

Active participants in the discussions were: E. Lippmaa (Tallinn), V. Gorodnyuk (Minsk), H. Vainu (Tallinn), J. Bojars (Riga), J. Prikulis (Riga), E. Udam (Tallinn), L. Hannikainen (Helsinki), L. Pavlova (Minsk), and V. Vare (Tallinn).

Suggestions for the resolution were made by D. A. Loeber (Kiel), V. Smolin (Tallinn), E. Duraczynski (Warsaw), J. Bojars (Riga), V. Vadapalas (Vilnius), K. Pihlakas (Tallinn), N. Drak (Lvov), and V. Gorodnyuk (Minsk).

Here we have an optional selection of presentations.

Läbirääkimistel võtsid sõna E. Lippmaa (Tallinn), V. Gorodnjuk (Minsk), H. Vainu (Tallinn), J. Bojars (Riia), J. Prikulis (Riia), E. Udam (Tallinn), L. Hannikainen (Helsingi), L. Pavlova (Minsk) ja V. Vare (Tallinn).

Ettepanekuid resolutsiooni projekti kohta tegid D. A. Loeber (Kiel), V. Smolin (Tallinn), E. Duraczynski (Varssavi), J. Bojars (Riia), V. Vadapalas (Vilnius), K. Pihlakas (Tallinn), N. Drak (Lvov) ja V. Gorodnjuk (Minsk).

Sõnavõttud on avaldatud valikuliselt.

В прениях приняли участие Э. Липпмаа (Таллинн), В. Городнюк (Минск), Х. Вайну (Таллинн), Ю. Боярс (Рига), Ю. Прикулис (Рига), Э. Удам (Таллинн), Л. Ханникайнен (Хельсинки), Л. Павлова (Минск) и В. Варе (Таллинн).

С предложениями по проекту резолюции выступили Д. А. Лозбер (Киль), В. Смолин (Таллинн), Э. Дурачиньский (Варшава), Ю. Боярс (Рига), В. Вадапалас (Вильнюс), К. Пихлакас (Таллинн), Н. Драк (Львов) и В. Городнюк (Минск).

Выступления публикуются выборочно.

*Jyri BOJARS,*

D. Sc. (Law), Latvian State University

Dear colleagues, the speech made by our colleague from the FRG astonished me a little. So I would like to dispute some of his statements.

I fully agree with the conceptual approach presented by Prof. Lippmaa and some other speakers. Of course, we can admit that the principle of non-use of force had not been sufficiently consolidated as a principle of international law; however, I cannot agree with the statement that it had not been enunciated several times and declared in a number of documents, including official speeches by Soviet representatives.

Now a few words about the principle of self-determination. This principle was consolidated not only by the Statutes of the League of Nations, but also by numerous treaties. In a sense, these treaties confirmed also the rights of ethnic minorities. There are about forty, if not more, of such treaties altogether. But for some reason no attention is paid to them, they are not even being studied in the USSR. We have not a single major juridical investigation dealing with the world experience concerning the legal status of minorities or small ethnic groups in general.

Of course, after World War I not only positive shifts took place but also the first signs of the deal the victims of which we are, appeared. For some reason we do not speak of the fact that collaboration of the aggressors, i. e. Germany and the Soviet Union, behind the backs of other nations, started already in the wake of the Rapallo Treaty. Of course, that was collaboration with the Weimar Republic.

We should note here that according to the Versailles Treaties, Germany was denied a variety of arms. And the Soviet Union, so to say, nursed a snake in its bosom, allowing the Germans to carry out exercises with various heavy arms, including tanks, on its firing grounds. True enough, this was before the fascist period. Still, by the beginning of World War II German generals had acquired a perfect knowledge of Byelorussian theatres of war.

The deals which started with the Rapallo Treaty are in fact continuing even today. Practically all international legal problems, even those directly concerning the fates of the Baltic States have been decided behind their backs. For instance, not a single representative of the Baltic peoples, i.e. their official representative, was in Helsinki. At the same time one of the most important questions discussed in Helsinki was that of the state boundaries in Europe. One of the major problems was to make European states, the USA and Canada recognize the post-war boundaries in Europe. This means that the question of boundaries, i. e. that of our fate as well, was decided without our participation.

Of course, one of our most important tasks is not to allow similar solutions concerning the destinies of whole nations, moreover sovereign nations, though only formally sovereign ones, to be made without their participation.

For us 1939 is not just a year when certain events took place, but rather a turning point whence we must go on, i.e. having clarified what exactly happened then, we must decide what to do now, how to follow the line of a further consolidation of the peoples living in the Baltic Republics. During the Session of People's Deputies in Moscow, representatives of the Baltic Republics came together and decided that the initiative of creating a parliament was worth supporting as the first step toward consolidation. Obviously, we shall face numerous problems on this road, among them

ecological ones will be highly important. In our opinion, the next step should now be the formation of a parliament of the peoples living in the basin of the Baltic Sea. And apparently the Kaliningrad Oblast as an interested party should be invited to this parliament. I think that there are very many extremely important problems that should be discussed there, among them political, economic and ecological ones; this means that all the peoples living on this territory must not allow even their democratically elected governments to make decisions behind their backs.

