvos istorija*, 717.

89 Report from Vytautas Gylys to the Lithuanian Ministry of Foreign Affairs, 19th June 1919. LCSA, f. 383, i. 7, c. 100, l. 37.

90 Ibid.

91 Lietuvos Valstybės Tarybos protokolai, 146–147.

1917.<sup>92</sup> However, in the second round of talks at Brest-Litovsk, Germany requested to repeat the first part of the Statement of 11th December 1917 with the signatures of all members of the Council of Lithuania, and only then promised to grant its recognition.<sup>93</sup> A written commitment to recognise Lithuania was sent to the Council of Lithuania on 27th January 1918, after the Council of Lithuania telegraphed the modified text of the first part of the Statement on 26th January, with barely 12 members of the Council of Lithuania having voted for it.<sup>94</sup> To delay *de jure* recognition, Friedrich von Falkenhausen reported to the German Foreign Office that Lithuania could not be recognised on the grounds of the resolution of 26th January 1918, as it was not signed by all members of the Council of Lithuania. Besides, he advised not to admit the delegates of the Council of Lithuania (Smetona and Šaulys) to the negotiations of Brest-Litovsk.<sup>95</sup> As a result, German recognition came to a standstill.

The German position was altered by two *démarches* that took place on 8th–11th February 1918, one by the Lithuanian National Council (in Lausanne) in Bern, and the other by Bishop Pranciškus Karevičius and Prelate Konstantinas Olšauskas in Berlin.<sup>96</sup> A third *démarche* by the Supreme Lithuanian Council in Russia which took place at the same time is mentioned, but Čepėnas did not provide any further details or specify sources to support his statement.<sup>97</sup> Their outcome was the draft manuscript text of the recognition of Lithuania's independence, which was already present at the German Chancellery on 10th February 1918.<sup>98</sup> The recognition text changed as a result of the resolution passed by the Council of Lithuania on 16th February 1918 and its publication abroad. The final text of the *de jure* recognition of Lithuania already included two provisions which were very disadvantageous to Lithuania: Vilnius was not mentioned as the capital, and the burden of military expenditures was placed solely on Lithuania.<sup>99</sup> Military expenditures were also observed

92 Declaration of the Council of Lithuania of 11th December 1917 (original copy). Lietuvos valstybės atkūrimo procesas, 110–111.

93 Notiz. Abschrift. A 4345 [preliminary date 7th February 2018]. PAAA\_RZ201\_021714\_006.

94 Lietuvos Valstybės Tarybos protokolai, 190; Minutes of the sitting of the Lithuanian National Council (in Lausanne), 31st March 1918. Vilnius University Library Manuscripts Division (hereinafter – VUB RS), f. 155-996, pages not numbered.

95 Transcript of the telegram from Berckheim to the German Foreign Office, 8th February 1918. PAAA\_RZ201\_021714\_037–038.

96 For more, see: S. Grigaravičiūtė. Pirmasis Lietuvos nepriklausomybės pripažinimo prašymas, 87–121.

97 P. Čepėnas. Naujųjų laikų Lietuvos istorija, 704.

98 Manuscript text of the recognition of Lithuania's independence, 10th February 1918 (in German). PAAA\_RZ201\_021714\_176–177; Typewritten text of the recognition was appended to a letter from the Chancellor of the German Reich to the German Kaiser, 13th February 1918. PAAA\_RZ201\_021714\_206; Draft text of the recognition of Lithuania's independence [typewritten, not dated]. PAAA\_RZ201\_021714\_207–208.

99 Lietuvos nepriklausomybės pripažinimo dokumentas – Lietuvos aidas, 9th May 1918, 1.

by Norwegian diplomats in Berlin.<sup>100</sup> The document of Lithuania's recognition signed by the German Kaiser reached Lithuania on 4th May 1918.<sup>101</sup> However, Germany prevented Lithuania from using all the rights stemming from de jure recognition until the Provisional Government of Lithuania was formed by frustrating the appointment of a diplomatic representative in Germany.<sup>102</sup> The formal reason could be the absence of the Lithuanian Government (if there was no Government, there could be no diplomatic representation), but the German government did not give the permission to form it.<sup>103</sup> The only stimulus for Germany to recognise Lithuania de jure was to be able to conclude conventions as a cover of Lithuania's annexation, and to proceed implementing its requisitions policy.<sup>104</sup>

After commencing talks with Soviet Russia on 7th May 1920, Lithuania sought to obtain de jure recognition by a separate note, but the delegation of Soviet Russia disagreed.<sup>105</sup> A note was proposed as a potential variant in case Lithuania agreed to enter into a military convention with Soviet Russia.<sup>106</sup> As the Lithuanian delegation disagreed, de jure recognition was provided by signing the Peace Treaty of 12th July 1920.<sup>107</sup> Soviet Russia was driven to sign the treaty with Lithuania by the war with Poland and the intention to guarantee the free passage of its military divisions across the territory which had passed to Lithuania under the treaty, but was occupied by Polish troops at that time.

In addition to the principle of the self-determination of nations, which emerged in international law at that time, the classical principle still had a role to play.<sup>108</sup> Accordingly, the former sovereign of the territory (Soviet Russia in this case) recognises the new sovereign (i.e., Lithuania). As revealed by the settlement of territorial disputes by the

100 Report from the Norwegian envoy in Berlin to the Norwegian Department of Foreign Affairs, 13th May 1918. RA UD, 1918–1924, Hefte Litauen, 27.

101 Das unabhängige Litauen – Norddeutsche Allgemeine Zeitung, 12th May 1918, nr. 240. Excerpt from the article. RA UD, 1918–1924, Hefte Litauen, 29; Lietuvos nepriklausomybės pripažinimo dokumentas. – Lietuvos aidas, 9th May 1918, 1.

102 Aufzeichnung über die kommissarische Besprechung im Reichsamt des Innern vom 14. Mai 1918 über die künftigen rechtlichen Beziehungen zwischen dem Deutschen Reich einer, Kurland und Litauen andererseits. PAAA\_RZ201\_021720\_009–\_031; Prie L. T. sąmatos. – Lietuvos aidas, 9th October 1918, 3.

103 A. Jaščėnka. Tarptautinės teisės kursas, 237, 238.

104 Bündnisvertrag zwischen den Deutschen Reich und Litauen. Not dated. PAAA\_RZ201\_021718\_056–058; Telegram from the representative of the German Foreign Office in Kaunas, Sanden, to the Chancellor of the German Reich, 9th May 1918. PAAA\_RZ201\_021719\_037–039.

105 Č. Laurinavičius. Lietuvos–Sovietų Rusijos Taikos sutartis, 82–88; Z. Butkus. Tarp Trečiojo Reicho ir Trečiosios Romos, 224.

