

Molotov-Ribbentrop Pact: Challenging Soviet History

Heiki Lindpere





Heiki Lindpere, PhD, was born in 1949 in Tartu. He began his working life as the helmsman on a cargo ship, but his interest in law soon took him to Tartu University, where he graduated as a lawyer in 1976. Since then his activities as a jurist, teacher and practising lawyer have focused on international and maritime law. In 1989 he was consulted as an expert in international law by Estonian members of a special commission of the Soviet Congress, whose work is the subject of this book. He is currently a professor of civil maritime law at the Estonian Maritime Academy.

Molotov-Ribbentrop Pact: Challenging Soviet History

Foreword and Survey of the establishment and activities of the MRP commission of the Congress of the People's Deputies of the USSR

by Heiki Lindpere

Concerning the work of the MRP commission

by Igor Gräzin (with questions by Heiki Lindpere)

On the history of the Molotov-Ribbentrop Pact and my work for the commission

by Endel Lippmaa

Keeping faith with Estonia

by Edgar Savisaar

Interview with Professor Yuri Afanasyev

Yuri Afanasyev (with questions by Heiki Lindpere)

One pen and the truth: The news from Moscow

by Anneli Reigas

English-language translation

Toomas Hõbemägi

English-language editing

Justin Ions

Layout and design

Enno Piir

Printed by

Puffet Invest OÜ

This second edition and first English translation published 2009
by The Foreign Policy Institute, Islandi Väljak 1, Tallinn 15049
www.evi.ee

©2009 English translation, The Foreign Policy Institute

ISBN 978-9949-18-672-3

All rights reserved. No part of this book may be reprinted or reproduced or utilised in any form or by any electronic, mechanical, or other means, now known or hereafter invented, including photocopying and recording, or in any information storage or retrieval system, without permission in writing from the publishers.

Molotov-Ribbentrop Pact: Challenging Soviet History

Heiki Lindpere



EESTI VÄLISPOLIITIKA INSTITUUT
ESTONIAN FOREIGN POLICY INSTITUTE

2009

Contents

Foreword by Heiki Lindpere	7
I. Survey of the establishment and activities of the MRP commission of the Congress of the People’s Deputies of the USSR by Heiki Lindpere	16
1. The countdown begins	16
2. June 2 nd 1989: setting up the MRP commission	18
3. July 5 th : the session at the Estonian representation in Moscow	23
4. July 11 th and 12 th : further sessions at the Estonian representation	27
5. July 19 th : the session at the Central Committee of the CPSU	35
6. August 9 th : chairman Yakovlev loses control over the commission	39
7. November 4 th : the session at the Central Committee of the CPSU	42
8. December 14 th : the session in the Kremlin	45
9. December 23 rd and 24 th : Christmas in Moscow	47
10. Summary	51
II. The work of the commission in retrospect: Recollections and thoughts from some of the people involved	52
Igor Gräzin	52
Endel Lippmaa	67
Edgar Savisaar	80
Yuri Afanasyev	94
Anneli Reigas	100

III. Appendices

119

1. Transcript of the conversation between Molotov and German Ambassador Schulenburg on August 17 th 1939	119
2. Telegram from German Ambassador Schulenburg from Moscow to the German Foreign Office, August 19 th 1939	122
3. Hitler's telegram to Stalin, August 21 st 1939	124
4. Stalin's telegraphed reply to Hitler agreeing to receive Ribbentrop on August 23 rd	126
5. Ribbentrop's telegram from Moscow to the German Foreign Office, requesting Hitler's approval that Liepaja and Ventpils be recognized as part of the Soviet sphere of interest	126
6. Treaty of Non-Aggression between the Third German Reich and the Union of Soviet Socialist Republics	128
7. Report of German Ambassador Schulenburg to the Reich Foreign Minister regarding his conversation with Molotov, November 26 th 1940	130
8. Resolution of the Supreme Council of the Estonian SSR on the Molotov-Ribbentrop Pact	132
9. Members of the commission set up by the Congress of People's Deputies of the USSR on June 2 nd 1989 for giving a political and legal assessment of the 1939 Soviet-German Non-Aggression Treaty	134
10. Interview with Edgar Savisaar, People's Deputy and vice chairman of the MRP commission, June 1989	135
11. Report from People's Deputy E. Savisaar to the 12 th Plenary Session of the 11 th Supreme Council of the Estonian SSR, about the work of the MRP commission	138
12. Telegram from the MRP commission to M. Gorbachev	141
13. Statement of the members of the commission set up by the Congress of People's Deputies of the USSR for giving a political and legal assessment of the 1939 Soviet-German Non-Aggression Treaty	142
14. Statement made on behalf of the qualified majority of the commission set up by the People's Deputies of the USSR for giving a political and legal assessment to the 1939 Soviet-German Non-Aggression Treaty	144
15. Resolution of the MRP commission, December 14 th 1989	148
16. Chairman of the MRP commission Alexander Yakovlev's speech to the 2 nd Congress of People's Deputies, December 23 rd 1989	153
17. The speeches of Endel Lippmaa and Edgar Savisaar to the 2 nd Congress of People's Deputies of the USSR, December 23 rd 1989	167
18. A. Yakovlev's speech to the Congress of People's Deputies during the morning session, December 24 th 1989	169
19. Resolution of the Congress of People's Deputies of the USSR on the political and legal assessment of the 1939 Soviet-German Non-Aggression Treaty	173
20. Resolution of the Supreme Council of the Estonian Soviet Socialist Republic on the status of the Estonian state	176
21. Resolution of the Supreme Council of the Republic of Estonia on the independence of the Estonian state	177
22. Resolution of the State Council of the USSR on the recognition of independence of the Republic of Estonia	178

Foreword

Moscow's denunciation of the Molotov-Ribbentrop Pact during Christmas twenty years ago was a historic moment for all three Baltic States. However, there has been no comprehensive assessment or discussion of the role and importance of this achievement in the restoration of Estonia's independence. This book – the second and updated edition – attempts to fill that gap by bringing together all relevant documents and information, and by showing the significance of issues concerning the Molotov-Ribbentrop Pact in the process of restoring independence. Officially, that process began on March 30th 1990 with the resolution of the Supreme Council of the Estonian Soviet Socialist Republic concerning the statehood of Estonia (see Appendix 20) and was followed by a public referendum on March 3rd 1991 in which the Estonian people clearly expressed their will.

It was June 1991 and I had just returned from United States after studying ten months for a Master's Degree in Law in the UC Berkeley Boalt Hall School of Law. The prime minister of the Republic of Estonia, Edgar Savisaar, asked me to meet with him and urged me to write a book about the process, the pain and the struggle that led to Moscow's denunciation of the Molotov-Ribbentrop Pact (MRP).¹ Time was running out: the anniversary of the MRP on August 23rd was fast approaching. Nine days later, I handed over a manuscript that included interviews with People's Deputies Igor Gräzin and Endel Lippmaa and *Olion* published the book in time for the August deadline.

Without doubt, the December 24th 1989 resolution of the Congress of People's Deputies of USSR on the political and legal assessment of the 1939 Molotov-Ribbentrop Pact

1 Originally titled "Treaty of Non-aggression between the Third German Reich and the Union of Soviet Socialist Republics", the "Soviet-German Non-Aggression Treaty" and its secret protocols, also known collectively as the "Molotov-Ribbentrop Pact", "Soviet-Nazi Pact" or "Hitler-Stalin Pact", is commonly known in Estonia simply as the "MRP". In some contexts, for example Soviet communications prior to official acknowledgment of the existence of the secret protocols, the term "Soviet-German Non-Aggression Treaty" principally implies the explicit contents of that agreement, thereby excluding immediate connotation of secret protocols. In contrast, "Molotov-Ribbentrop Pact" is generally used as an umbrella term for the non-aggression treaty and the secret protocols. Similarly, the commission set up to assess the Soviet-German Non-Aggression Treaty and whose work is the primary focus of this book is known in Estonia as the "MRP" commission. As this book shows, one of the controversial issues considered by the MRP commission concerned whether the secret protocols were an essential element of the treaty or simply an independent addition. The editor of the English-language edition of this book has aimed to render consistent use of this terminology while also trying to ensure ease of reading as far as it has been possible to do so without adversely affecting meaning or misrepresenting nuances in historical and contemporary use of terminology. (JI)

is the biggest victory for Estonian diplomacy since World War II. Historically, the decision of the Soviet Congress amounted to much more than Moscow's denunciation of the secret protocol. Let us not forget that the victory was achieved in a battle of conflicting interests, against an overwhelming opponent and in a situation where we were clearly at a disadvantage. Full credit should therefore go to all of the Estonians involved in the process for their determination and for their contribution in collecting evidence and planning actions. Valuable input was also provided by the Latvians and Lithuanians and, especially important, by liberal-minded Russians. Faced with the historical truth, the institutions responsible for making and implementing Soviet foreign policy, hard-liners and empire-builders, began to crumble. A detailed account of this historic experience seems necessary, and we have decided to offer readers a further insight into this endeavour.

The text of the secret protocol of the Molotov-Ribbentrop Pact was officially disclosed for the first time by the US State Department in 1948. The Soviet Union responded angrily by publishing a propaganda pamphlet "Falsifiers of History" but did not admit the existence of the protocol. In such a totalitarian society, the denial also applied to official history. The Soviets claimed that the USSR and Germany had not divided Eastern Europe on August 23rd 1939, so it was left to their vast propaganda machine to explain Stalin's actions in implementing the secret protocol of the Molotov-Ribbentrop Pact. Thus, Soviet historians justified the invasion of Poland as necessary for the defence of Ukrainians and Belarusians, the Winter War as a necessary response to Finnish aggression, and the occupation and establishment of a new political system in the Baltics in summer 1940 as the consequence of a public revolt. Unlike the secret protocol of the MRP, Moscow could not deny the existence of the Molotov-Ribbentrop Pact itself. The official Soviet version was that the MRP had been a positive development and that Western countries had left the USSR with no other option. Soviet historians continued to spread such propaganda and until the 1980s this remained the only official version of events. In the second half of the 1980s the Soviet Union began to liberalise society under the policies of *perestroika* (economic restructuring) and *glasnost* (openness). In spite of the refreshing breeze now blowing through the academy of history and despite the fact that the MRP's secret protocol had already been published for the first time in 1988 in Estonia, Moscow remained loyal to its official position – total denial.

The efforts of Mikhail Gorbachev, General Secretary of the Communist Party, to reform the country's ailing economy also brought several important changes to the political scene. While the highest legislature in the Soviet Union *de jure* was the Supreme Council, and the highest executive branch was the Council of Ministers, the country was *de facto*

run by the Communist Party of the Soviet Union (CPSU) and its Politburo, which made all the important political decisions. To make the system more democratic, at least from the outside, the Constitution of the USSR was amended in December 1988 and in March 1989 a new representative body, the Congress of People's Deputies of the USSR, was elected. Although the elections were not yet democratic, it was the first time in the Soviet Union that there was a real choice between candidates. In theory, the powers of the Congress were quite broad, including the right to amend the Constitution and to elect the members to the Supreme Council of the USSR.²

In the foreword to the 1991 edition of this book, I wrote:

“Shame before the whole world: Congress is afraid of the truth.” These words, written by Peeter Raidla in Moscow, were published in *Rahva Hääl* on December 24th 1989 after the 2nd Congress of Soviet People's Deputies had failed to approve the resolution on the political and legal assessment of the 1939 Soviet-German Non-Aggression Treaty. This failure came in spite of the opinion and recommendations of the commission, which had worked intensively for the previous six months, despite the persuasive speech of the commission's chairman Alexander Yakovlev, and despite the availability of additional materials that Estonia had prepared and distributed to the People's Deputies including a number of documents concerning events in Estonia in 1940, the petition of the Baltic Deputies and authentic copies of secret protocols verified by foreign archives and the correspondence of the Foreign Ministry of the Third Reich.

It was only on December 24th 1989, after the Soviet Foreign Ministry had retrieved documents from its special archive proving beyond doubt the existence of secret protocols, that the Soviet Congress adopted the resolution on condemning the secret protocols.

The commission faced similar problems. Although the vast majority of the members had approved the draft conclusion by July 20th, the Baltic delegates' hopes of publishing the commission's conclusions before the 50th anniversary of the MRP on August 23rd 1989 were not realised. Opposition from senior leaders of the Soviet Union was too strong and the commission's conclusions were not published. Distrust of the actual objectives of

2 With the December 1988 amendment to the Constitution, the Congress of People's Deputies of the USSR became the highest state power and was legally competent to decide on all issues that were in the powers of the Soviet Union, although its role was mainly political. The Congress was intended to convene twice each year for sessions. The Supreme Council of the USSR became a permanent body of state power with legislative, administrative and supervisory functions.

the country's leadership deepened and with good cause, as shown by the ominous statement on August 26th of the CPSU Central Committee on the situation in the Baltic States. Gorbachev was (and still is) convinced that Estonia, Latvia and Lithuania had not been coerced into the Soviet Union, but joined by the free will of their people.

Without wishing to deny that the said resolution was positive in some respects – it was the first official admission of the Molotov-Ribbentrop Pact by the Soviet Union – we feel that several provisions of the resolution still lack historical truth. Among the things that were absent from the resolution was the view, shared by the majority of the commission's members, that the reassessment of historical events should be continued and include events in the Baltic States in 1940. The resolution adopted on December 24th 1989 talks vaguely about the "second" and "third" states that had received inviolable guarantees from the Soviet Union with respect to their sovereignty, territorial integrity and inviolability, and that had come under pressure from Stalin and his associates who had used the secret protocols as a means of forcing their ultimatums, thus violating legal obligations. The absence of any direct reference to the Baltic States in item seven of the resolution was a political compromise and should not worry experts. It was also a partial concession to those hardliners that either wanted to improve the international image of the Soviet Union or were sincerely engaged in establishing the historical truth. Without such a clause, the whole draft resolution would have been rejected.

The Soviet leadership's interests in empire-building, and their fears about the possible secession of the Baltic States from the USSR, have rendered the Congress's December 24th decision nothing more than a political declaration with no legal consequence. Efforts to preserve the *status quo* at any cost, either by using thinly veiled lies about a socialist revolution in the Baltics in 1940 or by the *rebus sic stantibus* doctrine leads only to legal vacuum.³ By expressing respect for the principles of free choice and self-determination to the outside world, while simultaneously refusing to meet the justified demands of the Baltic nations and labelling the dispute an internal affair, the Soviet use of double standards is unlikely to reduce the democratic countries' mistrust of Soviet foreign policy.

However, life goes on, and although a lot of time and energy have been wasted, the current opposition will inevitably crumble. It is no longer possible to stop the freedom movement of the Baltic nations. In addition, Russia itself is becoming more democratic. Faith in the old Soviet arguments, that there is no need for restraints on state power so

³ *Rebus sic stantibus*: meaning "things so standing" – essentially a legal clause allowing for the termination or withdrawal from a treaty because of a fundamental change in original circumstances. (JI)

long as the right party is in control and that a change of economic system would kill the desire to accumulate wealth, have begun to erode. As the main guarantee for the development of civilized nations, freedom of choice is as important for Russia as it is for the Baltic States. If force is used to coerce the Baltic States then one way or another it will simply accelerate the process of emancipation because it will serve to increase support for the Baltic nations among the global community and the governments of the developed states.

The purpose of this book is not to provide an exhaustive analysis of these historic events, but to describe the steps that led to the December 24th 1989 resolution on the political and legal assessment of the Soviet-German Non-Aggression Treaty. It should give you a detailed picture of the arguments and methods used by Soviet foreign policy makers (the puppets of the Central Committee of the Communist Party) in justifying the decisions and acts of the Stalinist regime, of the legal negation to counter the Baltic arguments, and of evidence provided mainly by delegates from Estonia. Such an analysis remains valid today and will hopefully contribute to the current consultations (sometimes mistakenly referred to as “negotiations”) held between the authorized delegation of the Republic of Estonia led by Ülo Nugis, and the unauthorized delegation of the Soviet Union led by N. Lavyorov.

The claim that the admission and denunciation of the MRP had been decided earlier, before the events of August 1987,⁴ is so naive that it is almost absurd. Jüri Pöld and Kaido Jaanson, who published such a hypothesis in *Edasi* newspaper on March 30th 1990, concluded that “in admitting and condemning the secret protocols, the Baltic States and Moscow were trying to achieve the same thing, although their objectives were different. It now appears that the objectives of the Baltic States and Moscow follow the same road. Lithuania, however, wants to move faster than Moscow is capable of.” In reality, the Soviet leaders had accepted no such thing, in spite of the Soviet Congress’s decision on December 24th 1989, not even politically, let alone in legal terms. Why else would they have refused the next logical steps in the process – debate, joint assessment, and negotiations with the Baltic States – or have insisted that the Baltic States could secede from the Soviet Union only under a relevant Soviet law of dubious legal potential? In my view, this constitutes only a partial admission that the Pact played a key role in the Baltic events of 1940, and fear of public recognition has blocked all pragmatic steps for the Kremlin.

The current collection of materials should also be of use to anyone preparing materials for international conferences dedicated to the Baltic issue and for developing argu-

4 The first public meetings to discuss the MRP were held in Estonia at this time (see also footnote 16 below). (JI)

ments for the resolution of disputes in international arbitration, assuming that life does not lead to significant changes in Soviet foreign policy.

In my coverage of the commission's work, I have also provided my own legal assessment of the documents, draft texts, expert opinions, and statements made by a number of commission members. I have done so in the capacity of an assistant and expert supporting the four Estonian members of the commission (Igor Gräzin, Marju Lauristin, Endel Lippmaa and Edgar Savisaar) from the first session in July 1989 until the completion of their work."
[1991]

* * *

The admission of the existence of the secret protocol to the Molotov-Ribbentrop Pact and its denunciation by the Soviet Congress of People's Deputies did not have the political consequences we had hoped, but how did it affect Russia's own writing of history? The most important permanent consequence was that the existence of the secret protocol was no longer denied. At the beginning of the 1990s, Russia's historiography was drawing closer to the Western approach and there were fewer efforts made to justify the MRP. Such tendencies also spread outside the field of academic history. For example, in the spring of 1995, to celebrate 50 years since the end of the Soviet-German war that Russia calls the "Great Fatherland War"⁵, Moscow exhibited archival documents of agreements signed by the Soviet Union and Germany from 1939 to 1941. By then even school textbooks were offering less justification for the MRP. Unfortunately, at the beginning of the new millennium, such positive developments in Russia stopped and there was a gradual return towards official positions formulated in 1948. Academic research and school textbooks repeated the mantra that the actions of other countries forced the Soviet Union into a position in which it had no option other than to sign the MRP. Official history now rejoiced that the MRP resulted in the Soviet Union's boundaries being extended to cover Tsarist Russia, and made absolutely certain that no mention was made of "occupation". No attention was given to the possibilities that were opened up to Germany by the MRP or what it meant for the rest of Europe. The division of Poland between the two dictatorships brought terrible suffering to countless numbers of people including the Jews, who very soon found themselves forcibly confined to ghettos, while the MRP guaranteed the security of Germany's rear – enabling it to fight successfully on the western front, occupying all of Denmark, Norway, Holland, Belgium, Luxembourg and parts of France.

5 Also known as the "Great Patriotic War". (JI)

Nonetheless, Estonia continued its phased progress towards the restoration of independence and gave an official assessment of the events of 1940 one month before the Soviet Congress in Moscow denounced the MRP. The resolution of the Supreme Council of the Estonian SSR from November 16th 1989, regarding the historic and legal assessment of events that took place in Estonia in 1940, described the actions of the Stalinist leadership of the Soviet Union against the Republic of Estonia as aggression, military occupation and annexation.⁶ Having considered that it did not reflect the free expression of the will of the Estonian people, Estonian lawmakers also annulled the decision of the Riigivolikogu (State Council), from July 22nd 1940, concerning the declaration of Estonia's entry into the Union of Soviet Socialist Republics.⁷ The objective of this decision was to restore Estonia as a subject of international law. As an interesting nuance, the following sentence was added to the concluding statement of the decision, on the demand of some members of the Supreme Council: "The adoption of this decision is not to be interpreted as the implementation of Section 69 of the Constitution of the Estonian SSR" – Section 69 was a provision on the right to secede from the USSR.⁸

Moscow categorically denied (i.e. feared) that it was necessary for the Soviet Union to provide a legal assessment of these events, although it was clear that the MRP would have to be annulled. That same winter, Estonians made several proposals to the Supreme Council of the USSR to begin negotiations for the restoration of Estonia's independence. One such proposal was adopted at a national meeting of People's Deputies held in Tallinn on the anniversary of the Tartu Peace Treaty on February 2nd 1990 – 2,973 deputies voted in favour, 101 abstained and only 16 voted against. On February 14th 1990, delegates from Estonia, who had been elected to the Supreme Council of the USSR, made a statement with the same objective.⁹

On March 3rd 1990, Estonia held a public referendum and the people clearly expressed their desire for the restoration of the Republic of Estonia. This gave the Estonian

6 During June 1940 the Soviet Red Army occupied the Republic of Estonia and in August of that year Estonia was annexed and incorporated into the Soviet Union. For decades, Soviet historians presented Estonia's participation in these events as voluntary, following a people's revolution (JI). For documentary material pertaining to the events of 1940 in Estonia see in *1940. aasta sündmused Eestis: Dokumente ja materjale*, A. Kõörna, J. Lepp, H. Lindpere, L. Meri, E. Truuväli. Tallinn, *Olion*, 1990, pp3-4

7 In the interest of historical truth it should be noted that the drafting of this resolution received major input from the conclusions of the commission set up according to Decree No. 1-107 from July 27th 1989, issued by Arno Kõörna, vice president of the Estonian Academy of Sciences. The members of the commission were Juhan Kahk (chairman), Andrus Pork, Heiki Lindpere, Erik-Juhan Truuväli and Peeter Vares.

8 The additional sentence was actually nonsense, since Estonia's entry into the union in 1940 was illegitimate, but it was apparently necessary to win the support of certain delegates.

9 See in *Vestnik*, issue 5, March 1990.

Supreme Council a strong mandate to pass a resolution on the national status of Estonia. This resolution, adopted on March 30th 1990, declared the Soviet Union's state power in Estonia illegal and announced the start of the restoration of the Republic of Estonia by the principle of *restitutio in integrum*¹⁰ that would result in the organization of constitutional state authorities. This was followed by seventeen months of dramatic events including anxious moments in Riga, Vilnius and Tallinn in January 1991, the establishment of friendly relations with President Boris Yeltsin of Russia, and a standoff between Yeltsin and Gorbachev that also benefited Estonia. Good accounts by historians of this period are already available.¹¹ With no means to restore independence, we were at an impasse. Skilfully grasping the historic opportunity that had been played into our hands by the conspirators who had attempted to overthrow power in the Soviet Union, the Supreme Council of the Estonian SSR did the right thing and adopted a historic resolution on the independence of Estonia on August 20th 1991 (Appendix 21). The resolution began by asserting the continuity of the Republic of Estonia as a subject of international law and Section 1 of the concluding statement said "To confirm the independence of the Republic of Estonia and to seek the restoration of the diplomatic relations of the Republic of Estonia." The next item was a reasonable compromise for the drafting of the Constitution, presenting it for public referendum and setting up the Constitutional Assembly on an equal basis by the country's legislature and representative body of citizens of the Republic of Estonia, i.e. the Supreme Council and Estonian Congress respectively. It was also stated that parliamentary elections would be held in Estonia in accordance with the new Constitution by the end of 1992.

The statement of the resolution was followed by a surge of countries restoring the old or establishing new diplomatic relations with Estonia.¹² Because of its reluctance to accept the Tartu Peace Treaty only the Russian Federation, which had signed the relevant protocol on October 24th 1991, insisted that Estonia was a new state and that therefore the introduction of new diplomatic relations would be necessary. It should be remembered that Boris Yeltsin had already issued a decree recognizing the Republic of Estonia on August 24th 1991, in which he had recommended that the Soviet Union (i.e. Gorbachev) do the same. Without doubt, the resolution of the State Council of the USSR on September 6th 1991

10 *Restitutio in integrum*: meaning "restoration of original condition". (Jl)

11 See in Edgar Savisaar, *Peaminister: Eesti lähiajalugu 1990-1992*, Tartu: Kleio, 2004, pp445-490.

12 According a study by Linnar Liivamägi, by the middle of 1991 twenty countries had announced the restoration of diplomatic relations with the Republic of Estonia, thirteen had announced the establishment of new diplomatic relations and forty-six had announced their approval of the establishment of diplomatic relations – *ibid.*, pp. 733-735.

recognizing the independence of the Republic of Estonia (Appendix 22) and effectively ending 50 years of annexation was even more important than the decision of the Soviet Congress to denounce the MRP. The Soviet Ministry of Foreign Affairs was ordered to support the Republic of Estonia in its application for membership in the United Nations – this was a guarantee that the Soviet Union, as a permanent member of the UN Security Council, would not veto Estonia's application to become a full member. Internationally, Estonia was restored as a legal subject. Domestically, the Republic of Estonia was restored following the March 30th 1990 resolution of the Supreme Council by the adoption of the Constitution, subsequent elections to the Riigikogu (the Estonian parliament) and the appointment of the government of the Republic to office, thus ending the transition period. Without the resolution of the Soviet Congress of People's Deputies on the annulment of the Molotov-Ribbentrop Pact, we would not have achieved our final objective.

Now it was clear to everyone that our objective in the Soviet Congress of People's Deputies' resolution, denouncing the Molotov-Ribbentrop Pact, was not simply to receive an apology for the actions of the Stalinist leaders in 1940 and in later years, instead it was a deliberate step necessary for the restoration of independence by peaceful means.

For the 2009 second edition, I asked **Igor Gräzin** and **Endel Lippmaa** if they would like to include transcripts of the interviews and statements that they had given in 1991 and asked them to consider an additional question about the role of Soviet Congress's resolution in the restoration of Estonian independence. Both have gladly agreed. In addition, I include two completely new contributions, one from **Edgar Savisaar**, who in 1991 was too busy as prime minister of Estonia to give an interview at such short notice, and one from journalist **Anneli Reigas** who had extensively covered the commission's work for the press. Last, but not least, I have added an interview with **Yuri Nikolayevich Afanasyev**, a Russian democrat and deputy chairman of the MRP commission, given on February 7th 1990.

Finally, I failed to give due acknowledgement to the contribution of the commission's chairman Alexander Yakovlev in my original text, and I would like to take this opportunity to correct that omission. The contribution made by A. Yakovlev's speech to the Congress of People's Deputies should not be underestimated, and his shrewd insistence that the Pact be denounced on moral and political grounds, rather than on legal grounds, was among the last actions that sealed our victory.

Heiki Lindpere, May 16th 2009

I. Survey of the establishment and activities of the MRP commission of the Congress of the People's Deputies of the USSR

1. The countdown begins

In its resolution of May 18th 1989 on the assessment of the Molotov-Ribbentrop Pact, the Supreme Council of the Estonian Soviet Socialist Republic condemned the MRP as a criminal collusion and emphasized the need to declare both the non-aggression treaty and its secret protocol null and void from the moment it was signed.¹³ Specifically, it proposed that the Congress of People's Deputies of the USSR should set up a special commission including Estonian, Latvian and Lithuanian delegates and experts for assessing the Molotov-Ribbentrop Pact and the events following its signing from a historical, legal, political and ethical perspective, and that it publish its assessment by June of that year (Appendix 8). Estonians had already given enthusiastic support to both the perestroika movement and the corresponding programme of economic self-management (IME)¹⁴ in Estonia and were confident that a historic injustice would soon be corrected.¹⁵ Popular demand had also been the key to adopting the aforementioned resolution of the Soviet Estonian legislature. At that time, Estonians were becoming increasingly concerned about the well-being and future of their nation, and for many the upcoming 50th anniversary of the Molotov-Ribbentrop Pact, on August 23rd 1989, held greater significance than the 50th anniversary of the Estonian Soviet Socialist Republic.

13 In addition to highlighting the logical link between the MRP and the events of 1940 another important aspect should be emphasised: Estonians regard the non-aggression treaty as inseparable from the secret protocol because, according to many experts, the secret protocol was precisely the reason why the USSR agreed to sign the treaty which brought about the radical turn in its foreign policy. In an attempt to save at least the non-aggression treaty from being declared null and void, this view was denied in the final opinion of the MRP commission and in the resolution of the Soviet Congress. This was all part of the larger game of burying their heads in the sand when faced with the actual foreign-policy interests and ambitions of Stalinist leaders, and instead attention was focused on the alleged idea that the USSR, under Stalin, had been "forced" by circumstances into such a position that it was necessary to sign the treaty.

14 The acronym "IME", means "miracle" in Estonian. (JJ)

15 For instance, regarding the Molotov-Ribbentrop Pact, the Estonian Union of Working Collectives stated that "without a fair assessment of the collusion of those two large states and without the appropriate conclusions, it will not be possible to resolve the key problems in modernizing society" – *Edasi*, April 21st 1989.

I remember the Soviet authorities' angry response to the public rallies held in Hirvepark, Tallinn, in August 1987 and to the activities of MRP-AEG¹⁶, but their anger came too late. The countdown had already begun. The MRP issue was covered extensively by the press. On August 10th 1988 *Rahva Hääl* published an article by historian Heino Arumäe which gave an overview of the contents of the secret protocol; *Aja Puls* magazine (Appendix 6) published the full text of the MRP; and on 19th and 21st August *Noorte Hääl* published an article by Küлло Arjakas on the events of August and September 1939. The Estonian Popular Front initiated a series of political meetings about Stalinist policies in Estonia, held from August 21st to 23rd 1988 in Pärnu Theatre, in Vanemuine Theatre in Tartu and in Tallinn Linnahall, and they were significant catalysts for further developments.

One of the keynote speakers at those meetings was Professor Yuri Afanasyev, Rector of the Moscow Institute of History and Archive, whom Marika Villa had introduced to Estonians as an honest historian. Speaking alongside Aadu Must, Küлло Arjakas, Mikk Titma and Edgar Savisaar, Afanasyev stated clearly that the MRP was a historical fact, that it had sacrificed small countries and had opened the door for Hitler to begin World War II. That must have been the first time in Estonia that a Russian historian said that the events of 1939-1940 in the Baltics were undoubtedly the consequence of the political and military decisions of Stalin, and that it was time to end the use of terms like "revolutionary situation" and "peaceful revolution" – Soviet terms that distorted historical facts.¹⁷

Such ideas resonated with increasing strength at the congress of the Estonian Popular Front in October 1989 and in the Baltic Assembly on May 13-14th 1989. The joint agreement of the popular movements of Estonia, Latvia and Lithuania stated that "The parties to this agreement unconditionally condemn the political consequences of the secret protocols of the Molotov-Ribbentrop Pact for the national sovereignty of Latvia, Lithuania and Estonia and the actions of the Soviet Union that followed them and which violated international and human rights. The parties to this agreement agree that the incorporation of Latvia, Lithuania and Estonia into the USSR was a consequence of their annexation and that it remains without legal justification."¹⁸

16 Molotov-Ribbentropi Pakti Avalikustamise Eesti Grupp (MRP-AEG): "The Estonian Group for the Public Disclosure of the Molotov-Ribbentrop Pact" – a pressure group active during 1987-88 whose particular aim was to raise public awareness of the MRP including its secret protocols, intending to lead to the annulment of its consequences. The group instigated public meetings discussing and protesting the MRP (see also footnote 4). (JI)

17 See, for example, *Noorte Hääl*, August 23rd 1988

18 *Vaba Maa*, issue 12, July 1989, p8

On the day before the Supreme Council of Estonian SSR adopted its resolution, Molodjogh Estonii published an article on the MRP and the events of 1940 by Igor Gräzin and myself, in which we claimed that Estonia's entry into the Soviet Union was legally invalid. On July 8th 1989 the joint session of the people's council and regional leaderships of the Estonian Popular Front in Põlva demanded that the Supreme Council of the Estonian SSR annul the July 22nd 1940 declaration of the State Council of the Republic of Estonia on the entry of Estonia into the Soviet Union. The Popular Front also announced a public campaign to collect signatures in support of this proposal.¹⁹ In her speech at Põlva, Marju Lauristin said that there was trench warfare going on in Moscow and that the MRP had become a myth analogous to that of the IME – meaning that, as with the “miracle” IME economic policy, people were being given false hopes that the status of Estonia was set to change radically on August 23rd.²⁰ “Our opponents are preparing to nullify the MRP issue and to prove that the whole issue is void, i.e. that it was a historical inevitability. We are facing a major battle to ensure that our actions have major political consequences,” she said.²¹

2. June 2nd 1989: setting up the MRP commission

The transcript of June 2nd 1989 shows that Endel Lippmaa, as a representative of Estonia at the Presidium of the Congress of People's Deputies of the USSR, proposed the following to the Presidium: i) to set up a commission for assessing the Molotov-Ribbentrop Pact (he also proposed candidates for membership including novelist Chyngyz Aitmatov as chairman); ii) that the Soviet Ministry of Foreign Affairs, other institutions and archives, should be obliged to submit to the commission all necessary documents relevant to the assessment; iii) that the commission should be obliged to submit its assessment to the Supreme Council of the USSR by the end of June 1989 and to publish the findings of its work.

Commenting to the Presidium about his third proposal, Lippmaa said “One may wonder, why the hurry? August 23rd will be the 50th anniversary of the division of Europe because of the deal with Hitler. That is why we should act immediately. Moreover, it has been proposed that there should be a denunciation of the pact from the first moment of

¹⁹ *Noorte Hääl*, July 12th 1989

²⁰ August 23rd 1989, the 50th anniversary of the signing of the MRP, had by that time become the date by which the Baltic delegates of the MRP commission hoped to publish their assessment (see below). (Jl)

²¹ *Vaba Maa*, issue 13, August 1989, p3



Member of the MRP commission Endel Lippmaa, Chairman of the Supreme Soviet of the Soviet Union Mikhail Gorbachev and Foreign Minister of the Soviet Union Eduard Shevardnadze.

Image from Juhan Aare's film "The Inside Story of Moscow's Kremlin. The Collapse of the Soviet Union", 2006.

its signing. This is not a bad idea, but several of our delegates do not know the text of the treaty and, more importantly, a denunciation declaring the pact invalid will not be sufficient. Conclusions must be drawn. There will be consequences to all of this, and a commission is necessary. This draft has been prepared by members of the Estonian delegation with the active participation of both the Latvians and Lithuanians, but generally by our Presidium."²² Lippmaa's proposals were then discussed and the proposed list of committee members was amended (see Appendix 9 for the finalised list). Following a proposal from Mikhail Gorbachev, Alexander Yakovlev, Secretary of the Central Committee of the Communist Party, was made chairman of the commission. The mere fact that Soviet legislators agreed to setting-up the commission shows that they sensed their responsibilities and did not intend to avoid the difficult task of finding a solution to the problem. Nonetheless, the institution of a commission to give an objective legal and political assessment of Stalin's

22 Съезд народных депутатов СССР. Бюллетень №8, ч.I 1989, с. 62-63

activities during 1939-1941 must have been a bitter pill for Soviet leaders to swallow, for it suggested that the official Soviet history of the period, which had been disseminated for fifty years, might fall some way short of the truth.

One may easily get the impression that things were progressing smoothly, but that is not the case. In an interview in *Maaleht*, Edgar Savisaar, who would be elected vice chairman of the MRP commission, described ongoing conflicts behind the scenes in the setting-up process (Appendix 10). But there had been other concerns even before that.

Firstly, after more than half of the allotted duration of the session of the Congress of People's Deputies had passed there was still no reaction to the Supreme Council of the Estonian SSR's May 18th proposal. Taking the bull by the horns, E. Savisaar, I. Gräzin, T. Käbin and others prepared a draft resolution urging the Soviet legislators to set up the commission and proposing a list of possible members. E. Lippmaa completed drafting of the list because, being a member of the Presidium, he was able to consult with representatives of the other republics who were sitting at the same table. This helped to ensure that the commission would eventually consist mainly of liberal-minded members, the majority of whom were intellectuals.

Second, although it was very useful to have "our man in Havana", Endel Lippmaa, inside the Presidium, this alone was not enough to ensure that the proposal was accepted. The fact that the draft proposal had pass through the hands of Gorbachev shows that his approval was essential. Käbin's intended speech on the issue had already been cancelled, despite his enjoying the support of many Lithuanian and Russian delegates, and the proposal would appear as a separate item on the agenda only after Gorbachev agreed to it, as the transcript shows. It is a little-known fact that Lippmaa actually gained the agreement of the Soviet Union's top leader during private discussions with Gorbachev and Shevardnadze in the executive dining room of the Palace of Congresses (at that time, Eduard Shevardnadze was Minister of Foreign Affairs of the Soviet Union).²³ Prior to those discussions Gorbachev was given a copy of the original text of the August 23rd secret protocol, although I should emphasise that it was a simple copy and not an authenticated document or microfilm. It appears that the decisive factor in these negotiations was the Soviet leadership's determination to shift the focus of the Congress, at all costs, away from the Tbilisi massacre.²⁴ Lippmaa had

23 The Palace of Congresses had three separate dining areas: an area with plastic tablecloths for regular delegates who all paid for their meals; an area for members of the Presidium with white tablecloths and free meals; and an executive dining room for the elite, which had coloured tablecloths and a plentiful supply of exotic fruit and other delicacies free-of-charge.

24 On April 9th 1989 in Tbilisi, Georgia, anti-Soviet demonstrations were suppressed by the Soviet army, resulting in twenty civilian deaths and many more injured. (JI)

been studying the differences between the actual recordings of speeches made by the top leaders and the official transcripts of those speeches, and this had enabled him to identify Tbilisi as the Soviet leadership's Achilles Heel.²⁵

Third, Gorbachev's appointment of Alexander Yakovlev to the post of chairman of the commission was not altogether positive. While Yakovlev was unquestionably liberal-minded and would go on to play a major role in ensuring that the commission completed its objectives (it would have been possible for a less sympathetic person to promote heated dispute and to stall the commission's progress), the Commission was thus effectively under the direct supervision of the Politburo and had lost a degree of autonomy. Moreover, Yakovlev was a very busy man and Party *apparatchiks* were able to take advantage of this situation in order to delay future meetings of the commission.²⁶

The commission convened for its first session later that same day, at 11.30pm on June 2nd in the Granovitaya Palata of the Kremlin. Three vice chairmen were elected, sub-commissions set up and tasks assigned accordingly. It is significant that during the first session Yakovlev agreed that the commission should not only study the Molotov-Ribbentrop Pact directly but also in the broader context, including the Soviet deportations of innocent people to Siberia. This may also explain the initial optimism of vice chairman Savisaar. However, Yakovlev later insisted that the scope of work should be limited to the pact itself, and the reasons for his change of mind remain unknown. At a session held in Yakovlev's office on November 4th the Baltic representatives insisted that the commission continue its work and begin its analysis of the events of 1940, but Yakovlev's reply was that in that case the commission would need a different chairman. I sensed that Yakovlev's change of mind must have been influenced by persons outside the commission.

Borys Paton, chair of the session of the Congress of People's Deputies, was ready to ask the delegates whether they would adopt Lippmaa's draft resolution for setting up a commission, but a firebrand loyalist of the Soviet empire, Vladimir Yarovoi, interfered. Yarovoi said "Comrades! There are so many stories in our country about this pact, and especially in the Baltics. Ethnic Estonians have been manipulated for the last year and a half, causing mistrust among the Estonian population. As a result, non-Estonians resident in Estonia are now be-

25 The text of the secret protocol that Gräzin read out during the session of the Congress had similarly undergone a transformation in the official transcript.

26 Apparatchiks: "agents of the apparatus" (from colloquial Russian) – essentially Communist Party bureaucrats. The term is here used particularly to imply persons who, due to either professional incompetence or strong Party allegiances, had the power to cause delays and problems in procedures, actions that in this case might favour the status quo. (JI)

ing labelled “occupiers” and “colonists”. I think that the commission, set up on the initiative of Estonian delegates, should not be reviewing this issue because they have vested interests.” Yaravoi had not actually disputed the truth of the commission’s findings, so consider what, in effect, Yaravoi was asking of the members of the Congress – to allow the truth to remain concealed! This triggered a lively debate, with comments and proposals from delegates alternately booed or applauded. Zhores Alfeyorov, member of the Soviet Academy of Sciences, said that although it was a stain on the history of the Soviet Union, the MRP had become invalid when the Germans invaded the USSR and thus we needed only to formulate an opinion concerning the Pact. V. Ivanov said that the proposal made by the three republics should be supported. In an attempt to marginalize the issue, V. Semyonov, from Belarus, proposed that the issue be submitted for resolution by the newly-elected Supreme Council of the USSR. V. Beryozov, the Second Secretary of the Communist Party of Lithuania, said that he was speaking as a Russian but nonetheless urged support for setting up the commission and also said that the Baltic delegates should not go home without having heard a positive conclusion to the debate. I. Kezbers, Secretary of the Communist Party of Latvia, was also in favour of the commission. Igor Gräzin then went to the podium and read out the text of the secret protocol item by item.²⁷ This received a noisy response from the delegates.

There were four other speakers. E. Inkens responded to Alfeyorov, saying that the agreement made between the Soviet government and the Polish government in exile in London on July 30th 1941 proved that the Molotov-Ribbentrop Pact was still valid. J. Boldyrev commented on Yaravoi’s proposal and said that the Congress was entitled to appoint whatever delegates it considered necessary as members of the commission, but not to replace those delegates that had already been proposed. The last speaker before Gorbachev was the famous Russian historian Roy Medvedev who said, among other things, “Even today the official history, articles and works published by Moscow say that Estonia, Latvia and Lithuania joined the Soviet Union voluntarily, that there was a people’s revolution, there was no violence, no threats and that it was completely in line with the free will of the Lithuanian, Estonian and Latvian nation. This is not true. There is no doubt that it happened during an imperialist war and that it was an action made out of utter disrespect for those smaller states and nations by the Soviet Union, but also by Germany, Japan, Great Britain and France. They solved their problems by sacrificing the neutrality of Belgium, Holland, Finland and other countries. Therefore, the commission must be formed and we must give these treaties a final and proper assessment.”

²⁷ Gräzin was not reading from a finalised document of the MRP protocol, but from an earlier version drafted by the USSR.

The last to speak was Gorbachev. He expressed his clear support for the idea of setting up the commission, although several of his remarks were vague, erroneous or showed a lack of self-confidence regarding this matter. For example, he said that the incorporation of the Baltic States into the USSR had been a result of the will of the Baltic peoples, that it was strange that Molotov had signed the secret protocol in German text, that he doubted the existence of the secret protocols and that he was doubtful that the commission could achieve its aims in such a short period of time. More importantly it was the tone of Gorbachev's voice, that of a professional politician and a man in control, that most impressed the delegates. In my opinion, the two main reasons why those delegates that had previously been doubtful of the necessity of the commission changed their minds were: first, Gorbachev's speech; and second, the appointment of Politburo member Yakovlev as chairman of the commission. The draft resolution for setting up the commission was adopted without any voting.

3. July 5th: the session at the Estonian representation in Moscow

June passed by without chairman Yakovlev having expressed any intention of calling a meeting of the commission, and the deadline for the first conclusion had already been missed. Vice chairman Savisaar took the initiative and called a meeting at the Estonian representation in Moscow for July 5th 1989. Savisaar's objectives were questioned by Valentin Alexandrov, a consultant from the International Department of the Central Committee of the Communist Party who was assisting vice chairman Valentin Falin as an expert. Alexandrov attended almost every meeting and was always very polite.

Unlike many other members, Falin and his team were very busy throughout June. At the end of June he and his team submitted over 1,700 pages of documents to the commission, mostly irrelevant material or lacking in truth, in addition to hundreds of letters in which "indignant Soviet citizens were urging the commission not to betray Leninism and Socialism." Of these documents, about 1,500 pages were foreign policy correspondence between the Soviet Union, Germany and other European states, which were all going to be published in a book titled "On the Eve of World War (September 1938 - September 1939)". It appears that the only objective in distributing this biased material was to give commission members something to kill time. Among other things, there were documents claiming that the Germans had wanted to improve relations with the USSR and had therefore pushed for the completion of the treaty, and that the Baltic States would be promised

joint guarantees, although that issue was not finalized. The only directly relevant documents were two telegrams dated August 21st 1939. The first was Hitler's request to Stalin to receive Ribbentrop, with Hitler's full authority, in Moscow (Appendix 3).²⁸ The second was Stalin's agreement to receive Foreign Minister Ribbentrop on August 23rd 1939 (Appendix 4). Falin's documents included the Soviet-German Non-Aggression Treaty, but not its secret protocol. Among the other documents that Falin submitted to the commission were the following: an insignificant discussion between L. Bezymenski, the political observer of *Novoje Vremya* magazine and K. Schnurre, a former senior official of the German Foreign Ministry; a 38-page paper *The USSR and security in the Baltics* by historian V. Sipols, which began with 1919 and only got to the secret protocol in its final pages where it claimed that by signing the MRP Germany had assumed a unilateral obligation not to invade Estonia, Latvia and Finland in the event of war with Poland, and which war would be itself, according to that paper, in the security interests of both the Soviet Union and the Baltic States, thus making Stalin nothing less than a benefactor of the Baltics; and 41-page paper "Political prelude to the August 23rd 1939 Soviet-German Non-Aggression Treaty" prepared by historians A. Orlov, O. Ržeševski, V. Sipols and L. Bezymenski, which was obviously extremely biased and omitted a number of important events.

In addition to calling for the July 5th meeting, Savisaar and other Estonians were busily organizing themselves and preparing tactical plans. Since the session was scheduled to begin in the afternoon, Savisaar, Lippmaa and I met at 11am in the basement meeting room of the Estonian representation to discuss and coordinate our response to the arguments that Falin was preparing. Igor Gräzin had been in discussion with Falin and had forwarded a summary of Falin's key positions over the phone to Savisaar.²⁹ The "Falinists" were to present the following key arguments: i) The USSR had no alternative but to sign the MRP; ii) The division of spheres of interest was routine practice at that time; iii) "Sphere of interest" was an innocent term and was only used to indicate areas which should not be occupied by the Germans; iv) World War II began before the USSR's ratification of the MRP (actually, before the exchange of ratification documents in Berlin); v) The visit of German Chief of Staff General Halder to Tallinn on June 25th-29th 1939 was a serious threat to the security of the USSR; vi) Thanks to the MRP, Sweden was able to remain neutral; vii) The West was ready

28 (Appendix 3): As indicated by item five, Hitler intended to go to war with Poland shortly after signing the treaty.

29 Falin, who for his doctoral degree in History had defended his thesis about the eve of World War II, had developed the official Soviet policy regarding the history of the period and seemed to regard the commission as the ideal venue for a second defence of his thesis.

to recognize the new borders in Europe, etc. We also discussed the agenda of the session and consultation with experts, to be held on July 11th and 12th, which was being prepared by Savisaar. We invited several Estonian historians and lawyers to the consultation to speak about the MRP and on the agreements of 1939-1941. Our objective was to present committee members with the facts and to refute Moscow's arguments. In addition, from June 30th to July 1st there had been an international scientific conference in Tallinn "Legal Assessment of the Soviet-German Treaties of August 23rd and September 28th, 1939 and 1941", which had included discussion of issues directly relevant to our work. Several members of the MRP commission had attended and had spoken at the conference.

July 5th session of the MRP commission was attended by Y. Afanasyev, C. Aitmatov, G. Arbatov, M. Vulfson, I. Gräzin, I. Drutse, V. Kravets, M. Lauristin, by three members from Latvia and Lithuania³⁰, and by experts V. Kulish, V. Alexandrov and I. Heiki Lindpere. Opening the proceedings, Savisaar reminded everyone that it was in this same hall that representatives of the Estonian government K. Selter, A. Rei and J. Uluots, had met at the end of September 1939 to consider their options before driving to the Kremlin to sign the historic treaty which would allow Soviet military bases in Estonian territory. Savisaar proposed three items for the agenda: i) What would the final documents of the commission's work comprise? (presented by I. Gräzin); ii) Concerning the documents and other information required by the commission (Y. Afanasyev); iii) Concerning the July 11th-12th consultation with experts and session (H. Lindpere).

Igor Gräzin proposed that the work of the commission be divided into two phases. The first phase would end with the publication of the assessment in time for the 50th anniversary of the MRP. The second phase would be the preparation of a draft resolution to be presented to the Supreme Council of the USSR.³¹ Gräzin's proposal triggered a very lively debate. Vladimir Kravets said he was doubtful whether it would be possible to separate the political from the legal assessment. Gräzin said that this had also been his first thought on the matter, and Marju Lauristin was also in agreement. Kravets argued that the MRP might be split into two parts – the Treaty that was made public at the time, and the secret protocol that could be annulled separately. Georgi Arbatov questioned the reasons for discussing the issue. He said that if, as the public who had voted for him were now telling

30 The names of the Latvian and Lithuanian persons were not specified in the minutes of the session.

31 At that time, it was not planned that the resolution would be presented to the Supreme Council at the 2nd Congress of Soviet People's Delegates, because the 2nd Congress would not convene until December. As chairman, E. Savisaar set the target date as July 20th-25th 1989.

him, the aim of this monstrous idea is to achieve a basis for the secession of the Baltic States and Bessarabia from the USSR, then he wanted no part in it, but if the objective is simply to fill in the gaps in our understanding of history (i.e. to discuss events without any assessment of legal consequences) then this is what should be done. Arbatov, one of the big names in Soviet foreign policy, then went further, warning of the possible consequences of the truth: "I am worried about the reaction in the Baltics, but I'm even more worried about the possibility of a counter-reaction such as a rise of imperialist chauvinism. A reasonable compromise must be found. This means that we must be able to reflect political realities, but not break away from them." (This particular appeal to the *realpolitik* appears to have implied that, in this case, "might is right"). Arbatov's words were rebuffed by Mavrik Vulfson. Yuri Afanasyev returned to the issue of the commission's objective and supported Gräzin's idea that the priority should be the commission's assessment. He said that he had no doubt that the annulment of the secret protocols would slow down the liberalization of the Soviet Union rather than accelerate it. Chyngyz Aitmatov raised the topic of the evil nature of Stalin and insisted that the revelations of the commission's findings should not affect victimized nations nor should Russians feel guilty of Stalin's political machinations. Arbatov said "In my opinion it is possible to equate Hitler and Stalin in terms of ethics, but not politics. Stalin was in a state of panic at the threat of Hitler's invasion. His decisions were guided by fear." One member stated that the MRP and the secret protocol were two entirely different things, and that the commission must stay within the mandate that it had received from the Soviet Congress (i.e. the Soviet-German Non-Aggression Treaty without the secret protocols).

There were no major differences of opinion regarding the second item of Gräzin's proposal, and Afanasyev managed to reach an agreement that discussions for the preparation of the commission's draft resolution for the Supreme Council should begin already at the next session on July 11th.

As a third item, I proposed the following as key areas for the consultation meeting: i) Assessment of the international situation in 1939, e.g. whether the Soviet Union had alternatives to agreeing the MRP, whether the Baltics were a threat to its security, and Soviet agreements with Estonia, Latvia and Lithuania and their observance; ii) The Molotov-Ribbentrop Pact and later agreements including the January 10th 1941 agreement under which the Germans sold part of Lithuania to the Soviets; iii) Soviet ultimatums and their link to the events in Latvia, Lithuania and Estonia in June and July 1940; iv) The legal succession and the continuity of state power; v) Polish-Lithuanian territorial problems – a specific issue raised at the Tallinn conference. On the proposal of V. Alexandrov, the last item

was removed from the agenda and it was agreed that the consultation meeting would begin in the Estonian representation on July 11th at 10am.

This period in the commission's work might be summarized as follows: Kremlin representatives led by Falin flooded the commission with irrelevant information in order to distract attention away from the actual interest of the two totalitarian states and towards the general international situation, emphasising that the USSR had been pressed into the situation by major threats to its security. It seems that the Falinists underestimated the committee members' knowledge and the extent and effective use of existing documents. They did not even attempt a legal assessment of the MRP but had argued only that annexation and the use of the term "spheres of interest" were both entirely normal practice in international relations during that period, especially in war. This clearly showed that instead of discussing the contractual responsibilities of the Soviet Union, their aim was to discredit the international law of the period. The Falinists attempted to conceal several important telegrams that would have proven that the two dictators were using their spheres of interest for the division of the territories of third countries – including Ribbentrop's enquiry of Hitler as to whether he could give Liepāja and Ventspils to the Russians and Hitler's approval of that request,³² both dated August 23rd 1939, and also including information received by Stalin on how and where the Germany intended to attack Poland.

4. July 11th and 12th: further sessions at the Estonian representation

With the exception of the Lithuanian members, almost everyone on the commission was prepared for the July 11th session. It was held at the Estonian representation in Moscow and was to begin with the consultation meeting with experts. The Latvians presented two documents: a 10-point assessment of the MRP and of the events of 1940 in Latvia and, as a statement of the commission, a 10-page document prepared by Vulfson, which was actually almost entirely fictional and eventually contributed just one paragraph to the first draft assessment prepared later that day. Moscow-based historian Vassili Kulish had been invited by Afanasyev as an expert and presented an 18-page assessment on the MRP that was both comprehensive and matter-of-fact. The trio of Afanasyev, Gräzin and Kulish submitted a draft assessment for the commission consisting of five items. By the end of day,

³² Liepāja and Ventspils are towns on the Baltic coast of Latvia. (JJ)

this was chosen as one of the two documents that would form the basis for preparing the final draft. Academician Georgi Arbatov, who missed most of the sessions because he was abroad, had submitted his written considerations concerning the MRP. His submission was a poor and extremely biased pamphlet and did not appear to be based on any facts. The only thing that he did not deny was the existence of the secret protocols and he claimed that the two large countries were simply following normal international practice when they had divided the smaller states between their respective spheres of interest and subsequently invaded them. By way of an example, Arbatov referred to the invasion of Iran by Soviet and British forces at the beginning of WWII. But, as the attending journalist Anneli Reigas pointed out in her article on the commission's activities, Arbatov had actually contradicted himself because those occupation forces had later been pulled out of Iran.³³ Speaking of the MRP as a defensive measure taken by the Soviet Union because it found itself in an otherwise untenable position, the academician said "Must we explain to them which actions were forced and are historically justified, and which were not?" At any rate, Arbatov fell notably in my esteem and I believe that he also lost some of his respect among the "Falinist" group.

The group headed by Valentin Falin used delaying tactics and had drafted no resolutions for the commission. As described previously, Falin's team flooded the commission with heavily biased and unreliable materials. Although these documents were carefully chosen so they could not damage the arguments of the Falinists, the first holes would begin to appear in their position when the details of the documents were examined in the course of arguing their case.³⁴ In the session held at the Estonian representation the Falinists kept a low profile, instead preferring careful study of the enemy and his cards. At the same time their experts were real heavyweights, including the historians Aleksandr Orlov, Oleg Ržeševski, Viinis Sipols and Lev Bezymenski, as well as Felix Kovalyov, Head of the Historical Diplomatic Department of the Ministry of Foreign Affairs of the USSR, and the aforementioned Valentin Alexandrov.³⁵ The reader may have noticed that the Falinists

33 *Noorte Hääl*, July 13th 1989.

34 On this occasion it was a list of the eighteen documents that the German Ambassador A. Maier-Landrut had passed to the Ministry of Foreign Affairs of the USSR, as well as a note prepared by L. Bezymenski about the fate of the documentation of the secret protocols and of microfilms made of them (from the personal office of Ribbentrop). Among these documents were Russian translations of very important telegrams (already known to us) from the correspondence of the German Ministry of Foreign Affairs, which directly referred to the secret protocol of August 23rd 1939. Already these facts were sufficient to weaken significantly the Falinists' position. This is a good example of documents that were presented by our opponents but to which they had refused to give their own assessment.

35 The complete list of experts to the commission included two other doctors of law, historian Alexander Chubaryan and Rein Müllerson, but they did not actually participate in the commission's work.

did not include lawyers – all of the experts on Falin’s team were historians. With such a team it was possible for Falin to guide the proceedings in the direction he preferred and, more importantly, to cruelly distort the law, especially public international law. The Falinists’ worst fear was a legal assessment of the MRP and they did their very best to avoid it.

We in Estonia had also been very busy with our preparations. Together with Endel Lippmaa we had drafted a detailed assessment of the commission on nine pages that concluded with the phrase “*ex tunc*”.³⁶ This document would be accepted as the second source for the draft of the final opinion of the commission. The session in the Estonian representation was attended by all members from Estonia, as well as by Jüri Ant, Küllö Arjakas, Jüri Pöld and myself in our capacity as experts.³⁷

The July 11th session started at 11am with the introduction of the experts and was followed by Afanasyev’s response to our proposal that we arrange an expert consultation specifically for the resolution of differences of opinion with Falin’s team. Since there were at least three different drafts of the commission’s opinion, Afanasyev recommended we begin discussing them immediately and that we arrange the expert consultation later if necessary. This solution was accepted by all.

“The situation was tense from the beginning of the first session. What else could be expected if one side is presenting hard truthful facts and the other side is always beating about the bush and inventing justifications,” wrote Anneli Reigas.³⁸ Fortunately, it was not Moscow’s so-called experts who would make the final judgment but the members of the commission. The role of the experts from our side of the discussion was quite modest, since the commission members from the Baltic States, especially the Estonians, were already very well informed. Academician Endel Lippmaa brought an archive of his own, contained in at least two enormous briefcases. Not only was it near-perfect in its contents, but the copies of all the most important documents it contained had been verified by either German or US national archives.

Despite being bombarded by a volley of hard facts, the experts in Falin’s camp showed no sign of reconsidering their position. Falin’s team had been reluctant to use their voice, but now the debate became like an attempt to persuade a yeti that it should disregard irrelevant information and consider all of the facts taken as a whole. It turned out

36 *Ex tunc*: meaning “from the outset”. In law, if a contract is stated to be void *ex tunc* then it is invalidated from the outset, i.e. from the moment of signing. (Jl)

37 In the interest of historic truth it should be mentioned that we also attempted to include Heino Arumäe and Kaido Jaanson as experts, but in vain: the first refused and the other was not available.

38 *Noorte Hääl*, July 12th 1989.

that the only person on Falin's team that had any understanding of the foreign-language documents introduced by Lippmaa was Falin himself. On the first day Falin's experts had begun quietly and it became clear on the second day that an interpreter was necessary. Incredibly, the Soviet experts on the history of World War II spoke neither English nor German! This should have been unbelievable given the actual potential of the entire Soviet Union, but it is less surprising if one considers that the experts had been stuck in an era of stagnation. Nonetheless, the use of such experts suggests a serious underestimation of the awareness of the opponents.

In spite of opposition from Falin's team, the four of us – V. Kulish, M. Vulfson, E. Lippmaa and I – drafted a joint conclusion for the commission's work by the end of the first day. This was based on the two sources, one prepared by Y. Afanasyev, I. Gräzin, V. Kulish, and the other by E. Lippmaa and me. The result was a strongly worded document (the final document would be much softer in tone). Among other things, it stated that the Soviet Union had initiated the drafting of the secret protocols and demanded that the Soviet-German treaties and protocols from August 23rd and September 28th 1939 be declared null and void. It also stated that there was a clear link between the annexation of the Baltic States and those actions by the Stalinist leaders. Moreover, it claimed that it was in the political, economic and ideological interests of Soviet leaders to improve relations with Nazi Germany; that although in the difficult international situation Stalin was attempting to win more time, he had chosen the road that dramatically changed the balance of powers in Europe and enabled Hitler to begin World War II; and that Stalin had accepted Hitler's thirst for war in exchange for the joint division of Poland and for Hitler conceding Soviet territorial demands.

Of course this was only a temporary victory, but now we had something that we could present to the chairman of the commission and Secretary of the Central Committee of CPSU, Alexander Yakovlev. It would have been naïve to expect the Falin team simply to retreat from its position and, sensing this, Savisaar made another tactical move. He met that same evening with a group of anti-Stalinists in Moscow and invited historian Mikhail Semirjaga, who was in firm support of Kulish, to the commission's next session on July 12th. Together, these two honest Russian historians dismantled the arguments of Falin's historians and ensured that Falin was no longer able to accuse the Baltic members of presenting a biased view. In the morning session of July 12th, Semirjaga was the first to speak following our presentation of the draft conclusion. He spoke calmly and convincingly and his explanation of that period of history supported our conclusions. He emphasized that the MRP was not a decision that the Soviet leaders had made on the spur of the moment, but that the USSR had already taken the course towards closer cooperation with Germany

much earlier, in October 1938. This destroyed Falin's main argument that the Soviet Union had been in an untenable situation and had had only one course of action available. Several Falinists were angered by this, especially V. Sipols from Latvia who attempted to rebuff Semirjaga.

The next blow to the Falinists came when Kulish insisted that rather than focusing on the international situation of the period (in which the Soviet leaders had in fact had several options available) the commission should instead focus its attention on the Soviet leadership's foreign policy objectives and the interests that had guided Stalin's decisions. This was an unforgettable moment. Our opponent's only response was to question, rhetorically, whether all of the people attending the session were in fact Soviet people.

Kulish and Semirjaga deserve full credit for their courage. In addition to their work with the commission they also wrote extensive articles which were published in the newspaper *Molodjzh Estonii* on August 22nd and 23rd 1989, thus enlightening its Russian-language readers.

The atmosphere was now becoming increasingly tense. The morning session ended with an overwhelming majority of attending commission members expressing their support for a proposal to proceed with the newly completed draft conclusion. Yakovlev arranged a meeting in his office that same afternoon at 4pm to which he invited only commission members and asked the vice chairmen to arrive half an hour earlier. The experts were told that their work was done and that their services were no longer needed. A request from the press to attend the meeting was rejected. The following overview of this session is derived from the transcript only.³⁹

Yakovlev's opening statement of the session had four main points – and the first two were almost too good to be true: i) All of the necessary documents would be placed at the disposal of the commission's members, irrespective of its final decision; ii) Since 1924 the whole of the Soviet Union has been obsessed by opinions instead of facts, especially in schools and in the sciences. From now on the facts would be presented directly and without distortion; iii) E. Savisaar has proposed that the commission's work be completed by August 23rd. It was highly unlikely that this would happen unless the commission is to work every day from dusk until dawn. Therefore, the commission should issue a press statement about the key concepts it is presently working on; iv) The objective

39 It should be noted that this transcript, the transcript of the July 19th session and Falin's letter were all distributed to commission members by the Central Committee of the CPSU much later, on October 10th 1989.

of the current session is to exchange information and opinions about the available documents. Yakovlev admitted that he had been busy with other work and had therefore only studied the basic documents.

The first person to have an opportunity to speak was Gräzin. He derided an article published in *Pravda* on July 11th under the headline "Federal Union" which had focused on the upcoming plenary session of the Central Committee of the CPSU on ethnic relations. Gräzin claimed that this article was a deliberate attempt to undermine the commission and had put its members in a situation where the voting public at home might recall them because of a perceived lack of results. He added that the article's main intention seemed to be a veiled threat declaring an emergency situation in the Baltics. He emphasized that something must be done before August 23rd. Gräzin's views were supported by M. Lauristin, Z. Šlicyte, I. Kezbers, Y. Afanasyev and E. Lippmaa. Zita Šlicyte, for example, said that the conference on international law held in Tallinn had already given an assessment of the Molotov-Ribbentrop Pact and had published its resolution. She said that there are hunger strikes on the Gediminas square in Vilnius and everyone is criticizing the commission for lack of action: silence breeds mistrust.

Afanasyev linked the MRP to the de-Stalinization issue and said it was a test for the whole Soviet administrative structure, adding that, since the commission had not discovered anything entirely new, a general assessment of the Molotov-Ribbentrop Pact could already be presented to the upcoming session of the Supreme Council of the USSR. He said that any delay in the work of the commission would only serve as evidence that *perestroika* was taking an unfavourable course. Lauristin supported Afanasyev's view and noted that although the commission's work would be very important for the dialogue between our nations, Moscow must first stop defending the Stalinist regime.

Yakovlev then began to show some hesitation. He said that secession from the USSR was stipulated by Section 72 of the Constitution of the USSR, which stated that it was for all nations to decide (*sic!*). Therefore, the issue of secession was not for the commission to decide, but was to be determined according to the Constitution of the USSR, both legally and historically. He also emphasized that the commission must not ignore the realities post-World War II. Kazimieras Motieka argued that relations between the Baltic States and Russia are based on the 1920 Tartu Peace Treaties and not on the Constitution of the USSR, because illegal acts do not constitute laws. Therefore, it was necessary to revise the issue of the "entry" of the three Baltic republics into the Soviet Union. He added that in his opinion de-Stalinization was self-deception because Stalin was the son of the Communist Party, so it was the Party's responsibility. "You can deceive and confuse people some of the

time, but not all of the time” he said, adding that “A crime has been committed, but we are being told that this is a reality that must be accepted. This is neither persuasive nor complies with the principles of humanity in today’s Soviet Union.” Yakovlev admitted that his biggest worry was that the people may interpret the outcome of the commission’s work as confirmation that the Baltic States do not belong to the Soviet Union and said that the commission’s mandate should therefore be limited to the Molotov-Ribbentrop Pact.

Two other issues were also discussed. First, how would the Russians react to the commission’s assessment and should the nation be prepared for this? Members supported a proposal from writers Chyngyz Aitmatov and Ion Drutse that a public statement be issued to the Russian people. The second issue, subject to extensive debate, concerned whether the Russian Federation should change its status so that it was no longer identified as the Soviet Union and how this might be done.

Returning to the issue of the MRP, Yakovlev asked whether the commission could express its opinion without first receiving approval from the Supreme Council. It seems that he was now expressing doubt in the bold words of his opening speech – that it was now time to go directly to the facts. His behaviour was that of a victim of the system in which the only acceptable opinion was the opinion of the supreme state power. Afanasyev replied that the commission did not need to obtain the approval of the Supreme Council, but must still draft a resolution for the Supreme Council. In any case, the Supreme Council could not alter the commission’s conclusion, since the document would have to be signed by members of the commission.

Although Falin was without doubt one of the best informed people in the room, he remained mainly an observer throughout the discussion and spoke briefly only once or twice. Incidentally, it later became known that the content of some of the Finnish documents about the relations of Finland and the Soviet Union had been a complete surprise to him because he could not understand the Finnish language in which they were written.

At the end of the session, shortly before Yakovlev announced that the commission would be recalled into his office in exactly one week, Falin played his trump card. It was the assessment of the Molotov-Ribbentrop Pact by experts from no less distinguished institution than the Ministry of Foreign Affairs of the USSR. The assessment had been sent to Yakovlev on July 10th in response to a request by Yakovlev on June 23rd and included a covering letter from the Soviet foreign minister Eduard Shevardnadze. Although it was not signed and its authorship was unattributed, the document deserved attention simply because it showed that even the Foreign Ministry, otherwise a progressive institution, had its own share of the experts taking orders directly from the senior establishment figures in

Moscow. The eventual transformation of the Ministry took place much later, after some of its top officials became tired of confrontations with representatives of the Ministry of Defence. One such Foreign Ministry official was Felix Kovalyov, head of the Foreign Ministry archives, who also played a part in ensuring that the Soviet Congress adopted the draft resolution on the Molotov-Ribbentrop Pact. Kovalyov had made a very good impression in the sessions held at the Estonian representation and in informal discussions, but more about him later.

Falin's key document was actually a poorly prepared and illogical paper in which even the opinions of so-called experts contradicted one another. Allow me to present a few examples of the errors. For instance, it claimed that the information available was insufficient to condemn and declare the MRP null and void from the moment of signing, and emphasized that bilateral treaties signed with Germany became invalid when the Soviet-German war began. On the other hand, it said that the treaties had to be annulled for political reasons (and from the start of the war, naturally). Another example: the experts said that the assessment of what had happened in the Baltics during 1939-1940 must be strictly separated from the MRP since the resolutions of the then Baltic parliaments were based on the belief of the masses of workers that incorporation into the Soviet Union was the only guarantee against enslavement by the Nazis. On the other hand, the document said "The resolution of the Supreme Council should be especially critical of the practice of Stalin and Molotov in transferring enforcement methods into foreign policy, into relations with sovereign states, and into solving international issues by crude ultimatums like those presented to Lithuania, Latvia and Estonia in the middle of June 1940." There was a link and it had been admitted! The right hand clearly did not know what the left hand was doing. Causes and consequences were being mixed up. The MRP and other agreements made with Germany in 1939 were devised at a time when the foreign policy of Litvinov was no longer valid (Litvinov had been recalled as People's Commissar of Foreign Affairs in May). The agreement with the aggressor was a consequence. By merging with the aggressive plans of Fascist Germany the Stalinist Soviet leadership served its own interests – the Soviet Union was not a victim of the situation but was more like a robber following a killing. Reading to the end of the document we find: i) A Molotovist claim to the effect that there could be several different kinds of domestic and foreign policy, especially in case of totalitarian regimes; ii) A near-explicit approval of Stalinism in domestic relations. Moreover, in the document the Soviet Union is presented as a friend and defender of the Baltics, whose sole aim was to save the Baltic States from the teeth of the Nazis. Almost anyone who has studied this period knows that this is a fairy tale. In spite of Falin's vigilance, his team had

already let slip an important item of information for our case. Among 1,500 pages of material submitted to the commission by Falin's team at the end of June (pages 1368-1369 and 1390-1391), there were two telegrams from the leader of the French military mission in Moscow to the French Ministry of War that had been published in the official records of the Soviet Union. In the French-Soviet military negotiations, the Soviet delegation made a *sine qua non*⁴⁰ demand that, in order to prevent a Nazi invasion, France must accept the entry of the Soviet armed forces into the territories of Poland, Romania and the Baltic States. Clearly the Stalinist leadership had already planned to occupy these five countries, at least as a provisional measure. France and Great Britain refused to accept these proposals, and Stalin then made a pact with Hitler. This shows that the objective of the Soviets behind agreeing spheres of interest was not to limit the occupation plans of the Nazis, but simply to reach an agreement on where each country would be allowed to move its forces. This should be a lesson reminding us that it is always a good idea to study our opponent's moves carefully – he may have made a mistake or simply have played entirely the wrong card.

5. July 19th: the session at the Central Committee of the CPSU

On July 19th, prior to the official session scheduled for that afternoon in Yakovlev's office at the Central Committee of the CPSU, there was a brainstorming meeting at the Estonian representation, led by Savisaar and Afanasyev. Falin and his team were not invited to this unofficial meeting, and its objective was to assess the current situation and to agree further tactics. We then agreed that in the official meeting we would propose to discuss only the draft conclusion we had prepared and that the key unresolved issue would be the commission's overall assessment of the international situation in August 1939.

The afternoon session in Yakovlev's office had a surprisingly large attendance. Almost all members of the commission were present, including Patriarch Alexy⁴¹ and Georgi Yeremei who were each attending for the very first time. There were also some experts, but as usual, journalists were obliged to remain outside. Yakovlev opened the session in the traditional manner with an introductory speech. He said that he had received two

⁴⁰ *Sine qua non*: meaning "without which there is nothing". (JI)

⁴¹ Patriarch Alexander Mikhailovich Ridiger, a Russian born in Estonia, was at that time Patriarch of Leningrad and Novgorod and later became senior Patriarch of the Russian Orthodox Church until his death in 2008. (JI)

draft conclusions from the commission: one from the comrades in the Falin team and the other from us (ironically, he did not refer to us as “comrades”). Gräzin had redesigned the cover page of our own draft text so that it would bear a strong resemblance to an “international” declaration or resolution document.

Yakovlev made the following points: i) To ensure that is the commission’s resolution is adopted, the commission should form an opinion that would be acceptable to both the Congress of People’s Deputies and the Supreme Council (in other words, the factual veracity of the document would be of secondary importance). The commission’s approach must therefore be realistic, based upon common sense and not be belligerent; ii) The secret protocols existed, but their originals have not been found. The war with Germany made all those agreements null and void and non-existent, (at which point Gräzin interrupted and asked Yakovlev precisely at what time the protocols had ceased to exist!); iii) The Supreme Council must be asked to confirm that fact; iv) In providing an assessment of the MRP, the mandate issued by the Soviet Congress must not be exceeded. The status of a single Soviet republic is not within the competence of the Soviet-German treaties, but within the laws and Constitution of the USSR; v) Discussion of any connection between the MRP and Poland, Eastern Europe and Finland should be avoided; vi) If the commission fails to come to an agreement over the two drafts referred to above, then there is a fallback option – a brief draft opinion (prepared, of course, by the “comrades” of Falin’s team); vii) Regarding British opinion, Yakovlev proposed that the commission avoid reference to the Briand-Kellogg Pact in the commission’s final opinion.⁴² He claimed that it was a deviation from the central issue (in fact, this remark only goes to show Yakovlev’s extreme incompetence in this area); viii) What is important is that those treaties were made between the Soviet Union and the Baltic States and that they were breached. Speaking of this pre-WWII period, Yakovlev said that none of the states involved had acted better than any other. To illustrate his point, Yakovlev quoted from a senior British politician who once said “We have no permanent friends. We have no permanent enemies. We only have permanent interests.”Yakovlev remarked “It is cynical, but sadly it is reality.”

At this time, the discussion became essentially a seemingly endless series of disputes over precisely what should be declared null and void and from what date. Afanasyev

⁴² The 1928 Paris Treaty, or Briand-Kellogg Pact, was the first multilateral international treaty that obliged states to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, and the USSR had actively helped to develop and implement it in international practice (JI). The denial of this pact remains unethical in practice today.

recommended that the discussion begin by focusing on the draft opinion prepared at the Estonian representation, but his proposal was rejected. Vladimir Kravets, the Ukrainian foreign minister, proposed that the commission's opinion should be based on consensus and this too was rejected. Kravet's proposal was a clear attempt to emasculate the commission in its conclusion and to ensure that the adoption of its resolution would be delayed. There was a lengthy debate involving many of the Russians, including Yakovlev and Patriarch Alexy, concerning the legal term "null and void," because it has an especially negative undertone in the Russian language ("nitshtoznyi"). Finally, it was agreed to use a phrase meaning "legally unfounded and invalid from the outset". Šlicyte relieved some worries, particularly those of Yakovlev, by arguing that the responsibility for the secret protocols should lie specifically with Stalinist leaders and not with the Supreme Council, because the Soviet-German Non-Aggression Treaty had been submitted to the Supreme Council of the USSR for approval on August 31st 1939 *without* the secret protocol and that, unlike Stalin's people, the delegates of the Council were therefore generally unaware of its full content when they approved it. I found Falin's subsequent claim that it was common practice that international agreements were ratified without appendices to be complete nonsense – it was a poorly concealed attempt at fooling the lawyers. The truth is that the secret protocol had always been far more important to the interested parties than the non-aggression treaty itself.

All of the commission's Baltic members found the drafts prepared by Falin's team to be unacceptable, and some of us were already looking out for the Falinists' next move. Falin had significantly reduced the number of his experts and invited Soviet Marshal Akhromeyev, Chief of General Staff of the Ministry of Defence of the USSR, to join the experts. Commission members were sitting at one long table and we, the experts, were sitting behind small tables by the wall. I happened to share a table with Akhromeyev. Seeing this man in military uniform and holding a thin folder, I sensed that here was Falin's trump card for the session. However, it turned out to be a bluff. Akhromeyev argued that the commission should not declare the MRP null and void from the moment of signing because it would cause a major public riot. As Kravets had done earlier, he then tried to convince us that the MRP was actually a major diplomatic victory for the Soviet Union, but even he was forced to admit that while the treaty had been necessary, the secret protocol clearly was not. Marshal Akhromeyev illustrated his lengthy explanation with reports drafted by Stalin's master spy Richard Sorge, among others, and these were supposed to prove the extremely complicated nature of the matter. However, the information in the Akhromeyev's file proved worthless since everyone knew how critical Stalin had been of

Sorge's reports and that they had not guided his actions. To a question from Marju Lauristin concerning the Marshal's own assessment of the entry of Soviet forces into Estonia on June 17th 1940, he gave an honest and unequivocal response "Every action connected with the Baltic States was both immoral and legally unjustified."

Finally, we turned to discussion of the draft opinion prepared at the Estonian representation and quickly reached an agreement, in principle, on the key issues. Yakovlev suggested that the text be finalized by the end of the day and that it be mailed to all members on the next day. Šlicyte ridiculed the suggestion that the copies be sent by mail, arguing that it would then take at least a week for them to arrive. Chairman Yakovlev emphasised once more that he would complete the task without delay, and Falin proposed that the commission set up a small workgroup consisting of Afanasyev, Gräzin and Lippmaa to revise the agreed draft. Afanasyev wisely recommended that Falin himself be included in this group.

At this point the official transcript begins to tell lies about what actually happened. These words are put into Falin's mouth "This can be done tomorrow"; and then Yakovlev is claimed to have ended the session with the words "Agreed. Today or tomorrow. Make sure that you put the considerations expressed here in the necessary form. We will agree on how to proceed later." In reality, there was a twenty-minute break during which the workgroup revised the text of the draft opinion and then the meeting continued. Unfortunately, the plan to sign the draft immediately failed, partly because of a number of linguistic mistakes, and partly because Yakovlev said that as a member of the Politburo he would be unable to sign the document without first having coordinated on this issue – i.e. Yakovlev needed approval from a higher authority. It was therefore agreed that the text would be retyped once more and that the next day the workgroup, with the addition of Lauristin, would sign it. Yakovlev promised that he would publish the document in the press at the beginning of August, not as the signed conclusion of the commission, but as a press release issued on behalf of the commission.

Such falsifications in the official transcript would be pointed out to the chairman of the commission by Edgar Savisaar at the November 4th session. Referring to the recordings in our possession, Savisaar said that it should be a serious warning to historians, both today and in the future, that such sources as the transcripts could not be trusted verbatim and that the facts must be verified by other means.

The draft opinion was completed by the following lunchtime. It was signed by Y. Afanasyev, I. Gräzin, M. Lauristin and E. Lippmaa and initialled by V. Falin. I consider the inclusion of the latter a noteworthy achievement since it would give us additional

ammunition later. It also signifies that both Falin and Yakovlev fully expected Gorbachev to approve the draft text and were not prepared for him to reject it.

6. August 9th: chairman Yakovlev loses control over the commission

A few days later the commission's deputy chairman Edgar Savisaar made a report to the Supreme Council of the Estonian SSR on the work of the MRP commission (Appendix 11). He said he was optimistic that the problems would be resolved and added "By now the commission has itself passed the de-Stalinization exam and reached its first practical results. The commission has formed an opinion that is expected to be published in the near future." He was still hopeful that official publication would be before August 23rd 1989.

Days went by without any indication that the chairman was going to call the commission to sign its conclusion, and Falin was keeping a low profile. Again, to the only way to resolve the stalemate was to take action. On the initiative of Savisaar and Lippmaa, the commission's core members gathered at the offices of the Estonian representation in Moscow on August 9th. They discussed the current situation and formulated a letter, signed it, and distributed it for publication in the press. Members of this core group also talked about the current situation in radio and TV interviews. It was decided to send an urgent telegram to Gorbachev (Appendix 12), who at that time was on holiday in the South. To ensure that it reached its intended recipient, Gräzin took it personally to be sent from Gorbachev's office in the Kremlin. We then photocopied both the commission's opinion, which had been signed by the five members on July 20th, and the telegram that had been sent to M. Gorbachev. We added a letter signed by Y. Afanasyev and E. Savisaar, which was addressed to all members of the commission and requested that they each sign the opinion and return it immediately to the Institute of Chemical Physics and Biophysics in Estonia, of which Lippmaa was director. This was another determined move that would help to bring the desired outcome closer to reality. By participating in this "unauthorized" session, the majority of the commission's members were openly opposing the chairman and his puppets – wresting direct control of the process from the Politburo and declaring the commission's independence. This was democracy in action. The collection of signatures became a tool for putting pressure on the handful of reluctant bureaucrats in the commission.

Days went by as we waited for a response from the head of state and from the commission's chairman, and the anniversary of the MRP was rapidly approaching. During this

period it became apparent that the all-Soviet press were publishing a significant number of articles about the MRP and while asserting half-truths and denying the facts they ignored several of the commission's important conclusions and attempted to manipulate public opinion. There was no doubt that these were the tricks of Falin's team. For example: on August 6th *Pravda* published an article "August 1939: Before and after" by historian Y. Yemelyanov; on August 11th *Pravda* dedicated a whole page to a roundtable discussion mainly featuring Falin's "experts"; and *Argumenty y Fakty* (issue 32, August 12-18) published "Controversial pact" by historian A. Yakuchevski.

In an interview in *Pravda* on August 18th, Yakovlev attempted to clarify the already confusing situation.⁴³ This came as a nasty surprise to those people who knew the facts about the commission's work. Yakovlev could not have been further from the truth when he said "the commission has not yet summed up its work. All statements about the conclusions are personal opinion, regardless of their source. I fear that rushing ahead will not benefit the cause." In the interview, Yakovlev appeared to imply that there was no international law in existence at that time of the MRP, he broke the logical links between events, he tried as far as possible to justify Stalin's actions, and he appealed to the patriotic feelings of ordinary Russians with statements such as "the national interests of the Soviet Union demanded decisive action." Yakovlev continued, "Since collective efforts to contain the aggressor had failed, it was important at least to prevent a situation in which the warpath through Poland would be followed by an invasion of the Baltic States, by the implementation of Hitler's plans to expand [Germany's] "living space", and by the invasion of Ukraine..." This was the same old story that the Soviet Union was a loyal defender of the Baltic States and that only the demarcation of spheres of interest was of benefit to the German Reich. The "warpath through Poland" was in reality a joint warpath in spite of Yakovlev's saying that "Germany invaded Poland on September 1st. On September 17th the units of the Red Army entered the territories of western Ukraine and western Belarus." Yes, but wasn't that also Polish territory? The key issue is contained in the following statement during the interview: "There may be different opinions about the August 23rd pact, but one thing is clear: neither the pact nor its protocol determined the legal and political status of Lithuania, Latvia and Estonia. Their status changed because of other circumstances. Efforts to find links between the current situation of the three republics and the Non-Aggression Treaty are even more artificial."

43 See in *Rahva Hääl*, August 22, 1989

There could no longer be any doubt that the leaders of the Soviet Union had decided actively to work in opposition to the commission, effectively gagging it by denying its members a fair opportunity to express their opinion in the Soviet mass media. On the eve of the anniversary of the MRP Gorbachev had also chosen to use confrontational tactics, as was evident in an ominous statement from the Central Committee of the CPSU made shortly after the anniversary of the MRP on August 26th 1989.⁴⁴ Such behaviour was further evidence that there was indeed a direct link between the MRP and the fate of the Baltic nations. The Pact had sealed the fate of the Baltic nations, it was carefully planned and it was approved by Hitler, although its implementation came later. The aforementioned telegram sent to Gorbachev on August 9th was never answered. Was he afraid, or did he simply decide to ignore it?

Endel Lippmaa supervised the signing of the resolution by members of the commission. Once it had been signed by twenty members and initialled by Falin it was decided to publish it in all three Baltic States. The document that on July 20th had been signed by four members and initialled by Falinon was published in *Noorte Hääl* on August 22nd and in *Kodumaa* on August 23rd. With the later addition of signatures from C. Aitmatov and Patriarch Alexy during a session of the Congress of People's Deputies, only three people refused to sign it – A. Yakovlev, G. Arbatov and V. Kravets. These three claimed that the twenty-six members of the commission had failed to come to an agreement!

On the anniversary of the MRP a number of political rallies were held to promote the independence of the three Baltic States including the emotionally resonant Baltic Way.⁴⁵ Speaking at a Baltic Way rally on the Estonian-Latvian border on August 23rd, Edgar Savisaar said that he was convinced that there would come a time when Moscow would have to respond to the issue of the Molotov-Ribbentrop Pact and that "The longer it takes, the more questions there will be and the louder they will be asked. They will be asked by the entire nation and it is the entire nation that demands an answer." These were prophetic words. *Reede* published an interview with Savisaar on August 25th in which he described the problems facing the commission and the current stalemate.