Our further progress can be based only on the Vienna Document, which is a great improvement of the Helsinki Document. I think that the Baltic peoples should firmly keep to this Document in requiring their rights. The Vienna Document should be recognized as a compulsory one, and we are not going to give up this point of view. M. Gorbachev has also said that we should regard this Document as obligatory for all. At present we have different standards for internal and external affairs. The internal standards are for us, i.e. the Soviet Union, and they allow to suppress people fighting for their self-determination by force, as it was done in Tbilisi. It is time to go over to international standards.

I think that until we go over to federation, creating a new model of a federation in accordance with all basic norms of international law, our country will be threatened by a serious inter-ethnic crisis which will be very difficult to overcome. Therefore, it is necessary to forestall the crisis by decisive measures aimed at democracy, at a democratic political and legal system in the Soviet Union, partial measures will not help. What principles should underlie the new federation? The first and most important principle is that of the right of peoples to self-determination. Of course the right to self-determination must be understood according to the Vienna Documents. We need not devise anything new here, the Vienna Document includes everything necessary. Next, the principle of sovereignty and noninterference in the internal affairs; this principle also ensues from generally recognized principles of international law, and is in accordance with the Vienna Document.

Thirdly, of course, legal equality of all the peoples and states constituting the Soviet Union. At present it is a pyramidal state where only one ethnic group and one republic is sovereign, while all the others are, so to say, younger brothers. This principle means that we shall have to completely abandon the concept of the elder brother, otherwise our union is no union at all, it is just a unitary state with feeble oblasts. We cannot put up with such a conception any longer.

Are there any models worthy of consideration? I think that there are enough of such models. We might just study carefully the Federated Republic of Germany where every state is much more sovereign than our union republics, though the FRG is an entireley unitary state. The sovereignty of all the states is much greater there even though the inhabitants of all the states are Germans. I must say that even every state of the USA is, in fact, more sovereign in adopting its laws than the constituent republics of the Soviet Union. In my opinion neither the experience of Canada nor India has been considered in solving the problems of the language or inter-ethnic relations, and that is why the Intermovement has raised such a clamour about the problems of the language, and also some other problems. If the sovereignty of the constituent republics of the Soviet Union is achieved, the question of the secession of the Baltic Republics will lose its acuteness: it may be more favourable to be part of a huge powerful state with no customs restrictions. However, this is conceivable only provided that the peoples of these republics become full masters on their own territories, who can make their own decisions about their internal and external policies. This involves the expansion of the

authority of the constituent republics in internal policy as well as in their foreign economic relations. We are being told that the union republics have delegated this and that, and that theoretically they should delegate authorities to deal with their external affairs, and so on and so forth. Not a single treaty, not a single document says anything about the delegation of the sovereignty of the union republics, or the delegation of their right to self-determination. You will not find anything like that anywhere. And I think that now the Baltic Republics will never agree to such an approach. Thank you.

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*Endel LIPPMAA,*

Member of the Estonian Academy of Sciences

I would like to speak about the legal aspect of the Pact from August 23, and about what it means for us today from the standpoint of international law. Excuse me, I shall have to speak a little in English now as I cannot agree with the previous speaker.

Now I must take exception with the points of view put forward by Dr. Oerter. We have heard quite a lot about the Monroe Doctrine here. I think this is out of date because Monroe after all fought the English for the independence of the United States and was quite understandably somewhat angry with the colonies on the American continent. I would rather speak about the Montevideo Convention from the year 1933, although it was signed in Rio de Janeiro, as far as I remember, and it formed later the basis for the United Nations' Charter, the Atlantic Charter and many other documents, which are lawful. The convention was written in 1933, mind, and was certainly valid in 1939. And it reads: "The contracting states definitely establish as the rule of their conduct the precise obligation not to recognize territorial acquisitions or special advantages which have been obtained by force." That was in 1933. So I can't agree with you at all. Secondly, about the effects such aggressive attitudes had. Of course these were immense. This Pact and the Protocols from 23rd of August made it possible to issue ultimatums to Finland, to the Baltic States, to Rumania, and, in case of Finland, it led to war and to exclusion of the Soviet Union from the League of Nations. It was no small thing. How can you deny it? How can you say that it was immaterial? That it was somehow not in the context of international law? If the League of Nations threw out the Soviet Union, the same way as Japan was excluded for Manchuria? I can't agree with you.

Now I shall continue in Russian.

I would like to say that the Russian-German spheres of influence were actually more than just spheres of influence. The spheres of influence are also described in the Secret Protocol between England and Poland. By the way, they included in addition Belgium, the Netherlands, Lithuania, and numerous other countries. It did not mean that Poland intended to occupy Belgium or the Netherlands. Their approach was quite different... At the same time the agreement made between Germany and the Soviet Union said quite exactly that the spheres of influence meant actually the borders of the division of Europe. It seems to me that I shall have to read one telegram once more. It is a telegram from the 25th of September: