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The Independent Baltic States Maritime Security Implications

Lieutenant Jeffrey L. Canfield, U.S. Navy

THE ACHIEVEMENT OF INDEPENDENCE by the Baltic states of Estonia, Latvia, and Lithuania stands as one of a series of profound changes that will affect security regimes in the Baltic Sea and littoral areas.¹ Other developments in this progression of events have included the continuing transformation of Poland into a democratic and free market-based society, the reunification of Germany in October 1990, the disbandment of the Warsaw Pact Organization in 1991, and of course the dissolution in December 1991 of the Soviet Union. The environment of the Baltic region is changing so precipitously that few commentators have ventured to speculate upon the ultimate outcome. There has also been a tendency, born of a fixation with the Central Front, to regard the Baltic as merely the periphery of the Northern Flank. The strategic importance of the region as a fulcrum of Central Europe, however, demands an effort to understand the implications of change. In the wake of the disintegration of the Soviet Union, it is especially important to review the situation regarding the Baltic states and identify potential maritime security issues.

The West enjoys today a window of opportunity within which to facilitate positive developments in the Baltic at many levels—political, socioeconomic, cultural—but especially in terms of regional security structures. Several primary objectives come to mind: retrieving the Baltic states from the East; employing the Baltic states as a bridge between East and West, thereby easing the transformation and eventual integration of the components of the former Soviet Union into broader European security regimes; and, should the situation in the Commonwealth of Independent States (C.I.S.) deteriorate, enmeshing the Baltic states in regional and broader security structures so as to make it extremely difficult for a resurgent power to rise from the ashes of the Soviet Union and present a reinvigorated military or hegemonic threat to Central Europe.

This paper addresses trends arising from the political independence of the three Baltic states that may have implications for maritime security dimensions

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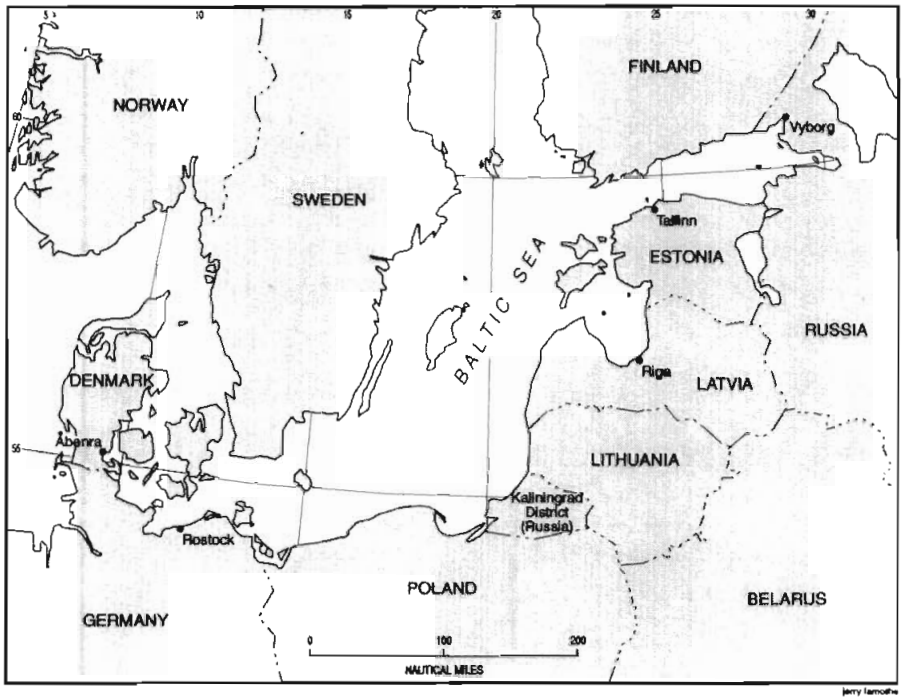
of the Baltic region. It identifies both newly emergent issues and those with roots in history. Specifically highlighted are bellwether topics: regional security, salient commercial developments, issues of maritime borders, and the unfolding drive to integrate these states within regional structures. These issues were selected to illustrate the diverse and pervasive effects of the Baltic independence process.

Regional Security Issues

From the perspective of the current Baltic governments, complete and expeditious withdrawal of all C.I.S. military forces based in their territories is a fundamental objective and a precondition of restoration of full state sovereignty. Lithuania's President Vytautas Landsbergis expressed this conviction concisely: "The withdrawal of the Army is not a subject for discussions: That is an undebatable demand and a necessity."² This sentiment was most recently reaffirmed in a joint Baltic Council statement.³ Although the tripartite Baltic Council demanded withdrawal of then-Soviet troops from their capitals by 1 December 1991 and complete withdrawal by the close of 1992,⁴ the Soviet side maintained (as has the C.I.S. subsequently) a negotiating stance which targets withdrawal commencement after 1994.⁵

The C.I.S. military insists, of course, that more expeditious withdrawal is impossible because of preexisting commitments to remove troops from Germany and Poland and the need to build replacement facilities and military housing in the East. The Baltic states have countered with proposals that Nato fund such construction; Estonia has even declared readiness to build housing in the C.I.S. from its own resources.⁶ In the wake of the August 1991 coup attempt, the Soviet government accepted what it perceived as the inevitable outcome, if not the timetable for achieving it. In an interview, the then-head of the U.S.S.R. delegation to Soviet-Estonian bilateral talks, Anatoli Sobchak, articulated the Soviet perspective: "The Baltic states are insisting on the withdrawal of Soviet troops from their territory. And this is their legitimate right. Independent states are entitled to have no foreign troops on their territory. But our troops will be there under the terms of a treaty. The treaty will also define the status of troops temporarily stationed on adjacent territory. . . . We simply have to agree to the terms for the stationing and maintenance of Soviet troops on the territory of the Baltic states. . . . Once Soviet troops have been withdrawn from Germany we will discuss the withdrawal of troops from the Baltics. And once again, with due consideration for all ensuing consequences."⁷

The even tenor of Sobchak's argument and the complete lack of reference to any vital Soviet security interests in a Baltic buffer zone indicate the degree to which Soviet military power and domination had eroded. The first signs of that erosion were the removal of OMON (Special Missions Militia Detachment, or "Black Beret") units and commitments to remove all Interior Ministry forces



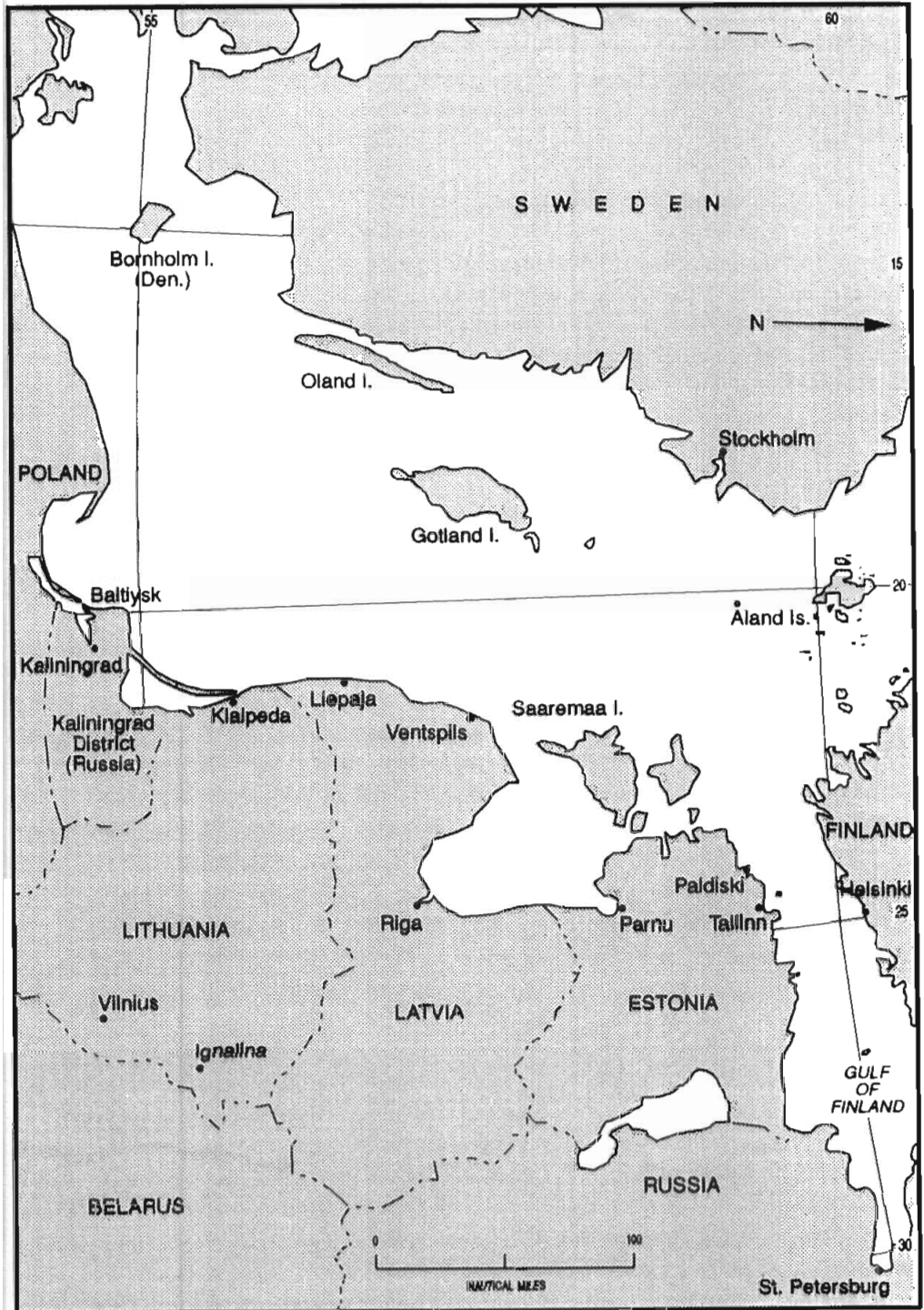
by the end of 1991.⁸ Although it would have been nearly unimaginable even one year ago, the C.I.S. may not only lose its bases in the Baltic states but also basing rights, access, and even military equipment. In addition, there is a report of talks between Soviet generals and Lithuania's vice premier to discuss withdrawal of "anti-aircraft units" and transfer of their property and equipment to Lithuanian defense organs.⁹

Negotiation of an "agreement in principle" between Estonia's prime minister and C.I.S. defense minister Yevgenii Shaposhnikov concerning withdrawal of forces from Estonia indicates that not only Soviet bureaucrats but the highest levels of the military had accepted the inevitability of disengagement. The parties reportedly agreed to establish, through a bilateral treaty, a timeline for withdrawal.¹⁰ Further, the Soviets pledged to extract two battalions of "assault troops" within a month, pay rent for the temporary use of army bases, consider the transfer of weapons, ammunition, and equipment to Estonia, and "substantially restrict" military exercises and maneuvers. On the issue of compensating the defense ministry for its assets, an Estonian negotiator suggested that military installations could be sold off, with the proceeds dispensed to relocated Soviet servicemen.¹¹ Failure of the C.I.S. to coalesce as a true and workable federation, and Russian assumption of control over forces stationed in the Baltics, may hasten the actual completion of force withdrawal.