"The opinion that the ruling clique must stop using the democratically elected people's delegates as shields is also shared by the Estonian delegates, and by the majority of the members of the MRP commission that was set up by the Soviet Congress" wrote An-

44 The statement warned of impending disaster following independence demonstrations in the Baltic States. (JI)

45 The Baltic Way, also known as the "Baltic Chain" was a series of human-chains and rallies through the three Baltic countries involving massive public participation, asserting the popular desire for the restoration of independence. (JI)

neli Reigas in her article “Ostrich Games” (*Noorte Hääl*, October 3rd). The article covered in detail the expert consultation that had taken place at the Estonian representation on the morning of September 29th, including discussion of how the Soviet-German treaties had led to the 1940 annexation of the Baltic States and reports from the representatives of the three Baltic parliaments. That same evening an international press conference was held at the History and Archive Institute in Moscow, in the words of Reigas, “[to demonstrate] to the rest of the world the relationship between our nation and the power – the status of the work of a single commission of People’s Deputies and the attitude of the Soviet government.” At the beginning of the press conference the commission’s vice chairman Afanasyev read a public statement that he had prepared jointly with Savisaar (Appendix 14). Afterwards Afanasyev, Savisaar, Gräzin, Lippmaa, Lavrov, Drutse, Kazannik, Landsbergis and Motieka answered questions. This was not an uprising, it was *glasnost*; and it was an attempt via the press to pressure the Soviet leadership into changing its approach to issues that were affecting the life of the state and the fate of small nations.

7. November 4th: the session at the Central Committee of the CPSU

Yakovlev’s decision to call the commission to a meeting on November 4th appears to have been motivated by the following considerations: i) It was not possible to prevent either the Baltic deputies or other commission members presenting the draft resolution for a vote at the Congress of People’s Deputies, because it had already been signed by the vast majority of members of the commission; ii) It would be important to continue to play along with the commission because there might be future opportunities for influencing the course of its actions.

By the time the commission convened for the session its members had each received the legal assessment of the MRP and its consequences which had been prepared by three distinguished professors of public international law, Rein Müllerson, Jevgeni Ussenko and Anatoli Talalayev. Talalayev’s contribution was written as if it were a chapter in a university textbook. He insisted that the secret protocol should not only be declared null and void from the moment of signing, but also that the Soviet Congress of People’s Delegates should emphasise that the resolution did not concern borders that had been established in Europe after World War II. In the 16-page work, Talalayev did not manage to include discussion of the status of the Baltic States. J. Ussenko and R. Müllerson cut past the logical chain of events that followed the signing of MRP – the chain of events that explained what the signatories of the secret

protocol had meant by the term “territorial and political rearrangements”. They had analyzed the secret protocol purely from the standpoint of law and thus declared that legally it had nothing to do with the incorporation of Estonia, Latvia and Lithuania into the Soviet Union. Falin’s team had been waiting impatiently for this statement, but it was also the issue that the Kremlin feared most. In spite of all their efforts, neither Talalayev nor Müllerson succeeded in convincing me that the secret protocol and the public non-aggression treaty (referred to in the preamble of the secret protocol) should not be regarded as a single document.

I agree with J. Ussenko and R. Müllerson that the status of the Baltic States was determined by events that came after the signing of the MRP; however, the MRP was not an isolated event – it was the first link in a long chain. Other key links were Stalin’s demands, accepted by Hitler, that Germany give up Ventspils and Liepāja in the territory of the Republic of Latvia as a precondition to the MRP (Appendix 5); the coordination of the invasion of Poland; and the use of the phrase “territorial-political re-arrangement of Poland”. The later use of the same phrase with regard to the Baltic States and Finland meant that a similar fate to that of Poland also awaited those countries. And there are many more links in this chain. These include the Molotov ultimatums to the three Baltic States, issued at the same time as Poland was being divided; the enforcement of agreements on the installation of military bases; the transfer of the major part of Lithuanian territory from Germany’s sphere of interest to that of the Soviet Union; the Winter War with Finland; Molotov’s further ultimatums to the Baltic States; the following invasions, occupations and annexations in June and July 1940; the further territorial demands of the Stalinist regime that were intended to remove German forces from Finland and place Finland under Soviet control, while guaranteeing Germany supplies of nickel and timber for the following six months (demands made at the same time as Soviet leaders were proposing to join with the fascists in the Axis alliance); and the transfer of Bulgaria into the Soviet sphere of interest and construction of Soviet military bases in the straits of the Black Sea. The territorial demands of the Soviets ranged from Baku and Batumi to as far as Kuwait. It was all in Molotov’s proposals, delivered to German Ambassador Schulenburg in Moscow on November 26th 1940 (Appendix 7). Following this, on January 10th 1941, Germany sold land near the Suwalki triangle to the Soviet Union for 7.5 million dollars in gold.⁴⁶ In this

46 The Suwalki triangle is an area in the borderlands of Lithuania and Poland: Ribbentrop had retained this piece of land for Germany on September 29th 1939, mistakenly believing that it was an excellent hunting ground for elk, presumably because a local town is named “Elk”. (JI). The sum which the Soviet Union paid for this relatively small area is similar to that which Russia had famously accepted for the whole of Alaska, albeit more than seventy years earlier. As his sales commission, Ribbentrop requested two jars of caviar “for the soldiers”, which were promptly delivered.

relationship, territories of smaller nations were freely bought and sold, and as their appetite increased, old crimes developed into new crimes and with each agreement a new link was formed in the chain of events. Cooperation terminated abruptly when Germany invaded their former partner.

At the November 4th session the members of the commission had a surprise. Seemingly from out of nowhere, there appeared a new draft resolution of unknown authorship. Yakovlev suggested that the new document be discussed right away, but Landsbergis, Savisaar, Gräzin and others proposed that we return to the text that had been drafted on July 20th since it had at least received the support of more than just a handful of commission members. Yakovlev claimed that the draft had not been properly understood. Grigori Yeremei was prepared to backtrack, and he proposed that the commission's opinion might include something from both documents. Gräzin then raised the issue of the link between the MRP and the events of 1940, and was supported by Savisaar who noted that on September 29th the commission had met for an expert consultation on this issue and the link had been explained in detail. Savisaar added that, in his interview with *Pravda*, Yakovlev himself seemed to have made the connection with 1940 thus showing that we had been right all along, and he offered Yakovlev his gratitude for his support. Yakovlev was quick to reply that there was a significant difference between what was said in an interview and a mandate from the Soviet Congress. And so the discussion went, for eighty-one pages of transcript. In interviews with *Noorte Hääl* and *Rahva Hääl* on November 5th, Savisaar referred to Afanasyev and the new document: "Its first part is the justification of the Stalin regime, while the second part talks about the differences of opinion within the commission, categorizing commission members as either good or bad. The bad members are those who consider it necessary to admit that the Soviet Union took a course towards imperialism at the end of 1930s. The document's third part consists of ideologically biased explanation and accusation."

The chairman offered no explanation as to why the July draft resolution had not been published. However, he said that it might have caused a wave of prejudice in Russia and would not have been acceptable to the delegates. The dispute went on until we reached a mutual understanding that we would be unable to persuade one another. The progressive majority maintained its position, and the minority stuck with its own. It was decided to submit a short draft resolution to the Soviet Congress, adding a report from the commission's chairman that would describe the differences of opinion within the commission. But of course there was no longer any guarantee that this would be the final draft and that at the next meeting we would not again get a surprise. The session also

included extended discussion of recent attempts to publicly discredit two of the commission's members, Afanasyev and Šlicyte.

The Soviet news agency TASS issued only a brief release saying that the commission had discussed its conclusion and that letters and recommendations received from citizens all over the Soviet Union showed that there was enormous public interest in the issue. Alongside the deluge of letters of total denial, (e.g. Tihomirova from Moscow, who wrote that the speeches of Stalin and Molotov each gave a truthful account of the situation), there were more reasonable views. For example V. Lan, from an institute in Moscow, wrote that he disagreed with Yakovlev's statements in *Pravda* and that the Molotov-Ribbentrop Pact should be analysed in a wider context, i.e. in the light of Stalin's request on November 20th 1940 to join the Axis alliance with the Fascist states of Germany, Italy and Japan.

8. December 14th : the session in the Kremlin

Shortly before the next session, the Estonians organized a meeting of Baltic delegates in Moscow to discuss a pamphlet that to be handed out to all delegates and that, among other things, included an appeal from the Baltic delegates to the Soviet Congress of People's Deputies. Linking the MRP with the annexation of the Baltic States in 1940, the delegates demanded that the Congress declare all Soviet-German agreements signed between 1939 and 1941 null and void and invalidate the relevant secret protocols from the moment of signing. The pamphlet reproduced key documents related to the MRP from the state archives of the German Federal Republic and from the United States, including the text of the August 23rd secret protocol and Molotov's telegram to Schulenburg in 1940 in which the Soviet leaders proposed to join the Fascist alliance while making territorial demands from Germany. This last document was issued only recently, on October 6th 1989, by the Political Archive of the Foreign Ministry of the German Federal Republic in Bonn, was signed by class "A" legal adviser Ludwig Biewer and bore the seal of the German Foreign Ministry. The pamphlet had been prepared by Lippmaa and had been produced with the funding of the State Planning Committee of the Estonian SSR. It was presented on behalf of the delegates of all three Baltic republics in order to give it greater force.

The December 14th session was notably different from previous sessions, not because it was held in the Kremlin, but because it was short and involved no major disputes between the majority and the minority groups. The two documents presented by Yakovlev – the draft opinion of the commission and the draft resolution for the Soviet Congress – were this time

accepted almost unanimously. The documents were signed and this final phase of the commission's work was recorded by central television recorded. The only black sheep to submit a dissenting opinion was the foreign minister of Ukraine, Vladimir Kravets, who had been stubborn throughout. Kravets proposed to limit the resolution of the Soviet Congress to just one item: to approve the work done by the commission, but without presenting the resolution for any further decision from the supreme body of state power.

Although the commission's conclusion was far from perfect, the opinion contained everything that we needed. It was published for the first time in the Estonian edition of the present book (Appendix 15). It differed from the July resolution in several respects. First, the proposal to continue the work of the commission and to begin assessing post-MRP events had been removed. It was clear such a decision could be made only by the Soviet Congress and not by the commission. Second, the resolution's preamble: instead of reflecting the commission's opinion, it indicated the conflict of opinion during some previous phase. Perhaps this had been considered necessary in order to maintain the ideological credibility of A. Yakovlev, G. Arbatov, V. Kravets *et al* and to prevent a loss of face? Or, did it reflect Afanasyev earlier suggestion that, in our final opinion, we should leave the door open for future studies of history? I do not know, but anyway it would clearly be unrealistic to expect the Kremlin to approve more than was already included in the two documents.

It may seem that everything was finally progressing smoothly, but this could not be further from the truth. Allow me to quote Anneli Reigas's *Noorte Hääl* newspaper article headlined "Christmas in the Kremlin" and published on December 28th 1989: "Again, we went into a panic. Why was there just one signed copy? Why was it impossible to make copies of it for all commission members right away? We had asked for copies, but Yakovlev replied that in this wing of the Kremlin where the session took place there were no copying facilities. We made the same request for copies in the next session, but Yakovlev had gone to Germany and his assistant Alexandrov informed us that Yakovlev had specifically told him to keep the only copy in the safe. We feared that the document would remain in the Central Committee's safe and that the delegates would receive an entirely different draft. After all, the opinion that was sealed in the safe was radically different from the current official position of Moscow with regard to the Molotov-Ribbentrop Pact."

To ensure that the commission's opinion from December 14th would be made public, some members decided to leak it to the domestic and foreign press. The plan was controversial because the Soviet Congress had not yet discussed the document, but it would make it very difficult for the proper document to be surreptitiously replaced with a pro-Kremlin version and it seemed like the right thing to do at the time. Fortunately, the plan

was never required to be put into practice because at some point the safe miraculously opened and the members finally got their copies. After giving his word that the document would not be amended, Alexandrov asked us not to publish it in the media before Yakovlev's speech at the Congress of People's Deputies. We now had reason to believe that the promise would be kept, so we agreed.

We remained uneasy. We expected a tough battle at the Congress of People's Deputies and we understood that chairman Yakovlev's speech would be key, but we had no idea what he was planning to say. I began working with Savisaar on his own speech to the delegates, and I've no doubt that Lippmaa and the other Estonians were making similar preparations.

9. December 23rd and 24th: Christmas in Moscow

The pamphlet produced on behalf of the Baltic delegates, which the Estonian delegates carried into the Kremlin in their briefcases, was not the only homework the Estonians had been working on. Russian-language publications about events in Estonia in 1940 had been urgently printed by *Olion* and were shipped from Tallinn to Arnold Rüütel in Moscow.⁴⁷ These booklets were smuggled in boxes into the Kremlin in Rüütel's chauffeured ZIL limousine, the only car at the disposal of Estonian delegates that would be permitted entry to the Kremlin. Together, the two publications would turn out to be invaluable in raising awareness among the delegates, especially given that they would eventually make their decision over the course of two days. Unlike the traditional materials that delegates would usually leave lying around in the hall of sessions, demand for our booklets was high and the supply was barely adequate to meet the demand.

The actual method we adopted for the distribution of the booklets was comical. As we had expected, permission to distribute them was officially refused. So, we unloaded the boxes from the limo during a break in the session and immediately "forgot" them in the corridor of the Palace of Congresses. Our timing was perfect, during the break delegates tore open the boxes, discarded the wrapping and took the booklets, many even took multiple copies. At that time, as we knew, one could not simply leave a box lying around unattended without some passer-by tearing it open. By the end of the break every booklet had gone.

⁴⁷ Arnold Rüütel was then Head of State of the Estonian SSR. He became President of the independent Republic of Estonia during 2001-2006.

The discussion of the MRP and its secret protocols started on December 23rd with Yakovlev's speech (Appendix 16). It has to be said that his message and tone exceeded all our expectations. Delegates asked Yakovlev a number of questions, mostly favourable. To a question from V. Goldanski, a well-known scholar also in Estonia, Yakovlev responded "Comrades, I do not think that this is a history conference." However, there was also a fair share of malicious remarks. V. Suhhov said he found it unacceptable that the decision would mean the Soviet Union had entered the Baltic States as conquerors. It was decided not to debate Yakovlev's speech and to proceed with discussion of the draft resolution.

Endel Lippmaa and Edgar Savisaar were among the delegates given an opportunity to speak (Appendix 17). Lippmaa rebuffed Kravets's proposal that the Congress of People's Deputies be limited to considering the commission's opinion based on just a single item. The draft resolution was then put to the first vote and fell 60 votes short of approval – fortunately, Kravets's proposal fell 160 votes short of approval. The atmosphere was becoming increasingly tense and Savisaar was interrupted several times by the session's chairman A. Lukyanov who repeatedly dismissed him with comments such as "We already know your opinion". As a consequence, Savisaar was unable to deliver his carefully planned speech and was only able to emphasise the necessity of giving the Congress an opportunity to vote once again on the resolution, and he proposed an open, named, vote.

Several further amendments to individual items of the draft resolution were proposed, so Lukyanov asked for the debate to be continued the next morning. He asked the commission to study these proposals overnight. This gave the delegates more time to digest in full the information they had received that day.

Finally, Gorbachev made a number of remarks whose main purpose was to support Lukyanov. It was later commented that if Gorbachev had recommended the adoption of the draft resolution at the beginning then it could have been approved in the first vote. But Gorbachev had no interest in doing this. After all, he had been the one that had told Yakovlev not to disclose evidence that had been hidden deep in the Foreign Ministry archives, and who else could have ordered that Felix Kovalyev, head of the Foreign Ministry's Department of History and Diplomacy, be kept away from the podium? Kovalyev had been observing the proceedings from the guest balcony and had applied on several occasions during the session for permission to offer his own explanatory remarks.

All of the pieces of the puzzle were finally put into place on December 24th, following another speech from Yakovlev (Appendix 18). The Soviet Congress adopted the draft resolution with 1,435 votes in favour – the threshold for approval was 1,122 votes. Only V. Obraz, leader of the union of war veterans and pensioners of Poltava district was categorically against the resolution



The Congress of People's Deputies of the Soviet Union on December 24th 1989.

Image from Juhan Aare's film "The Inside Story of Moscow's Kremlin. The Collapse of the Soviet Union", 2006.

and urged everybody against the disintegration of the country. He argued that the resolution concerned a document that did not physically exist. The only important amendment to the draft resolution was the removal of one its final items, which had stated that "the Congress of People's Deputies of the USSR notes that, as a result of the U-turn by Stalin and his associates away from the ideological fight against Fascism and towards cooperation with Nazi Germany following the signing of the pact and the secret additional protocol on August 23rd 1939, the forces that had previously opposed aggression, war and Fascism lost sight of their proper direction."⁴⁸

The second chapter of this book contains interviews with some of the Estonian members of the commission about the events during Christmas 1989 in the Kremlin. For the public, Yakovlev's report from the morning of December 24th was covered in detail by A. Reigas and published in *Noorte Hääl* on December 29th. Following a long discussion with academician Endel Lippmaa at his home in Nõmme on July 19th 1991, I no longer consider Yakovlev's statement particularly important.

48 For the final resolution adopted by the congress, see Appendix 19.

Essentially, what had occurred in the Kremlin that Christmas was a battle between the conservatives of the Soviet Ministry of Defence and the liberals of the Soviet Ministry of Foreign Affairs, which the liberals won. Of course the reality was much more complicated and it would be a gross oversimplification to describe the Soviet Foreign Ministry as 100% liberal – after all, it was part of that same bureaucratic state apparatus.

Yakovlev called a meeting of the commission late on December 23rd but it was attended by only a few commission members. At that session, Kovalyov revealed the document which proved the transfer of secret protocols of the MRP and other pacts from one Soviet official on to another and so on. This document was disclosed to the Soviet Congress the next morning, but even that proved insufficient to convince the Soviet leaders! Things had changed only when Kovalyov revealed another document that had been obtained from the archive of Molotov, one which recorded the order for the secret protocols destroyed. However, the document said that prior to destruction copies were to be made of all secret protocols and the document itself even included such copies. Only after this revelation did the Soviet leaders understand that it was time to bite the bullet and accept the truth. At the time of writing,⁴⁹ both the general public and the delegates remain unaware of this document. The report also referred to a secret protocol between the Soviet Union and the United States of America which had no connection to the Baltic States and whose contents Endel Lippmaa was asked not to disclose. The reader should understand how difficult the admission of the secret protocols must have been for leaders in the Kremlin – the MRP was just one among the many sins they were concealing.

Both the Kremlin puppetmasters and the Falinists had hoped to weaken the Baltic ranks by scheduling the debate and subsequent vote immediately before Christmas. They were partly correct: during the open named vote, nine delegates were absent from Estonia – J. Aare, A. Aruvald, T. Käbin, T. Made, M. Mikiver, R. Otsason, I. Raud, V. Vare and T. Varek; nine from Latvia and as many as fifteen from Lithuania. This means that in total thirty-three delegates from the Baltic States were absent. From Estonia, J. Kogan voted against the draft resolution while V. Yarovoi abstained. Of course the Baltic delegates made up only a fraction of the total number of People's Deputies who voted in favour (including M. Gorbachev, A. Lukyanov, B. Yeltsin, G. Yanayev, J. Ligachov, N. Ryzkov, B. Pugo, A. Sobchak and other senior officials), but the absence of so many Baltic delegates showed that even on this crucial issue, not everyone was able to distinguish what was important from what was not.

⁴⁹ Prior to the publication of the first edition of this book in 1991. (JJ)

10. Summary

The admission was obviously made with extreme reluctance. The additional protocol to the Soviet-German Non-Aggression Treaty signed on August 23rd 1939 had originally been intended always to remain strictly confidential. This did not happen.⁵⁰ At last, the secret protocol saw daylight in the Soviet Union and, together with the other Soviet-German agreements made in 1939-1941, was declared legally null and void. It was hard for the Soviet leadership, but not for the Russian people. The main battle in the commission and in the Congress was with representatives of the Party *apparatchiks* and with the persons whose minds they had poisoned.

On countless occasions, the Estonian members of the commission took the initiative and found creative ways of overcoming a deadlock or of returning to issues that had already been proven by various documents to be essential to the discussion. The game opposed the opinion of a handful of commission members such as chairman Yakovlev, who took his marching orders from the Politburo, with the opinion of the vast majority of the commission's members. Winning the game had required more than a little cunning. The outcome was determined between our resolution and that of Falin's team. Only when we had laid the authenticated and verified copies of archive documents directly before their eyes did the Falinists cease their attempts at sabotaging our efforts and began to listen. Sensing that greater sins than the secret protocols might yet rise to the surface, they decided to let the commission complete its work. However, the Kremlin's courage ran dry and they would not allow the commission to continue with its reappraisal of history. I will conclude with the opinion of US diplomat Max Kampelman, who was attending an expert consultation on the ethnic minorities in the Helsinki Process in Geneva, July 1991. Kampelman said that if Moscow had wanted to it could have used the commission's assessment of the MRP as a way of isolating the Baltic issue from the rest of the Soviet Union, "but it didn't and now the situation is very different." Imagine if Moscow had wanted that.

Tallinn, July 21st 1991

50 For example, in the US the contents of the Molotov-Ribbentrop Pact became generally known soon after its signing. On September 24, 1939, *Journal American* published an article by Captain John Houston Craige "Nazi-Soviet Deal to Master World Seen in Secret Pact", in which he said, among things, "Small nations from the Baltic to the Black Sea are trembling in their boots at the thought of this international Frankenstein's monster."

II. The work of the commission in retrospect: Recollections and thoughts from some of the people involved

In the summer of 1991 Igor Gräzin and Endel Lippmaa were asked twelve questions about the work of the commission and its findings, to be answered either sequentially or in a single extended response.



Member of the MRP commission Igor Gräzin reads aloud the text of the secret protocol of the Molotov-Ribbentrop Pact —the draft of the protocol compiled by the USSR.

Image from Juhan Aare's film "The Inside Story of Moscow's Kremlin. The Collapse of the Soviet Union", 2006.

Concerning the work of the MRP commission by Igor Gräzin

1. What do you think of the Soviet Congress of People's Deputies' decision to set up the MRP commission?

For us the setting up of the commission was the outcome of a long political process started by MRP-AEG, a group of people seeking the publication of the Molotov-Ribbentrop Pact. It was this group that started to unravel the entire complex web of Estonia's legal status.

They found a tiny thread that seemed to lead towards the restoration of Estonia's independence, and they began to pull on it. Things that today seem perfectly clear and logical were not so then, even just a few years ago.

The early proceedings of the 1st Congress of People's Deputies actually mirrored the development of the MRP issue in Estonia: the first admission of the historical fact, then the evaluation by historians (e.g. Roy Medvedev), and Endel Lippmaa's diplomatic manoeuvres convincing the top leaders of the Soviet Union that the issue was of the utmost importance for us and that we would stand firm in our request for debate. The first open confrontations with hardliners began during the very first step, while considering whether it was necessary to discuss the MRP at all. I had not planned to read the secret protocol of the MRP aloud from the podium, but at some point it seemed that it was the only way to avoid political defeat on an issue of such crucial importance for Estonia. Delegates who were denying the whole MRP issue had started to gain the upper hand and all our preparations would have gone to waste. As I walked up to the podium I was still deciding which aspects of the issue I should emphasize. When I began to speak, my mind suddenly went blank, so I took out the text of the secret protocol (I always carried a copy of it together with a brief presentation of the IME concept) and read it aloud to the hall of delegates. The protocol is a historical fact and its text provided a far stronger argument than any legal or political wisdom that I could have shared at that time.

2. What did you think of the commission's composition?

In my opinion, the members of the commission were just as honest and objective as could have been hoped. There were a few surprises, fortunately they were mostly pleasant ones: for example, Endel Lippmaa. Of course I had heard of his reputation for scientific rigour, erudition and knowledge, whether at his institute, in his work at the laboratories of the Estonian Academy of Sciences or in his fight against the ecological catastrophe in north-east Estonia. But the depth of the documentary research done by Lippmaa, who, by the way, is a natural scientist, is simply beyond me. Take also Edgar Savisaar – yes, he was a historian, but the MRP was not his field of expertise. The skills Savisaar exhibited in ensuring the support of several prominent Moscow historians, forging a team from them and keeping the commission on track at the time when many wanted it to fail, were extremely important for reaching the outcome.

We agreed in principle, if not in detail, with both Georgi Arbatov – with whom we initially fell out and then managed to co-exist rather well – and Nikolai Neiland, whose enormous diplomatic experience was valuable for assessing the foreign policy context

and prospects of the commission's resolution. With only a few minor exceptions, I can honestly say that everyone contributed time and effort to the commission's resolution.

3. What was the atmosphere in the commission's meetings? What were the most memorable moments?

The hardest part of our work was the interpretation of historical facts. Emotions were running high and I must admit that there were times when I was not sufficiently diplomatic and tactful. We also saw our fair share of comedy (comic in hindsight, of course). For example, the performances of the foreign minister of Ukraine, who refused to acknowledge the existence of the Pact because "he had not seen it with his own eyes", and Marshal of the Soviet Union's Armed Forces, Akhromeyev – a guest expert who became confused and then began to prove that there was no military justification for the signing of the MRP (recently he has again started to deny it).

The key issue was whether there was a connection between the secret protocol and the events of 1940. I believe that while almost everyone perceived the connection (with the possible exception of Ukraine's foreign minister), opinion differed on whether and in what degree it should be admitted. Intellectually, it was an issue of the historical responsibility of the Soviet Union and whether the time was right to repent.

In my view, the whole dialogue, debate and confrontation is personified by two people who embody Russian intellectuals of the highest order, with all their hesitations, moral pursuits and controversy, pragmatism and values. I am talking, of course, about Alexander Yakovlev and Yuri Afanasyev. Although they shared many similar principles – both were extremely clever scientists and true patriots of Russia – they ended up on opposing sides in the commission.

The unfortunate thing about Yakovlev was that, as a member of the Politburo, for us he represented the official Communist view and therefore became the target of several personal attacks. However, for his actual contribution he deserves full credit. As the commission's chairman, Yakovlev did absolutely everything possible to make sure that the secret protocol to the Molotov-Ribbentrop Pact was officially admitted and denounced. To expect more than that was simply unrealistic, no matter what we might have believed at the time. Let me mention two aspects of this. First, Yakovlev had prepared a speech for the 2nd Congress (see Appendix 16) before the draft resolution was put to a vote. It must have been the most intelligent address ever made in that hall. Moreover, after the first vote had failed, it was Yakovlev that ultimately made sure that the draft was put to new vote the next day. Second, Yakovlev himself paid a hefty political price for his actions: because of

what happened in the commission, Gorbachev pushed him out of the political arena and undoubtedly still considers Yakovlev's actions to have been a mortal sin.

4. What did you think about the main arguments of the hardliners and the work of the Kremlin's experts?

How do you argue with a person who says "If I haven't seen it, it doesn't exist"? This claim was so banal that it seems strange to mention it, but it was the reality. Yakovlev had just ended his excellent speech to the delegates when a war veteran stood up and said that the secret protocols do not exist and that the whole thing is huge nonsense. What can you do? The other claim was that it was not necessary to discuss the MRP at all. For the opposition, the big question was "What will happen if the MRP is admitted?"; or, in official Congress-speak, "Will the commission's opinion strengthen the new Soviet Union? If yes, then let's admit the MRP, if not, forget it". Sounds familiar? It is much the same as Lenin's statement "It's not important what the truth looks like. What is important is whose interests it serves."

Of all the claims made by the opposition, the most important was their skepticism about the connection between the events of 1940 and the MRP. It required the most work from us. Of course we knew what the link was, but we needed hard evidence to prove it. That work was done mainly by our historians Jüri Ant, Heiki Lindpere, Erik Truuväli, Sulev Vahtre and many others in Tartu and Tallinn who spoke at several conferences dedicated to the issue. I hope that those experts whom I have not mentioned will forgive me; after all, I was in Moscow most of the time. Among the Kremlin's experts only Valentin Falin, head of department of the Central Committee of CPSU, was a historian and had obtained a doctorate on the subject. He was also the one whose interpretation of events differed most often from ours. In this respect the work that Endel Lippmaa did in gathering factual evidence was of key importance. This gave us the factual basis to support our claims and ensured that none of the facts presented by the opposing side came as a surprise. The duel of Lippmaa vs. Falin was the most impressive experience of scientific debate in my life. Each was a worthy opponent of the other and that made Lippmaa's victory all the more valuable. As to the other Moscow experts, I have trouble recalling who they were. Yes, they were sitting there by the wall, but what they said and who they were I simply cannot remember.

5. How did you counter the delaying tactics? How did you avert the crisis in the July and August sessions when the commission's majority had made a decision but the chairman was delaying its adoption before August 23rd?

The resolution finalized before the end of August was initiated by Savisaar at a semi-formal

meeting; he said that we could argue endlessly but it was time to write something down. At that same meeting he introduced us to Vassili Kulish, a history professor from Moscow, with whom we returned to my room at Hotel Moscow and wrote the first rough draft into my notebook. By the time of the next session we had copied this draft and begun to work slowly through the main points that we had already agreed. At some point, Afanasyev and I said that we would need twenty minutes to prepare the draft resolution. We also included a few sentences from the draft of Lindpere and Lippmaa and deleted the excess of our draft. The document was revised once more by Lippmaa and Falin and that was it.

Getting Falin's initials on the final August draft resolution was extremely important, because it allowed us to report that the commission's work was done and approved. It seemed clear to us that Falin, a very experienced politician, had only approved the draft text because he was confident that Gorbachev would have no problem with the text and would allow its publication. However, this was a huge miscalculation. The Almighty refused to give His acceptance. One can only wonder why. You know what happened next. There's just one more thing that I want to emphasize: we did everything humanly possible to get the resolution approved by August 23rd. I remained in Moscow on the eve of the Baltic Way and at 6 o'clock was in Gorbachev's office waiting for his response (the head of state was vacationing in the South and was expected to announce his opinion via the office). Having waited for some time for a response, I and one of Gorbachev's aides finished our game of checkers and said "Enough is enough, let's go home."

6. Were there any significant differences between the resolution published in the Baltics by August 23rd and the final decision made in December?

Not in principle. The big issue, of course, was whether the commission's resolution went far enough. Overall, the resolution said the right things and, strictly speaking, the commission was not authorized to go further since its mandate had been limited to the 1939 Pact. Even the Kremlin understood that if the resolution had included the occupation of 1940 and had been admitted, then the Baltic States would have found themselves legally outside the Soviet Union. The idea that a marriage could be made anyway you like but the divorce could only be made in court, came later. Of course, we had previously hoped to include the 1940 events, but this proved hopeless at the time. We tried to keep the commission open after its conclusions had been adopted so that it could deal with the events of 1940 at sometime in the future, but this approach was not accepted. Later, as new issues emerged, there was little interest in insisting upon the continuation of the commission.

That was fine because by that time the lawmakers of our republics had adopted all of the necessary declarations and the road towards independence was wide open.

7. What were the tactics of the Kremlin shortly before and after the 50th anniversary of the MRP?

I don't believe that there were any uniform coordinated tactics. The upcoming anniversary of the MRP simply exacerbated conflicts and differences of opinion within the senior Soviet leadership. Gorbachev let Yakovlev govern the commission for as long as the material outcome – the resolution – was not imminent. He was apparently hoping that, as an experienced politician and competent historian, Falin would make sure that the commission's conclusion would be impotent. That is why matters progressed fairly smoothly in the beginning. The only problem was that by mid-August the pressure to resolve the issue had suddenly intensified and Gorbachev was yet to make up his mind what to do about it. And Gorbachev's reluctance was a further surprise because it hadn't been expected by either Yakovlev (this explains why he had initially agreed to accelerate the drafting and publication of the resolution but later opposed its disclosure) or Falin who had even initiated the draft resolution. I don't know how personal it was, but this episode was another example of the typical Kremlin behaviour of persistently rejecting any draft legislation on economic reforms which had been proposed by the republics – so long as it is only talk, everything is fine, but as soon as words grow into deeds, the Kremlin slams on the brakes. You are allowed to talk endlessly about the rule of law, sovereignty, market economy and new thinking, but only on one condition: nothing must change and the old system must remain intact. We'd already learnt that lesson by 1989. It's a pity to see that Western politicians are still learning the wily art of caution in their relations with the leaders of the CPSU.

8. On September 29th 1989, the commission's vice chairmen Y. Afanasyev and Edgar Savisaar made a joint public statement on behalf of the qualified majority of the commission. To what extent was that statement justified?

Perhaps the public statement and press conference were not entirely fair play. After all, there existed an elected chairman of the commission, whose responsibility it was to make statements on behalf of the commission. However, as I have indicated, the game that our opponent was playing was far from fair. In hindsight, the press conference and statement proved a both necessary and apposite manoeuvre. Who knows how much longer we would have had to wait otherwise? Moreover, the bureaucratic term *qualified majority* does not express the real degree of the majority (5/6).

9. How did the commission reach its final conclusion?

I have no idea. I was absent from the commission's final session since I had to attend another meeting on the other side of the Kremlin where I was the only Baltic representative. As to the 2nd Congress, one of its most peculiar features was the extraordinary degree of manipulation of speeches and documents. At that time the head of the Secretariat was Georgi Kriuchkov, a party leader from Odessa (don't confuse him with the head of the KGB with the same name). He was a bureaucrat and an egoistical manipulator in the worst sense. I had the "honour" of disputing with him repeatedly in a commission for drafting the law on constitutional supervision, and I know what I am talking about. He sucked up to supervisors, was arrogant towards subordinates, was always prepared to falsify anything and was a dangerous man whose tricks could cost us dearly. For example, the Congress of People's Deputies had a rule that the Secretariat was only allowed to photocopy for any delegate those documents that had been requested by at least twenty delegates, and there was a scandal when Kriuchkov had allowed a document that had been prepared by hardliners to be copied even though the application had been signed by only five delegates – the document was about how the Baltic States had happily and voluntarily joined the Soviet Union! When this was discovered, Kriuchkov claimed that it was the collective decision of the Secretariat, although it had no right to amend the rules of the Congress. Hardo Aasmäe knew nothing about it and Stankevich, a democrat and Kriuchkov's own deputy in the Secretariat, stated publicly that the head of the Secretariat was lying. Kriuchkov was saved by Lukyanov who diverted the attention to another topic. By the way, it was the same Kriuchkov who refused to copy materials requested by twenty delegates on some other issue that had been submitted by delegate Obolenski who had challenged Gorbachev in the elections in the 1st Congress.

There was more trouble. Just before Yakovlev's first report on the conclusions of the commission, hardliners attempted to set up stands in the foyer of the Palace of Congresses exhibiting materials about the "voluntary" unification of the Baltic nations with the "friendly" Soviet family in 1940. When Lippmaa informed the hall that an unauthorized exhibition was being set up, his microphone was switched off. Somebody then gave an order to remove the exhibition and it vanished as quickly as it had appeared. As was customary, it remained unknown who was responsible for this unauthorized display and who had allowed it to be set up.

After Lippmaa had informed the delegates about the illegal exhibition, I immediately left the hall and saw that almost all the stands had been taken down. I took off my jacket and tie and offered the staff a hand in carrying out a long stand. We arrived at a bus with

military license plates and were told to put the stand inside the bus. I then took out my delegate's certificate and demanded that the colonel in charge of the bus tell me who the exhibition belonged to. He did exactly what any proper Soviet colonel would do in such a situation – he literally threw me out of the bus, shouting to the bus driver “Petya, drive!”, and the bus was gone. I noted the license plate number and found out that it belonged to the Political Department of the Soviet Ministry of Defence. Later we found out that the historical exhibition had been prepared by the Museum of the History of Soviet Armed Forces. So, you can imagine what kind of experts represented the official line in the work of the commission, and what their views were.

10. What did you think about the adoption of the commission's resolution by the 2nd Soviet Congress of People's Deputies in December?

Personally, I truly believed that it was going to be very difficult. Having close ethnic ties with Russia and Russians, I understood very well the doubts and suspicions that Yakovlev, Afanasyev and Kazannik must have had. However, it was still a major disappointment when the resolution was not adopted at the first vote. By the way, it was not voted against for political reasons, but because of the intellectual standard of the Congress of People's Deputies – they were unaccustomed to different ways of doing politics. That is why the excellent and balanced speech of Yakovlev failed to get through. But it's true that many delegates for whom the MRP story was news began to think about it and later voted in the right way.

It seems that the entire issue prompted many delegates to further thought. In that respect the decision to modify the final draft and to present for a new vote the next day was the right one. We did not change the contents of the initial text, but it gave those delegates more time to come to terms with it (with the exception of the more stubborn delegates, naturally). Although we had the whole night ahead of us, Georgi Arbatov and I sat down at an empty desk right there during the break, and made two corrections that essentially changed nothing. Three minutes later we handed the new draft to Yakovlev. The three of us then decided that because the amendments were formal and changed nothing in principle we would not call for a new vote from the commission itself. And that's how it was. The draft resolution was adopted in the new vote on the following day.

By the way, in his speech on the second day, Yakovlev said something that was new to all of us. He said that the Ministry of Foreign Affairs had found a note, concerning the transfer of documents, which clearly mentioned the secret protocol. Allegedly, this document had been found only recently. Of course I cannot be entirely sure, but I believe that

Yakovlev was genuinely unaware of it. After all, the commission had made its conclusions and this document changed nothing. Anyway you might say that luck and fate were on our side in the end.

11. What was the impact of the additional materials, such as the appeal from Baltic delegates and the book on events in Estonia in 1940, which you distributed to the delegates?

It was not just those materials – all the massive homework done by the journalists, historians and lawyers was very, very useful. The press coverage by Anneli Reigas and Toomas Sildam was as important as the work done by the commission's members and experts. There was only one problem with the handouts we had prepared – demand vastly outstripped supply. Some delegates were taking tens of copies and asking for more. There was no need to ask the Secretariat to hand them out because the brochures practically distributed themselves. Without those supporting materials the final report of Yakovlev would not have been so effective. Now everyone was able to see the facts that the commission had been working with.

12. Were you generally satisfied with the resolution that the 2nd Soviet Congress of the People's Delegates adopted on December 24th 1989? In your opinion what was missing from it?

As I said earlier, generally, I was satisfied. Why did we need this resolution? To establish historical truth? Of course not – the historical truth had already existed for a long time. What made the work of the commission particularly odd was that from the scientific standpoint it was totally worthless. It was like debating whether the Earth is round. I do not think that anyone was so naïve as to expect the Soviet Union to admit the Molotov-Ribbentrop Pact and then allow us secede.

For me the admission of the Molotov-Ribbentrop Pact by the Soviet Union was the political foundation for restoring Estonia's independence in the more distant future and a starting point for normal political dialogue. The second option – to force the USSR to recognize the people's right to self-determination – was never realistic. With the exception of some of Lenin's slogans, the Communists have agreed to self-determination only after they have exhausted the use of military and economic power. If even Yugoslavia, with its much softer and more democratic approach, could lose control, then how could the USSR be expected to do any better?

Moreover, by the end of 1989 there were so many contentious issues between the

Baltic States and Moscow that the whole thing was becoming a political tinderbox. We hoped that a resolution of at least one dispute would help Estonian politicians to guide the country slowly towards independence, and so it did. I am not saying that the admission of the secret protocols by Moscow was a determining factor, but it was definitely a small step towards restoring our independence. It was followed by the transition period, Lithuania's independence declaration, democratic elections, etc. Eventually, the work of the commission helped to create the beautiful Baltic human chain as a new form of Baltic solidarity – one that needs to continue to be kept alive for the future. After the Baltic Way the Central Committee of the CPSU made its ominous warning about genocide, which was intended with crystal clarity to show us who we were dealing with and what they were capable of. Let us say that the statement was a reminder that, so long as the forces capable of making such threats continue to exist, we must be prepared to protect our values wisely and fairly and keep the doors to dialogue open to our allies, friends and supporters throughout the former Soviet Union.

July 8th 1991

* * *

13. Additional question to Igor Gräzin, April 2009: How would you assess the work of the commission today, eighteen years after the Republic of Estonia was restored to independence?

I think the interview I gave Heiki in 1991 has since become a small part of the larger history of the MRP and should not be amended. However, to reflect the fact that we have become older and smarter over these years, I would like to make some remarks 2009 *anno domini*.

First of all the powerful Soviet leader, Alexander Yakovlev, a great scientist, politician and humanist, who supported the exposure of the Molotov-Ribbentrop Pact, is no longer with us. He is the one who said, long before Estonia regained its independence, that if it succeeded I doing so then the only thing he would want to have would be a personal entry visa. Thus, even the Soviet Union's chief ideologist, whose job description was to convince the Soviet people of the exact opposite, had no doubt that Estonia would one day become independent and he did everything in his power to make it happen.

Juhan Aare was among the last people to interview Yakovlev before Alexander Nikolaevich went down to Toonela – the last resting place of the souls of the ancient Estonians. It is no accident that I use a symbol from Estonian mythology, because I believe

that Yakovlev deserves to be among the spirits of great Estonians for what he did. In the interview, which was given the Eesti Kultuurifilm 2006 film production "Estonians in the Kremlin", Yakovlev said openly that from the start he and his team had no doubt that the annulment of the Molotov-Ribbentrop Pact would help the three Baltic States to regain independence. This made perfect sense in legal terms, because the Baltic States had become part of the Soviet Union by annexation.

The whole of Yakovlev's political effort was aimed at ensuring that the general public was kept in dark about what the 2,000 delegates of the Soviet Congress of People's Deputies had done.

Personally, I felt somewhat insulted that Yakovlev, a devoted democrat, mistrusted us Estonian delegates to the very end. However, I also understand that he was gambling for significantly higher stakes than we were. To take an analogy from the Stalinist era, for what we did we would have been facing twenty-five plus five years in a labour camp, but Yakovlev would have gone straight to the torture chamber of the KGB's internal prison. Yakovlev even named the date when he realized that his bodyguards had become guards conveying a prisoner.

Years later, at the end of 1990s, Yakovlev revealed that he had kept all the aces needed to abolish the MRP secret protocols close to his chest. Although today the existence of secret protocols is no longer secret (even the original envelope has now been found), at that time the key thing was to get an official admission that such documents existed. This was exactly what was denied by the likes of Gorbachev, who was of course perfectly aware of their existence: they were kept in a brown envelope that was passed on from one General Secretary of the Communist Party of the USSR to the next. Or, to be more precise, from the funeral committee of the deceased General Secretary to the next living one. But Yakovlev was aware of one fact that could have blown the whole conspiracy open: he knew that Valentin Berezkhov, who had been an interpreter for Stalin and Molotov with Hitler and was a witness to the signing of the secret protocols, was still alive.

Yakovlev's political game was so risky and complicated that he once gave me the address and telephone number of Valentin Berezkhov and suggested that I invite him to Tallinn to the MRP conference, but would not tell me what it was that Berezkhov knew! During a flight to the Tallinn conference I took the opportunity to ask Berezkhov about his being present when Ribbentrop visited Moscow, but he would not reveal to me the truth of what he had seen. Today it makes perfect sense – he must have been worried about the safety of his children. His 24-year old son was killed in vague circumstances some time later, and Berezkhov himself later became a modest history teacher in California, where no

one could have imagined that on the wall of his apartment in Moscow there had been photos of him posing with Stalin, Hitler and Chamberlain.

There are many more such stories; and I'd like to emphasize this: our colleagues and supporters from Moscow took a huge physical and moral risk by helping Estonia to become free. Yakovlev himself was not a big fan of Yeltsin – after all, one had a PhD and became a Princeton professor, while the other was a former building site manager who had become party leader. An academic aristocrat and a career Party bureaucrat with a minimal educational and intellectual level were unlikely to like one another very much – intellectually they were too far apart. However, he did find it totally unacceptable that the Republic of Estonia never gave Yeltsin any state honours and said “In the Brezhnev era, Rüütel had no problem being in the same party with Yeltsin, but as soon as he became president of Estonia he no longer knew the pensioner called Yeltsin.” Why should he trust us if there were others among us like that?

The second issue was exposed only years later, and answered the question of why Stalin needed the territories of the Baltic States. Simple territorial expansion? Absurd. The Soviet Union encompassed huge uninhabited areas like Siberia, with practically unlimited natural resources. As a demonstration of political power? But why? The official foreign policy of the Soviet Union at that time was to remain neutral in any conflicts between imperialist superpowers. For control of the Baltic ports? Hardly, since Russia had signed free transit trade agreements and already had free access to the Baltic ports. Of course, at those times we suspected that the secret protocols of the Molotov-Ribbentrop Pact had a clear and understandable political agenda, but were unable to prove it. After all, Stalin was not a lunatic and, unlike all other European leaders, he did not make miscalculations except one, which I will describe below – he was a political pro of much higher ranking than all the Churchills and Chamberlains put together. The answer came via Yeltsin and his literary agent Andrew Nurnberg who arranged for me to meet Viktor Suvorov, the most romantic and legendary of former Russian spies. I knew the central idea of Suvorov's theory before our first meeting in a London pub “Pride of Paddington”: Stalin was preparing to conquer Europe in order to realize his dream of a Communist world revolution, he had even set the date for the Soviet attack July 6th 1941. Hitler's attack against the Soviet Union was therefore nothing more than a desperate preemptive strike.

So, why the MRP? According to former Soviet military spy and now British citizen Viktor Suvorov (real name – Vladimir Rezun), Stalin wanted a platform from which to attack Germany and Romania. As long as Poland remained intact, Russia would be unable to attack Germany because there was no common border. Stalin wanted to create that border,

and that's why he needed the secret protocols – they gave Russia a joint border with Germany on Polish territory. Khrushchev joked that as soon as Ribbentrop left the room having signed the MRP secret protocol, the always-calm Stalin slapped his thigh and did two squat jumps, shouting "I fooled him! I fooled Hitler!"

For Stalin it would have appeared suspicious to demand only Poland from the division Europe and taken together with the Baltic States the division looked more logical. What is more, the occupation of Estonia and Latvia, and the Finnish Winter War, seem to suggest a plan to invade Sweden at some point in the future in order to gain control over its strategic resources of metal ore. Hitler understood the fatal danger that Stalin posed to Europe only by accident and too late, when, under the cover of the MRP, Stalin occupied Bessarabia.⁵¹ In the division of Europe agreed between Stalin and Hitler there was no specific provision for this action nor any need for it. In invading Bessarabia Stalin made the only, but fatal, mistake of his life: Hitler now understood that Stalin planned to attack Romania in order to cut off Germany from its only oil resources, and he gave an urgent order to prepare a preemptive plan of attack against the Soviet Union, known as Barbarossa. Hitler had understood too late that the Soviet hammer suspended over both him and Europe had already been raised and that the war was lost. By that time Hitler had no longer any way to escape the trap: war against Britain could not be stopped and he had no real way of annihilating the Soviet threat. After having been caught by surprise, Stalin still managed to conquer half of Europe, and we can only guess at what might have happened had Stalin himself struck first on July 6th 1941.

The third interesting question asks what would have happened if, with the aid of the MRP, Stalin had won World War II? First, the years of human tragedy would have ravaged more nations across a far wider territory than it did in 1949. But let's not forget that shortly after Stalin's death, Beria who has been demonized by official Soviet history, started to liberalize relations with the so-called socialist countries, applied for neutrality for the German Democratic Republic, and brought certain elements of Soviet technology to the threshold of the 21st century. Among other things, he initiated one of the world's most successful space programs, his subordinate semi-prisoners developed the principle scheme of Apollo's space journeys to the Moon, created a hydrogen bomb and designed a superfighter that used stealth technology. It would be unreasonable and immoral to claim that the execution of the secret protocols of MRP according to the Soviet plans would

⁵¹ Historically, Bessarabia is a region corresponding approximately to the Republic of Moldova, with smaller parts now in Ukraine. (JI)

have been positive for Europe, but it would have given us a different Europe. Everything depended on the power succession in the United States and the Soviet Union. The maverick Kennedy could have found himself facing, as his counterpart, Charles de Gaulle as the Chairman of the Presidium of the Supreme Council of the European Union of Soviet Socialist Republics, and the threat of World War III would have been averted. If General Franco had been the ideology secretary of the Central Committee of CPSU he would, as a humanist, have freed Europe and the Soviet Union mentally significantly sooner than it happened in reality (Franco was the only head of state in Europe who had set up a special military structure under his direct control for protecting the Jews who were being hunted by the Nazis and for rescuing European cultural treasures and intellectuals. His social reforms went further than those of Czech Communists in 1968.) What I am saying is that now that the bloody trail of the secret protocols of MRP has come to an end, they remain intellectually stimulating and allow us to speculate as to how things might have been had everything gone exactly as the most evil participant in the Pact, i.e. Stalin, had intended.

I do not agree with the claim that history knows no conditionals nor uses such phrases as “if that had happened instead”, “if only he had known”, “if only he had done it”, etc. History may not do this, but social scientists and historians do. The knowledge that our actual history is only one among the many options that were available to us hopefully may teach us to pay attention to the preconditions of future events already today. We did not see the theoretical value in the secret protocols of the MRP. Thank God for that.

A final remark. In March 2009 a group of new Russian communists put up a slogan “Putler – kaputt!”, merging the names of Putin and Hitler into a novelty name. It was also a reference to the most vulgar Soviet propaganda film “The Battle of Stalingrad” in which Nazi Field Marshal Paulus comes out of the bunker with raised arms, shouting “Hitler – kaputt!” The reaction of the Putin regime was extremely aggressive and it opened a criminal case against the authors of the poster. It seems that the slogan touched something very important and sensitive. (Only a day later, school managers at a local school in Mustamäe in Tallinn announced sanctions against a Russian youngster born in Estonia who had publicly asked the Russian Ambassador not to interfere in the school business of Estonian children). Let us also recall Putin’s famous quote, made in the true spirit of the Soviet prison guards: “The collapse of the Soviet Union was the biggest tragedy in the history of the 20th century.” What a lesson! If Putin, who got nothing from the Soviet Union and everything from independent Russia, finds the collapse of the USSR tragic, then our silent war against the secret protocols of the MRP is far from over. The Soviet Union gave young Volodya Putin an

unenviable childhood and the job of a secret policeman, and he still wants the old USSR back. This is the same Putin who, in March 2009, lost no time in hiring former German Chancellor Schröder to divide Poland in the true spirit of the MRP by promoting the under-sea gas pipeline Nord Stream whose only objective is to isolate Poland from Europe. If the issue were only about the supply of gas to Europe, then it could easily run overland behind Lake Peipus and on through Poland. Put simply: Comrades Molotov and Ribbentrop – your life may be over but your cause is not. Unfortunately, not for some considerable time.

There was once a saying – “Stalin is today’s Lenin!” Similarly, one might say today “The Schröder-Putin Nord Stream is today’s MRP” However, today we are wiser and smarter than the people of 1939.

April 2009



Endel Lippmaa in 1989
Photo: Estonian Film Archives

On the history of the Molotov-Ribbentrop Pact and my work for the commission by Endel Lippmaa

The secret protocol of the Molotov-Ribbentrop Pact signed on August 23rd 1939 has an interesting history. By 1939, Europe had become a playground for two superpowers that each wanted to rule the world. They soon understood that it was easier to expand by taking over territories of other countries than by attacking each other. In the spring and summer of 1939 they began the approaches towards each other that would lead to the beginning of the re-division of their world. In World War I Germany had lost all its colonies plus the territories in the East linked to the Polish corridor. Russia had lost all its western territories, including all four Baltic States from Finland to Lithuania, the whole of Poland including Warsaw, and Bessarabia. As always, the losers were dreaming of revenge and looking for allies. The Soviet Union's efforts to form an alliance with Great Britain and France failed when they refused to allow the USSR to deploy its forces in the Baltic States, Poland and Romania. On August 15th 1939, the same day that British and French representatives had left Moscow, the two dictators began a dialogue between two ideologies of world domination, one based on class and

the other on race. On August 17th 1939 the People's Commissar of Foreign Affairs of the USSR and the ambassador of the Germany state held detailed negotiations in Moscow over the new cooperation treaty that had been transcribed by V. Pavlov (Appendix 1). The partners discussed economic, financial, military and territorial policy issues and the non-aggression treaty, but the issue of deployment of forces in the Baltic States was taken up on the initiative of the Soviet government. Molotov insisted that the territorial policy issues raised by the Germans on August 15th must not be written in the public text of the non-aggression treaty, but in its separate secret protocol instead. Molotov also said that the position of the USSR had been approved personally by comrade Stalin. Ambassador Schulenburg stressed that the German party had major problems with the secret protocol demanded by the Soviet government, since the Germans had no information about its specific contents, and asked the Soviets to submit at least a rough draft of the protocol.

In screening the victims of future aggression, German officials preferred to have oral agreements, while the ever-suspicious Soviet leaders insisted on laying it down in writing in secret protocols. The two partners even developed new diplomatic terms to denominate the would-be annexation areas, naming them spheres of interest, spheres of influence or march-through zones. Shortly afterwards, the two developed a joint image of a plutocratic enemy, caricatured as a fat spatterdashed Jewish banker from London.

Moscow had already completed the upgrading of the 1926 neutrality treaty into a five-item non-aggression pact by August 19th 1939. The telegram sent to Berlin in that regard contained a postscript with a demand to also sign a separate top-secret additional protocol to the pact concerning the foreign policy aims of both states (Appendix 2). In his response by telegram to Stalin, Hitler emphasized that all issues raised by the Soviet government in connection with the secret protocol could be resolved without delay by the plenipotentiary of Germany in the Moscow negotiations. He asked that the representative of the German Reich be received either on Tuesday, August 22nd or at the latest on Wednesday August 23rd. Stalin responded to Hitler's proposal at once by a return telegram in which he expressed satisfaction concerning the breakthrough in German-Soviet relations and agreed to meet Mr. Ribbentrop on August 23rd.

With the secret protocols signed on August 23rd 1939 and on later dates, the aggressors divided the whole of Eastern Europe from the Black Sea to the North Sea. The secret protocol from September 28th re-divided Poland, while under the secret protocol signed on January 10th 1941 the USSR purchased from Germany the Marijampole district and town of the pre-war Republic of Lithuania. In the earlier division, Germany had retained the area as an elk-hunting ground for Ribbentrop, but the Red Army occupied it shortly after Lithuania and the USSR had signed a pact of mutual assistance on October 10th 1939.

On November 25th 1940, Molotov proposed another five secret protocols to the Germans. In the first of them the Soviets demanded the area between Batumi, Baku and the Persian Gulf (Kuwait), in the second – the Bosphorus and the Dardanelles, in the third – again and finally Finland, and in the fifth – Bulgaria. The fourth protocol was not related to territorial demands. These proposals were rejected by Mussolini and ended the potential expansion of the Tripartite Pact⁵².

The protocols were actually not so secret at all. German Ambassador Schulenburg had already revealed the contents of the secret protocol to his second secretary Hans-Heinrich (Johnnie) Herwarth von Bittenfeld on the morning of August 24th 1939 when von Ribbentrop was still asleep. As a devoted anti-imperialist, von Bittenfeld promptly passed this information to the ambassadors of the United States and several other countries. The governments of the Baltic States already knew the text of the protocol by the end of August 1939. *The New York Times* wrote about it on August 28th and September 15th, *The Times* on October 11th and on September 24th the *Journal American* even published the entire plan for the division of Europe, including an accurate map in which all four Baltic States were shown in the Soviet zone. Official enquiries made by the Baltic States were answered with diplomatic lies by aggressors who intended to keep their cruel plans secret and avoid public panic, which in Estonia's case lasted until June 18th 1940.

As always, keeping the public unaware was to lead to greatly increased fatalities in the future. After World War II, Soviet-Nazi secret protocols were mentioned in the April 1st 1946 session of the Nuremberg trial. Seidl, who was defending Hess, asked questions and von Ribbentrop gave depositions on all of the Soviet-Nazi secret protocols that had been signed or proposed. He emphasized that if the division of Europe between the USSR and Germany was an act of aggression then both parties were equally guilty. The Soviet prosecutor General Rudenko rejected these claims by the defence, saying "We are here not to investigate the problems related to the policies of the Allies, but the charges against German war criminals". It was agreed that there was no mandate, the murderers who had lost the war were hung and the issue was buried. By the way, for security, this conversation was not translated and has never been published among the Russian-language materials of the Nuremberg trial.

All of the Soviet-Nazi secret protocols were published by the French already in 1946 and two years later by the Estonians (A. Rei) and the Americans. The Soviets responded by categorically denying them and claimed that they had been falsified. Valentin Falin denied

52 The Tripartite Pact was a treaty signed on September 27th 1940 by Germany, Italy and Japan and established the Axis powers. The Soviet Union had hoped to participate. (JI)

the existence of the secret protocols at the Novosti press conference on August 16th 1988; Felix Kovalyov and Oleg Ržeševski, who later became experts for the MRP committee, made a denial in *Pravda* on September 1st 1988; and the Soviet Minister of Foreign Affairs Gromyko did so in the magazine *Der Spiegel* in April 1989.

However, there was more positive news. At a reception held in the USSR's embassy in Washington D.C. in 1969, the Estonian Liberation Legion distributed a brochure on the Ribbentrop-Molotov Pact that contained the text of all the secret protocols. On August 1986 the first Black Ribbon Day took place in Germany and a year later, on August 18th 1987, US Senator Donald W. Riegle wrote a letter to Mikhail Gorbachev, urging him to annul the secret protocols. A similar letter was sent out on June 29th 1988 by Dun Ritter and Dennis Hertel, members of the US House of Representatives. In 1987, MRP-AEG held its first rally in Hirvepark in Estonia to raise awareness of the secret documents among the general public. The MRP-AEG protest held in the following year was already much bigger and it was clear that it was now time for action. However, the Soviet leaders had no intention of admitting the existence of the secret protocols, nor of the territorial changes that resulted from them.

A suitable moment for action came at the Congress of People's Deputies held in Moscow at the end of May 1989. At that time it was becoming increasingly apparent that the country's top leaders were directly linked to the Tbilisi bloodbath. Estonian delegates – J. Aare, H. Aasmäe, G. Golubkov, I. Gräzin, A. Haug, S. Kallas, T. Käbin, T. Laak, M. Lauristin, E. Lippmaa, V. Palm, V. Pohla, I. Raig, I. Raud, V. Saar, E. Savisaar, E. Tamberg and G. Tõnspöeg – had prepared a draft resolution for setting up a committee of seventeen members with the objective of disclosing the 1939 Soviet-German Non-Aggression Treaty and the secret protocols and providing a legal assessment of the protocols.

Since I had been elected to the Presidium of the Congress of People's Deputies as the representative of Estonia, I was able to begin negotiations with Gorbachev on this issue right away. Right there, from the Presidium's desk, I told him how setting up the commission could be of benefit to him in such politically tough times. To add credibility I gave him the text of the secret protocol – not the text of the actual signed protocol that had been published in the West, but of the authentic rough draft, written in fluent Russian, that was prepared in Moscow for the negotiations with von Ribbentrop. The documents also included the Soviet-Polish pact from July 30th 1941 concerning the annulment of all 1939 Soviet-German agreements about the re-division of the Polish territory. It worked. Gorbachev first discussed it with Shevardnadze and then Gorbachev, Yakovlev and I discussed it beside the assorted imported delicacies served in the softly lit second-floor restaurant of the Palace of Congresses. The proposal was simply too good to be rejected, so Gorbachev

agreed and I presented the draft proposal for setting up the commission to the delegates. This immediately got a reaction from V. Yarovoi who said, quite correctly, that this would make him a colonial occupier. Later, Gräzin read aloud the Russian text of the secret protocol. This impressed the delegates and later also the editors of the transcript of the session, since what was published in the bulletin No. 8, Part I, on June 1st 1989 was not the Russian draft that Gräzin had read aloud nor was it the text of the actual protocol – each of the original words was everywhere replaced with a synonym in the publication. In my opinion that fact proved once again that our texts were both authentic and important.

The statement of Mikhail Gorbachev summed up the situation. He repeated his skepticism about the existence of the secret protocols and made his famous “argument” that it was difficult to believe that Molotov had signed a document in “German letters”. He also denied any connection between the secret protocols, the occupation of the Baltic States, and their annexation by the USSR. He proposed the nomination of Yakovlev as chairman of the would-be commission and also proposed to include former ambassador Falin, as a specialist, and representatives of Ukraine, Belarus and Moldova. I finalized the list of commission members there at the Presidium’s desk. The list of twenty-six members was approved on June 2nd 1989. The breakdown of members was favourable for us: four from Estonia, four from Lithuania, three from Latvia, two from Moldova, two from Ukraine, one from Belarus, one from Armenia, one from Kyrgyz, four Russian democrats and, of course, four representatives of the Kremlin.

The commission’s sessions began on June 8th under the chairmanship of Yakovlev. Four workgroups were set up: for documentation – Y. Afanasyev; legal assessment of documents – I. Gräzin; witness enquiry – K. Motieka; and research of historic background – E. Lippmaa. Falin, who had been appointed by Yakovlev as his deputy, was ordered to detail group tasks, membership and functions and to organize working facilities for the commission. Afanasyev and E. Savisaar were also elected deputies to Yakovlev. The next session was scheduled for July 5th, in the meantime Falin was asked to supply the commission with all the necessary historic documents. Falin did so by sending everyone large piles of largely irrelevant documents from the archives of the Ministry of Foreign Affairs of the USSR, which, of course, contained no secret protocols. At the July 5th session, Savisaar proposed to prepare two draft documents for the Supreme Soviet of the USSR (but not to the Congress of People’s Deputies which was authorized to amend the resolutions of the Supreme Soviet) by August 23rd. These two documents, drafted by Gräzin, were the declaration on the 50th anniversary of the secret protocol and the resolution acknowledging the existence of the secret protocol, giving a legal assessment and declaring it invalid from the moment of signing.

However, it was clear from the outset that we would never prove our position with the kind of documents in our possession. The opposition held all the trump cards – i.e. the officially verified documents – while we had only newspaper articles, enthusiastic speeches, and copies of books whose authenticity had not been verified. This was the context in which I traveled to the United States to attend the Gordon conference on radio spectroscopy. After the conference had ended I spent two days in Washington D.C. and gathered from the US national archives, or more precisely from its department of WWII war crimes, altogether thirty-nine verified documents, including all the secret protocols, treaties, agreements and their official comments, the published memoirs of German statesmen, materials from the Nuremberg trial, books on the Baltic States, Soviet-German treaties and international law, in addition to abstracts from the complete sets of US and German diplomatic documents from 1939 to 1941. At the end of July, I attended a high-temperature superconductivity conference in Stanford University in the US and gathered documents from the archives in the Hoover Tower where I happened to work side by side with former US Secretary of State Schultz and the then Soviet Marshal Akhromeyev.

Now we had sufficient ammunition to act. On July 11th and 12th there was a major conference at the Estonian representation in Moscow where we defended our positions against the Kremlin's falsifiers of history, namely V. Falin, head of the International Department of the Central Committee of the CPSU, F. Kovaljov, head of the Historical-Diplomatic Department of the Soviet Foreign Ministry and a number of doctors of law including A. Orlov from the Institute of History of War, O. Ržeševski from the Institute of General History, V. Sipols from the Institute of History of the USSR, A. Chubarjan – head of the Institute of General History of the Soviet Academy of Sciences, as well as L. Bezymenski – political observer of *Novoje Vremja* magazine and V. Alexandrov – consultant of the International Department of the CPSU's Central Committee. Among the Kremlin's experts was also R. Müllerson, head of the international law unit of the Institute of State and Law of the Academy of Sciences of the USSR, who did not show up. The attendance list contains a note: "(Conditionally) absent".

The whole group turned out to be incompetent. It was already the second day of the conference when we learned that only Falin understood the documents in their original languages, but even he remained silent when a document was read out in the Finnish language because he didn't understand a single word.

Things progressed and we were able to start drafting the final document. The majority of the committee had agreed that the secret protocols existed, that it should be annulled and that Poland and the Baltic States had been divided and occupied according to

the same secret protocol of August 23rd 1939. The division of the spheres of interest was so accurate that later the USSR had to pay the Germans millions (in current prices, hundreds of millions) of gold dollars for just a few thousand square kilometers of Lithuanian land. This repudiated all counterclaims from the Kremlin.

The decisive meeting was held a week later, on July 19th, in Yakovlev's office in the huge building of the Central Committee of the CPSU. He had prepared both a shorter and a longer argument of the draft resolution, which did not even declare the secret protocols invalid, but only condemned them morally. Moreover, it said nothing about the ultimatums and military pressure imposed on the Baltic States. There were also several competing drafts that had been prepared by the Russian democrats and us, including one by Lindpere and myself, one from Gräzin and Vassili Kulish, and some others. A group headed by Afanasyev was then set up to draft the final resolution. This task was completed by the end of the meeting, but it was then found to be too loose and it was decided almost unanimously to finalize it the next morning. I and Falin, who himself had in the meantime converted to belief in the documents, redrafted this text on the morning of July 20th. The final text was satisfactory. It contained everything that we needed, including the recognition of the validity of the Tartu Peace Treaty: it treated all secret and confidential Soviet-German protocols signed in 1939-1941 as a single set of documents; declared that it violated international law; and, most importantly, it denounced all the protocols retroactively as invalid from the moment of signing. It also mentioned that the protocols had been used for issuing ultimatums and for exerting force against the relevant countries. This final provision, including the reference to the 1941 protocols, was an important victory, though Yakovlev fought against it to the very end. The reason for the significance of the provision was that only the January 10th 1941 secret protocol provided documentary evidence that "spheres of influence" was a code for areas to be annexed in the future and which could be bought and sold by their new owners.

The July 20th draft text was superscribed with the signatures of all five authors, namely V. Falin, E. Lippmaa, J. Afanasyev, M. Lauristin and I. Gräzin. Yakovlev agreed to the contents of the document, but said that without the personal permission of Mikhail Gorbachev and the Politburo he could not sign or even superscribe anything. Of course, no such permission was granted. It was a setback, but fortunately not a decisive one. In addition, the fax that I sent to Gorbachev on August 9th 1989 requesting on behalf of the commission that he implement the resolution before August 23rd received no response. It was obvious that the Centre (Moscow) was reluctant to do anything that would speed up the ongoing transformation of Eastern Europe. On the other hand, there was no longer any great hurry because the ill-advised plan to put the document to a vote in the Supreme Soviet of the USSR

had been shelved. First, the Supreme Council was far more conservative than the Congress of People's Deputies and, second, the latter was able to amend resolutions adopted by the Supreme Council, but not vice versa. The Congress of People's Deputies was expected to take place only at the end of the year.

Keen not to lose valuable time and to avoid diminishing the effect of such a favourable document, on August 9th I sent the draft resolution signed by five members to all members of the commission, and asked them to sign it and return it to me at the Institute of Chemical Physics and Biophysics at the Estonian Academy of Sciences in Tallinn. By September 22nd we had collected twenty-one signed copies, which was over 75% of the commission's membership. Such a qualified majority was more than enough for the Congress of People's Deputies. The commission was not an advisory body to its chairman but made its decisions with majority voting, so the agreement or opposition of the chairman was necessarily relevant. The commission's work was now effectively complete, so the resolution was published in media channels (*Vaba Maa*, issue 14, August 1989; and *Argumentõ i Faktõ*, issue 32, 1989) and at the press conference held on September 29th at the State Institute of History and Archives in Moscow on the initiative of the institute's head Afanasyev. Of course, the impact of the press conference was small in comparison with the impact of the Baltic Way human chain, but it was important to keep the issue alive for the world community and in order to prepare for the voting at the Congress of People's Deputies at the end of the year. Significantly, Falin had already given an interview to a West German television station on April 23rd 1989, in which he confirmed the existence of the secret protocols. Therefore, the situation from July to December 1989 was not at all hopeless. If we had rushed ahead with a semi-official approval of the resolution in the Baltic States and had begun to take the next steps, then the adoption of the draft resolution may have been blocked at the Congress of People's Deputies. For us, the approval of the Congress was much more important than the personal approval of Gorbachev.

It should be emphasized that the secret protocols themselves have never been the key issue. The main issue both in 1989 and today is whether the Baltic States had become part of the USSR by the will of their ethnic nations, or whether they were occupied by force as a result of the 1939 secret protocols. In that regard, all state authorities of the USSR since 1940 have maintained the same position – that there was no connection between the protocols and entry into the USSR. The 50th anniversary of the Molotov-Ribbentrop Pact on August 23rd 1989 saw no change to this attitude.

The lack of any connection between the secret protocols and the entry of the Baltic States into the USSR was also colorfully expressed by R. Müllerson, former deputy Minister

of Foreign Affairs of Estonia, in his article published in the magazine *Sovetskoye Gosudarstvo i Pravo* (issue 9, 1989) and in the interview he gave *Postimees* on June 19th 1991. In his report to the MRP commission dated October 14th 1989, Müllerson said that any claim that the incorporation of the three Baltic States into the USSR was linked to the secret protocols was legally illiterate, and he added that this wasn't only the position of the then Foreign Ministry of the Republic of Estonia. These were exactly the same words that E. Shevardnadze, Soviet Minister of Foreign Affairs, had written to the MRP commission on July 10th 1989, and that he repeated on December 14th 1989, ten days before the vote at the Congress. Before that, a similar claim had made by G. Arbatov, academician and head of the Institute of United States and Canada of the Academy of Sciences of the USSR. On August 18th 1989, *Pravda* wrote that Yakovlev, chairman of the commission, had expressed the same principle in a debate with members of the German parliament on June 20th 1989. On October 23rd 1989, A. Talalayev, professor of international law at Moscow State University, published a dangerously competent report which was fortunately too long to attract attention and which attacked the July 20th resolution as incompatible with the mandate issued by the Congress of People's Deputies. It would have been a major defeat if the secret protocol signed in 1941 had been excluded from the draft resolution because of a lack of mandate. Talalayev renewed his attempt on November 9th together with Professor N. Uschakov from the Institute of State and Law of the Academy of Sciences of the USSR. The critics of the July 20th resolution were also joined on November 2nd and 4th 1989 by Professor J. Ussenko, later a merited scientist of the Russian Federation. They all had the same objective as Müllerson, to deny the connection between the secret protocols and the present circumstances – especially where it might concern attempts by the Baltic States to regain independence.

On 11th December 1989, shortly before the end of year session of the Congress of People's Deputies, Falin sent copies of the draft resolutions that had been adopted at the December 6th session to all members of the commission. There were two versions, the shorter one of four pages and a longer one of eight pages. The contents of both documents were the same and in all main points repeated the resolution that had been superscribed on July 20th, while the shorter text was more specific and more favourable for us. The new resolutions were adopted at the December 4th session in the Kremlin and the whole committee signed them in the spirit of unity. Before the final vote, the shorter text underwent some last-minute stylistic and linguistic modifications that did not change its contents in any way.

Yakovlev submitted the final approved draft text of the commission's resolution to the Congress of People's Delegates on December 23rd 1989, but it was rejected at the first vote. The reason, of course, was the unpleasant nature of the whole truth and, secondly, the

nagging suspicion that the secret protocols may turn out to be falsifications after all. What the delegates did not know was that the chairman of the session had refused to give Kovalyov from the Foreign Ministry of USSR an opportunity to speak. This was the same Kovalyov who, on July 10th 1989, had given Falin the documents about Soviet-German relations in the autumn of 1939, documents which had been received from the Ambassador of the Federal Republic of Germany. Neither Kovalyov nor Yakovlev told the Congress of People's Deputies on December 23rd that, in addition to these documents, the archive of Molotov's secretariat contained File No. 600-700. That file had been opened on August 23rd 1939 and closed on April 20th 1949 and included among other things all copies of Soviet-German, Soviet-Finnish and Soviet-US secret protocols from 1939-1941 and documents related to them, together with their transfer report from April 20th 1949. According to the transfer report, originals of eight Soviet-German secret documents, including the secret protocols dated August 23rd 1939, September 28th 1939 and January 10th 1941 and verified copies, were delivered by D. Smirnov, deputy head of Molotov's secretariat, to B. Podtserob, senior assistant to the foreign minister, for deposit in the special archive of the Foreign Ministry of the USSR.

After the December 23rd session of the Congress of People's Deputies, the MPR committee held its final and perhaps its most important meeting just before midnight, right there in the Kremlin hall of sessions. There were only a few members present. In addition to Yakovlev and myself, there was Kovalyov, who had brought with him the documents from Molotov's archive. The decision was simple: the Ministry of Foreign Affairs of the USSR was going to take this seriously and lay its trump card on the table. Nothing would stop the disclosure of the document that proved the existence of the secret protocols.

As had been planned, Yakovlev announced the existence of this revealing document the next day. The disclosure of the document from Molotov's archive proved decisive and by 12.45pm the Congress of People's Deputies had approved the committee's resolution without any amendment. Of the 1,948 delegates in attendance, 1,432 delegates voted in favour, 252 were against and 264 abstained. It's worth considering that this was Christmas Eve and most of the Lithuanian delegation had gone home, nor were there very many Estonians and Latvians still in Moscow. The most important precondition required for regaining independence had now been achieved.

The way in which we were able to achieve our objective was very enlightening as it showed the whole world the present situation in the Soviet leadership. A superpower needs both military strength and an untarnished international image, though it may sometimes require making seemingly impossible compromises. At that time, the interests of two

powerful administrations clashed – the Ministry of Defence and the Ministry of Foreign Affairs. The Ministry of Defence had played its trump card earlier. Shortly before Yakovlev's speech on December 23rd, the political administration of the Ministry of Defence attempted to erect a large display in the foyer of the Palace of Congresses about the "unanimous" decision of the Baltic States to be embraced by Josef Vissarionovich Stalin and the happy family of Soviet nations. When some of our people began to question whether the display had been approved, the stands were reversed, to be unveiled during the break. I was attending the session when the journalist Anneli Reigas, who had been covering the MRP affair in a long and comprehensive series of articles in *Noorte Hääl*, notified me of the incident. Using a public microphone I asked Gorbachev whether this was a new way of working in the Soviet Congress. My microphone was switched off. Since there was no way of interrupting me or the session, Gorbachev eventually gave Lukyanov the order to remove the display. In this way we prevented an attempt to brainwash the People's Deputies with propaganda.

Both the booklet "Legal-political assessment of the Soviet-German pacts of 1939-1941" that I had prepared and that was distributed by the pan-Baltic group of delegates, and the book "1940 in Estonia" prepared by our Supreme Council, made an important contribution. The media campaign and the Baltic Way human chain also had a positive effect. The trick was not so much in winning over the opponents; rather it was in raising the awareness of hesitant delegates, in carefully timing the actions and in the skillful manipulation of conflicts between the large power bases. In autumn 1989 the Soviet leadership was very determined. It was the period when the USSR had begun to implement its new policy for Europe, and so the denunciation of the secret MRP protocols was almost inevitable in the end. Tactical objectives were sacrificed for strategic ones. Large-scale strategies often require tactical retreats and the subordination of administrative interests to national interests. The Congress of the People's Deputies adopted the resolution not out of respect for the Baltic States intention to regain independence, but regardless of it. The Baltic independence declarations that followed were the price that the Soviet leadership had to pay for maintaining its image abroad and for the credibility of its foreign policy. It was neither realistic nor necessary to expect the resolution to contain more than it did.

The denunciation of the secret protocols was a major achievement and, although it had significantly weakened the enemy, it had not yet brought independence for Estonia. It was no accident that the authenticated documents that I had brought back from the US came from the archive of World War II war crimes, because war crimes have no statute of limitations.

Next came a truly surreal phase in the actual attainment of independence, when the Baltic States were doing everything imaginable to regain independence while the

Soviet Union was doing everything imaginable to stop them. On March 11th, the Supreme Council of the Lithuanian SSR adopted a resolution to restore Lithuania's independence on the basis of the pre-occupation era Constitution. Two days later, on March 13th, Gorbachev declared that document legally invalid, refused to enter negotiations and announced an economic blockade against Lithuania. On March 30th 1990, the Supreme Council of the Estonian SSR declared the Soviet state power in Estonia illegal on the grounds that it was established against the will of the people, and announced the restoration of the independence of the Republic of Estonia and bodies of constitutional state power by restitution.

At the same time Mikhail Gorbachev, the president of the USSR, began to draft a new Union Treaty by significantly extending the powers of the KGB, the armed forces and the Ministry of Interior Affairs. Then, in his November 7th speech to the Supreme Council of the USSR, he emphasized that the use of force against the "fascists" operating in the Baltic States was inevitable. This led to the bloody conflicts in Vilnius and Riga in January 1991, but it failed. The Soviet Union and Lithuania then opened somewhat surreal and meaningless political negotiations.

The resolutions adopted by Vilnius and Tallinn were productive, but not sufficient to restore independence. To give these resolutions more clout, the Supreme Council of the Estonian SSR adopted a resolution on the relations between the Republic of Estonia and the Soviet Union and set up a negotiating delegation consisting of Ü. Nugis, M. Lauristin, E. Lippmaa, I. Toome and J. Raidla. The newly-elected president of the USSR unconditionally condemned this initiative already on August 12th. In order to gather more allies I promptly drafted the Interstate Agreement between the Russian SFSR (Soviet Federative Socialist Republic) and the Republic of Estonia, which supported the June 12th 1990 resolution of the Russian SFSR. Together with M. Lauristin, we and members of Boris Yeltsin's delegation superscribed it in the White House in Moscow on September 27th. The agreement was structured in such a way that the Russian SFSR would have to be a fully independent state in order to meet its obligations. The agreement was signed in Tallinn on January 13th 1991 and prevented the imminent onset of bloodshed. On the downside, because the Soviet delegation only had a mandate to discuss the Union Treaty that was being drafted at that time, the agreement stalled negotiations with the Soviet Union. From its side, the Supreme Council of the Republic of Estonia decided on September 7th 1990 that legal representatives of the Republic of Estonia were not authorized to participate in the preparation of the new Union Treaty. This paralysis in relations reached its climax at an apparently innocent meeting of the Soviet Peace Defence Committee (SPDC) on June 19th-21st 1991 in Moscow in the SPDC building. In addition to representatives of the SPDC and Baltic States, the meet-

ing was attended unexpectedly by representatives from the Soviet Ministry of Defence (J. I. Nauman), the Soviet Navy (E. V. Obydenninov), the KGB (A. A. Rumyantsev), the Internal Forces of the Soviet Ministry of Interior (V. P. Voroztsov), the Supreme Council of the USSR (G. I. Petrov) and the International Security Department (A. V. Kortunov) and a large number of army and security services officers.

Obviously intending to intimidate the Baltic nations, Soviet army officers even began talking about preparations for a worldwide conflict. By now the total preparedness deadline had long passed. While such fear-mongering had only a limited impact upon us, accustomed as we were to the Soviet realities, it became clear that in addition to the greater risks there were also greater opportunities. The tension peaked on June 18th 1991, when Gorbachev, determined to preserve the Soviet Union at any cost, submitted the new draft Union Treaty to the Supreme Council of the USSR for its approval. His solution to the problem was the use of armed force – this got a kick start on August 17th when Prime Minister V. Pavlov and the Presidium of the Government Cabinet of the USSR issued a decree on entry into the force of the new Union Treaty and KGB chairman V. Kryuchkov approved the list of members for the State Emergency Committee of the USSR. The Centre was sending soothing signals to the outside world, while becoming increasingly belligerent at home. The bluff was called already by August 19th, followed by the brief period of dual power of Yeltsin and Gorbachev in Moscow. On August 20th 1991 the Supreme Council of the Republic of Estonia, acting on its resolution from March 30th 1990, adopted a declaration on the independence of the Republic of Estonia and urged foreign countries to restore diplomatic relations with the Republic of Estonia. However, this was not enough. For independence to be final and secure it must also be recognized in a signed document by the opposing side and this required from us a major diplomatic effort from us in Moscow. Finally, on September 6th 1991 the State Council of the USSR, the highest body of Soviet state power at that time, approved the independence of the Republic of Estonia as a truly and fully independent state. Gorbachev did not support us nor did he sign the document. Our supporters included the president of Kazakhstan, Nursultan Nazarbayev, and Boris Yeltsin, who controlled the votes of several republics and with whom Hardo Aasmäe and I enjoyed a lengthy dinner meeting featuring a main course of buried sheep's head accompanied by plenty of French wine. Our work was done. The September 6th resolution of the State Council had restored historical truth, wiping out the outcome of the 1939-1941 deals between Stalin and Hitler and the might of the Soviet Union. Later that autumn, the USSR itself disintegrated.

May 12th 2009



Edgar Savisaar in 1989
Photo: Estonian Film Archives

Keeping faith with Estonia by Edgar Savisaar

Edgar Savisaar was a deputy chairman of the commission. He became the first prime minister of the Republic of Estonia after the restoration of independence.

I think it is safe to say that by now we have seen all the relevant documents about the Molotov-Ribbentrop Pact, and have studied and analyzed them exhaustively. While history remains unique and timeless, our opinions concerning specific events may change over time. Twenty years later, as we reappraise our actions, our view of the events surrounding the MRP is very different from what it would have been back then.

I am watching a video of my birthday party in Moscow from the end of May 1989. In the video, my room in the Hotel Moscow is filled with delegates of the Soviet Congress of People's Deputies – Estonians, Latvians, Lithuanians, Russians, Jews and Armenians, among others. Everybody is singing and I think that Ülo Nugis is wearing a tracksuit. No-one cares that someone may be eavesdropping. Years later, Moscow's Mayor Juri Luzhkov told me that in the demolition of the Hotel Moscow building, which for decades had accommodated

Soviet deputies and delegates, hidden microphones were even found in the toilets. So what? I am sure that today there are similar microphones in the toilets in Toompea and still nobody cares. It was spring and we were younger and dedicated to making the world a better place.

Which memories of that period make me happy and proud today? Which achievement was truly valuable and withstood the test of time? Are there fewer or more questions to be asked today?

While it was not the most important episode, the biggest and most colourful episode in the saga of the disclosure of the secret protocols of the Molotov-Ribbentrop Pact in 1989 was undoubtedly the Baltic Way – the human chain linking the three Baltic republics. The majority of the people who stood there hand-in-hand saw it as a bright promise of independence. As one of the initiators, my mission was to crack the cold hard rock of distorted Soviet history.

Our main objective was very clear: to unhook the Baltic wagon from the train called the Soviet Union, but opinions differed on how to achieve this. There were those who thought that the only way was to blow up the train; some recommended hijacking the train; and others wanted to confuse the train driver and divert the train onto a branch line. In the end, we decided to attack the weakest link – the hook that pulled us along behind the engine. We decided to show the world that we had become part of this train against our free will and had been pulled along in a direction we had not chosen.

Our aim in 1989 was to effect a revision in the world's political arithmetic. To achieve this, we needed documents about the division of Europe in 1939 and we needed to show how, in 1940, we had become part of the addition, after which time Estonia would find itself under Soviet occupation for half a century.

Our task was to draw the world's attention to just a single sentence: "In the event of a territorial and political rearrangement in the areas belonging to the Baltic States (Finland, Estonia, Latvia, Lithuania), the northern boundary of Lithuania shall represent the boundary of the spheres of influence of Germany and USSR". This sentence from the secret protocol, signed on August 23rd 1939 by the foreign minister of the Third German Reich Joachim von Ribbentrop and the Soviet foreign minister Vyacheslav Molotov, sealed the fate of the Estonian people. The Soviet Union and Germany never ratified this diplomatic document, but they did enforce it.

The provisions of the Molotov-Ribbentrop Pact concerning the Soviet Union remained in force even after World War II. In Teheran, Stalin dictated the location of Poland's eastern border to the United States and Great Britain. The Yalta meeting discussed Poland's western border, but neither of the two meetings resolved the Baltic issue, although the topic of "spheres of influence" was in the political agenda. On the eve of the Yalta meeting,

the US Ambassador to the Soviet Union, George F. Kennan, wrote to his successor Charles E. Bohlen that after the war it would be important to divide the spheres of influence so that “we would keep clear of Russia’s sphere of influence and the Russians would clear of ours”. (In the 1920s Kennan had served in the US diplomatic service in Estonia, Latvia and Lithuania and must have known the fate of the Baltic States in some detail.) Bohlen replied, “such policies are planned and carried out only by totalitarian states”.

The Soviet Union was also keen to avoid discussion of the Baltic issue at the Nuremberg trial that sentenced Joachim von Ribbentrop to death. The secret protocol signed between Ribbentrop and Molotov was mentioned only in relation to Poland, while Estonia and Latvia were mentioned only in relation to Germany’s failed demand for access to the Baltic’s ice-free ports. After all, the losers of the war were on trial and not the winners. It could be said that in setting up the commission for providing a political and legal assessment of the 1939 Soviet-German Non-Aggression Treaty, the Soviet Congress of People’s Deputies wanted to complete the process of the Nuremberg trials with regard to this “small matter” and to assess the Stalinist regime’s role in starting World War II.