106 Ibid.; A. Veilėntienė. Išsaugoti nepriklausomybę, 42–61.

107 Lietuvos Taikos sutartis su Rusija. – Vyriausybės žinios, 30th November 1920, 1–11.

108 C. R. Jurgėla. Lithuania and the United States, 7–8.

League of Nations (i.e., the Åland Islands question), this principle was still very important.<sup>109</sup>

*Switzerland, the League of Nations,  
Scandinavian Countries, Czechoslovakia*

On 13th January 1921, the Swiss Federal Council resolved to recognise the governments of the three Baltic states. However, Lithuania's recognition was postponed, as its boundaries had not yet been delineated.<sup>110</sup> The Division of Foreign Affairs of the Swiss Political Department tried to find out what position was taken by other countries with respect to Lithuania's recognition and learned that France was against it until a treaty with Poland was signed. Italy was not against it, but wished to act along with the Allied Powers and waited for the resolution of the Vilnius question. Belgium waited for a plebiscite in Vilnius, whereas Spain replied that the Lithuanian Government did not apply to the Spanish Government for recognition.<sup>111</sup>

On 29th April 1921, Vaclovas Sidzikauskas got to know other reasons as well. It turned out that they waited for the resolution of the Vilnius question, the results of the Brussels negotiations, and the actions of the Great Powers. However, there were certain signs from the side of Switzerland indicating that Swiss de jure recognition was approaching. The Swiss Department of Justice decided to exempt the Lithuanian representative residing in the country from taxes and customs duties. It was concluded on 1st June 1921 that "the Lithuanian Government had the majority's support in the country, it is solid, and the Ministry of Foreign Affairs is headed by a graduate from Fribourg University."<sup>112</sup> On 9th August 1921, the Swiss Department of Foreign Affairs recommended recognising Lithuania with a reservation on boundaries.<sup>113</sup>

On 16th August 1921, the Swiss Federal Council approved the recommendation of the Division of Foreign Affairs. On 18th August 1921, it issued a letter declaring Lithuania's de jure recognition. Sidzikauskas received the letter on 19th August (it was sent to Kaunas on 20th August 1921). The head of the Political Department, Guiseppe Motta, wired a telegram to Sidzikauskas, which stated that the Swiss Federal

109 V. Mažeika. Alandų salyno klausimas: jo sprendimo principų taikymas Vilniaus klausimui galimybės. – Lietuvos istorijos metraštis 1996 metai. Vilnius, 1997, 160–182; Precedentas lietuvių-lenkų nesantaikai išspręsti. – Lietuva, 20th May 1921, 1.

110 A. E. Senn. Swiss Recognition of Lithuania, 5–12.

111 Ibid.

112 Ibid.

113 Ibid.

Council recognised Lithuania as a free and independent state de jure.<sup>114</sup> The recognition text was published in the newspaper *Lietuva* on 1st September 1921.<sup>115</sup> It is likely that the active steps taken by Sidzikauskas, the Lithuanian representative in Switzerland (residing in Berlin), and the talks between Lithuania and Poland mediated by the Belgian Paul Hymans in Brussels, could have also served as the driving factors of recognition.

The entry of Estonia, Latvia, and Lithuania into the League of Nations on 16th December 1920 was disturbed by two factors: Soviet Russia, and the absence of the formal, de jure, recognition. The latter was usually understood as the absence of de jure recognition by the Great Powers, which was generally awarded upon coordinating the positions of the Entente Powers, or the positions in the Conference of Ambassadors. The Soviet Russia factor meant essentially the same as the principle of an ‘indivisible Russia’, though it was interpreted differently. The inability of the League of Nations to assist Lithuania, Latvia, and Estonia in the event of aggression by Soviet Russia (Article 10 of the Covenant of the League of Nations) was presented as the reason for such delay.<sup>116</sup> In reality, the three Baltic states had already signed peace treaties with Soviet Russia, and proven their capacity to defend their independence. The key point was elsewhere: the Soviet-Polish war had not yet ended, though a truce had already been signed.<sup>117</sup> Hence, the real reason was not the security of the Baltic states, but the hope of restoring democratic Russia.

Rutenbergas considered 16th December 1920 the de facto admission of the Baltic states to the League of Nations, because the Fifth Commission of the League of Nations issued a recommendation to the meeting (it was accepted on 16th December 1920) to allow Lithuania, Latvia, Estonia, and Georgia to participate in the work of the League of Nations’ technical organisations. Exercising this right, Lithuanian representatives participated in the Conference on Communications and Transit held on 10th–21st March 1921 in Barcelona.<sup>118</sup> In the session of the League of Nations of 22nd September 1921, convened in Geneva, Latvia, Lithuania, and Estonia were admitted as fully-fledged members. Rutenbergas considers this date the de jure admission of the Baltic states to the League of Nations. The situation changed a year

114 Ibid.; Šveicarija pripažino Lietuvą de jure. – *Lietuva*, 23rd August 1921, 1.

115 Šveicarija pripažino Lietuvą de jure. – *Lietuva*, 23rd August 1921, 1.

116 G. Rutenbergas. Lietuvos, kaip nepriklausomos valstybės, 12, 50–51.

117 Č. Laurinavičius. Lietuvos–Sovietų Rusijos Taikos sutartis, 164–166; Z. Butkus. Tarp Trečiojo Reicho ir Trečiosios Romos, 233–242.

118 S. Grigaravičiūtė. History of Lithuanian Diplomacy, 1918–1940. Study guide for Lithuanian and Erasmus students. [CD]. Edukologija, Vilnius, 2013, 34–35.

later, but not essentially. Estonia and Latvia had already been granted de jure recognition by the Great Powers. Poland and Soviet Russia had concluded the Treaty of Riga (18th March 1921).<sup>119</sup> Meanwhile, the Lithuanian-Polish conflict was being settled by the League of Nations with the mediation of Belgian Paul Hymans.<sup>120</sup>

The factors hindering the process of the Swedish de jure recognition of Estonia, Latvia, and Lithuania were stated by Swedish Foreign Minister Erik Kule Palmstierna in the *Riksdag* sitting of 5th May 1920. Firstly, the Baltic states had not yet been recognised de jure by the Entente. Secondly, the same had not yet been done by Denmark and Norway. Thirdly, the political situation in eastern Europe was unstable, as “Soviet Russia is still at war with border states.”<sup>121</sup> Fourthly, Sweden was reluctant to do it earlier than required by the factual situation, an equivalent position was held by Denmark and Norway.<sup>122</sup> All the reasons specified by the Swedish foreign minister led to one and the same Russian question. The recognition of the Baltic states was construed at the conferences of Scandinavian foreign ministers as “an integral part of the Russian question.”<sup>123</sup> The Entente position with respect to the Russian question was important to Denmark, Sweden, and Norway until the questions important to the three Scandinavian countries were solved by the League of Nations (the Åland Islands question for Sweden, the Schleswig question for Denmark, and the Spitsbergen question for Norway).<sup>124</sup>

Swiss de jure recognition of Lithuania also stirred Scandinavian politicians. Lithuania’s unofficial representative in Copenhagen, Savickis, handed over the Swiss recognition text in French to the Swedish and Danish foreign ministries, and the Norwegian Department of Foreign Affairs at the beginning of September 1921.<sup>125</sup> On 19th September 1921, the chief of the Swedish mission issued a note to the Norwegian Department of Foreign Affairs informing them that it was about time to discuss the question of recognising Lithuania de jure. He pointed out that Switzerland had already recognised Lithuania de jure, and the settlement of the Lithuanian-Polish dispute mediated by Hymans in the League of Nations was “little likely”.<sup>126</sup> He inquired whether the

119 P. Miškinis. Lietuvos ir Lenkijos santykių, 40–46.

120 Lietuvių-Lenkų byla, 78–89.

121 Scandinavian press. LCSA, f. 383, i. 17, c. 3, l. 424.

122 Ibid.; V. Mažeika. Danijos santykiai su Lietuva, 28–35.

123 V. Mažeika, Danijos santykiai su Lietuva, 33.

124 Ibid., 31.

125 Letter from Jurgis Savickis to the Norwegian Department of Foreign Affairs, 5th September 1921. RA UD, 1918–1924, Hefte Litauen, 113.