Each of the Baltic states has expressed intent to form self-defense forces and to assume complete control of C.I.S. military bases.¹² Latvia has declared that it will take over the military facilities in the port town of Liepaja.¹³ The Russian (and remaining C.I.S.) central organs have also prepared to transfer a significant number of "military industrial" enterprises to the Baltic states. In the case of Latvia alone, a reported 380 state enterprises are to be transferred to local jurisdiction, with seventy percent of the managers apparently "willing to be working for the Latvian economy."¹⁴ Military training and organizational support has been or will soon be provided by such countries as Germany, Poland, and Norway.¹⁵

In preparation for talks addressing terms and timetables for withdrawal of C.I.S. forces, the Baltic states have signed agreements with its defense ministry authorizing local monitoring of the facilities during the transition period.¹⁶ Removal and disposition of C.I.S. military property are matters of concern to the Baltic states, which fear that valuable assets located within their borders will be lost. Estonia has passed resolutions barring the removal of army property unless coordinated with the Estonia State and Border Control Office.¹⁷ There is also concern that military facilities in the Baltics will be sold off to external interests before the Baltic states can obtain title to that state property from the former "center." Reported examples include a Moscow concern that attempted to buy Baltic naval property such as Montu Harbor on Saaremaa Island, and Union organs that sought to transfer ownership of Baltic military bases before territorial jurisdiction was negotiated.¹⁸ The Lithuanian home defense ministry considered requiring the free transfer of all army property within its borders as compensation for Lithuanian military property and arms captured by the Soviet Union in 1940 and as part of an equitable distribution of state property earned through fifty years of contributing to the central military budget.¹⁹

The Baltic governments have even striven to impose controls on the relocation and transit through their territory of C.I.S. troops and military equipment. For example, Lithuania transmitted a demarche to the defense minister in Moscow protesting the redeployment of a surface-to-air missile unit normally assigned to protect the Ignalina nuclear power plant and stipulated a requirement for "special agreement with the Government of the Republic of Lithuania" prior to such troop movements.²⁰ Routine military training exercises conducted in the Baltics have also come under local government scrutiny and protest.²¹ For a brief period, the Baltic states even ceased providing food to units based in their territories, probably to increase pressure on withdrawal timetables and as a *quid pro quo* for reduced fuel deliveries.²² These assertions of sovereignty over military activities conducted on their territories are likely to increase, and will make it extremely difficult for local C.I.S. military commanders to maintain operational readiness.



The status of the Baltic Fleet is of particular relevance to the evolving security situation in the region.²³ As for other forces, all public pronouncements indicate that there will be a gradual withdrawal, although to what ultimate destination remains unclear. Because of space and support constraints, rebasing all withdrawn naval units to St. Petersburg and the Kaliningrad district is probably infeasible. Further, the combat potential and sustainability in the event of hostilities of forces based in those enclaves would be questionable. Forces in Kaliningrad would probably be isolated and rendered unsupportable by Nato "follow-on forces" interdiction of lines of communication connecting the district with Russia. Those based in St. Petersburg would be iced in for a significant proportion of the year and subject to chokepoint interdiction at the narrow entrance to the Gulf of Finland. The removal of naval air cover from bases in the Baltic states will further degrade the capability of the Baltic Fleet to conduct basic combat or even peacetime missions. Given these considerations, the fact that the C.I.S. navy would even discuss withdrawal from Baltic bases indicates the depth of the retrenchment within the C.I.S. and Russian militaries. If it is forced to relinquish control of and access to these bases, many naval units might well be transferred to the Northern or Pacific Fleets, where they would prove more useful and supportable.

"Assertions of [Baltic] sovereignty over military activities conducted on their territories are likely to increase and will make it extremely difficult for local C.I.S. military commanders to maintain operational readiness."

Reports of naval withdrawal and dismantlement timetables have already appeared. In Estonia, agreements between the governments and the commander in chief of the Baltic Fleet, Admiral Vladimir Yegorov, will apparently result in removal of naval arms stockpiles, closing of C.I.S. naval aviation bases such as the one at Suurkula, and elimination of fleet air training routes. In addition, an Air Defense Force base in Parnu will be closed.²⁴ Yegorov has reportedly signed another protocol, on social and economic cooperation, between his fleet and Lithuania; it provides for the use of fleet "immovable property, equipment and means of transportation" by Lithuania and addresses "assistance which the Baltic Fleet could give Lithuania in exploring its water area."²⁵ This language gives the impression of a force aware that its role and overall utility have virtually disappeared in the transformed security environment of the Baltic Sea. Yegorov may now view his primary tasks as the search for a mission and a homeport for his command.

If present trends continue, the Baltic Fleet's ability to conduct even basic missions and tasks will be severely impaired. Its surface and air forces will be unable to maintain training and crew proficiency levels due to the loss of vital

training areas and of unimpaired access to the Baltic. The fleet's ability to conduct patrol and sea control missions in the eastern and central Baltic will be decreased, especially during the winter months. The advantages inherent in the peculiar hydrology of the Baltic Sea, which favors submarines over antisubmarine warfare (ASW) forces, will be restricted because the fleet will lack free and immediate access to the sea. Combined-arms support of the ground campaign, provided through naval combat support and amphibious operations, will become virtually impossible due to the loss of air cover once based in Baltic republics. The ability to provide forward defense by naval air-delivered antiship missile strikes against Nato forces in the North Sea will also become negligible. Loss of defensive early-warning radar and surface-to-air missile sites would significantly reduce air defense reaction time. From a maritime perspective, however, the most salient factor must be the elimination of any credible capability to seize the approaches to the Baltic and the strategic islands.

In symbolic recognition of the fact that the eastern Baltic is rapidly escaping the old Soviet security framework and that C.I.S. forces are now based on foreign soil, the Baltic Military District itself has been renamed the Northwestern Group of Forces, with headquarters in Latvia for the present.²⁶ The implications of the new regime are significant for both the peacetime and wartime capabilities of the Northwestern Group of Forces in terms of supporting operations within the Western and Northwestern Theaters of Military Operations (TVDs).²⁷ If withdrawn from present bases in the Baltic states over the next several years, the C.I.S. or Russian military will be unable to close the Baltic in time of war and deny its use to opposing forces—neither will it possess the means to coerce proxy states into closing the sea on its behalf.

Indeed, the change in the Baltic maritime security environment has foreclosed for the C.I.S. and Russian militaries the option of offensive strategies. Professor V.A. Belli (an authoritative Soviet naval writer of the 1930s) declared that for the conduct of war "the matter of a favorable strategic position at sea assumes primary importance. The struggle for the improvement of one's own strategic position may be one of the most important tasks of military strategy."²⁸ In contrast, the recent withdrawal or removal of Soviet/C.I.S. military forces from Eastern Europe and now the Baltics will at some point mean that the conduct of conventional war in the region by a successor to the Soviet military is virtually precluded. While the defensive doctrine adopted during the Gorbachev period had certainly changed the soviet posture in the theater, the unfolding loss of offensive combat potential must be regarded as a complete transformation.²⁹

In the present environment, the fact that the region is no longer a venue of superpower competition and contention will improve its overall security. In the past, the Soviet ability to project offensive power around the Baltic region was overwhelming in comparison with the strength of other littoral states, and its forces were inappropriate for defensive missions. The reduction of this striking

power may provide an opportunity to formulate a regional security regime that will fill the present vacuum with multifaceted interdependencies rather than foster the rise of another Central European hegemon.³⁰ To evaluate that prospect, we must examine two seemingly peripheral aspects of maritime security that have been affected by the independence of the Baltic states: the concept of a Baltic *mare clausum* and proposals for a Baltic nuclear weapons-free zone.

A Closed Sea? As the Danish journalist Mogens Espersen has observed, historically the dominant power in the Baltic region has attempted to enforce the doctrine of a *mare clausum* (or closed sea) and thwart efforts of external maritime powers to maintain the principle of a *mare liberum* (or freedom of the seas).³¹ The *mare clausum* principle denies access to a particular body of water to warships of all states lacking a coast on it; it asserts that a unique regime governs navigation of such waters and of the straits leading to them.³² In time of war, the concept denies free access to commercial shipping of non-littoral flag states. While the Baltic meets all recognized criteria as a potential closed sea, the concurrence of all coastal states has never been forthcoming. In fact, assertion of an exclusionary regime for the Baltic has been advocated almost exclusively by prerevolutionary Russia and its successor Soviet state, both of which employed the idea as one of many political and military instruments to exclude real or potential opponents.³³ Accordingly, the *mare clausum* concept has garnered little support in international legal fora and has been consistently applied only in the case of the Black Sea.

The balance of power in the Baltic region has changed dramatically, of course, and the time has passed when Russia could enlist or coerce support for declaring the Baltic a closed sea. The rebirth of the Baltic states adds three more littoral parties to the issue—parties now seeking to invite rather than exclude countervailing external influences. The C.I.S. and its constituent states lack the predominance of power necessary to restrict navigation by pressuring neighbors to join in a *mare clausum* declaration or by pressing Denmark and Sweden to interfere with passage of warships of non-Baltic powers through the Straits.³⁴ Further, Russia's own claim to a voice as a Baltic littoral state has become tenuous; it is now based solely on Kaliningrad and ports on the Gulf of Finland, a somewhat isolated "appendix" of the Baltic proper. Should Russia ever lose the use of bases in Kaliningrad, it could, ironically, find access of its own warships restricted by this principle.³⁵ The military power vacuum resulting from the withdrawal of formerly Soviet forces from Eastern Europe, and potentially from the Baltic buffer zone itself, implies that no regional state will in the foreseeable future regard an exclusionary regime as achievable or in its interest.³⁶

A Nuclear Weapons-Free Zone? Efforts to declare a nuclear weapons-free zone (NWFZ) encompassing either the land contiguous to the Baltic Sea, or the sea

itself and its littoral areas, have frequently arisen. Until recently, the primary proposals were for a Nordic zone oriented around Denmark, Norway, Sweden, and Finland, and a vaguely defined Central European region.³⁷ Although each proposal now current embodies unique aspects, NWFZ concepts generally aim at achieving basic exclusionary objectives, to include: halting the spread of nuclear weapons; promoting nuclear disarmament; assuring non-nuclear states against the use of such weapons; and prohibiting within the confines of the zone the testing, use, manufacture, acquisition, receipt, storage, installation, deployment, or possession of nuclear weapons in any form.³⁸ While the stated objectives are commendable, the underlying intent of such proposals made in the context of specific security frameworks has often reflected geopolitical and military considerations more than humanitarian. As one author characterized the idea of a Baltic NWFZ in a different time, "The Baltic is neither a 'sea of peace' nor a nuclear-free zone, but both conceptions, with the Soviet Union as guarantor, and evidently, politically the first steps towards an alteration of the status of the Baltic to be a closed, Soviet-dominated sea."³⁹

Belarus (the former Belorussia) resurrected the concept of an NWFZ, limited to its own territory, in a United Nations General Assembly session of 26 September 1991. Should Belarus and Ukraine, in concert with the Baltic states, implement policies of nuclear disarmament, it would prove extremely difficult for the C.I.S. or any successor entity to develop workable nuclear options for western-oriented theater strategic operations.⁴⁰ Traditionally, the Soviet reaction to these proposals included a willingness to guarantee the status of the NWFZ but unwillingness to include in the zone any portion of the U.S.S.R. or to accept any restrictions on passage of Soviet ships to and from the Baltic Sea. Of course, the incident of the *U-137*, the Whiskey-class submarine "on the rocks," raised questions both about Soviet guarantees and the means of verifying an NWFZ regime.