The addition of the secret protocol was probably known to Estonian statesmen during the Päts era, but they did nothing to stop it from being implemented. Undoubtedly, the Americans also had detailed knowledge of it. On September 24th 1939, *The Journal American* published an article by Captain John Houston Craige that included an accurate map of the spheres of interest. By that time, the Soviet Union had already informed France that it was planning to take the Baltic States by force. Other European governments should also have suspected something since both the Nazis and Soviets were clearly coordinating their actions as they moved into their respective spheres of interest. Even Alexander Yakovlev, who chaired the MRP commission, has said that “the events that followed unfolded exactly according to the [secret] protocol”. There had to have been people on both sides who knew the contents of the secret pact and understood what was happening.

Such were the documents that Endel Lippmaa searched for in the German and US archives during the summer of 1989, and they would be one of our most powerful weapons against the Soviet falsifiers of history. He also compiled information from the documents he had found in a very comprehensive booklet that was distributed to the delegates at the decisive sessions of the Soviet Congress of People’s Deputies on December 23rd and 24th. The booklets were very popular among the delegates, in spite of official obstacles. In retrospect, I have no doubt that Lippmaa did at least as much for the restoration of Estonia’s independence as would-be foreign minister Lennart Meri. The difference was that Meri was a better public speaker.

The outcome of the commission was the best possible for 1989, and it attracted attention to our plight. Who can say whether the outcome would have been different if there had been other Estonians on the commission rather than Igor Gräzin, Marju Lauristin, Endel Lippmaa and myself? We managed to find allies and we won a diplomatic conflict against the world's largest country. One must agree with the opinion of our legal adviser Heiki Lindpere who in 1991 said that the resolution of the Soviet Congress of People's Deputies on the Molotov-Ribbentrop Pact "is the biggest single victory for Estonian diplomacy since World War II".

Originally published just one month after Estonia regained its independence in 1991, as a monograph by Heiki Lindpere, the present book gives an excellent account of the complexity of the commission's work. It all started from Estonia.

I am browsing through my diary:

August 21st-23rd 1988. I give speeches at the political meetings "Stalin's Policy And Estonia" in Pärnu, Tartu and Tallinn that were initiated and organized by the Popular Front. This was also the beginning of my friendship with Professor Yuri Afanasyev, Rector of the Moscow Institute of History and Archives. Later we would each become deputy chairmen of the MRP commission.

May 13th-14th 1989. Agreement of the joint objectives and cooperation plans of the Baltic Assembly of Popular Fronts – unconditional condemnation of the MRP secret protocols as an illegitimate basis for the annexation of the Baltic States.

May 18th 1989. The Supreme Council of the Estonian SSR condemns the MRP as criminal and proposes a special commission for its assessment, consisting of the Baltic delegates to the Soviet Congress and experts. The 1987 initiative of the Estonian group for the public disclosure of the Molotov-Ribbentrop Pact (MRP-AEG) was thus legitimized and avoided the possible interference of the KGB. The Estonian Congress and the MRP-AEG (which later developed into the Estonian National Independence Party), claimed that since the secret protocol was unlawful, Estonia should be given special treatment. That concept did not stand the test of time and Estonia eventually regained independence on similar terms to Latvia and Lithuania, largely thanks to their support.

June 2nd 1989. On our initiative, the Congress of the People's Deputies of the USSR agrees to set up a commission for the legal and political assessment to the Molotov-Ribbentrop Pact. I am appointed one of the commission's vice chairmen at the first session held the same evening.

It was especially important for us that the sessions of the Soviet Congress were broadcast all over the Soviet Union as part of Gorbachev's *glasnost*. The speeches made from the podium of the Soviet Congress reached more than "one-sixth of the planet". This was exactly what we needed. The decisive factor in setting up the MRP commission was the approval of Mikhail Gorbachev. What convinced him to support our idea? Like Alexander Yakovlev, whom he had appointed as the commission's chairman, Gorbachev must have been aware that he was toying with the future of the same Soviet empire, which he desperately wanted to protect from disintegration. Later, Boris Yeltsin told me that both Gorbachev and Yakovlev had had detailed knowledge of the contents of the secret protocol. Gorbachev should have understood that he was opening a Pandora's Box and that it would set an irreversible chain-reaction into effect. It seems that in agreeing to the commission he must have been hopeful that he could tie our hands, slow down our work, and wait for internal conflicts to break our unity. It has also been suggested that the bloodshed in Tbilisi in April had brought the Soviet leadership a lot of negative publicity in the West and he was looking for a way to improve public opinion.

July 5th 1989. Because of the inactivity of the commission's chairman Alexander Yakovlev, I call the second meeting of the commission in Moscow. Before the meeting we met in a small group to discuss how to respond to the commission's internal opposition represented by the third vice chairman Valentin Falin, head of the International Department of the Central Committee of CPSU. I arrange a working seminar and a session for July 11th and 12th.

July 8th 1989. The joint session of the People's Council and regional leadership of the Estonian Popular Front in Põlva urges the Supreme Council of the Estonian SSR to annul the Declaration on Estonia's Integration into the USSR dated July 22nd 1940.

July 11th 1989. I call the commission to the third meeting in the Estonian representation in Moscow. After heated debate, the commission draws up the first draft text of its final resolution, which links the secret protocol with the annexation of Estonia. In the evening I meet anti-Stalinists in Moscow and ask historian Mikhail Semiryia to become an expert for the commission.

July 12th 1989. The commission decides to proceed based on the joint resolution drafted on the previous evening. For the first time, Yakovlev calls a meeting of the commission to be held that evening in his Central Committee office. I propose to complete the work of the commission by August 23rd – the 50th anniversary of the MRP.

July 19th 1989. Afanasyev and I arrange a small meeting to prepare for the afternoon meeting of the commission in Yakovlev's office. Yakovlev says he has received two draft

resolutions, one from us and one other from the so-called “Falinists”. This is followed by heated argument. Zita Šlicyte, lawyer of the Klaipeda law firm, proposes to state that the responsibility for the secret protocol lies only with Stalin and his associates. Finally, Yakovlev suggests that we finalise the draft text of the commission’s resolution that evening on the basis of our draft and not that of the Falinists. The final text, which proposes to declare the secret protocol of MRP legally invalid from the moment of its signing, is completed during lunchtime on July 20th and is signed by the five members who drafted it. Yakovlev promises to disclose the resolution at the beginning of August, not as a document signed by the members of the commission, but as a press announcement.

July 28th 1989. I give the Supreme Council of the Estonian SSR an overview of the commission’s work and express our hope that the commission’s resolution will be published officially before August 23rd. I also confirm that the commission is prepared to begin analysis of the events that followed the MRP, including the events of 1940.

August 9th 1989. Because chairman Yakovlev shows no intention of calling commission members to sign the resolution, I take over as vice chairman and call the commission’s key members to the Estonian representation in Moscow. We send Gorbachev, who is still away on vacation, an express telegram in which we express our concern about the unjustified delay in publishing the final resolution of the commission. We send a copy of the resolution to all commission members asking them to sign it and return it to us.

By mid-August, shortly before the 50th anniversary of the MRP, we have collected twenty signatures out of twenty-six, i.e. an overwhelming majority. Meanwhile the Kremlin has become more active and is disseminating its own version of historical truth, which radically differs from the opinion of the commission’s majority.

August 23rd 1989. Mass rally – the Baltic Way, also known as the Baltic Chain. The late 1980s was an era of unprecedented enthusiastic public engagement in Estonia. Before then, the largest protest of Estonians in the 20th century had taken place in St. Petersburg when between 30,000 and 40,000 Estonians had demanded autonomy, but that was tiny in comparison with the Baltic Way. How ironic that some of the people who had participated in the Baltic Way would, just a few years later, become the landlords of houses that had been confiscated by the Soviets and would begin to evict the people who had themselves been forced tenants. From the outside, it looked like a huge public festival with two million people in a 600-kilometre human chain holding hands and chanting “Freedom!”, but it was desperation that motivated us to organize the Baltic Way.

For us, the Baltic Way was clearly a necessary move. The commission’s work had stalled. The final assessment and resolution was ready, but chairman Yakovlev was delaying

its disclosure in order to avoid the anger of the Party faithful. His solution was to leave on vacation to the South without even informing us that he was away. To resolve the impasse we needed to organize something extraordinary. We had exhausted all other options and the idea of the Baltic Way was our last resort. I began to organise the event. I went to Lithuania and told them that Estonians and Latvians were already active. In Latvia, I told them that the Lithuanians and Estonians were already taking action. Here in Estonia I was saying exactly the same thing: now is the time to support our Baltic neighbours. This put the wheels into motion. At the same time, no one knew what the outcome would be. The Baltic Way was very effective in attracting global attention to our problems, it was serious and no mere entertainment. In a speech that I made on the Estonian-Latvian border, I said: "To break open the prison of injustice, we need to loosen a foundation stone in the wall. That stone was laid down fifty years ago. We hoped that the leadership of the Soviet Union would understand the realities of the 1980s and end this injustice, and today we expected the official denunciation of the Molotov-Ribbentrop Pact, but it did not happen. The Soviet Union has failed to admit what every schoolboy can see when he looks at the world's political map – that our three republics have been removed from the map."

When the Baltic Way ended we started to assess our achievement – could we build on it and if so, then how? In the late evening of August 23rd, I sat with Jaak Allik and a few friends in a pub in the south of Viljandi county in Estonia. Allik was convinced that the Baltic Way had increased tension and damaged Estonia's hopes of independence: "...and when you are all in prison, these people around us will still be sitting in this pub, drinking beer and laughing at your failed venture." It was undeniable that Allik's prediction was a real possibility.

August 25th, 1989. Estonian weekly newspaper *Reede* publishes my overview of the problems facing the MRP commission and the current impasse.

September 29th 1989. The morning is dedicated to a seminar held in the Estonian representation discussing the link between the Molotov-Ribbentrop Pact and the annexation of the Baltic States. More than a month had passed since the anniversary of the MRP and the commission's opinion had still not been published, so Afanasyev and I call a press conference for the Soviet and foreign press at Afanasyev's institute. To begin, we read aloud our joint statement to the global community.

Our attempt to put pressure on Soviet leaders via the international press, with a no-nonsense approach and uncompromising tone, made us almost dissidents. In our statement we said "We, the People's Deputies of the USSR, democratically elected people's representatives, are being used as a screen for decisions that we do not agree with" and

that we had seen the “ongoing preservation of the ideological dictate of the party and the government’s administrative apparatus, suppression of democratic state authorities and old methods of making policy in power corridors.” We were the first People’s Deputies of the USSR to make such accusations – we could easily have been treated as dissidents. I remember that at one point during the press conference there was a sudden electricity failure in the Institute’s building. It was evening and the hall became pitch dark. There was anxious silence and then a woman screamed and said in English something like “Now they’ll come.” But they didn’t come, although they had in the past, as we remember.

November 4th 1989. For the first time after July 18th, the chairman of the MRP commission Yakovlev calls a session in his office and proposes a new draft resolution that significantly differs from the text that had been superscribed on July 20th. The objective is “to avoid a wave of prejudice in Russia and to ensure that it is acceptable to the Congress of People’s Deputies.” I draw Yakovlev’s attention to falsifications in the transcripts of the commission’s meetings and say that we have the audio recordings in our possession. I resolutely demand that we return to the draft resolution that the majority of the commission had already agreed. After some argument, it is agreed to submit the shorter version of the agreed resolution to the Soviet Congress for approval.

December 14th 1989. Yakovlev calls the commission to a meeting in the Kremlin. Without much dispute, commission members approve and sign the single draft of the commission’s assessment and draft resolution for the Soviet Congress. It no longer contains a request to continue with the commission’s work by assessing the events that followed the MRP. The session was held in Granovitaya Palata in all its pride and historic glory. The work of the MRP commission had effectively ended. We again became regular members of the Congress of People’s Deputies, but now with the task of persuading the rest of the Soviet Congress in favour of our resolution.

December 23rd 1989. In spite of Yakovlev’s surprisingly positive speech, the Soviet Congress rejects the draft resolution by sixty votes. I take the podium and, in spite of interference by the session’s chairman Anatoli Lukyanov, I urge the deputies to put the matter to a new open vote. Lukyanov argues that there were too many Baltic deputies wishing to speak and asks me to vacate the podium. I explained that I wanted to speak as the vice chairman of the MRP commission and not as a member of the Estonian delegation. Both Gorbachev and Lukyanov were sitting only a few metres from me. When I looked Gorbachev in the eye, the look he gave me was so black that it was perfectly clear that whatever unpleasant events might occur in his future political career, he would blame us, the Baltic nations, for them.

December 24th 1989. After Yakovlev's new speech, the Soviet Congress approves the draft resolution of the MRP commission with only minor corrections: votes in favour exceed votes against by 1180.

It was later claimed that the deciding factor was one particular document that Yakovlev had ordered to be "found" before the final session of the Congress. It was a note tracking the handover of the documents related to the Molotov-Ribbentrop Pact from one department of the Foreign Ministry to another. This note proved that although the secret protocol of the MRP itself may have perished, it had certainly existed. Years later, Yeltsin found the document in Gorbachev's safe. The Soviet Union was a bureaucratic state; everything was filed and, if necessary, found overnight.

I returned to Tallinn from Moscow by train. It was Christmas and nine of the People's Deputies from Estonia had already returned before the first vote was held in Moscow. I read the Estonian newspapers. Although journalists at that time seem to have been smarter than their colleagues today, it appeared that none had the brains to understand the actual format of the Congressional resolution that had been adopted in Moscow.

Estonia restored its independence because a world of two bi-polar opposites, formed during the Cold War, had collapsed. As I had promised at the Baltic Way, we had demolished a foundation-stone of the Soviet Union. It had been a historic opportunity and we took full advantage of it. There had been relatively few of us standing side-by-side in the human chain and participating in the MRP commission, but enough to dismantle the old model of the world. After the Soviet Union collapsed, the United States became the dominant superpower and the world lost a counterbalance – its easy to score a goal if your opponent is no longer on the field. This absence of the bi-polar has caused recent wars and other crises, and perhaps even the current global economic meltdown.

The thinking that led to the secret protocol of the Molotov-Ribbentrop Pact did not follow the principles set out by foreign policy powers in Europe to prevent war (e.g. the 1928 Briand-Kellogg Pact). Instead, the determining principles were Nazi Germany's concept "living space" and the Soviet Union's "world revolution". Germany and the USSR both pursued expansive policies. After the war that ruined Europe, destroyed Germany and enlarged the territory of the Soviet Union, the abovementioned George F. Kennan stated that it would be necessary for the US to assume the role of global counterweight, and to begin to tame the Russian bear. The concept of "globalism", coined during the war, saw Kennan's idea of "patient alertness and firm resistance" transformed into Truman's Cold War doctrine. Who was the real winner of the Cold War? If it was the United States, then might it be that

we helped them to win it? In disclosing the MRP we helped to create the current world monopoly. I'm only half-joking about this – I don't know whether we should be proud or ashamed. It is much easier to violate a small state in a mono-polar world than in a world in which two opposing superpowers are in balance with one another. I understood this well enough during the Bush Presidency.

Yakovlev ended his December 23rd speech to the delegates of the Congress of People's Deputies with the following sentence: "People can continue to live in peace and have confidence in the future only if they are together, not if they are against each other." This was a call for the balance of powers – a goodwill declaration of encouragement to put an end to Stalinist expansionism. The Soviet Congress declared that the secret protocol of the MRP was an "act of personal power, both in its contents and form" and that it was by its arrangement and essence "a deviation from the Leninist principles of Soviet foreign policy". I can agree with that, especially bearing in mind the Tartu Peace Treaty of February 2nd 1920 when Soviet Russia recognized the Republic of Estonia as a state. After the 1920 signing ceremony, Jaan Poska said "Today is the most important day for Estonia in its 700-year history. Today, for the first time, Estonia will itself determine its future." However, I also remember what Lenin said about the temporary nature of peace.

Balance is always the balance of powers or, more accurately, the balance of forces in opposition. If one of those forces shrinks then the other will grow. To maintain balance, one force may need to increase if the other increases (this was the model for the proliferation of armament during the Cold War), or the strength of a force may increase but at the expense of weakening the other (the collapse of the Soviet Union).

Our key objective was to convince the Soviet people that Estonia was pressurized into joining its neighbour in the East and had not done so voluntarily. As our opponents rightly feared, this would be equivalent to admitting that the Soviet Union was itself a union with no without a legal basis. It was necessary to show everyone that the reason for Estonia's incorporation was not a workers' revolution in 1940, but the secret protocol of the Molotov-Ribbentrop Pact. It must be "denounced from the moment of signing", as Endel Lippmaa said on June 2nd 1989 from the podium of the Soviet Congress of People's Deputies adding that "it is not enough only to declare it null and void." What he meant was that it would be necessary to draw certain conclusions. To declare the secret protocol null and void would effectively have deemed it non-existent, i.e. nothing more than a historic contingency that one simply had to accept. Therefore, a legal assessment was not sufficient and a political assessment was required. It would be necessary to declare the legally invalid secret protocol both illegitimate and criminal. According to the commission's final

draft resolution “the protocol of August 23rd 1939 ... [was] in conflict with the sovereignty and independence of several third countries” (i.e. including Estonia). The Soviet Congress admitted that the secret protocol violated the earlier agreements made between the Soviet Union and the Republic of Estonia that obliged both parties in all circumstances “to mutually respect each other’s sovereignty, territorial integrity and inviolability.”

In addition to the political assessment, a moral assessment was also necessary. According to commission member Igor Gräzin, the question concerned “the historical responsibility and guilt of the Soviet Union or Russia and whether the time had come to repent.” This was the toughest item in what I deliberately call “the negotiations” – the work of the commission was nothing else but diplomatic negotiations between the three Baltic countries and the Soviet Union. I must admit that in this respect we did not always achieve a shining success. Sometimes I thought of how the Estonian foreign minister Jaan Poska must have felt during the peace negotiations in Versailles in 1919 when he was drafting the Tartu Peace Treaty and fought over every square metre, every concession and every comma. When Alexander Yakovlev in his summary speech said that the Pact’s secret protocol was a collusion with Hitler, he essentially admitted that the USSR had cooperated with Fascists and therefore both of the Pact’s signatories should have been charged at the Nuremberg trials. Instead, the final resolution only talks about “a deviation from the Leninist principles of Soviet foreign policy.”

Our resolution stated that two persons, Stalin and Molotov, were personally responsible for signing the secret protocol and that their activities (actually, the act of signing) must be condemned. The Soviet people, the Central Committee of CPSU and the whole party, the Supreme Soviet and the government of the USSR were not held liable, but why stop there? Why not absolve also the German people, the leadership of the Nazi Party and its members, the parliament and the government of the Third Reich? Alexander Yakovlev was right when he said that “there is nothing relative in ethics;” but personally I support the view of Heiki Lindpere who said that the historical truth had been disclosed only in part.

Sometimes the difficult thing is not the truth itself, but the time it takes to become established. What usually happens is that the truth is split into half-truths according to the principle “better half an egg than an empty shell;” but such fragmentation enables people to assemble the remnants arbitrarily into their own half-truths. Yuri Afanasyev captured the essence of this problem during the commission’s session in the Kremlin on December 14th when he suggested that we should avoid drawing conclusions that might close the door on any future explorations of truth. I would add that we must not allow those doors to remain unopened. The 1989 draft resolution on the MRP reflected these ideas. A small step, which is a first step, is no small matter.

A historical event becomes fact only after it has been publicly recognized, and one is free only after freedom has been declared. The claim that all people are born free is nonsense. In Latin, *libertas* ("freedom") is etymologically related to *liberatio* ("to adjudicate, to declare free") and *liberare* ("to free a slave"). One becomes free only if someone else recognizes that freedom – it is not sufficient to recognize one's own freedom. Similarly, Estonia did not become a free state until it received diplomatic recognition from others. The first to do so, on August 22nd 1991, was Iceland. That small bold island gave us our freedom and state sovereignty. August 20th 1991 would not have been such a happy day for Estonia if the Soviet Union had not publicly admitted on December 24th 1989 that what had happened in consequence of the secret protocols of the Molotov-Ribbentrop Pact was unjustifiable.

There remains the issue of responsibility, repentance and apology, punishment and forgiveness. A historical fact is a truth in thought, but there is also the truth of the heart, a sense of justice. Roman law defines justice in terms of right – *Iustitia est constans et perpetua voluntas ius suum cuique tribunes* ("Justice is the constant and unflagging will to give to each person what he is entitled to") – but that is the justice of the court, not of the heart. The injustice done to a state and its nation for half a century under the Molotov-Ribbentrop Pact cannot be undone by declaring the pact legally invalid. Still, one cannot change what is in the past. All that can be done is to accept blame and to apologize. On December 7th 1970, the Chancellor of the German Federal Republic, Willy Brandt, surprised everybody when he fell to his knees while paying his respects at the monument to the Warsaw Ghetto Uprising. This gesture, which was interpreted as a plea for forgiveness and as a symbol of his policy of improved relations with East Germany, later won him the Nobel Peace Prize. Right-wing forces in West Germany interpreted the kneeling as an act of subordination to the Warsaw Pact countries. Among the politically educated Germans, 48% said the gesture was excessive and 41% said it was the right thing to do. As the Chinese say, "When you bow down, you inadvertently show your bottom to another". Nevertheless, perhaps the back side is the more important of the two, and it is a demonstrative turn to face away from the past.

If apology becomes a mass action, it loses its essential aspect of repentance. It thus becomes a mere ceremony and such ceremonial activities are without personal, heartfelt motivation. People attend them voluntarily, but are emotionally detached from them. Like guests at a church service or an audience at the theatre, they may enjoy the performance but they will not forget that the fiction is not the reality. That is why I really doubt the rationality of demanding an apology from Russia, as some nationally minded members

of Isamaa continue to do.⁵³ The so-called “Russian card” in Estonian foreign policy, played before every Estonian election, is more emotional than rational.

Estonia is too small to bring the official history of the Soviet Union to trial. However, the size of the court of conscience is not determined by land area or population. Although the Estonian leaders who surrendered power in 1939 and 1940 were obviously weak, it nonetheless remains intolerable that some still deny the Soviet occupation and its link to the secret protocol of the Molotov-Ribbentrop Pact, as historian Magnus Ilmjärv has described in his book *Silent Surrender*. Compare the success of the Jewish people in having the whole world put pressure on those people who deny the Holocaust. Only recently, the Jewish people accused the Pope of having exonerated a bishop who had denied the Holocaust. The Pope explained that he was trying to bridge the gap with the Jewish people and emphasized that the Holocaust will forever remain a warning to mankind. However, such an apology was not enough and Israeli chief rabbis sent a statement to the Vatican in which they said that the dialogue with the Catholic Church would not continue until the bishop had made a public apology.

There are those who consider the Holocaust to be a Jewish national myth, and there are those who believe that the Soviet occupation carried out in accordance with the secret protocols of the MRP is a myth perpetuated by the Estonian nation and the Estonian state. After all, why not demand an apology and compensation from the Germans for conquering Estonia in the 13th century, for 700 years of slavery, and for the 1918 and 1941 occupations? Instead, the right-wing government of the newly independent Estonia is keen to return the Baltic Germans their former assets, although that was already done.

History is a narrative that adds life to the facts retained by the human brain. Facts are like the building blocks of a person’s memory and are joined together by the mortar that is the life story of a person. In my capacity as vice chairman of the commission set up to provide a political and legal assessment to the 1939 Soviet-German Non-Aggression Treaty, and having worked with hundreds of historical and journalistic materials, I can only wonder how many different stories have been told about the birth, impact and disclosure of the Molotov-Ribbentrop secret protocols. Even the members of the commission themselves interpreted and understood the whole issue of the MRP in their own distinct ways. I have my own narrative, which developed and become increasingly logical over time. In addition to the aspects which concern the MRP, that narrative includes the actual process

⁵³ Isamaa is an Estonian political party. The name means “Fatherland”. (JI)

of the restoration of independence in Estonia that I have described in my book *Prime Minister: Estonia's recent history 1990-1992* (2005). That narrative includes the story of Estonia's accession to NATO and entry into the European Union, and the political and economic decisions that have brought us to where we are today.

Sometimes it seems to me that, like the laws of physics, there must be a law of conservation of independence. I do not mean that independence once won will then be permanent, but that the more independence there is, the more there is dependence. This may even be applicable to a single country. Today, I feel that we should have made much more of our independence.

The Estonian delegation sent to Europe to seek recognition for the new republic at the beginning of the 20th century was in a similar position to our delegation in Moscow eighty years later. The two events are comparable: the first played an important part in Estonia's becoming independent and the second in Estonia regaining its independence. We might all be considered diplomats for the restoration of independence, although in Moscow we held the diplomatic passports of the other state.

It is ironic that every time someone believes that history is being made, things may be quite the other way around from what we expect. Having witnessed and made our contribution to the rebirth of our state, we have the right to wonder whether history has some secret plan in mind for the Republic of Estonia, a plan that we have helped to enact. The establishment of the Republic of Estonia in 1918 and its re-establishment in 1991 each happened because of a coincidence of events and in a very short space of time. Does this state have any historical significance and, if so, can we understand it? If we cannot, then we are no better than a person who lives one day at a time with no perspective on the long term.

I believe in Estonia. I also believe that in 1989, when we were living in the heavily guarded Hotel Moscow, we had the right dream. By now, this building has been torn down, to be replaced by a modern hotel complex.

15th May 2009



Yuri Afanasyev in 1989
Photo: Estonian Film Archives

Interview with Professor Yuri Afanasyev

Professor Afanasyev was a deputy chairman of the MRP commission and one of the leaders of the Inter-regional Group of Deputies.

You are a vice chairman of the committee for assessing the Molotov-Ribbentrop Pact. In your opinion, what will be the impact of the resolution of the Soviet Congress of People's Deputies on the political and legal assessment of the pact on the Soviet Union in general and the Baltic States in particular?

This issue is firstly about the relations between the Soviet Union and the Baltic States and, secondly, about something that our official history has been distorting for decades. These falsifications have become almost the standard for the social awareness of our country. At the same time, the 1939 Soviet-German Non-Aggression Treaty is one of the most striking examples of how far the deformation of our historical knowledge has developed. All this was cultivated and reinforced by textbooks, films, and other official versions of our history and the respective descriptions of both Moscow and the Baltic republics. The depth to which this

deformation penetrated social awareness is also shown by the fact that the 2nd Congress of the Soviet People's Deputies failed to get to grips with the "Baltic syndrome", as I call it. During the sessions, one could sense hostility towards everything that was connected to the Baltic States: any representatives from the Baltics stepping towards the podium were greeted with a murmur of disapproval. Once a Baltic delegate started to speak, convincingly as usual, this murmur grew into a storm of discontent and hostility. It was like that right through to the conclusion of the Congress. Unfortunately, I must say that it is not only a Baltic syndrome – there was a similar reaction to the representatives of Moldova. National prejudice proved the most difficult mental obstacle to be overcome, even for the Soviet People's Deputies.

I find the Molotov-Ribbentrop Pact to be one of the most important issues for testing the condition of our society. First, one must study and assess the historical event truthfully, because this would be a step towards the improvement of social awareness, for the morale of the Soviet society and for morality. It is clear that without solving this problem we cannot expect to have normal relations with Estonia, Latvia, Lithuania and Moldova. Normal relations must not be based on lies and falsifications. This seems logical, but it is very difficult to achieve in practice. There is also the purely scientific aspect. There is no doubt that we need to assess the history of our international relations, the Soviet Union and World War II, if we are to understand our past and to become better people.

It is also worth highlighting other aspects that show the importance of solving this issue. Firstly, it is of particular importance for all Soviet nations. Secondly, scientists and teachers are waiting on this issue, because it concerns very many aspects of our life. Nonetheless, the Centre continues to oppose peaceful, objective, and scientific attempts at solving the problem. Why? One may recall several examples that show certain persons' reluctance to revise this issue, especially in the new light.

We, the majority of the commission providing a political and legal assessment to the August 23rd 1939 Soviet-German Non-Aggression Treaty, have submitted a draft opinion, but there are people in the administration that still oppose it. Take for example the interviews given by V. Falin and A. Yakovlev in which they expressed positions that openly contradicted the view of the majority of the commission. Or, take the appeals of Falin and Yakovlev to "higher authority", in response to which they were told that they seem to be taking the easy road and that they ought to analyse these documents more comprehensively. It means that there are very many factual examples that prove that there was no intention of learning the truth about the Molotov-Ribbentrop Pact. Again, why?