126 Note from the Swedish mission in Kristiania to the Norwegian Department of Foreign Affairs, 19th September 1921. RA UD, 1918–1924, Hefte Litauen, 17–18.

Norwegian Government would agree to recognise Lithuania *de jure* alongside Sweden if it was admitted to the League of Nations. The Danish representative in Kristiania (Johan Christian Westergaard Kruse) addressed an identical inquiry to the Norwegian foreign minister on 22nd September 1921.<sup>127</sup>

The Norwegian Department of Foreign Affairs learned about the entry of Estonia, Latvia, and Lithuania into the League of Nations on 23rd September 1921.<sup>128</sup> They were informed about the decision signed by the King of Denmark concerning Lithuania's *de jure* recognition by phone on 24th September 1921, and were encouraged to do the same.<sup>129</sup> On 25th September 1921, the Norwegian Department of Foreign Affairs telegraphed to the Swedish Ministry of Foreign Affairs that the King of Sweden signed the resolution to recognise Lithuania *de jure*, and notified the Lithuanian Government thereof on 27th September 1921. The Norwegian Department of Foreign Affairs informed the Swedish Ministry of Foreign Affairs that the Norwegian Government agreed to recognise Lithuania *de jure*, and that the King of Norway would sign the resolution on 30th September 1921.<sup>130</sup>

The link between *de jure* recognitions accorded to Lithuania by Scandinavian countries and Lithuania's entry into the League of Nations is self-evident. However, neutral states took a similar position and coordinated actions among themselves, which is illustrated in the case of Norway.

The principle of an indivisible Russia became a major obstacle to Czechoslovakia recognising the three Baltic states. Czechoslovakia was driven to change its position by real-life practice. For instance, Lithuanian citizens faced numerous obstacles when they had to apply to the Lithuanian legation in Berlin for visas or passports, and Czechoslovakia itself wished to establish closer relations, and send their own consul to Lithuania.<sup>131</sup> The official "Czechoslovak position changed when Lithuania's admission to the League of Nations was placed on the

127 Letter from the Danish representative in Kristiania to the Norwegian Foreign Minister, 22nd September 1921. RA UD, 1918–1924, Hefte Litauen, 133.

128 Information on the recognition of Lithuania in foreign countries, 23rd September 1921. RA UD, 1918–1924, Hefte Litauen, 121–122.

129 Phoned telegram from the Danish Ministry of Foreign Affairs to the Norwegian Department of Foreign Affairs, 24th September 1921. RA UD, 1918–1924, Hefte Litauen, 125.

130 Telegram from the Swedish Ministry of Foreign Affairs to the Norwegian Department of Foreign Affairs, 25th September 1921. RA UD, 1918–1924, Hefte Litauen, 123.

131 "On 22nd July 1921, the Czechoslovak Government applied to the Lithuanian Government requesting to enter into closer relations with Czechoslovakia and to admit its consul." See: D. Bukelevičiūtė. *Lietuvos ir Čekoslovakijos*, 28.

agenda for the second time.”<sup>132</sup> After Estonia, Latvia, and Lithuania acceded to the League of Nations, Czechoslovakia resolved to follow in the footsteps of other European states, extending de jure recognition to the three republics on 29th December 1921.<sup>133</sup> In March 1922, Czechoslovak consul in Latvia, Josef Košek, explained to the Lithuanian representative in Latvia, Dovas Zaunius, that in the minds of most Czechs and Slovaks, to recognise the Baltic states meant to recognise Soviet Russia.<sup>134</sup>

*The US, the Conference of Ambassadors,  
and the Holy See*

The texts of the recognition granted by the US, the Conference of Ambassadors, and the Holy See share the same wording, which clearly demonstrates their compliance with the policy of an indivisible Russia. The US and the Holy See recognised “the Lithuanian Government de jure”, whereas the Conference of Ambassadors used the same wording in informing the Lithuanian Government about the decision to recognise Lithuania in the form of a note, dated 13th July 1922.<sup>135</sup> The tone set by the Conference of Ambassadors could have influenced the wording of the recognition given by the US and the Holy See, as the consideration of the question of Lithuania’s recognition de jure by the Conference of Ambassadors was open.<sup>136</sup> In the international practice of that time, the recognition of the government de jure meant that the revolution which broke out in Russia and the civil war which was still raging in the country were taken into account.<sup>137</sup>

The interpretation of the recognition granted by the US, which appeared in a secret bulletin issued by the Norwegian information agency on 29th July 1922, confirmed that the US did not change its position with respect to Russia. The bulletin of the Norwegian information agency outlined that

The Government recognised the independence of Latvia, Estonia, Lithuania, and Albania. With a view to the three former countries, the foreign department holds that the recognition does not show any changes in American policy with

<sup>132</sup> Ibid.

<sup>133</sup> Ibid., 30.

<sup>134</sup> Even after the Baltic states were recognised de jure in Czechoslovakia, “it was seen by many as the recognition of the Bolsheviks, but they eventually agreed to acknowledge that no sin against their sympathies with Russia was committed.” See: D. Bukelevičiūtė. Lietuvos ir Čekoslovakijos, 30.

<sup>135</sup> J. Skirius. Lietuvių visuomenininkas ir diplomatas, 232; G. Rutenbergas. Lietuvos, kaip nepriklausomos valstybės, 12, 56.

<sup>136</sup> J. Skirius. JAV suteikto tarptautinio, 45.

<sup>137</sup> A. Murphy. V. Stancescu, State formation and Recognition, 9.

respect to Russia, according to which Russia should not lose control over its territories, but the recognition is the outcome of what the local people of those countries have proven over the three years when they were separated from Russia, i.e., that they both [the Baltic states and Soviet Russia – SG] may and will defend their independence.<sup>138</sup>

The disclosure of the bulletin content was strictly forbidden.