Largely due to the influence of "Green" movements and parties within the Baltic states, proposals to denuclearize the Baltic have frequently appeared. At present, the nuclear-free trend takes the form of demands for the removal of all C.I.S. nuclear weapons maintained on the territory of the newly independent states.⁴¹ Despite repeated assurances that such weapons have already been removed, suspicion remains concerning long-term military intentions. President Landsbergis of Lithuania reportedly asserted at a British conference that "the Soviet Union wants to legalize the presence of the troops in the republic and intends to adjust the Soviet-American Intermediate Nuclear Force Treaty to apply to the changed situation in such a way as to make Lithuania a country on whose territory Soviet nuclear weapons will continue to be deployed."⁴²

While Russia under Boris Yeltsin has sought to alleviate residual suspicion on this issue, to couple it with concerns about command and control of nuclear weapons in the disintegrating C.I.S. military may engender another round of

NWFZ proposals for the region. It is likely, however, that any NWFZ regime adopted for the Baltic region in the near term will, recognizing the impediments to agreement on total denuclearization, take an incremental approach emphasizing elimination of permanently based nuclear weapons from land areas of the zone, however bounded. If agreement of most regional parties is to be secured, a near-term NWFZ regime is unlikely to focus on the Baltic Sea or naval operations, at least until whatever entity finally succeeds the former U.S.S.R. is clearly seen to be a benign and stable force in the region.⁴³

Commercial Maritime Issues

The restored Baltic states have a legacy of participation in the maritime transportation industry. The facilities and infrastructure of such major commercial ports as Klaipeda, Ventspils, Riga, and Tallinn represent some of the most valuable capital assets in the Baltic states.⁴⁴ Tallinn possesses a large port complex, ice-free through most of the year (and kept open by icebreakers in the remainder), that handles a wide range of bulk cargoes, containers, and tankers. Present construction at New Tallinn port will significantly increase capability to handle grain, perishable goods, and container cargo; if the planned development project is completed it will produce the largest of the former Soviet ports on the Baltic. Although icebreaker assistance is required for three or four months each year, the port of Riga has a significant cargo and container-handling facility and a new river port for accommodating river and open-sea vessels and barges. Ventspils is navigable year-round and boasts an important oil and liquified gas transshipment complex, a specialized facility for handling methanol and other chemical products, and bulk cargo facilities for grain, potassium, and coke. Klaipeda also remains ice-free and encompasses two harbor areas for handling coal, grain, sugar, and bulk mineral cargoes. A shipyard and an oil transshipment facility are also located there.

Access to port facilities located within the Baltic territories has figured among the principal topics under negotiation between the Baltic states and the C.I.S., Russia, and other successors of the U.S.S.R.

“Indeed, the change in the Baltic maritime security environment has foreclosed for the C.I.S. and Russian militaries the option of offensive strategies.”

During the period of Soviet domination, ports of the Baltic republics were oriented toward export trade of Soviet raw materials and commodities.⁴⁵ Both Russia and the Soviet Union regarded them as essential windows to Western trade systems. Indeed, this view provided part of the original doctrinal justification for annexation. *Izvestiya* had expressed this view plainly on 24 December

1918: "Russia, a country rich in raw materials, cannot live without an outlet to the Baltic Sea; she must have in her hands all waterways, railroads, and highways leading to the Baltic ports."⁴⁶ With the transfer of port ownership from the Soviet Ministry of Ocean Transport to the Baltic states, the future role and prospects for development of these facilities have become uncertain.⁴⁷ It is possible that disengagement from the Soviet transport networks, the switch to hard currency from ruble-based transactions, and Russian intransigence will disrupt operations at some ports. Several, especially Klaipeda, will require significant capital investment for upgrades before they will be able to attract new customers to replace Soviet export receipts.⁴⁸ Baltic port administrators are actively seeking joint ventures with foreign enterprises in order to develop and modernize their assets.

The Baltic states have witnessed disruption of their maritime sector in the past.⁴⁹ Though it insisted upon its access (guaranteed by the Brest-Litovsk settlement and treaties with the Baltic states in 1920) to Baltic ports and free-trade zones, the Soviet Union never provided a level of trade during the independence period comparable to that which had obtained previously.⁵⁰ This was attributable to factors remarkably similar to those emerging today in the C.I.S.: economic collapse, inability to engage in international trade because of a nonconvertible currency, loss of traditional trading partners, and a policy of favoring development and use of Russian ports such as Leningrad (St. Petersburg) over Baltic facilities.

There has been considerable concern regarding the commercial viability of Baltic state ports should they be cut off from Russian raw material exports. Several reports suggest that Russia and the C.I.S. are already seeking alternative ports to avoid commitments to clear accounts in hard currency instead of rubles in Baltic ports. Port facilities in Russian territory, such as those at St. Petersburg, Kaliningrad, and Vyborg, are being expanded to meet these needs.⁵¹ Supplies in the Baltic states of some commodities such as grain and sugar will not be disrupted, because these imports arrive at Baltic state ports before being transferred to C.I.S. markets. Those Baltic ports dependent upon export of Russian crude oil will be most severely affected as the reduced volume of export oil is shifted to alternate terminals. Of all commodities received at eastern Baltic ports, fuel stocks will prove most subject to disruption. With the exception of Estonian oil shale and the output of the Ignalina nuclear power plant, the Baltics are dependent upon Russian oil, natural gas, and coal.⁵² Sporadic fuel shortages have already occurred, attributable to the economic factors listed above and, probably, to deliberate disruptions meant to influence bilateral negotiations. Several commentators have characterized the situation as an "economic war" against the Baltic states.

Each of the Baltic state governments has suggested the possibility of unfriendly, if legal, responses (i.e., retortions) and other means of redress unless the energy

supply situation is resolved. Representatives of the Latvian government have stated they would "take appropriate countermeasures that could painfully affect the economy of Russia," including denial of port access.⁵³ One device immediately available to the Baltic states is diverting the oil delivered to Baltic export terminals for local use.⁵⁴ The Baltics have also sought alternate sources of gasoline (from Swedish and Danish refineries for delivery to Ventspils or Klaipeda) and coal (from Poland), but prospects remain poor because prices are expressed in hard currencies at world market rates that these states cannot afford.⁵⁵ Consequently, those states with identified onshore and offshore oil reserves—Latvia and Lithuania—will increasingly find incentives to exploit these oil deposits. One survey estimated Lithuania's oil reserves at fifty million tons ashore and one hundred million beneath the Baltic seabed. Successful recovery of these resources, however, will require significant infusions of external capital, technology, and expertise. Joint ventures with foreign oil firms targeting the shallow-water offshore deposits in the southeastern Baltic Sea are almost certain to arise.⁵⁶

The Baltic state ports will need to become further integrated into Western-oriented shipping patterns in order to remain viable. Tallinn is best positioned to compete for traffic, because its facilities are comparatively modern and the range of commodities it handles is fairly well balanced. Recently, the director of the Estonian Maritime Board reported that in 1990 Tallinn had achieved the number-one ranking among Soviet ports in terms of grain and passenger service. He cited the expanded passenger volume resulting from extension of ferry lines to Finland and Sweden as particularly profitable.⁵⁷ Among other initiatives now being explored are establishment of a passenger and freight shipping line between Tallinn and Åbenra, Denmark, and of ferry service between Riga and Rostock, Germany.⁵⁸ Conversion of military bases may also offer opportunities to develop new port complexes or dual-use facilities. There are currently naval bases at Tallinn, Riga, Ventspils, Liepaja, Paldiski, and several smaller sites. Reportedly, representatives of Soviet troops stationed in the Baltics have told reporters that their military intended to sell off its property in the Baltics, including port facilities, in order to finance troop resettlement to the East.⁵⁹ Other commentators have suggested that these facilities could be put to a number of productive purposes, including extending civil transport networks, ecological monitoring, and (after remodeling) use as tourist attractions.⁶⁰

The status of the Baltic merchant fleet has also changed dramatically within the past year. The Estonian, Latvian, and Lithuanian Shipping Companies were transferred in toto from the Soviet Ministry of the Maritime Fleet to become property of the Baltic states. While individual vessels are still in the process of reflagging, an estimate of the current inventories of these lines indicates totals of approximately seventy-six, ninety-four, and thirty-six ships respectively.⁶¹ The fleets operate merchant vessels of virtually every type, including general and refrigerated cargo ships, timber carriers, roll-on/roll-off vessels (RO/ROs), oil

tankers, and passenger carriers. Management of the merchant fleets and associated capital assets has reportedly been assigned to newly established maritime departments within the Baltic ministries of transport.

The former Soviet Ministry of the Maritime Fleet and now the Russian republic have clearly recognized that trade-flow patterns dictate continued access to the Baltic ports and to the independent Baltic shipping companies. Shortly after transfer of the Baltic merchant fleets, a deputy minister of that agency characterized the mutual interest in continued transport cooperation: "The transfer of the maritime transport enterprises located in the Baltic area, in the Ukraine, and in Georgia, to the property of these states essentially deprives, let us say, the RSFSR. . . and most of the other republics of an outlet to the Baltic and Black Seas, or restricts it—as compared with the former established procedure. On the other hand, that same Georgia, Baltic area or Ukraine has at its disposal ships and ports which several times exceed its own needs and, which is very important, have been created through funds from all the republics."⁶² Future cooperation is envisioned as grounded in "market relations" and "market structures" rather than central planning and administration. The general crisis confronting the merchant shipping sector throughout the C.I.S., however, will make it difficult for many of these lines to realize a profit without significant investments of foreign capital and access to new hard-currency markets. This crisis has been most readily apparent in the continuing trends toward reflagging the merchant fleets to flags of convenience and hiring out sailors to foreign vessels.⁶³

After gaining control of their merchant marines, the Baltic states recognized that cooperation with other former Soviet shipping lines would be both necessary and natural, given their familiarity with and vestigial ties to these lines. Consequently, the Baltic state shipping companies have joined with the St. Petersburg and Karelian Lines in an association of Baltic shipowners.⁶⁴ The avowed intent of the new organization is "to promote the rational organization of sea carriages, to ensure the fleet's efficiency and to guarantee commercial success." Perhaps the most intriguing aspect is that the association "also includes the northwestern and White Sea-Onega inland water shipping administrations." Existence of a consortium of Baltic and inland water authorities raises the possibility of opening the heretofore closed 227-kilometer-long Baltic-White Sea inland canal system to non-Russian vessels and freight. In the past, Soviet jurists have argued that the inland waterways are internal waters and therefore closed to foreign traffic. Participation of the inland water shipping authority in the new Baltic Shipowners Association may cause reconsideration of the legal and commercial status of this water transport system. Further economic disruption of Russian inland water transport may also encourage broadened access for Western European and other shipping companies.⁶⁵ The Rhine-Main-Danube

canal, which connects the North and Black Seas, provides an example of the advantages of opening this type of system to international commerce.

Both eastward and westward-oriented approaches to maritime transport issues will be reinforced as a natural outgrowth of the reintegration of the Baltic states into regional trade and economic development systems. In one manifestation of this trend, a regional conference that resulted in the foundation of a "Union of Baltic Cities," comprising thirty-two cities in ten countries, stressed the importance of consolidating relations between ports bordering the Baltic Sea by strengthening traffic links and environmental cooperation.⁶⁶ The integration of the Baltic states into broader regional shipping networks and port management regimes may open opportunities for more efficient, profitable, and environmentally sound maritime transport links, and will certainly play a major role in furthering the economic development and overall security of the eastern shores of the Baltic Sea.

Delimitation of Maritime Borders

Upon secession from the Soviet Union, one of the first tasks that confronted the reborn Baltic states entailed a most basic of state-making requirements: definition of seaward borders and determination of territorial jurisdiction.⁶⁷ By November 1991, each of the Baltic states had commenced at least preparatory talks with the U.S.S.R. and Russia on territorial and other such fundamental issues. The stature of Soviet representation—former foreign minister E. Shevardnadze for talks with Lithuania, mayor of St. Petersburg Sobchak with Estonia, and presidential advisor Aleksandr Yakovlev with Latvia—reflected the perceived importance of these historic negotiations.⁶⁸ The talks were, predictably, sidetracked by the demise of the Soviet Union but continued first with C.I.S. and then, primarily, with Russian negotiating partners.⁶⁹ Discussions concerning territorial matters have already borne results. For example, Lithuania has concluded a treaty with Russia (July 1991) in which the parties committed themselves to agreements dealing with "the determination and use of border intracontinental waters, the continental shelf and the exclusive economic zone of the Republic of Lithuania and the Russian Soviet Federated Socialist Republic in the Baltic." This agreement focuses on the unique situation created by separation of the Kaliningrad district from Russia by the intermediary states of Lithuania and Belarus.⁷⁰

Independence for the Baltic states adds yet another level of complexity to what was already a highly differentiated system of national maritime border declarations and agreements (see table).⁷¹ Delimitation talks will be required at several levels. In the case of Estonia and Lithuania specifically, maritime borders must be confirmed or redefined with Russia. For all three new nations, bilateral agreements concerning the continental shelf and fishery zones with Finland,

Poland, and Sweden must be examined. The new states will ultimately need to negotiate their common borders among themselves in order to apportion their collective inheritance.

The question of territorial sea claims will probably be addressed first. Prior to annexation by the Soviet Union, which itself eventually established a twelve-mile limit, each of the Baltic states claimed a three-nautical-mile territorial sea. While they will probably adopt a twelve-nautical-mile territorial sea in accordance with the Final Act of the 1982 Third United Nations Conference on the Law of the Sea (UNCLOS III) and prevailing international practice, it is conceivable that they may temporarily revert to claims of three-nautical-mile breadth as part of a general expunging of all remnants of legislation from the Soviet era. Although the Baltic states have yet to declare intent to become parties to the 1982 convention, they will surely turn to its relevant articles for guidance when drafting legislation to define their respective claims. In addition, they are likely to take note of the recent Joint Statement by the United States of America and the Union of Soviet Socialist Republics which resolved earlier disputes concerning the rights of coastal states in regulating innocent passage within their territorial seas.⁷²

The continental shelf in the eastern Baltic holds commercially valuable deposits of oil, phosphorite, glauconite, ferromanganese nodules, amber, sand, and till (a clay substratum containing sand and gravel).⁷³ Prior to its breakup, the Soviet Union had also concluded a series of continental shelf boundary demarcation agreements with its Baltic littoral neighbors. Agreements were concluded with Finland in 1965 and 1967 concerning allocation of the continental shelf in the Gulf of Finland and the northeastern Baltic respectively,⁷⁴ and with Poland in 1969 concerning the Gulf of Gdansk and the southeastern Baltic.⁷⁵ Not until 1988, when Sweden and the U.S.S.R. agreed on principles for delimiting their sea areas in the Baltic, and June 1989, when Sweden and Poland defined the continental shelf tripoint (i.e., where Polish, Soviet, and Swedish claims met), could the Sweden-U.S.S.R. continental shelf boundary be regarded as reasonably settled.⁷⁶ While it is likely that the new Baltic states will accede to treaty commitments in the case of borders with Finland, exploiting the economic potential of seabed resources in areas in which Poland and Sweden are also interested could bring complications. Further, there is no mechanism for accession to or renegotiation of predecessor state (Soviet) continental shelf boundary agreements because of fragmentation of Soviet waters into areas presumably under the jurisdiction of four states—the Baltic states and Russia. Whether the Baltic states will address the status of continental shelf boundaries negotiated by the predecessor state within a bilateral or multilateral framework also remains to be seen.

Finally, the status of existing conventions concerning Exclusive Fishery Zone (EFZ) and Exclusive Economic Zone (EEZ) delimitation in the Baltic has also

**Present Baltic Sea Claims
(in nautical miles)**

Territorial Seas

Denmark	3
Finland	4
Germany	3
Poland	12
Sweden	12
(U.S.S.R.)	12)

Exclusive Fishery Zones

Denmark	200
Finland	12
Germany	200
Poland	200
Sweden	200

Continental Shelf

Denmark	200
Finland	200
Germany	200
Sweden	200
(U.S.S.R.)	200)

Exclusive Economic Zone

(U.S.S.R.)	200)
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been called into question by the secession of the Baltic states.⁷⁷ In 1984, the Soviet Union superseded previous legislation establishing a Baltic EFZ with a general declaration of claims to a two-hundred-nautical-mile EEZ, but the confined nature of the Baltic required clarification of its application there.⁷⁸ The U.S.S.R. reportedly assured Denmark that the EEZ's enabling act did not apply to the Baltic, where limits and boundaries were to be determined in bilateral negotiations with opposing and contiguous neighbors.⁷⁹ In all likelihood, the Baltic states too will move to adopt individual EEZs, defined in accordance with the terms of UNCLOS III and negotiated through bilateral negotiations with

neighboring states and among themselves. The first indication that this would in fact be the case appeared on 10 December 1991 when Estonia passed a law establishing its EEZ; reportedly, it states that "the border of the republic's economic zone beyond its territorial waters in the Baltic Sea and the Bay [*sic*] of Finland will run along the Soviet Union's former economic border with Sweden and Finland; in respect to Latvia and Lithuania, it will be established under special treaties."⁸⁰

As to state agreements inherited from the Union, the Baltic states have the option of acceding to the U.S.S.R.'s maritime treaty commitments or abrogating them in a devolution agreement, as allowed under customary international law.⁸¹ As successor states, they could choose to begin their international relations with a clean slate; alternatively, because their forcible annexation gave rise to widespread nonrecognition of the Soviet *de jure* government, they could argue that pre-1940 treaty relations remain in effect. Available evidence suggests that the Baltic states have in fact chosen to regard all legal structures and treaty commitments from the Soviet era as invalid offspring of the illegitimate incorporation of the Baltic states in June 1940. Consequently, they have argued that Latvia, Lithuania, and Estonia never completely lost their legal personalities or their corresponding rights and obligations.⁸² Having extricated themselves from the Union, the Baltic states have since resorted to bilateral treaties with other republics of the former Soviet Union to establish basic state-to-state and trade relations, bypassing all central organs of the C.I.S. In fact, Russia itself led the way in forging new treaty relations and facilitated the Baltic independence process through explicit recognition of their independent status.⁸³ In several cases the Baltic governments have resurrected laws in effect during the inter-war period of independence, relying upon these documents for baseline statutory and constitutional guidance.⁸⁴

Regional Economic and Political Integration

Finally, there have been a number of important moves toward regional economic and political integration entailing a significant maritime dimension and, in part, shaping the emerging security environment. These initiatives will be facilitated by a legacy of regional cooperation on environmental protection and resource management, issues which may serve as models for building cooperative relations in political, economic, and security realms.⁸⁵ Having achieved independence, the Baltic states realize that on the world political and economic stage they will be insignificant and vulnerable to domination unless engaged in cooperative bilateral and multilateral security structures and trade relationships. The establishment of a consultative Baltic Council in which they may pool their collective influence and speak with one voice represented the first manifestation of this realization. It has been a multitiered approach, ranging

from establishment of a Baltic Customs Union to closer coordination between the Baltic Council and Nordic Council, through creation of a Baltic-Black Sea Association and possibly a Council of Baltic Sea Countries.⁸⁶ The associational movement has been swift and wide-ranging, but the outlines of the resultant political and economic relationships are only now emerging. The Baltic states found themselves in a no-man's land and have skillfully chosen courses that foreclose few options. They are instead exploring consultative, observer, and membership relationships with a varied spectrum of organizations in both the East and the West.⁸⁷ The engine driving the search for new relationships is a desire to "Return from the East." To where? In what form? These questions remain unanswered.⁸⁸

The Baltic states have probably pursued two primary objectives in courting and being courted by regional and international regimes. First, membership and formal relations serve to demonstrate that they possess all the attributes of independent states under international law and in the eyes of the world community, a fact that serves as insurance in sensitive negotiations with Russia and the C.I.S. Second, they may be using their entrée to these organizations to facilitate the process of regularizing relations with the C.I.S. and other successor states. Integration into these institutions implicitly provides a counterweight to the East, and offers low-threat instruments for conflict resolution, articulation of interests, and leverage in their continuing extrication from C.I.S. or Russian domination.

The Baltic states may once again play the role of a link between East and West, at many different levels of regional and international interaction. That role could take many forms: a commercial window on the West for Russia; a facilitator of technology transfer to the East; or, a testbed for democratic and free-market institutions that might be adopted subsequently in territories of the former Soviet Union. Predictably, eastward-oriented relationships have focused on maintenance of critical bilateral economic relations with other republics while bypassing remaining central organs. If allowed to play such a connecting role, the independent Baltic states are positioned to become "a special economic zone, a bridge between the East and the West," and will seek to adapt structures to facilitate "economic openness to Western and Eastern markets."⁹⁰

On another level, the Baltic states are participating in the redefinition of Central Europe which has been underway since the rise of Solidarity in the early 1980s and which gained increasing momentum with the reunification of Germany and collapse of the Warsaw Pact.⁹¹ The West needs to be especially attuned to developments in what has been termed, to reflect the changed circumstances in what was the Soviet west, "Far Eastern Europe."⁹² Paradoxically, it was the rejuvenation of nationalism that to a large degree gave rise to effective independence movements; however, that very world-view could impede the search of the new Baltic states for avenues by which to reintegrate

themselves into Western political, economic, and security structures. In this regard, Rudolf Kucera, of Charles University in Prague, maintains that "it is open societies that have the best prospects for the future—societies that attract various economic, political and cultural activities; that coordinate, synthesize, and then export the fruits of these activities. Closed societies that jealously defend their own national possessions and malign the surrounding world do not have a rosy future."⁹³

As in other Eastern and Central European states, the degree to which the political leadership succeeds in funneling nationalistic energies into socio-economic development and regional integration will largely determine the long-term viability of the independent Baltic states. If receptive to opportunities in the East and West, they can again become a bridge, and mediators of conflict, as they were while components of the Russian Empire, thereby enhancing the security environment. If they become mired in self-absorbed debates and uncooperative relationships, however, they will surely fall under the domination of the next power to exert its influence along the shores of the Baltic Sea.