Skirius, having investigated the content of the statement on the recognition accorded by the US (28th July 1922), and its interpretation (by Charles E. Hughes, 24th July 1922) concluded that: 1) it was not made public; 2) it was proposed that the US consuls residing in those countries should read out the statement that “the U.S. Government recognises the governments of Estonia, Latvia and Lithuania” to the ministries of foreign affairs; and, 3) the essence of US recognition was disguised. The official Lithuanian press published the whole recognition text. The article published next to it, on the front page, included an explanation that “America recognised Lithuania de jure” and that it was the first recognition granted to Lithuania by a great power.<sup>139</sup>

Recognition was delayed by the actions of Boris Bakhmetev and his promises to Aleksandr Kolchak on 26th May 1919.<sup>140</sup> The main driving factors were Bakhmetev’s resignation on 1st July 1922, and the proposal to recognise the Baltic states “conditionally”, i.e., temporarily. The published recognition text and unpublished documents show that, in addition to other factors, the de facto existence of the Baltic states for three years, the recognition granted by other states, and by the League of Nations, played an important role as well.<sup>141</sup> Čepėnas also noted the

138 The bulletin of the Norwegian information agency about the events in the world, 29th July 1922. RA UD, 1918–1924, Hefte Litauen, 187.

139 The US Government appointed Clement S. Edwards as Consul in Kaunas on 13th July 1921. The US Consulate in Kaunas became operational on 7th November 1921. Until then, the US Consul residing in Riga (John Patrick Hurley), whose jurisdiction also included Lithuania, made irregular visits to Kaunas in 1920–1921. In 1919–1920, the military mission headed by Lt. Col. Warwick Greene (stationed in Liepāja; operated from 12th March to 4th August 1919) and the commission led by Capt. Col. J. A. Gade (from 26th August 1919 to 1st March 1920), and later by E. E. Young (headquartered in Tallinn, later Riga) paid visits to Lithuania. They both had no official diplomatic status. They were concerned with implementing the policy of an indivisible Russia supported by the US, and preventing the Lithuanian army from mounting an offensive against Poland. See: E. Gruzdienė. Užsienio valstybių karinės misijos pirmojoje Lietuvos Respublikoje 1919–1920 m. Daktaro disertacija. Humanitariniai mokslai, istorija (05H), Kaunas, 2011, 130–155; J. Skirius. Lietuvos užatlantės diplomatija 1918–1929 metais: santykių su JAV politiniai ir ekonominiai aspektai. [J. Skirius], Vilnius, 1995, 66–69; Ē. Jēkabsons. V. Ščerbinskis, Latvijas ārlietu dienesta darbinieki 1918–1991. – Biogrāfiska vārdnīca. Zinātne, Rīga, 2003, 399; Valio Amerikai. – Lietuva, 30th July 1922, 1.

140 P. Čepėnas. Naujųjų laikų Lietuvos istorija, 708–718.

141 J. Skirius. JAV suteikto tarptautinio, 45, 46, 47.

significance of the active involvement of Lithuanian-Americans, and US Congressman Walter M. Chandler.<sup>142</sup>

Skirius explains the long procrastination by the Conference of Ambassadors to recognise Lithuania *de jure* by “the unchallengeable French disposition in favour of the Lithuanian and Polish federation”, which had to be neutralised.<sup>143</sup> The Lithuanian Ministry of Foreign Affairs devised the French neutralisation plan. Great Britain and Italy played an important role in exerting pressure on France. The Lithuanian Government hoped to obtain *de jure* recognition from the Great Powers at the Conference of Genoa, which had motivated them to seek an invitation for their delegates. As mentioned above, the key reason for not inviting Lithuania was that it had not yet received *de jure* recognition from the Great Powers. Had the recognition not been accorded in Genoa, it was planned “to initiate the principled decision of the great powers” on the grounds that it was required for maintaining peace in eastern Europe.<sup>144</sup>

Changes were brought by the Treaty of Rapallo, signed on 16th April 1922, after which the rigid position of the French Government started softening. On 5th May 1922, Gabriel Padonavi informed Bronius Kazys Balutis that the French Government “already considers the question of Lithuania’s recognition and holds discussions with the Entente representatives on this matter”.<sup>145</sup> The internationalisation of the Nemunas River was a prerequisite for recognition imposed on Lithuania by the Conference of Ambassadors.<sup>146</sup> Skirius drew attention to the note, dated 13th July 1922, which was sent by the Conference of Ambassadors to Lithuania’s unofficial representative Oskaras Milašius. The text stated that “the Governments of France, Great Britain, Italy and Japan resolved to recognise the Lithuanian Government *de jure*”

<sup>142</sup> P. Čepėnas. *Naujųjų laikų Lietuvos istorija*, 715.

<sup>143</sup> J. Skirius. *Lietuvių visuomenininkas ir diplomatas*, 226.

<sup>144</sup> *Ibid.*, 226, 227.

<sup>145</sup> *Ibid.*, 230.

<sup>146</sup> In the meeting of 30th June 1922, the Council of the Conference of Ambassadors considered the question of Lithuania’s recognition. At first, French and British ambassadors proposed to find out the Lithuanian Government’s position towards the internationalisation of the Nemunas River. The decision of the Conference of Ambassadors was officially communicated to Lithuania on 13th July 1922. This was the same day that the Lithuanian representative in Paris, Oskaras Milašius, received a note stating that “the Governments of France, Great Britain, Italy and Japan resolved to recognise the Lithuanian Government *de jure* on condition that the Lithuanian Government on its side accepts the stipulations of the Treaty of Versailles expressly and entirely in regard to the navigation in the Nemunas River and complies with them.” From July through December 1922, the Lithuanian Foreign Ministry corresponded with the Conference of Ambassadors, explaining that such a stipulation was not acceptable, presenting their arguments in the notes. The representatives of the Conference of Ambassadors pressed the Lithuanian Government to accept the stipulation. See: J. Skirius. *JAV suteikto tarptautinio*, 231–232.

on the condition that it agreed with the internationalisation of the Nemunas River.<sup>147</sup> Skirius called it “partial recognition of the state.”<sup>148</sup> Such wording was only applied in practice in the event of a revolution, coup d’état, or civil war.<sup>149</sup> It is obvious that what was meant was not Lithuania, but Russia. It demonstrated once again how important the idea of an indivisible Russia was to the Great Powers and how ingeniously it was disguised under the condition of the internationalisation of the Nemunas. It also concealed Polish claims to Lithuania.<sup>150</sup> After extensive correspondence with the Lithuanian Government in an effort to find out whether it agreed with the condition of the internationalisation of the Nemunas, the Conference of Ambassadors recognised “the Republic of Lithuania de jure” on 20th December 1922.<sup>151</sup>

Like the Great Powers, the Holy See was not in haste to recognise Lithuania de jure. On 12th October 1919, Cardinal Prof. Pietro Gasparri received Lithuania’s unofficial representative, Dr. Jurgis Narjauskas, in the Vatican City and explained to him that “the Holy See [...] is willing to recognise the independence of Lithuania formally [...] when a convenient moment comes.”<sup>152</sup> It was unambiguously explained to Narjauskas that “Lithuania had no international recognition de jure”, and therefore the Holy See refused to approve Narjauskas’ credentials.<sup>153</sup> Kasparavičius identifies two factors that aggravated de jure recognition by the Holy See, namely the attitudes and dispositions of Poland and France. However, he also noted that “legally obscure relations between the Holy See and Russia” could have been an additional factor, as the Russian diplomat resided in Vatican City until 1922.<sup>154</sup> Hence, a parallel can be drawn between the US and the Holy See as, in both cases, the final decision to recognise the Lithuanian Government de jure coincided with the termination of residence of an imperial Russian diplomat. Kasparavičius considered the activities of Lithuania’s unofficial representative to the Holy See, Narjauskas, in Rome, and the visit of Achilli Ratti (elected Pope Pius XI in 1922) to Kaunas in early 1920 as significant factors leading to recognition.<sup>155</sup>

147 J. Skirius. *Lietuvių visuomenininkas ir diplomatas*, 231–232.

148 *Ibid.*, 233.

149 A. Murphy. V. Stancescu, *State formation and recognition*, 9.

150 J. Skirius. *Lietuvių visuomenininkas ir diplomatas*, 238.

151 *Lietuvių-Lenkų byla*, 95–101; J. Skirius. *Lietuvių visuomenininkas ir diplomatas*, 237.

152 A. Kasparavičius. *Tarp politikos ir diplomatijos*, 84.

153 *Ibid.*

154 “The Holy See, in formulating its position in respect of Lithuania [...] is forced to observe Polish interests and [...] the French disposition.” See: A. Kasparavičius. *Tarp politikos ir diplomatijos*, 106.

155 *Ibid.*, 103.

The position of the Holy See, with respect to the Baltic states, started changing after their admission to the League of Nations on 22nd September 1921. As Kasparavičius termed it, “the Holy See policy correction” and “listening to the political aspirations” of the Baltic nations.<sup>156</sup> Meanwhile, he regarded the sending of an apostolic visitor to the Baltic states (separate from Poland) in early December 1921 a step towards Lithuania’s recognition.<sup>157</sup> On 10th November 1922, the Holy See recognised “the Lithuanian Government de jure” by expressing an additional request on “the establishment of friendly relations” between Lithuania and Poland.<sup>158</sup> The legal effects conveyed by the recognition of the Holy See corresponded to de facto recognition, as the Pope appointed ‘the delegate’, not a *nuncio* or *internuncio* by rank; he was not placed on the Vatican information register until 1925, and the Lithuanian diplomatic mission to the Holy See was first mentioned in the Vatican information register in 1928 only, i.e., after the concordat with Lithuania was signed and ratified.<sup>159</sup>

## CORRELATIONS, EVALUATIONS, AND THE VALUE OF INTERNATIONAL RECOGNITION

### *Correlations*

Various correlations in Lithuania’s international recognition began to come to light when Lithuania submitted the first request for recognition of independence.<sup>160</sup> The first request for the recognition, based on Part I of the Statement of the Council of Lithuania (in Vilnius) of 11th December 1917 (Germany titled the first part ‘Declaration of Independence’, Ger. *Unabhängigkeits-Proklamation*) was expressed in Bern in February 1918. On 8th February, the Lithuanian National Council (in Lausanne) presented the German envoy a note. On 9th February, the note was delivered to the representatives of the Entente Powers (Great Britain, France, the US, Italy) in Bern. Representatives of neutral states – the Netherlands, Denmark, Sweden – in Bern also received the note on 9th February. The consul general of Norway in

<sup>156</sup> Ibid.

<sup>157</sup> Ibid., 106, III.

<sup>158</sup> Ibid. 123; G. Rutenbergas. Lietuvos, kaip nepriklausomos valstybės, 12, 60.

<sup>159</sup> A. Kasparavičius. Tarp politikos ir diplomatijos, 123.

<sup>160</sup> See: S. Grigaravičiūtė. Pirmasis Lietuvos nepriklausomybės pripažinimo prašymas, 87–121.

Zürich was handed the note on 12th February, and the Swiss Political Department received it on 15th February.

The reaction of different countries to the note was, in fact, coordinated. The US and Italy made inquiries to Great Britain as to what would be their reply. The countries abstained from specific statements by pointing out that the situation in the East was still uncertain.<sup>161</sup> At that time, the Lithuanian National Council (in Lausanne) failed to obtain recognition from the Entente and neutral states, but their foreign ministries, departments, and divisions started collecting and analysing information on the activities of Lithuanians. The latter can be illustrated with a specific example, that of Norway. In March–May 1918, the Norwegian Department of Foreign Affairs accumulated information coming from Berlin (reports, excerpts from newspapers) about the *de jure* recognition granted to Lithuania by Germany, including the delivery of the recognition document to Smetona.<sup>162</sup>

The leadership of Sweden came to the fore after the Provisional Government of Lithuania requested that they grant *de facto* recognition to Lithuania via its representatives abroad (Šaulys, Voldemaras). Sweden was not only the first to recognise Lithuania *de facto*, but also informed Denmark and Norway about the recognition, asking whether they were planning to do the same.<sup>163</sup> The sequence of *de facto* recognitions given by Scandinavian countries is obvious, with Sweden taking the initiative on 3rd December 1918, followed by Denmark and Norway on 1st January 1919 and 23 January 1919, respectively. Swedish leadership was also seen in planning Lithuania's recognition *de jure*, as soon as Lithuania entered the League of Nations.<sup>164</sup> As of 24th September 1921, Swedish and Danish ministries of foreign affairs, along with the Norwegian Department of Foreign Affairs, communicated intensively, informing each other about the dates when the heads of state would sign decisions or resolutions on Lithuania's *de jure* recognition, and when telegrams confirming the recognition would be sent to the Lithuanian Government.<sup>165</sup> De

161 R. Lopata. Lietuvos valstybingumo raida, 140.

162 Litauens nye forfatning. – Aftenposten, 22nd March 1918, nr. 148. Excerpt from the article. RA UD, 1918–1924, Hefte Litauen, 19; Report from the Norwegian envoy in Berlin to the Norwegian Royal Department of Foreign Affairs, 26th March 1918. RA UD, 1918–1924, Hefte Litauen, 21; Report from the Norwegian envoy in Berlin to the Norwegian Royal Department of Foreign Affairs, 13th May 1918. RA UD, 1918–1924, Hefte Litauen, 27; Das unabhängige Litauen. Norddeutsche Allgemeine Zeitung, 12th May 1918, nr. 240. Excerpt from the article. RA UD, 1918–1924, Hefte Litauen, 29.

163 Letter from the Swedish Royal Mission in Kristiania to Norwegian Foreign Minister Nils Claus Ihlen, 6th December 1918. RA UD, 1918–1924, Hefte Litauen, 31–32.

164 Note from the Swedish Mission in Kristiania to the Norwegian Department of Foreign Affairs, 19th September 1921. RA UD, 1918–1924, Hefte Litauen, 17–18.

165 Telegram from the Swedish Ministry of Foreign Affairs to the Norwegian Department of Foreign Affairs, 25th September 1921. RA UD, 1918–1924, Hefte Litauen, 123; Reply

jure recognition was awarded in the following sequence: Sweden (27th September 1921), Denmark (30th September 1921), and Norway (30th September 1921).

Archival documents and historiography show that the *de jure* recognition accorded to Lithuania by Switzerland influenced the decisions of the three Scandinavian countries.<sup>166</sup> The Swedish Ministry of Foreign Affairs mentioned the Swiss decision in inquiring whether the Norwegian Government would join Sweden in recognising Lithuania *de jure*, if they were admitted to the League of Nations. The Danish Consul in Kaunas, Erik Biering, wrote in his report to the Danish Ministry of Foreign Affairs about the recognition given to Lithuania by Switzerland, urging them “to take the required steps for Lithuania’s recognition as soon as possible, because the Swiss may pose a serious competition, especially bearing in mind that local newspapers give Switzerland as an example to be followed by other neutral states.”<sup>167</sup> The Norwegian Department of Foreign Affairs studied the Swiss recognition with scrutiny, drawing attention to the reservation on boundaries.<sup>168</sup> However, Norway’s decision was mainly influenced by the Swedish and Danish invitation.

The most obvious correlation is seen in the *de jure* recognition granted by European states, and the admission of Estonia, Latvia, and Lithuania into the League of Nations on 22nd September 1921.<sup>169</sup> After becoming a member of the League of Nations, Lithuania was recognised *de jure* by Sweden, Denmark, and Norway in September 1921. In October 1921, they were followed by the Netherlands (7th October 1921), Finland (15th October 1921); and in December 1921 by Brazil (10th December 1921),

registered by the Norwegian Department of Foreign Affairs to the Chief of the Swedish Mission in Kristiania. RA UD, 1918–1924, Hefte Litauen, 127–128; Telephoned telegram from the Danish Ministry of Foreign Affairs to the Norwegian Department of Foreign Affairs, 24th September 1921. RA UD, 1918–1924, Hefte Litauen, 125; V. Mažeika. Danijos santykiai su Lietuva, 75.

166 Note from the Swedish Mission in Kristiania to the Norwegian Department of Foreign Affairs, 19th September 1921. RA UD, 1918–1924, Hefte Litauen, 17–18; V. Mažeika. Danijos santykiai su Lietuva, 73–74.

167 V. Mažeika. Danijos santykiai su Lietuva, 74.

168 Transcript of the verbal note by Motta to Chief of the Mission in Bern Sidzikauskas, 19th August 1921. RA UD, 1918–1924, Hefte Litauen, 115; Letter from the Lithuanian representation in Copenhagen to the Norwegian Department of Foreign Affairs, 5th September 1921. RA UD, 1918–1924, Hefte Litauen, 113.

169 Telegram from the Swedish Ministry of Foreign Affairs to the Norwegian Department of Foreign Affairs, 25th September 1921. RA UD, 1918–1924, Hefte Litauen, 123; Reply registered by the Norwegian Department of Foreign Affairs to the Chief of the Swedish Mission in Kristiania, 26th September 1921. RA UD, 1918–1924, Hefte Litauen, 127–128; Telephoned telegram from the Danish Ministry of Foreign Affairs to the Norwegian Department of Foreign Affairs, 24th September 1921. RA UD, 1918–1924, Hefte Litauen, 125.

and Czechoslovakia (29th December 1921).<sup>170</sup> To describe this process, Mikulas Fabry employs the term ‘snowball effect’.<sup>171</sup> It should be noted that after entry into the League of Nations, the position of the Holy See in respect of Lithuania began to change as well.<sup>172</sup> On 31st October 1921, it made the decision to send an apostolic visitor to the Baltic states, separate from Poland.<sup>173</sup>

As mentioned earlier, the recognition wording of the US, the Holy See, and the Conference of Ambassadors demonstrates an obvious correlation. However, correlation is also seen in the chronology of recognition. The position taken by the Conference of Ambassadors concerning Lithuania’s recognition *de jure* was important to both the US and the Holy See. As a result, their recognitions were awarded after the Conference of Ambassadors launched an open consideration of this question, and had delivered a note to the Lithuanian Government on 13th July 1922.

A direct link can be seen between the recognitions granted to Lithuania by the US and Spain. The time difference between them was one day (28th July and 27th July, respectively) owing to troublesome negotiations between the US and Spain at that time.<sup>174</sup> There was also a correlation between the recognitions granted by the Conference of Ambassadors, and by Belgium, which occurred one week apart. The connection is evidenced in the first sentence of the recognition note: “I am honoured to inform you that the Royal Government, in association with the resolution made by the Conference of Ambassadors, which was communicated to the Government of Lithuania on 20 December 1922, recognises the Republic of Lithuania *de jure*.”<sup>175</sup>

To summarise, correlations are most obviously seen in the recognition of neutral states, the admission of the Baltic states into the League of Nations, and the recognition of the Great Powers. As far as neutral states are concerned, Sweden took the lead in extending *de facto* recognition, whereas Switzerland demonstrated leadership in relation to *de jure* recognition. The admission of Estonia, Latvia, and Lithuania into the League of Nations facilitated the granting of *de jure* recognition.

170 Olandai pripažino Lietuvą *de jure*. – Lietuva, 8th October 1921, 1; Suomiaj pripažino Lietuvą *de jure*. – Lietuva, 16th October 1921, 1; Brazilija pripažino Lietuvą – Lietuva, 10th December 1921, 2; D. Bukelevičiūtė, Lietuvos ir Čekoslovakijos, 30.

171 M. Fabry. *The Evolution of State Recognition*, 38.

172 A. Kasparavičius. *Tarp politikos ir diplomatijos*, 103.

173 *Ibid.*, 106, 111.

174 The minutes of the Norwegian Minister of Foreign Affairs about a meeting with US Minister Laurits S. Swenson, 14th March 1922. RA UD, 1918–1924, Hefte Litauen, 177.

175 Note from the Belgian Ambassador in Paris on the *de jure* recognition of Lithuania, 27th December 1922. LCSA, f. 383, i. 7, c. 295, l. 44.

Meanwhile, the decision taken by the Conference of Ambassadors served as the driving force among the Great Powers.

*Evaluations, Legal and Political Value*

The wording of de facto and de jure recognitions granted to Lithuania differed in content and form. From the perspective of international law, recognitions which included words to the effect of “the Republic of Lithuania is recognised de jure” and applied no additional reservations had the greatest value. Such recognition was obtained from Latvia, Estonia, Denmark, Sweden, Norway, Finland, the Netherlands, Iceland, and Chile. The Republic of Lithuania was recognised de jure with reservations by the Conference of Ambassadors and Belgium, whereas the US and the Holy See recognised “the Government of Lithuania” de jure. The wording of the recognitions accorded by the US and the Holy See meant provisional recognition, corresponding to de facto recognition by its content, but in practice it conveyed the legal effects of de jure recognition. De facto and de jure recognitions awarded by the Great Powers (the US, Great Britain, France, Italy, Japan), Germany, and Soviet Russia – undoubtedly conveyed the greatest political value. After Great Britain recognised Lithuania de facto, and the Lithuanian Government was recognised de jure by the US, thank-you demonstrations were organised.<sup>176</sup> Skirius saw the value of the US recognition in that “it gave Lithuania credibility in the international arena and moral strength in the fight for its national rights.”<sup>177</sup> It was important, because Lithuania was already pressed by the Conference of Ambassadors to agree with the internationalisation of the Nemunas in exchange for de jure recognition. When informing society, it was indicated that the recognition was awarded without reservations.<sup>178</sup>

Skirius also saw the legal value of the recognition given by the Conference of Ambassadors. Despite the applied reservations, it nevertheless constituted “full recognition” wherein Lithuania was “neither considered a part of Russia nor Poland” and it “could fight for its national interests on equal terms with other states”.<sup>179</sup> The added political value of the recognition granted by the Conference of

176 S. Grigaravičiūtė. *History of Lithuanian Diplomacy*, 31–33.

177 J. Skirius. *JAV suteikto tarptautinio*, 50.

178 J. Skirius. *Lietuvių visuomenininkas ir diplomatas*, 233.

179 *Ibid.*, 239.