"The Rewards of Timely Engagement"

The trends highlighted above, resulting directly or indirectly from the restoration of the Baltic states' independence, have produced an environment generally favorable from the perspective of maritime powers such as the United States. The regional security situation has improved dramatically, and, barring the outbreak of civil war in the former U.S.S.R., positive steps toward greater security may yet be achieved. Now-outdated concepts such as establishment of "Standing Naval Forces Baltic and Norwegian Sea" might be refashioned to reflect cooperative rather than competitive maritime engagement.⁹⁴ Should the concept of a nuclear weapons-free zone reemerge, it will probably take the form of an incremental regime with limited security objectives. As to maritime boundary delimitation processes, it is likely that the declaratory portions of UNCLOS III will serve as the basis for bilateral and multilateral efforts. There are no indications of intention to restrict customary rights of innocent passage, and increased access may well result from the fact that these new states will require foreign assistance to exploit and manage their ocean resources. The *mare clausum* concept and exclusionary straits regimes have not been furthered by political developments in the region. Opportunities for increased access to Baltic ports, shipping lines, and perhaps even to the inland waterway network of the former U.S.S.R. could enhance the importance of the region in maritime commerce. Finally, the trend toward increased regional economic and political integration, if continued, will enfold the Baltic states within a more stable security environment and facilitate their further development.

It is demonstrably in the interests of Western maritime powers to strive, within the present window of opportunity, to encourage and facilitate the successful reintegration of the Baltic states. The alternative—wherein regional states come to feel threatened, exploited, or neglected—could be a return to exclusionary maritime regimes. This is one area in which the remarkable and historic shift in the European balance of power can be most effectively anchored. Setting aside such factors as the reemergence of a united and powerful Germany, successful integration of the new Baltic states within liberal democratic and free-market security structures will provide low-cost yet extremely potent insurance against the return of hegemonic domination of Central Europe. At the same time, Western efforts must be conducted in a framework of engagement with the other elements of the former Soviet Union to ensure that they do not come to regard the West as threatening their own vital security interests. Negotiating this narrow passage will require both skill and sensitivity to the security interests of all parties—but at no time since 1939 have the potential rewards of timely engagement been greater.

Notes

1. The U.S.S.R. State Council recognized the independence of the Baltic republics on 6 September 1991 and set up a system of negotiations between the central authority and the Baltic states, and with the Russian and Belarus SSRs. See *The Current Digest of the Soviet Press*, v. 43, no. 36, 1991, p. 9. For additional details, see Leonard Geron, "Roads to Baltic Independence," *The World Today*, August-September 1991, pp. 135-138. For historical perspective on the Baltic independence movements, see Walter C. Clemens, Jr., *Baltic Independence and Russian Empire* (New York: St. Martin's, 1991) and Jan Arveds Trapans, ed., *Toward Independence: The Baltic Popular Movements* (Boulder, Colo.: Westview, 1991).
2. "Landsbergis Reiterates Stance," Radio Vilnius International Service, U.S. Joint Publications Research Service (hereafter JPRS), JPRS-TAC-91-025 (Washington: 24 October 1991), p. 44.
3. "On Basic Principles of Relations Between the Baltic Council Countries and the CIS Countries," (Vilnius) *Ekho Litvy*, Foreign Broadcast Information Service (hereafter FBIS), FBIS-SOV-92-010, 15 January 1992, p. 8.
4. "Soviet Commander Views Deadline," Tass, JPRS-TAC-91-025 (Washington: 24 October 1991), p. 47. The Baltic Council is a consultative framework wherein the presidents and senior government officials of the three Baltic states meet to discuss issues of mutual interest and to coordinate joint action. A joint declaration of May 1990 renewed the Baltic Entente (1934) and restored its Council.
5. See "Defense Ministry Spokesman on Timetable," (Moscow) BaltFax, JPRS-TAC-91-025 (Washington: 24 October 1991), p. 48. See also "Insists on Troops Leaving by New Year," BaltFax and *Krasnaya zvezda*, "Defense Minister on Withdrawal from Baltics, Moldova," JPRS-TAC-91-024 (Washington: 18 October 1991), p. 59; V. Litovkin, "Paratroopers Will Leave Lithuania. The Question Is, When?" *Izvestiya*, in *The Current Digest of the Soviet Press*, v. 43, no. 38, 1991, p. 33; FBIS-SOV-92-008, 13 January 1992, p. 11, quoting Radio Moscow World Service; FBIS-SOV-91-240, 13 December 1991, p. 33, translating U.S.S.R. Defense Ministry Press Center, "Group Instead of District," *Krasnaya zvezda*; and FBIS-SOV-91-232, 3 December 1991, p. 53, translating Tass. On the implications of transitioning withdrawal negotiations from bilateral talks with the U.S.S.R. to Russia, see FBIS-SOV-91-238, 11 December 1991, p. 35, quoting Radio Vilnius and FBIS-SOV-91-239, 12 December 1991, p. 30, quoting BaltFax. On Soviet/Russian-Lithuanian talks, see FBIS-SOV-91-214, 5 November 1991, pp. 41-42, quoting Tass and FBIS-SOV-91-235, 6 December 1991, pp. 46-47, translating Radio Vilnius. On Estonian-Russian withdrawal talks, see FBIS-SOV-92-010, 15 January 1992, pp. 81-82, translating (Moscow) Radio Rossii. On Latvian-Russian talks, see FBIS-SOV-91-235, 6 December 1991, pp. 44-45 translating Radio Riga and FBIS-SOV-92-008, 13 January 1992, pp. 68-69, quoting Radio Riga International and BaltFax.

6. On the proposal that Nato fund resettlement costs, see FBIS-SOV-91-245, 20 December 1991, p. 28, translating Radio Vilnius. The Estonia declaration was reported in FBIS-SOV-91-237, 10 December 1991, p. 38, quoting BaltFax.

7. V. Streltsov and V. Urban, "Estonia: What Status Will Our Troops Have?" *Krasnaya zvezda*, JPRS-TAC-91-025 (Washington: 24 October 1991), pp. 45-46.

8. "Withdrawal to be Negotiated," BaltFax, JPRS-TAC-91-025 (Washington: 24 October 1991), p. 49. For additional indicators that the withdrawal is well underway, see "Interior Ministry Troops Begin Withdrawal," FBIS-SOV-91-239, 12 December 1991, pp. 32-34, translating Radio Vilnius International Service.

9. "Plans for Air Defense Forces Withdrawal Under Way," BaltFax, JPRS-TAC-91-024 (Washington: 18 October 1991), p. 59.

10. "Agreement in Principle Reached," BaltFax, JPRS-TAC-91-025 (Washington: 24 October 1991), pp. 46-47.

11. Soviet soldiers stationed in the Baltics have formed "Councils of Officers" to ensure their interests are respected in the relocation process. One officer threatened to "freeze any order from the center on the withdrawal of the USSR armed forces from the Baltic states if the problems of soldiers' housing and payment of pensions is not settled beforehand." See FBIS-SOV-91-227, 25 November 1991, p. 58, translating Radio Riga International.

12. See Michael T. Rothenburg, "A Primer on Republican Military Forces," *FSRC Analytical Note*, 9 October 1991, p. 3. On Estonian armed forces and arms transfers, see V. Vladimirov, "A Ministry Is Next," *Krasnaya zvezda*, in FBIS-SOV-91-232, 3 December 1991, p. 54; FBIS-SOV-91-239, 12 December 1991, pp. 30-31, quoting Tass; FBIS-SOV-92-005, 8 January 1992, p. 8, quoting Baltfax; FBIS-SOV-91-237, 10 December 1991, p. 39, quoting BaltFax. On the Lithuanian military, see FBIS-SOV-91-234, 5 December 1991, p. 40, quoting Radio Vilnius and FBIS-SOV-91-233, 4 December 1991, p. 43, quoting BaltFax. On the Latvian defense concept, see M. Ziyeminsh, "Latvia. T. Jundzis: 'Of course, I Served in the Soviet Army. . .,'" *Krasnaya zvezda*, in FBIS-SOV-91-232, 3 December 1991, pp. 56-57.

13. FBIS-SOV-91-238, 26 November 1991, p. 47, quoting Tass.

14. FBIS-SOV-91-228, 26 November 1991, p. 48, quoting BaltFax.

15. For details of initial offers and requests for military support, see FBIS-SOV-02-010, 15 January 1992, p. 84, quoting Radio Vilnius (on Polish readiness to assist Lithuania in building military forces); FBIS-SOV-92-006, 9 January 1992, p. 80, quoting Tass (on German assistance to Lithuania in troop management); and Olav Trygge Storvik, "Lithuania Wants Help With Its Defenses," (Oslo) *Aftenposten*, in FBIS-SOV-91-234, 5 December 1991, pp. 39-40. See the Norwegian denial of military assistance in FBIS-SOV-91-231, 2 December 1991, p. 35, quoting Tass.

16. "Latvian Council to Monitor Soviet Military Installations," Radio Riga, JPRS-UMA-91-025 (Washington: 16 October 1991), p. 11.

17. FBIS-SOV-91-228, 26 November 1991, p. 46 and FBIS-SOV-91-237, 10 December 1991, p. 39, quoting BaltFax. Latvia and Lithuania too have been concerned about "illegal" removal of arms and military property. See FBIS-SOV-92-008, 13 January 1992, p. 69, quoting BaltFax and K. Uspila, "Who Is Owner of Soviet Army's Property?," *Krasnaya zvezda*, in FBIS-SOV-91-235, 6 December 1991, p. 46.

18. "Menatep Buying Up Army Property in the Baltic," *Krasnaya zvezda*, FBIS-SOV-91-216, 7 November 1991, p. 42.

19. FBIS-SOV-91-228, 26 November 1991, p. 51, quoting BaltFax.

20. FBIS-SOV-91-228, 26 November 1991, p. 50, translating Radio Vilnius.

21. FBIS-SOV-91-219, 13 November 1991, p. 46, translating Radio Tallinn. See also S. Guk, "Troop Withdrawals From Baltic States Could Begin Before 1994," *Izvestiya*, in FBIS-SOV-91-245, 20 December 1991, pp. 28-29, and FBIS-SOV-92-006, 9 January 1992, p. 80, quoting BaltFax.

22. See, for example, FBIS-SOV-92-005, 8 January 1992, p. 79, translating Radio Tallinn; FBIS-SOV-92-008, 13 January 1992, p. 68, quoting BaltFax; and a possible food-for-fuel barter arrangement in Latvia reported in FBIS-SOV-92-008, 3 January 1992, p. 69, translating Radio Riga International.

23. See International Institute for Strategic Studies (hereafter IISS), *The Military Balance 1990-1991* (London: Brassey's, 1990), pp. 28-29, 36-40.

24. "Prime Minister, Fleet Commander Meet," BaltFax, JPRS-TAC-91-025 (Washington: 24 October 1991), p. 45.

25. FBIS-SOV-91-219, 13 November 1991, pp. 49-50, quoting BaltFax.

26. "Decree of the USSR President: Decree on the Baltic Military District," *Krasnaya zvezda*, in FBIS-SOV-91-228, 26 November 1991, p. 45.

27. The discussion draws on C. Nils-Ove Jansson, "The Baltic: A Sea of Contention," *Naval War College Review*, Summer 1988, pp. 47-61; John E. Moore, "The Complex Seascape of the Baltic Becomes More Interesting," *Defence and Foreign Affairs*, December 1990, pp. 14-17; Richard Sharpe, ed., *Jane's Fighting Ships*

1988-1989 (London: Jane's, 1988), pp. 543-544; and IISS, *The Military Balance 1990-1991 and Strategic Survey 1990-1991* (London: Brassey's, 1990).

28. Quoted in Robert Waring Herrick, *Soviet Naval Theory and Policy: Gorshkov's Inheritance* (Newport, R.I.: Naval War College Press, and Washington: U.S. Govt. Print. Off., 1988), p. 123.

29. For a recent Soviet perspective on the transformation, see Dr. Andrei Kokoshin, "Uncertainties Face Defense Budget and the Armed Forces of the Soviets," *The Officer, Reserve Officers Association National Security Report*, December 1991, pp. 28-30. ("Admiral Gorshkov's blue water navy will not be a future requirement" (p. 30).) The disintegration of combat potential has accelerated since the formation of the C.I.S.

30. It is interesting to note that the leaderships of the Baltic states are keenly aware of the uncertain nature of the present security situation in Central Europe, and themselves speak of a "security vacuum." See, for example, Mikael Holmstrom, "Balts Fear New Coup," (Stockholm) *Svenska Dagbladet*, FBIS-SOV-91-232, 3 December 1991, p. 54. Several Baltic leaders proposed the dispatch of U.N. peacekeeping troops to their state to ensure security against the C.I.S. Northwestern Group of Forces. See S. Guk, "Troop Withdrawals From Baltic States Could Begin Before 1994," *Izvestiya* and Radio Tallinn, in FBIS-SOV-91-245, 20 December 1991, pp. 28-30.

31. Mogens Espersen, *The Baltic: Balance and Security* (Copenhagen: The Information and Welfare Service of the Danish Defense, 1982), pp. 6-8.

32. This discussion is drawn from Gene Glenn, "The Swedish-Soviet Territorial Sea Controversy in the Baltic," *American Journal of International Law* (hereafter AJIL), v. 50, 1956, pp. 942-949; William E. Butler, "The Legal Regime of Russian Territorial Waters," AJIL, v. 62, 1968, pp. 51-65; William E. Butler, *The Law of Soviet Territorial Waters: A Case Study of Maritime Legislation and Practice* (New York: Praeger, 1967), pp. 19-26, 71-74; Kazimierz Grzybowski, "The Soviet Doctrine of Mare Clausum and Policies in Black and Baltic Seas," *Journal of Central European Affairs*, v. 14, 1955, pp. 339-353; Lewis M. Alexander, *Navigational Restrictions Within the New LOS Context: Geographical Implications for the United States* (Washington: Defense Supply Service, 1986), pp. 67-69; and Gunnar Alexandersson, *The Baltic Straits* (The Hague: Martinus Nijhoff, 1982), pp. 78-90. Alexander identifies the criteria relevant to determining whether a sea could be considered closed as: "(1) that the water body is semi-enclosed by land; (2) that there are comparatively narrow entrances to the sea; (3) that there are a limited number of States bordering on the body; (4) that there is an absence within it of international (as opposed to regional) maritime routes; and (5) that the sea is rendered closed by the concurrence of all the coastal States which border the area." (p. 68)

33. The history of twentieth-century efforts to apply a closed-sea regime in the Baltic may be sketched briefly. In 1924, the Soviet representative to the Rome Conference on Naval Disarmament demanded that "the Black and Baltic Seas should be made inaccessible to the warships of all powers except those of the littoral states." With limited power in the Baltic and no second-party support, the Soviet demand went unheeded. Not until 1940 did the U.S.S.R. secure significant frontage on the Baltic, through the Treaty of Moscow imposed as a consequence of the Finno-Soviet War. A corresponding legal construct evolved from a 1948 treatise by B.A. Dranov on the subject of the Black Sea Straits. Soviet jurists have since referred to precedents in historic treaties and Denmark's ability to impose "Sound Dues" from 1429 to 1847 to demonstrate that the Baltic was long regarded as a *mare clausum*. For a fuller discussion, see Butler, *The Law of Soviet Territorial Waters*, Grzybowski, p. 344, and Alexandersson, p. 89.

34. For additional information on the special regime obtaining for the Straits, see Alexandersson, pp. 63-90 and 105-116, and Alexander, *Navigational Restrictions*, pp. 114-118, 140-142, 180-181, and 266-275.

35. Of course, Soviet jurists and policy makers came to regard the *mare clausum* as a dead issue, inconsistent with customary international law and declaratory portions of UNCLOS III. A Soviet professor of international law recently described this sea change: "Until now Soviet thinking on UNCLOS was dominated by military and political priorities. The Soviet navy's relative weakness created a defensive approach, which expressed itself during the last century in attempts to limit uncontrolled access to adjacent seas. The 'closed sea' regime was established, restricting passage through the straits or any effort to establish control over the straits. . . . The Soviet state inherited this defensive approach from its Tsarist predecessor, and later used it in a desire to 'lock itself' within the adjacent seas. . . . Now, the antagonism of the Cold War is (almost) removed. Presently, other perspectives emerge, based on a respect for the universal interests of humanity." Yuri G. Barsegov, "The USSR and the International Law of the Sea," *Oceanus*, Summer 1991, pp. 36-37.

36. With the possible exception of a resurgent Germany that might come to dominate Central Europe once again.

37. The first proposal of note involving a Central European denuclearized zone was offered by foreign minister Rapacki of Poland in an address to the U.N. General Assembly in 1957. President Kekkonen of Finland proposed in 1963 a Nordic NWFZ that still forms the basis for continuing discussion of regional proposals. In 1975, the Swedish diplomat Anders Thunborg proposed a "safety belt" approach to NWFZs, wherein "nuclear powers should remove from this safety belt such nuclear weapons as become superfluous with the creation of a NWFZ, i.e., weapons whose targets are within the zone." In response to the 1978 Conference on Security and Co-operation in Europe (C.S.C.E.), Kekkonen proposed a comprehensive regional

arms control regime to include an NWFZ, and encompassing the Baltic Sea. In the forum of the 1986 U.N. Conference on Disarmament, Bulgaria introduced a proposal on behalf of the Warsaw Pact states to establish NWFZs in Europe, while in the General Assembly, Byelorussia, Czechoslovakia, Romania, Sweden, and the U.S.S.R. advocated an NWFZ for Northern Europe. For additional details, see Edwin Brown Firmage, "The Treaty on the Non-Proliferation of Nuclear Weapons," *AJIL*, v. 63, 1969, p. 715; Unto Vesa, "The Nordic Nuclear-Weapon-Free Zone: Purposes, Problems, Prospects," *Occasional Papers*, no. 21, (Tampere Peace Research Institute, 1982); Gerhard von Glahn, *Law Among Nations*, 6th ed. (New York: Macmillan, 1992), pp. 748-750; and *The United Nations Disarmament Yearbook*, v. 11 (New York: United Nations, 1987), pp. 187-188.

38. See Jozef Goldblat, *Agreements for Arms Control: A Critical Survey* (London: Taylor & Francis, 1982), p. 358 and United Nations Department for Disarmament Affairs, *The United Nations Disarmament Yearbook*, v. 11 (New York: United Nations, 1987), pp. 184-191.

39. Esperson, p. 39.

40. The proposal by Belarus was reported in "Belarusian Foreign Minister on Desire for NFZ," Tass, JPRS-TAC-91-024 (Washington: 18 October 1991), p. 63. For discussion of a proposed Baltic NWFZ, see FBIS-SOV-92-005, 8 January 1992, translating (Helsinki) Suomen Yleisradio, p. 79.

41. Despite high-level Soviet/C.I.S. assurances that all tactical nuclear weapons have been removed from the Baltic states, the issue remains unresolved for some commentators. See FBIS-SOV-91-235, 6 December 1991, p. 44, quoting BaltFax; FBIS-SOV-92-010, 15 January 1992, p. 81, translating Radio Rossii and Tass International Service.

42. "Fears Deployment of Nuclear Arms," Tass, JPRS-TAC-91-025 (Washington: 24 October 1991), pp. 44-45.

43. See the discussion in Pertti Joenniemi and Tapani Vaahoranta, eds., "Report on the Baltic Sea Workshop," *Occasional Papers*, no. 23, (Tampere Research Institute, 1983), pp. 11-13.

44. Information on ports has been drawn from Moore, "The Complex Seascape of the Baltic Becomes More Interesting" and Lloyd's of London, *Lloyd's Ports of the World* (Colchester, U.K.: Lloyd's, 1991), pp. 649-660.

45. See Map 9 at Alexandersson, p. 93, for estimated quantities of cargo handled in Baltic ports, in thousands of metric tons, for 1977.

46. Quoted in Albert N. Tarulis, "Baltic Ports: Soviet Claims and Reality," *The Baltic Review*, v. 24, 1962, p. 19.

47. Gediminas Pilaitis, "Whose Port Will Klaipeda Be?" JPRS-UPA-91-018 (Washington: 5 April 1991), pp. 30-31.

48. "Future of Lithuania's Port City of Klaipeda Viewed," JPRS-UPA-91-018 (Washington: 5 April 1991), pp. 30-31.

49. Tarulis, pp. 17-29.

50. In addition to Tarulis, see John Hiden and Patrick Salmon, *The Baltic Nations and Europe: Estonia, Latvia, and Lithuania in the Twentieth Century* (London: Longman, 1991), pp. 76-87.

51. A. Podans, "Black Gold and the Baltics," JPRS-USR-91-050 (Washington: 19 November 1991), pp. 16-17.

52. FBIS-SOV-91-214, 5 November 1991, pp. 42-43, translating Radio Vilnius International Service. See also FBIS-SOV-92-010, 15 January 1992, p. 82, quoting BaltFax.

53. FBIS-SOV-91-223, 19 November 1991, p. 46 and FBIS-SOV-91-227, 25 November 1991, p. 58, translating Radio Riga.

54. Latvia's minister of energy threatened just such a measure, reportedly stating, "If Russia cannot guarantee the minimum supplies for survival, Latvia will be forced to halt exports of Russian oil through Ventspils port." Irina Litvinova, "There Is Gasoline—But at a Price," *Izvestiya*, FBIS-SOV-91-219, 13 November 1991, p. 47.

55. FBIS-SOV-91-223, 19 November 1991, p. 44, translating Tass.

56. On the issue of offshore oil deposits, see Aarno Voipio, ed., *The Baltic Sea* (Amsterdam: Elsevier, 1981), pp. 105-107.

57. FBIS-USR-91-038, 11 October 1991, p. 15, quoting Kevin Probert-Ehaver, "Port of Tallinn Off to Good Start," (Tallinn) *The Baltic Independent*.

58. Radio Free Europe/Radio Liberty (hereafter *RFE/RL*), *RFE/RL Daily Report*, no. 186, 30 September 1991.

59. *RFE/RL Daily Report*, no. 219, 18 November 1991.

60. See, for example, Alexei Izyumov, "Cooperation in the Baltic Region," *Bulletin of Peace Proposals*, September 1991, pp. 271-279.

61. This estimate was arrived at by consulting Lloyd's of London, *Lloyd's Register: List of Shipowner's 1990-91* (London: Lloyd's 1990), pp. 731-733, and *Lloyd's Maritime Directory 1991* (Colchester, U.K.: Lloyd's,

1991), pp. 388-394. See also Leonid Levitsky, "Estonia and Russia Will Share Transport," Suomen Yleisradio, in FBIS-SOV-92-005, 8 January 1992, p. 79.

62. "How Long Will the Maritime Fleet Stay Alive?" JPRS-UEA-91-039 (Washington: 25 October 1991), pp. 91-92.

63. For a review of serious problems plaguing the merchant marine, see A. Milkus, "The Black Sea Without a Trump Card: The Merchant Fleet Risks Being Beaten in Today's Political Game," (Moscow) *Komsomolskaya pravda*, JPRS-UEA-91-037 (Washington: 26 September 1991), pp. 68-70. The author describes the transition to a market-based merchant fleet: "This is not a market, this a hell! . . . We are in a whirl, we buy ships by mortgaging our existing fleet. We set up mixed companies, after doing minor repairs on ships subject to being written off, transfer them to the mixed company, and raise a foreign flag over them. . . . Some two thousand seaman are already sailing under a foreign flag. . . . Almost 80 percent of what we earn is consumed in taxes."

64. FBIS-SOV-91-228, 26 November 1991, p. 45, translating Tass.

65. See the discussion of inland shipping in Bruno Bock and Klaus Bock, *Soviet Bloc Merchant Ships* (Annapolis, Md.: Naval Institute, 1981), pp. 60-63.

66. *RFE/RL Daily Report*, no. 181, 23 September 1991.

67. For a compilation of agreements demonstrating the historical development of the regime of the Baltic Sea, see Viktor Šebek, *The Eastern European States and the Development of the Law of the Sea* (Dobbs Ferry, N.Y.: Oceana, 1979), v. 2, chaps. 1, 2, and 5.

68. For additional details on the talks and positions, see FBIS-SOV-91-228, 26 November 1991, p. 50, translating Radio Vilnius; "Yakovlev, Parliamentarian Meet," BaltFax, JPRS-TAC-91-025 (Washington: 24 October 1991), p. 49; FBIS-SOV-92-227, 25 November 1991, p. 61, quoting Radio Vilnius; FBIS-SOV-91-218, 12 November 1991, pp. 33-34, quoting/translating (Moscow) InterFax, Tass, and BaltFax; FBIS-SOV-91-216, 7 November 1991, quoting InterFax and BaltFax. The first indication that maritime borders were on the agenda appeared in an agreement between Estonia and the U.S.S.R. ("Communique on the Meeting Between the Head of the Committee for Operational Management of the USSR Economy, Chairman of the RSFSR Council of Ministers, and the Chairman of the Estonian Republic Government," (Tallinn) *Estoniya*, in FBIS-USR-91-047, 7 November 1991, pp. 6-7), wherein they agreed to set up joint working commissions to draft instruments relating to a number of subjects including "the question of determining the land and water state borders between the Russian Soviet Federated Socialist Republic and Estonian Republic, procedure for the use of territorial waters and the Baltic Sea economic zone, and other border matters, and to draw up draft agreements on these prior to the end of 1991" (p. 7). See also E. Kuus, "Present Economic Border Cannot Be a Political Solution," (Tallinn) *Koit*, in FBIS-USR-91-045, 1 November 1991, pp. 4-5. The author predicts the need for resolution of Estonian border issues with Latvia and Finland and the regulation of associated international waters.

69. See FBIS-SOV-91-231, 2 December 1991, p. 35, quoting BaltFax; FBIS-SOV-91-237, 10 December 1991, p. 38, quoting/translating BaltFax and Radio Tallinn; FBIS-SOV-91-238, 11 December 1991, p. 32, translating Radio Vilnius; and FBIS-SOV-91-240, 13 December 1991, p. 37, quoting BaltFax. Border delimitation negotiations have probably been placed on the back burner until negotiations on withdrawal of C.I.S. forces have been concluded.

70. FBIS-USR-91-028, 6 September 1991, pp. 17-19, translating *Ekho Litvy*.

71. For current claims in the Baltic, see Barbara Kwiatkowska, *The 200 Mile Exclusive Economic Zone in the New Law of the Sea* (Dordrecht, Neth.: Martinus Nijhoff, 1989), especially Appendix I, which cites relevant national legislation; Robert W. Smith, *Exclusive Economic Zone Claims: An Analysis and Primary Documents* (Dordrecht, Neth.: Martinus Nijhoff, 1986); and Office of the Geographer, "National Claims to Maritime Jurisdiction," *Limits in the Seas* (hereafter LITS), no. 36 (Washington: U.S. Govt. Print. Off., 1981).

72. That statement confirmed evolving modifications to Soviet policy such that prior notification was no longer required for the conduct of innocent passage by foreign warships and that restrictions on the right of warships to conduct lateral innocent passage were abandoned. Prior to this U.S.-Soviet agreement on the "Uniform Interpretation of Rules of International Law Governing Innocent Passage," foreign warships exercising the right of innocent passage in the Baltic were restricted by Soviet policy to prescribed routes. See Lawrence Juda, "Innocent Passage by Warships in the Territorial Seas of the Soviet Union: Changing Doctrine," *Ocean Development and International Law*, v. 21, 1990, pp. 111-116 and "Rules for Navigation and Sojourn of Foreign Warships in the Territorial Waters (Territorial Sea) of the USSR and the Internal Waters and Ports of the USSR," Art 12(1), *International Legal Materials* (hereafter ILM) v. 24, 1985, pp. 1715-1722.

73. See U.S. Congressional Committees on Commerce and National Ocean Policy, *Soviet Oceans Development* (Washington: U.S. Govt. Print. Off., 1976), pp. 492, 502, 505 and Voipio, pp. 105-117. The question of continental shelf delimitation with Poland and concerning the Russian zone lying off the Kaliningrad district could prove especially fraught with conflict because of renewed interest in potential exploitation of the oil deposits located under the seabed of the southeastern Baltic. For the same reason, it is highly unlikely that the Baltic states will accede to the Declaration on the Continental Shelf of the Baltic Sea, signed in 1968 by the U.S.S.R., Poland, and the erstwhile German Democratic Republic. Article 9 of that

convention prohibits the deeding of seabed parcels to non-Baltic littoral entities. See Šebek, v. 2, chap. V.16, pp. 42-44. On "innovations," or aspects inconsistent with the 1958 Convention on the Continental Shelf in the declaration, see William E. Butler, "The Soviet Union and the Continental Shelf," *AJIL*, v. 63, 1969, pp. 103-107.

74. See Benedetto Conforti and Giampiero Francalanci, eds., *Atlante dei confini sottomarini* (Atlas of the seabed boundaries) (Milan: A. Giuffrè Editore, 1979); Agreement Between the Government of the Republic of Finland and the Government of the Union of Soviet Socialist Republics Concerning the Boundaries of Sea Areas and of the Continental Shelf in the Gulf of Finland (Helsinki, 1965, in force 1966), *LITS*, no. 16, 25 May 1970; and Agreement Between the Government of the Republic of Finland and the Government of the Union of Soviet Socialist Republics Concerning the Boundary of the Continental Shelf Between Finland and the Soviet Union in the North-Eastern Part of the Baltic Sea (Helsinki, 1967, in force 1968), *LITS*, no. 56, 19 October 1973. See also Agreement Between the Government of the Union of Soviet Socialist Republics and the Government of the Republic of Finland on the Demarcation of the Economic Zone, Fishing Zone, and the Continental Shelf in the Gulf of Finland and in the Northeastern Part of the Baltic Sea (Moscow, 1985, in force 1986), in William E. Butler, *The USSR, Eastern Europe and the Development of the Law of the Sea* (Dobbs Ferry, N.Y.: Oceana, 1983), booklet G.6.c.1 (issued September 1987).

75. Treaty Between the Polish People's Republic and the Union of Soviet Socialist Republics Concerning the Boundary of the Continental Shelf in the Gulf of Gdansk and the South-Eastern Part of the Baltic Sea (Warsaw, 1969, in force 1970), in *LITS*, no. 55, 19 October 1973, and Butler, *Development of the Law of the Sea*, booklet G.7, pp. 1-4.

76. Agreement Between the Kingdom of Sweden and the Union of Soviet Socialist Republics on the Principles for Demarcation of the Sea Areas in the Baltic Sea, in *ILM*, v. 27, 1988, pp. 695-697.

77. Most immediately, those with Finland and Sweden. For relevant documents, see: Agreement Between the Government of the Republic of Finland and the Government of the Union of Soviet Socialist Republics Regarding the Delimitation of the Areas of Finnish and Soviet Jurisdiction in the Field of Fishing in the Gulf of Finland and the North-Eastern part of the Baltic Sea (1980, in force 1980), in United Nations, Office for Ocean Affairs and the Law of the Sea, *The Law of the Sea: Maritime Boundary Agreements (1970-1984)* (New York: United Nations, 1987, pp. 35-37; and Agreement Between the Kingdom of Sweden and the Union of Soviet Socialist Republics on the Principles for Delimitation of the Sea Areas in the Baltic Sea, in *ILM*, v. 27, 1988, pp. 695-697. Seventy-five percent of the surface area was allocated to Sweden, twenty-five percent to the U.S.S.R. It also establishes quotas and allows for access to unused portions of the Total Allowable Catch (TAC) in each state's zone.

78. See Soviet legislation on the Exclusive Fishery Zone and Exclusive Economic Zone in Šebek, v. 2, chap. 1 and Butler, *Development of the Law of the Sea*, booklets F.1 - F.5.

79. Espersen, p. 32. Several aspects of Soviet law implementing the EEZ are generally regarded as inconsistent with the provisions of UNCLOS III and could prove problematic if carried over into the national legislation of the Baltic states. See Alexander, *Navigational Restrictions*, p. 92, and Robert W. Smith, pp. 35-37 (Table 7). The most important of these inconsistencies involves Article 13 of the Soviet legislation, which allowed the government latitude to regulate freedom of navigation and overflight. For the text of the decree, see Smith, pp. 417-423 and Butler, *Development of the Law of the Sea*, booklet F.2, pp. 1-14. Soviet edicts contained additional inconsistencies regarding the claim of "jurisdiction" over environmental protection within the zone and methods of calculating damages resulting from pollution. Interestingly, non-compliance with UNCLOS III provisions concerning the EEZ was recognized by leading Soviet jurists, who argued that Soviet legislation should be brought in line. See N.D. Koroleva and V.A. Kiselev, "Soviet Marine Pollution Legislation: Prevention of Pollution from Ships and the LOS Convention," *Marine Policy*, January 1991, pp. 49-54 and Barsegov, pp. 35-40. Maritime policy makers in the Baltic states will most likely recognize, as the Soviets came to recognize, that compliance with the norms established in the international regime governing EEZs yields dividends in rationalization of management of a common resource. This is especially true in the case of confined sea areas such as the Baltic.

80. FBIS-SOV-91-239, 12 December 1991, p. 31, quoting BaltFax.

81. Under the provisions of the 1978 Vienna Convention on Succession of States in Respect of Treaties. See *ILM*, v. 27, 1978, p. 1488 and United Nations, *Conference on Succession of States in Respect of Treaties: Official Records*, v. I-III (New York: United Nations, 1977-78), A/CONF.80/16 and Add.1 and Add.2 (although the latter is not yet in force).

82. For evidence that Baltic independence movements consistently planned to employ this legal tactic, see Marju Lauristin, "Estonia: A Popular Front Looks to the West," *Trapans*, pp. 145-151 (especially pp. 146-147). Historical nonrecognition of Soviet authority by external states lent legitimacy to this approach. Major powers such as the United States refused to recognize the transfer of sovereignty imputed to result from the absorption of the republics in 1940. There are, however, potentially untoward implications. First, claiming that legal extinction never occurred might open the way to claims that these states are therefore bound by all commitment and servitudes, or obligations, in effect at the time of annexation. In the case at least of Lithuania, maritime

territorial and commercial servitudes were imposed during the inter-war years which the government may not wish to reinvoke. Second, the fact that treaties governing the delimitation of continental shelves and EEZs did not exist during that period would mean that a considerable diplomatic effort would be required to negotiate those instruments afresh.

83. A. Protsenko, "Russia and Lithuania: Let's Start All Over Again," *Izvestiya*, in *The Current Digest of the Soviet Press*, v. 43, no. 30, 1991, pp. 23-24, discussing the "Treaty on the Principles of State-to-State Relations Between the Russian Soviet Federated Socialist Republic and the Lithuanian Republic." See also FBIS-SOV-91-234, 5 December 1991, p. 37, quoting BaltFax (Russian-Latvian Relations) and FBIS-SOV-92-010, 15 January 1992, p. 81, translating Radio Rossii (on Russian-Estonian interstate relations).

84. For a review of the political systems and status of the constitution-framing processes in each of the Baltic states as of late September 1991, see FBIS-USR-91-038, 11 October 1991, p. 3, quoting *The Baltic Independent*. Estonia reverted first to the constitution and statutes in effect in 1938. As an outgrowth of political maneuvering preceding bilateral negotiations with the U.S.S.R./Russia, two Baltic states even lodged territorial claims against Russia based on modifications to their pre-1940 borders. See Elmar Kuus, "Present Economic Border Cannot Be a Political Solution"; FBIS-SOV-91-228, 26 November 1991, p. 47, translating Radio Tallinn; FBIS-SOV-91-236, 9 December 1991, p. 29, quoting BaltFax (wherein Estonia eschews 1920 border provisions); Yu. Smulskiy, "Estonian Pechory? No Way, Say Residents of the Border Rayon," *Pravda*, in FBIS-USR-91-044, 29 October 1991, pp. 8-9; Decree of the Presidium of the Estonian Republic Supreme Council: On the Acknowledgement as Legally Invalid of the Acts of the Presidium of the Estonian SSR Supreme Soviet Concerning Border Questions, FBIS-USR-91-047, 7 November 1991, pp. 5-6, translating *Estoniya*; and "Territorial Claims on Russia," (Moscow) *Rossiiskaya gazeta*, in FBIS-USR-91-035, 1 October 1991, p. 14.

85. The Baltic states have inherited a positive legacy of regional cooperation on environmental protection and marine resource management issues that might serve as a model for extension of cooperative relationships into political, security, and economic realms. As Alexander and Boczek have demonstrated, marine issues may be particularly suited to regional as opposed to unilateral or bilateral approaches in the case of semi-enclosed seas like the Baltic. See Lewis M. Alexander, "Regionalism and the Law of the Sea: The Case of Semi-Enclosed Seas," *Ocean Development and International Law*, v. 2, no. 2, 1974, pp. 151-186; Lewis M. Alexander, "Regional Arrangements in the Oceans," *AJIL*, v. 71, 1977, pp. 84-109; and Boleslaw A. Boczek, "International Protection of the Baltic Sea Environment Against Pollution: A Study in Marine Regionalism," *AJIL*, v. 72, 1978, pp. 782-814. See also J.E. Corroz, "The Management of Living Resources in the Baltic Sea and the Belts," *Ocean Development and International Law Journal*, v. 4, no. 3, 1977, pp. 213-232; Bo Johnson, "The Baltic Conventions," *International and Comparative Law Quarterly*, no. 25, 1976, pp. 1-14; C. Odidi Okidi, *Regional Control of Ocean Pollution: Legal and Institutional Problems and Prospects* (Alphen ann den Rijn, Neth.: Sijthoff & Noordhoff, 1978), pp. 21-22, 140-163, 239-240; and Yu. A. Znamensky, "International Agreements of the U.S.S.R. on Fisheries," *Soviet Yearbook of Maritime Law*, v. 1 (Moscow: MorTekhInformReklama, 1984), pp. 19-30. For texts of the relevant treaties (1973 Law on Fishing and conservation of the Living Resources of the Baltic Sea and the Belts, and 1974 convention on the Protection of the Marine Environment of the Baltic Sea Area), see Šebek, v. 1, appendix C, pp. C8-C15, C16-C60. In the case of both conventions, the parties are Denmark, Finland, the former German Democratic Republic, the Federal Republic of Germany, Poland, Sweden, and the former U.S.S.R.

86. As envisioned, the Customs Union would create a regional bloc and eliminate intra-Baltic customs borders, allow for free flow of goods, currency, and individuals, guarantee citizens and other legal entities "equal rights for entrepreneurship," and exploit the dynamic resulting from liberalized trade and capital exchanges to foster integration into the Western market-based trade system. See Anneli Rõigas, "Six Joint Programs and a Customs Alliance Planned for the Baltic States," (Tallinn) *Rahva Haal*, in FBIS-USR-91-049, 13 November 1991, p. 1. Talks aimed at closer cooperation and joint action between the Baltic Council and the Nordic Council (a forum for consultation between Sweden, Norway, Denmark, Iceland, and Finland established in 1953) have been underway for some time. This process could ultimately lead to an expanded body encompassing the members of both councils. The nature of the organization, however, would probably remain consultative because of the very different perspectives on European security that have characterized the members of the Nordic Council. See Dalius Cekuolis, "V. Landsbergis Continues His Visit to Denmark," *Ekho Litvy*, in FBIS-USR-91-038, 11 October 1991, p. 1. For background on the Nordic Council and Nordic security perspectives, see Robert S. Jordan, ed., *Europe and the Superpowers: Perceptions of European International Politics* (Boston: Allyn and Bacon, 1971), especially Nils Andren, "The Special Conditions of the Baltic Subregion," chap. 8, and Johan Jørgen Holst, "From Arctic to Baltic: The Strategic Significance of Norway," *NATO's Sixteen Nations*, May/June 1991, pp. 23-35. Reportedly, an inter-parliamentary conference on prospects for a Baltic-Black Sea Association convened 23-24 November 1990 in Minsk, with representatives of the Ukraine, Belorussia, Latvia, and Lithuania. If implemented, with or without the addition of Russia, a Baltic-Black Sea confederation could create a new regional common market with vast hinterlands, oriented around Central Europe. See Zenon Poznyak, "Time to Tell the Truth," (Minsk) *Sovetskaya Belorussiya*, in

FBIS-USR-91-049, 13 November 1991, pp. 19-20. See also FBIS-SOV-91-245, 20 December 1991, pp. 29-30, quoting BaltFax.

87. Within the compass of three months, the three Baltic states had joined or established relationships with a long list of economic, political, security, and cultural organizations: the United Nations, the European Economic Community, the European Free Trade Association, the World Bank and International Monetary Fund, the European Bank for Reconstruction and Development, the Atlantic Assembly, the European Parliament, CSCE, Nato, Unesco, the International Labor Organization, and so forth. The Baltic states signed the Paris Charter on 6 December 1991. See FBIS-SOV-91-236, 9 December 1991, p. 29, translating Radio Vilnius.

88. The concept is borrowed from Edmund Mokrzycki, "The Legacy of Real Socialism and Western Democracy," *Studies in Comparative Communism*, June 1991, pp. 211-217. The author points out the symptoms, expressed in the terms "return to Europe" (i.e., flight from the East) and "Central Europe," of "looking not so much for new allies as for a new regional identity which is intended to replace the unwanted East European identity." (p. 211)

89. In one case, the Estonian foreign ministry reportedly delivered a note to the CSCE Center for the Prevention of Conflicts to protest perceived delays in commencement of troop withdrawal talks. See FBIS-SOV-91-223, 19 November 1991, quoting BaltFax. Another stark example arose in December 1991 in Vilnius when Baltic political leaders used a security forum sponsored by the North Atlantic Assembly to highlight the threat resulting from perceived central loss of control over Soviet forces stationed in the Baltics. See FBIS-SOV-91-245, 20 December 1991, p. 28, quoting BaltFax and translating Radio Vilnius.

90. Ruta Grineviciute, "Temporary Shelter in the Ruble Zone," (Vilnius) *Lietuvos Rytas*, in FBIS-USR-91-045, 1 November 1991, pp. 25-26, commenting upon the 1991-92 plan for economic and trade cooperation between the U.S.S.R. and Lithuania. The symbol of an East-West bridge is often evoked by supporters and critics of the independent Baltic states alike. For example, see Alexander Polyukhov, "When the Celebration Is Over," (Moscow) *New Times* (in English), no. 43, 1991, pp. 30-31; FBIS-SOV-91-235, 6 December 1991, translating (Hamburg) DPA; and Viktor Shirokov, "The Coming Year—Our Forecast," *Pravda*, in FBIS-SOV-92-005, 8 January 1992, p. 9.

91. Estonian foreign minister Meri has articulated this perspective most clearly, as evidenced by the coverage his remarks have received in the Russian press. See Ye. Grigoryev, "The Main Thing To Do Is Arm Ourselves," *Pravda*, in FBIS-SOV-91-238, 11 December 1991, p. 33.

92. Roman Szporluk, "The Soviet West—Or Far-Eastern Europe?" *East European Politics and Societies*, Fall 1991, pp. 466-482.

93. Rudolf Kucera, "The Conditions for Joining Europe," *Uncaptive Minds*, Fall 1991, pp. 15-17. "I also see a solution in the idea of Central Europe. . . . But . . . Central Europe's present structure is unacceptable. It must cease to exist as a product of World War I—that is, a conglomerate of small and medium-sized nation-states that are politically and economically uncooperative. If it doesn't, not only will it not be accepted by the West, but it will sooner or later fall under the sway of one or more of the nearby powers, as has already been the case several times in the past." (p. 17)

94. An analysis of the maritime security threat to the Baltic approaches, published in the early 1980s, effectively demonstrates how much the overall security environment has changed. See Jan Cody Gaudio, *The Maritime Security of the Baltic Approaches: NATO and the Warsaw Pact*, master's thesis, Naval Postgraduate School, Monterey, Calif.: 1983.

Ψ

A more annoying editorial difficulty arose out of the contributions by the Soviet authors. They gave us lifeless stuff, impossibly written.

Charles Scribner, Jr.
In the Company of Writers