Ambassadors revealed itself in incorporating the Klaipėda region into the Lithuanian state.<sup>180</sup>

De jure recognitions granted by Germany and Soviet Russia were important in (re)establishing the Lithuanian state. Germany took over the sovereign rights of nations that seceded from Soviet Russia (Article 3 of the Treaty of Brest-Litovsk), and had them until the independence of the Lithuanian state was recognised de jure.<sup>181</sup> Following the German recognition, Lithuanians were no longer the subjects of the Russian Empire, but of Lithuania.<sup>182</sup> The situation changed after Soviet Russia annulled the Treaty of Brest-Litovsk on 15th November 1918. The boundaries of Lithuania were already established based upon factual possession, until Soviet Russia conceded the right of the old sovereign over the territory defined in Article 2 (Lithuania's Peace Treaty with Russia) to the Republic of Lithuania.<sup>183</sup>

In view of international law, on receipt of de jure recognition from Germany, Lithuania acquired “the effectiveness of international law in respect of Germany” and could “undertake certain actions with respect to Germany which were important in the sense of international law.”<sup>184</sup> The added value of this first recognition revealed itself in late 1918 when the state of Lithuania could exercise the right of treaties in respect of Germany. Financing was required for setting up the administrative apparatus, and establishing diplomatic representations abroad. The Lithuanian Government concluded loan agreements with Germany; meanwhile, the Latvian Government tried to obtain a loan from Scandinavian countries.<sup>185</sup> As a loan was not received, it concluded a loan agreement with Lithuania. On receipt of the loan from Germany, Lithuania lent 5 million marks to Latvia.<sup>186</sup> Lithuania could exercise the right of diplomatic representation in respect of Germany and appointed an envoy, who also took charge of Lithuania's unofficial representation in Switzerland, the US, and Finland.<sup>187</sup> Meanwhile, the de jure recognition obtained from Soviet Russia was most valuable in normalising relations on Lithuania's eastern border. This enabled Lithuania to resist “the

180 Ibid., 240.

181 P. Čepėnas. *Naujųjų laikų Lietuvos istorija*, 704.

182 S. Grigaravičiūtė. *Lietuvos Tarybos atstovavimas Vokietijoje: Pirmasis etapas (1917 m. rugsėjo 24 d.–1918 m. kovo 31 d.)*. – *Parlamento studijos*, 2019, 27, 31–75.

183 A. Jaščėnka. *Tarptautinės teisės kursas*, 167; *Lietuvos Taikos sutartis su Rusija*. – *Vyriausybės žinios*, 30th November 1920, 1–11.

184 G. Rutenbergas. *Lietuvos, kaip nepriklausomos valstybės*, 12, 54–55.

185 S. Grigaravičiūtė. *Skandinavija Lietuvos diplomatijoje*, 52; V. Terleckas. *Pinigai Lietuvoje 1915–1944*. Lietuvos rašytojų sąjungos leidykla, Vilnius, 1992, 40.

186 A. S. Bačkis. *Lietuvos diplomatinė tarnyba (1940 06 15–1990 03 11)*. – *Istorija*, 1997, 36, 40.

187 S. Grigaravičiūtė. *Skandinavija Lietuvos diplomatijoje*, 54–58.

blackmailing over Vilnius” by the Entente Powers, defend against Poland, and to fight in the international arena to take back control of Vilnius.<sup>188</sup> In view of international law, it was still important that the old sovereign (Soviet Russia) ceded the rights of sovereignty to the new sovereign (Lithuania).

The de facto recognitions received by Lithuania from December 1918 through January 1919 provided the Lithuanian Government with an opportunity to exercise, though to a limited extent, *jus legatione*, and to delegate its unofficial representatives to Sweden, Switzerland, Denmark, Norway, and Finland who could establish unofficial relations with Entente diplomats, exercise the right of agreements, and the right of armed defence (*jus belli*).<sup>189</sup>

Senn argues that the de jure recognition granted by Switzerland was manipulated, and its importance was overestimated.<sup>190</sup> However, as evidenced by Danish and Norwegian archival data and historiography, it cannot be absolutely rejected.<sup>191</sup> The Swiss position influenced the decision of Scandinavian countries and, possibly, other European countries on Lithuania’s admission into the League of Nations, and its eventual de jure recognition. Rutenbergas considers the admission of the Baltic states to the League of Nations as a sign for other members to recognise them de jure, and “to establish the relations stipulated by international law” with the new member states. Entry to the League of Nations was viewed as an opportunity to defend one’s interests not only by political instruments but also by the instruments of international law.<sup>192</sup>

As far as de jure recognitions granted to Lithuania by the Great Powers are concerned, the article “Lietuvą pripažinus de jure” (literally: After Lithuania is recognised de jure), published in the daily *Lietuva*, stated that

188 The provisions of the peace treaty of 12th July 1920 did not lose their validity. They were re-approved in 1926, 1931, 1934, and 1939; and they were important in keeping the question of Vilnius open. See: Č. Laurinavičius. Lietuvos–Sovietų Rusijos Taikos sutartis, 169.

189 S. Grigaravičiūtė. Skandinavija Lietuvos diplomatiroje, 54–58; S. Grigaravičiūtė. History of Lithuanian Diplomacy, 28–30.

190 A. E. Senn. Swiss Recognition of Lithuania, 5–12.

191 Telegram from the Swedish Ministry of Foreign Affairs to the Norwegian Department of Foreign Affairs, 25th December 1921. RA UD, 1918–1924, Hefte Litauen, 123; Reply registered by the Norwegian Department of Foreign Affairs to the Chief of the Swedish Mission in Kristiania, 26th September 1921. RA UD, 1918–1924, Hefte Litauen, 127–128; Telephoned telegram by the Danish Ministry of Foreign Affairs to the Norwegian Department of Foreign Affairs, 24th September 1921. RA UD, 1918–1924, Hefte Litauen, 125; V. Mažeika. Danijos santykiai su Lietuva, 75.

192 G. Rutenbergas. Lietuvos, kaip nepriklausomos valstybės, 12, 58–59.

the Entente's recognition de jure finalised and crowned Lithuania's fight for political independence. In legal terms, this act means that Lithuania is recognised as an independent sovereign state; in political terms, it means that the Entente finds Lithuania a state having all the conditions and opportunities to maintain and defend its sovereignty; furthermore, by its conduct it gives a full guarantee in international relations and domestic policy alike to utilise its sovereignty for the sake of civilisation and culture. This implies that de jure recognition is per se an act of immense legal and political significance, but that significance increases even more if we consider where it derives from. In this case, it derives from the lord, if not the lord of the world, then at least of Europe. Though a number of states have already recognised Lithuania, with such a world power and authority as the United States of America among them, the crown of the recognising states was still missing the key element, which is Europe and also the Entente as our lord.<sup>193</sup>

The above quotation makes it clear that the de jure recognition accorded to Lithuania by the Conference of Ambassadors, conveyed the greatest legal and political value to Lithuania at that time.

## CONCLUSIONS

The discussion of the legal meaning of international recognition from a theoretical and practical point of view reveals that the de facto relations established with Lithuania, and the de facto recognition granted to it empowered the (re-)establishment Lithuanian state. This allowed the appointment of unofficial representatives, either accredited to the foreign ministries of the host countries or establishing unofficial representative offices. These de facto state relations allowed Lithuania to enter into technical (concerning boundary delimitation) and trade agreements; to recognise other newly established states; to wage war against another state; and, to sign peace agreements with other states – all in an effort to defend its independence. De jure recognition granted to the Republic of Lithuania (or to the Government of Lithuania), either with or without reservations, enabled Lithuania to implement its legal effectiveness without any limitations: to appoint fully-fledged diplomatic representatives, accredited to the head of a foreign state; to benefit from diplomatic immunity; to enter into treaties with foreign countries, bound by international law; and, to participate in the communications of international organisations (the League of Nations, international conferences, etc.).

193 Lietuvą pripažinus de jure. – Lietuva, 29th December 1922, 1.

Foreign states were encouraged to enter into de facto relations and to recognise Lithuania de facto because of the necessity to exchange information, consult on questions of concern, protect Lithuanian subjects (citizens), and to enter into trade relations. The greatest obstacle to Lithuania's de jure recognition was the principle of an indivisible Russia, which was disguised under different wordings, and respected by all the Great Powers (Great Britain, Italy, Japan, the US, France), the Holy See, and some of the small European states (Belgium, Czechoslovakia, Denmark, Norway, Sweden) who interpreted the de jure recognition of Estonia, Latvia, and Lithuania in the same way as Russian imperial envoys abroad: as the recognition of Soviet Russia. A secondary, yet also important, obstacle to Lithuania's de jure recognition was the dispute with Poland over Vilnius, and the particularly hostile position of France in relation to this matter. In recognising Lithuania de jure, every state first of all followed its political and economic interests rather than the principle of national self-determination.

Correlations in Lithuania's international recognition are best seen in four cases: 1) the establishment of de facto relations with Denmark, Norway, Sweden, and Switzerland; 2) de jure recognition received from smaller European states after Lithuania's entry into the League of Nations; 3) de jure recognition accorded to Lithuania by small states and the great European and American powers after Lithuania's de jure recognition by the Conference of Ambassadors; and, 4) the wording of de jure recognition given by the US, the Holy See, and the Conference of Ambassadors. The first two de jure recognitions, given by Germany and Soviet Russia as the former sovereigns, and the recognitions conferred by the five Great Powers and the Holy See had the greatest legal and political value in establishing the independent state of Lithuania.

LEEDU RAHVUSVAHELINE  
TUNNUSTAMINE JA SELLE TÄHTSUS  
1918–1924

*Sandra Grigaravičiūtė*

Rahvusvahelisele õigusele spetsialiseerunud ajaloolastele ei ole Leedu rahvusvahelise tunnustamise kronoloogia ja geograafia tundmatu teema. Samas ei ole varasem uurimistöo Leedu rahvusvahelise tunnustamise teemal esile toonud seoseid (korrelatsioone) tunnustamisega seotud eri

juhtumite vahel, mistõttu tulemuseks on olnud ekslikud väited tunnustamise mõju ja motiivide kohta. Üldiselt või kindla riigi kontekstis tunnustuspraktikale osutavale rahvusvahelise tunnustamise juriidilisele tähendusele on samuti varasemalt vähe tähelepanu pööratud. Kõige problemaatilisem on, et uurijad (välja arvatud Rutenbergas, Jaščenka, Natkevičius) on hinnanud Leedu rahvusvahelist tunnustamist tänapäeva, mitte 20. sajandi alguse rahvusvahelise õiguse kontekstis (Šatas, Skirius).

Siinse artikli uurimisobjekt on Leedu riigi *de facto* ja *de jure* tunnustamine 1918–1924 ajaloolises kontekstis, juriidilises tähenduses ning rahvusvahelise õiguse ja poliitika vaatenurgast. Artikkel hõlmab ajavahemikku Leedu esimesest *de jure* tunnustamisest Saksamaa poolt 23. märtsil 1918 kuni 3. novembrini 1924, mil seda tegi Bulgaaria. Artikli eesmärk on analüüsida Leedu rahvusvahelise tunnustamise protsessi sel perioodil ja tuvastada Leedu tunnustamise õiguslik väärtus. Artikli esimene osa käsitleb rahvusvahelise tunnustamise mõiste juriidilist tähendust vaadeldava perioodi Leedu rahvusvahelise õiguse uurijate töödes. Teine osa analüüsib rahvusvahelist tunnustamist takistavaid ja edasi viivaid tegureid. Ning viimases osas on arutluse all seosed rahvusvahelise tunnustuse eri juhtumite vahel ja neile antud hinnangud.

Artikli peamised järeldused on järgmised. Esiteks seisneb üldise rahvusvahelise tunnustamise väärtus Leedu riigi õiguses teostada oma mõjuvõimu rahvusvahelise õiguse raames ja osaleda rahvusvahelises suhtluses. Teiseks saab rahvusvahelise tunnustamise juriidilist väärtust vaadelda kui Leedule nendesamade diplomaatiliste ja juriidiliste õiguste andmist, mida omasid tunnustuse andnud riigid. Kolmandaks põhjustasid *de facto* suhteid ja tunnustamist reaalsed olukorrad ja praktikad, mis olid vajalikud informatsiooni vahendamiseks, Leedu kodanike kaitseks ja majandussuhete loomiseks. Neljandaks, põhiline takistus Leedu *de jure* tunnustamise püüdlusele oli „jagamatu Venemaa” printsiip, mida suurriigid ja ka mõni väiksem riik toetasid, lisaks konflikt Poolaga Vilniuse küsimuses. Viiendaks on kõige ilmselgemad seosed rahvusvahelise tunnustuse eri juhtumite vahel nähtavad *de facto* tunnustamisega seotud kaasustes, Leedu tunnustamises *de jure* ja Leedu vastuvõtus Rahvasteliitu, samuti Euroopa suursaadikute konverentsil vastu võetud otsuses tunnustada Leedu Vabariiki *de jure* ning lisaks sellele Ameerika Ühendriikide, Püha Tooli ja suursaadikute konverentsi tunnustamisega seotud sõnastustes. Kuuendaks oli kõige suurem juriidiline ja poliitiline tähtsus Leedu riigi loomisel Saksamaa ja Nõukogude Venemaa kui endiste valitsejate ning viie suurriigi ja Püha Tooli *de jure* tunnustustel.