It seems relatively difficult to answer that question unless it is understood in the context of the mutual relations between Moscow and the Soviet republics. I would like to suggest

the following hypothesis: in recent years, Moscow has initiated conflicts between several nations within the Soviet Union. The so-called "strong centre" provokes social and national tensions and it seems that this may even be the main strategy of Moscow's recent ethnic policy. The negative attitude regarding the Molotov-Ribbentrop Pact and towards the resolution of this problem is just one among many examples of Moscow's provocations. Here is another example that is also relevant to the Baltic States: opposition to the economic independence of the republics in terms of both theory and legislation. I offer another example in support of my hypothesis. It concerns the laws that have been passed by the Supreme Councils in the Baltics and Caucasus. They show the imperialistic and dictatorial attitude of the Centre towards the Supreme Councils of the republics. The latter may adopt a law, but the Supreme Council of the USSR declares it invalid, since it is allegedly in conflict with some sections of the provisions of the Constitution of the Soviet Union. Such actions demonstrate on the one hand an inability and on the other an unwillingness to listen to what the republics have to say.

Finally, one should recall the August 26th 1989 statement of the Central Committee of the CPSU on the situation in the Baltic States. It was dominated by threats, insults and murky hints. The contents and tone of this document are not worthy of any modern organization. Why was it necessary to make this statement? To create tensions between the Baltic nations and Russians? It seems that it is the policy of Moscow's central authorities. Such policy will soon transform into a conflict between the Baltic nations and Russians. The same thing is happening in the Caucasus. We also see it in Georgia, but it is especially vivid in the conflict between Armenia and Azerbaijan.

In the relations between Armenia and Azerbaijan, Moscow attempts to maintain a certain symmetry: the wave of nationalism, raids, violence or throat-cutting in Azerbaijan appears to be matched immediately with a wave of nationalism in Armenia. Even waves of mutual discontent are being balanced, while the number of those deported, killed or raped is "compensated" with a similar number of victims on the opposing side. All this shows a desire to claim that the empire is collapsing because of conflicts between nations, not because of conflicts between Soviet republics and the central power. It seems to me that this is the heart of the matter, although I don't think that the policy was entirely premeditated. Perhaps it was an intuitive reaction, but it has been absolutely clear in every region during the past five years. Therefore, it is easy to understand why the Centre has resisted acknowledging the Molotov-Ribbentrop Pact and its imperialistic nature. It must be tough for Moscow to admit that the sovereignty of the Baltic States was violated and that these republics have been forced to do things against their will. There are many examples of the Centre going on the offensive instead of giving a truthful political and legal assessment of the Molotov-Ribbentrop

Pact. In this light, the work done by the commission for providing a political and legal assessment to the 1939 Soviet-German Non-Aggression Treaty seems especially important.

What is your opinion of the work of the commission?

The most impressive thing about our commission was its ability to get to the heart of the problem. Another characteristic feature was that many commission members understood that the conclusion of the work would affect the relations between the Baltic republics and all Soviet republics. For that reason, the commission members submitted many documents for discussion, involving many experts who had studied the problems of the pre-World War II period. These included not just historians, but also experts in international law. In addition, there were conferences focusing on the issue in parallel with the commission's work, which had been organised all over the Baltics by the members of the commission. An example is the international conference dedicated to giving a legal opinion of the Soviet-German Treaties of 1939-1941, held in Tallinn at the end of June last year, and which I also attended. This event was another phase, a small step forward.

The brief one-and-a-half page document drawn up by the commission is based on a comprehensive study of many thousands of pages of documents and draft versions. The commission was not only very consistent and comprehensive, but also highly competent. A large number of seminars, consultations, and many hours spent in archives examining documents and film materials all made it possible to provide evidence for the resolution. It was only thanks to the titanic work of the commission's members that it was able to give its assessment, as presented by A. Yakovlev, in the Congress of People's Deputies.

In your opinion, what are the problems facing the Baltic republics?

I will outline one hypothesis. Since 1987, the Baltics have convincingly shown the possibilities of popular front politics – the problems of the Baltic States are being solved with the involvement of the people – and this is a huge service done by the popular fronts. They have made the people the key element in the political life of the republics. As a regular visitor, I have seen this happening directly before my eyes. The common axis of the popular fronts has been Baltic sovereignty, the autonomy of the nation-state, and independence. By acknowledging the problems and transforming them into nationwide understanding, significant success has been achieved and the meanings of sovereignty, autonomy and independence are now understood not only on an emotional, but also on a rational level.

Now that all of this has been realised as an integral part of these republics, a new and very important issue arises. Having acknowledged the need to attain sovereignty and

independence, the focus will shift from national interests to the social sphere, i.e., given independence, "How are we to proceed in life?"

Because not everyone sees the future road in the same way, growing awareness of this issue will require some reorganization, and there will be many problems in laying down future objectives. First, there is the problem of the nature, content and volume of economic and other relations with the remaining Soviet republics. Second, there is the economic and social policy of the Baltic republics themselves; and third, their relations with the West. All these problems are interrelated and form a new set of problems requiring a new approach. This is a new era in the history of the Baltic States. Naturally, the national aspect will remain, but social problems will play a far more important role than previously. Moreover, there will be a new quality to the relationship between popular fronts and other parties, including the Communist Parties, of these republics.

All political movements and all political forces must be reborn under the new conditions. They must begin to offer the people policies that are more practical. There is no doubt that popular fronts and parties must re-define themselves while continuing on the right course. It seems that the Communist Party has understood that their earlier policies have no future, and by changing their policies in consideration of everything that is happening are starting to compete seriously with the popular fronts. To begin with, the popular fronts were obviously doing well, but right now the Communist Party is catching up, at least in Lithuania. It seems to me that they understand that they can no longer continue with a position based on an administrative and authoritarian system. They have acknowledged their relationship with society. It is hard to predict the outcome of this recent disintegration of forces and much will depend on what platform they can offer. Hypothetically, it seems to me that Edgar Savisaar, one of the authors and main advocates of the economic self-sufficiency of the republic, is sufficiently resourceful to propose a comprehensive programme worthy of consideration in our continuing search for solutions to the economic problems, particularly those of Estonia.

What are the current activities of the Inter-regional Group of Deputies?

Some time ago we organized the Social-Democratic Association in Tallinn. In Vilnius we held the Congress of Inter-regional Associations of the democratic organizations of the whole country. In Moscow we held the opening conference of the city's political party associations, which revised and approved a democratic platform for the CPSU and set up a council for coordination. We will now begin collecting signatures for the platform and I am confident that there will be many, perhaps even hundreds of thousands of signatures. This is a democratic platform of party associations, and not the platform that was discussed recently at the plenary meeting of the Central

Committee of the CPSU. There are already about a hundred such associations around the country. If we succeed in implementing this platform, there will be a political party that is both similar and diametrically opposite to the CPSU. For example, its objective would not be communism, but democratic socialism. The platform explains what democratic socialism is in terms of ownership relations, market economy, democracy, etc. It contains nothing on the principles of democratic centralism or iron discipline and makes no claims to take the leading role. All of this is properly explained. The first huge rally held in Moscow on February 4th was attended by up to 500,000 people. Maneez square and the surrounding streets were so packed with people that some could not even get to the meeting. The meeting made a unique proposal to organize, on February 25th at noon local time, a countrywide rally expressing the solidarity of the democratic forces of the Soviet Union during the complicated present pre-election situation.

The objective of consolidating or creating a political coalition of all democratic forces is to prepare for the meeting between democratic forces and the party and government leaders. I mention this because it seems that the Baltic States should also react in some way to what is happening. The objective of the meeting is to reach a compromise between democratic forces and party leaders. We believe that our society is changing too slowly. But it's not only about the pace of change, it's also about its direction. The changes should be deeper and more radical across all spheres of our reality. The roundtable meeting must make the new Union Treaty a priority. More specifically, we must raise the important issue of drafting such a constitution that would make the Union Treaty the main and determining part. We also need to think about the issue that you raised, i.e. the negotiations between the Baltic States and the Soviet government concerning the new form of relations. We need to be aware of this right now so that the proposals developed by Estonia will be considered in the design of any future arrangement of the Soviet Union, and to ensure that everything valuable, beneficial and rational is included.

Our people have become increasingly radical in their demands for the restoration of the Republic of Estonia, and they say that the Tartu Peace Treaty of February 2nd 1920 is still valid. What is your opinion?

I support this decision and find that it is the right way forward. However, it is very difficult to predict the final resolution of this problem. One thing is clear: the Soviet Union cannot remain in its present state for much longer. Re-decorating the facade is no longer enough. It is necessary to change the basic principles of the Union. A reassessment of those principles and of the Tartu Peace Treaty would be a good basis for the development of new principles.

Published in *Päevaleht*, February 22nd-24th 1990



Anneli Reigas in 1989

Photo: photo collection of Anneli Reigas

One pen and the truth: News from Moscow by Anneli Reigas

Although not a member of the commission, as a journalist Anneli Reigas (Anneli Rõigas) reported extensively on the work of the MRP commission, including attending the summer and autumn sessions in Moscow in 1989. In 1990, she was awarded the Estonian Union of Journalists' Annual Award for her reports on the work of the MRP commission. In addition to writing for the Estonian press until 1999, since spring 1989 she has been a freelance correspondent for the Finnish News Agency (STT) and since 2004 writes as a journalist for the international news agency Agence France Presse (AFP).

* * *

It is almost impossible to capture in its entirety the saga of half a year of extremely hard work by the commission after the Congress of People's Deputies of USSR first set it up early in summer 1989. I am fully convinced that it is the only case in the whole history of Estonian foreign policy in which a small group of Estonians achieved a victory of such international magnitude.

The commission forced the Soviet Congress of People's Deputies, the USSR's highest authority, to admit that, prior to the occupation of the Baltic States in June 1940, Stalin and Hitler had concluded a secret pact in August 1939 dividing Europe and the Baltic States between their respective totalitarian regimes. Given that Russia is a country that for centuries had annexed its neighbours and had made the violation of international law a casual practice, such an admission was simply unheard of. The historic admission that Stalin had forged a secret pact with Hitler that led to the annexation of the Baltic States, and condemnation of this secret pact by Soviet lawmakers, immediately attracted extensive international media coverage. On the next day, December 25th 1989, The New York Times published an extensive cover story, written by Esther B. Feun, under the headline "Soviet Congress Condemns '39 Pact That Led to Annexation of Baltics".

Our victorious battle in Moscow in 1989 encouraged the growing independence movement in the Baltics and signalled to the Kremlin that there was no longer a question of whether, but when, the Baltic States would restore their independence. Alexander Yakovlev, who was the chairman of the commission and a Party deputy to Mikhail Gorbachev, later often publicly stressed this view.

Of our battle in Moscow, I remember most of all:

- i) The extraordinarily good monologues of academician Endel Lippmaa at the commission's meetings. Lippmaa played an important role in setting up the commission and a key role in its work. He often illustrated his statements with authentic historic documents verified by Western archives (to the irritation of many of the Kremlin's representatives on the commission) and would pull these documents from a heavy briefcase which kept falling over under the table with a huge 'Bang!';
- ii) The extremely unprofessional practice of pro-Kremlin members of the commission and their attempts at defending the Soviet version of World War II history, especially during the early stages of the commission's work;
- iii) The support of several Russian democrats. Although I later heard claims that they gave their support for personal gain, seeking to oppose themselves to head of state Gorbachev, I still believe that the majority of the Russian democrats who supported us did so because they understood that Stalin had done an injustice to the Baltic nations and that, for the sake of truth, Russia must admit that MRP was the prelude to the annexation of the Baltic States;
- iv) Total disappointment in the Soviet leader Mikhail Gorbachev, the father of *perestroika*, who had agreed to set up the commission in spring 1989 but then worked actively

against it. Gorbachev's former colleagues later publicly confirmed that he was well aware that the secret protocol existed and that there were documents in Soviet archives that proved it beyond any doubt. Instead of publishing these documents or releasing them to the commission, Gorbachev gave an order to destroy them. Fortunately, his order was disobeyed.

- v) In the summer of 1989, Lippmaa's arrival at the Sheremetyevo-2 airport in Moscow from a visit to the US national archives in Washington D.C., where he had been copying documents for the work of the commission. I especially remember his arrival because I had made a spontaneous decision to travel from Tallinn to Moscow to meet him at the airport, and by great fortune I managed to help him pass the Soviet border-guards without having his suitcase opened by Soviet customs – it was filled with documents from Western archives (more on this below).
- vi) The culmination of the commission's work at the Congress of the People's Deputies of the Soviet Union on December 23rd and 24th 1989, and the last desperate attempt of the Soviet Ministry of Defence to brainwash delegates by setting up a huge propaganda exhibition to prove the "voluntary" inclusion of the Baltic States in the Soviet Union. I will describe in detail below how we managed to sabotage this exhibition.

How Lippmaa's ammunition arrived in Moscow

For decades, the Soviet leadership had denied having any knowledge of the secret protocol of the Molotov-Ribbentrop Pact. This was despite the fact that news that the USSR and Germany had signed not only the pact but also a secret protocol had leaked out shortly after August 23rd 1939, and despite the fact that it was also widely known in the Baltic States during the Soviet occupation.

After the Soviet Congress of People's Deputies had set up the commission to assess the Molotov-Ribbentrop Pact at the beginning of summer 1989, we needed indisputable evidence to prove our case. Thanks to Lippmaa's efforts during that summer in retrieving and copying the documents from Western archives, including those in Washington, D.C., we obtained invaluable ammunition in the form of a large number of authentic and verified archive documents.

Fortunately, Lippmaa, having arrived at Moscow's international airport Sheremetyevo-2 with a suitcase filled with copies of the documents, managed to slip through Soviet customs. On the spur of the moment, I made a decision to go to Moscow and meet him at the airport, being very worried that the Soviet customs would confiscate his docu-

ments. So, I marched straight into the VIP lounge, showed a local female administrator my Soviet press-card with its red cardboard cover, told her that I was meeting a People's Deputy of the USSR, and lied that we had to hurry to the Kremlin for an urgent meeting. "In that case I'd better go and bring him straight from the aircraft to the VIP lounge," she replied. After she had escorted Lippmaa to the lounge, he said "Let's get out of here as fast as we can!" and did not say another word until finally we were safely in a taxi. I decided to apologize for my impromptu decision to come from Estonia to meet him in Moscow and Lippmaa, now obviously relieved, replied "Actually it was very useful because the lady brought me straight past customs and they didn't even open my suitcase."

When we returned to Tallinn, I copied for myself the documents he had brought from the US and wrote several newspaper articles about how they proved that Stalin and Hitler had made a deal concerning Soviet occupation of Estonia before the actual occupation.

After the publication of my third article about the documents, Lippmaa called me and asked me to meet him immediately at his institute in central Tallinn, opposite the building of the Central Committee of the Estonian Communist Party that now houses the Estonian Ministry of Foreign Affairs. I rushed to the institute and he told me that he was very worried about my safety. He felt that I had no idea of the risks involved and had therefore decided that he should take over the writing of the articles. He stressed that he himself no longer had anything to lose because most of his life was already behind him, while I, on the other hand, was only twenty-six and had the whole of my life ahead of me. He was fifty-nine at that time and now in May 2009, as I recall these events, Lippmaa is seventy-nine and still going strong. His last gambit was to remind me that I had a five-year-old son Oliver who had a right to expect his mother to remain alive, not dead or imprisoned. I refused to pull out and told him that he was obviously exaggerating the risks.

We never spoke about it again. Lippmaa would later translate a German-language document, which I would write about in one of my articles. Two years later, in the summer of 1991, I was glad to read from his own recollection of the MRP affair that he thought that the newspaper articles had played a major role in helping us to achieve our goal.

Various people, including one Estonian expert who was involved in the work of the commission, would later tell me that we had been on thin ice throughout the whole of the MRP affair. Looking back, I agree that there probably were risks, but during that summer of 1989 we were so committed to our grand goal that there was no time to think of the dangers. It seems bizarre, but I think the lives of the journalists and others who spoke out against the totalitarian regime were somehow safer in 1989 than they have been during the last decade in Russia, when many journalists have lost their lives for attempting to expose the truth.

Our battle in Moscow in 1989 and its related activities were also being closely observed abroad during that time. When I visited the US Department of State in Washington late in summer 1989, I saw English translations of my articles that had been published in Estonia. The Soviet Ministry of Foreign Affairs must have been equally well informed, although, unlike the Soviet Ministry of Defence, the Soviet Ministry of Foreign Affairs lead by Georgia-born Eduard Shevardnadze was surprisingly soft on exposing the MRP.

The miraculous transformation of the commission's members

Of the twenty-six members of the commission, only a limited number attended the meetings and even fewer took an active part in the commission's work. Some members made almost no contribution.

Our opponents were representatives of the Kremlin's official political line led by Valentin Falin, a deputy chairman of the commission and head of the international department of the Central Committee of the Communist Party of the Soviet Union. Their mantra was that, given the international situation at that time, Stalin had no option but to do a deal with Hitler and that the secret protocol signed in August 1939 by the Soviet and German foreign ministers, which divided European countries into two spheres of influence, had nothing whatsoever to do with the incorporation of the Baltic States into the Soviet Union in the summer of 1940. This was also the official version in Soviet history books.

However, I am convinced that both Mikhail Gorbachev and those commission members and experts that shared his views knew the history of the Baltic States far better than they would admit, and they were undoubtedly also aware of the genocide committed by the Soviet regime at the beginning of WWII and after (including the mass deportations of hundreds of thousands of people from the Baltic States to Siberia). After all, the military operations of both Nazi Germany and the USSR and the division of Europe in September 1939 began soon after the signing of the secret protocol to the Molotov-Ribbentrop Pact. Moreover, Stalin and Hitler also entered into several secret pacts for dividing additional countries after the Molotov-Ribbentrop Pact was first signed. The distortion of truth by pro-Kremlin members, especially in the first meetings, also angered the Lithuanian delegates.

At the July 11th and 12th sessions, the arguments made by Falin and other hardliners were successfully dismantled by Endel Lippmaa who was able to support his own arguments with authentic documents brought from Western archives.

Reporting on these sessions in the Estonian daily, *Noorte Hää*, on July 12th and 13th 1989, I wrote:

“Another round of sessions of the commission set up by the Soviet Congress of People’s Deputies for legal and political assessment of the Molotov-Ribbentrop Pact started yesterday, July 11th 1989, at the Estonian representation in Moscow at 11am. Estonia was represented by “prosecutor” Endel Lippmaa who had in front of him a half-metre pile of copies of relevant original documents, all with archive stamps proving their authenticity, and who quickly and swiftly repudiated all false claims /.../ There was also a group of Moscow experts including four doctors of law from various Moscow institutes, one historian and Felix Kovalyov, head of the Soviet Foreign Ministry’s Historic-Diplomatic Service. Kovalyov had prepared for the commission a report on eighteen relevant documents that had been handed over by the Ambassador of the German Federal Republic.

/.../ After repeatedly hearing claims that the USSR was forced into signing the Molotov-Ribbentrop Pact, one commission member from Lithuania told Falin quite abruptly: “You cannot justify chopping a child into pieces to save two adults.”

Moscow’s experts had prepared for the session a 40-page report on the general political situation in the world before the 1939 Pact. In their brief presentation, they tried to convince commission members to focus not on the Baltics but on the so-called general background.

It was really upsetting to sit here in Moscow and hear the justification of Stalin’s pre-WWII policy.

Fortunately, this was only the position of a minority in the commission. Even the commission’s conservative wing has to change, but it will be a slow change. At least they were able to listen to several excellent speeches in yesterday’s session. /.../”

* * *

Two members radically changed their position during the commission’s term. The first was the commission’s deputy chairman Valentin Falin, who, as I mentioned before, had been fiercely defending the official Kremlin line in denying the existence of the secret protocol. However, at some point he suddenly became a “believer” and found the courage to communicate his new faith to others.

The second transformation was of Alexander Yakovlev, a member of the Politburo and Secretary of the Central Committee of CPSU who, as the commission’s chairman, never once attended sessions held at the Estonian representation. In fact, it was only on

December 23rd 1989, when he spoke before the Congress of People's Deputies in the Kremlin about the commission's work, that we understood that we had won him over to our side.

It was also good to see at the sessions those Russian democrats and historians who had been honest from the outset and who had no need to undergo a process of internal transformation in order to admit the historic truth. They included a deputy chairman of the commission, Yuri Afanasyev, who at that time worked as head of the Moscow State Institute of History and Archives, and Russian historians such as Mikhail Semiryaga and Vassili Kulish. Of all the Russian experts, I was most impressed by Professor Mikhail Semiryaga who spoke at the commission's session on July 12th 1989.

On July 13th 1989, I wrote in *Noorte Hääl*:

"At the start of the discussion /.../ Mikhail Semiryaga, Professor of History, explained his position on the issue of the Molotov-Ribbentrop Pact. We were glad to see that we shared similar views. Semiryaga emphasized that the MRP was not the result of an overnight decision and that preliminary work had started significantly earlier, in October 1938, when the Soviet Union had taken its course towards cooperation with Germany. The Professor warned the commission that the MRP might also lead to complaints from other countries such as Finland. He also stressed that by entering into secret protocols basic standards of international law were violated.

Valentin Falin reminded Mikhail Semiryaga that other countries had made similar pacts before the war. Semiryaga responded: "There are legal and moral standards in international law. I cannot be responsible for the actions of capitalist countries at that time and therefore I speak as a citizen of the Soviet Union. One thing is clear: the violation of the sovereignty of other countries has always been a violation of international law."/.../

A number of persons [pro-Kremlin and by now very irritated – AR] had begun to notice that not all of the people in the room sounded like Soviet citizens.

In the White Hall of the Embassy of the Republic of Estonia – the same hall where fifty years ago, in September 1939, Estonian diplomats Selter, Uluots and Rei had discussed the draft agreement concerning Soviet military bases and from where they had then gone to the Kremlin to sign it – the feeling was as though a new round of negotiations had restarted after a long break /.../.

Of course, here in Moscow there has been talk of several post-war international acts that allegedly finalized the existing borders, but this is unacceptable.

There was some, albeit brief, discussion about an article headlined “Federal Union” which appeared in Pravda yesterday and was dedicated to the upcoming plenary session of the Central Committee of CPSU on ethnic relations. Commenting on the article, Valentin Falin said that it represented the position of the newspaper and not that of the country’s highest party officials. Igor Gräzin interrupted and asked Falin to confirm this in writing so that it could be published at home. As expected, the request was denied.

The view of the majority of members of the commission was clear: we must do what the voters expect from us. Let’s stop talking here in Moscow about whether the Soviet Union was forced to enter into the MRP and sign secret protocols with Germany or not. From the standpoint of Estonia, Latvia and Lithuania, it is irrelevant. What could justify an aggression by one country against another? What security risk could possibly justify the invasion of Estonia, Latvia, Lithuania (Afghanistan, etc.)? So what? – We have a need, therefore we can invade another country? /.../.”

* * *

Although the deputy chairman of the commission, Valentin Falin, had been openly pro-Kremlin from the beginning and had doubted the authenticity of the secret protocol, he changed his mind and announced that he no longer doubted the existence of the secret protocol. However, the Kremlin still attempted to prevent the commission finalizing its work during the upcoming months.

The human chain “Baltic Way”, organized on August 23rd 1989, was a huge boost to morale and showed both Moscow and the rest of the world the strength of the Baltic nations’ desire for the denunciation of the MRP.

On October 3rd 1989, *Noorte Hääl* published my article “Ostrich Games” in which I described the steps taken next by the commission’s majority – the so-called “democratic line”, their attempt to present the results of the commission’s work to the general public during the press conference held in Moscow on September 29th 1989, and the constant obstacles that the commission had had to overcome.

Among other things, I wrote:

“It seemed absurd to begin the Friday morning seminar, as part of the session of the commission at the Estonian representation in Moscow, by explaining yet again to a prominent Soviet official the events that had taken place in the Baltic States in 1940. This high-ranking

official was Alexandrov, who had assisted Alexander Yakovlev, Secretary of the Central Committee of CPSU. It sometimes seems that such explanations are a total waste of time. After all, if one wants to hear nothing, one hears nothing, no matter how loud you speak. It is difficult to believe that the Kremlin is burying its head in the sand like an ostrich simply because it lacks the knowledge of history.

On August 9th the commission had sent an enquiry about such "ostrich" behaviour to the highest level, expressing concern about delays in the publication of the commission's resolution. This enquiry never reached the central news and media agency of the Soviet Union, but several Moscow news and media publications carried biased articles about the commission's work, presenting only the views of the commission's minority. The telegram sent to Gorbachev on August 9th received no reply, although there is no doubt that it was successfully delivered.

Naturally, such behaviour from Moscow causes growing dissent. After all, what is the point of electing People's Deputies under the flag of perestroika if their words are ignored and the country continues to be run by a small, but very powerful, party clique? /.../

At 5pm a press conference was held in the hall of the Moscow Institute of History and Archives to communicate to the world the current situation, the progress of the commission's work, and the attitude of the Soviet government. In accordance with item five of the commission's first resolution, a seminar (held earlier in the former building of the Embassy of the Republic of Estonia now used as the representation of the Estonian SSR) discussed how the 1939 treaties had led to events in 1940./.../

At the beginning of the press conference, the commission's deputy chairman Yuri Afanasyev made a public statement written by him and another deputy chairman, Edgar Savisaar. Among other things, the statement said: "Events that unfolded 50 years ago and that we have already largely analysed and revised are not the reason for the commission's discontent, but instead the events that have taken place in the last one and half months and that are ongoing. The commission had to overcome major problems and opposition, to say nothing of the uncontrolled activities of the Presidium of the Supreme Council of the USSR, the poor working conditions of the People's Deputies, the opposition of officials and their institutions to the demands of the People's Deputies, etc. This all supports the idea that there was a general and deliberate attempt to maintain old methods of policymaking, to dictate ideology and to bring party pressure to bear on the democratic bodies of state power and administration. It also seems that we, the democratically elected People's Deputies, were often being used as a shield for decisions that went against our principles and with which we often had little or no connection, and we would learn about these decisions only in the press."

The majority approved the commission's statement about the first phase of its work. It was signed by twenty-two of the twenty-six members, but was not signed by the commission's chairman Alexander Yakovlev, nor was it published. Instead, Communist newspaper Pravda published an interview with Yakovlev in which he expressed views that significantly deviated from the views of the majority of the commission.

The central media ignored the fact that the commission had completed phase one. Instead, CPSU made an ominous statement about the situation in the Baltic States, saying that political mass rallies had been held on August 23rd 1989 despite the fact that the MRP commission set up by the People's Deputies of the Soviet Union had not yet finalized its work on the issue. On the same day, that same pretext was given as the basis for breaking up peaceful demonstrations held in Moscow.

Edgar Savisaar and Yuri Afanasyev requested airtime but were denied by the chairman of the Television and Radio Committee of the Soviet Union. Furthermore, they were told that, in spite of the commission's majority, airtime was only available to the commission's chairman or to persons nominated by him.

Before starting work on the second phase, i.e. forming a legal opinion on the connection between the MRP and the events of 1940, the members of the commission were informed of a resolution on this issue that had already been prepared by the September plenary of the Central Committee of CPSU. This immediately caused major suspicions. If the conclusions had already been made, then why was the commission needed? Was this an attempt to put political pressure on the commission's members?

In any case, the commission proceeded with phase two /.../

At the press conference, journalists' questions were answered by Edgar Savisaar, Yuri Afanasyev, Igor Gräzin, Endel Lippmaa, Sergei Lavrov, Ion Drutse, Aleksei Kazannik, Vytautas Landsbergis and Kazimieras Motieka.

/.../ Igor Gräzin drew attention to issues on which the position of the commission's chairman Alexander Yakovlev, Secretary of the Central Committee of the CPSU, differed most from the majority of commission members (an article about this appeared in *Noorte Hääl* on August 22nd). There was also the question of which members of the commission had not signed the first resolution. It was announced that two members had been against. They were Arbatov and Kravets, who still believed that the secret protocol was a clever forgery by the West. Falin, the commission's deputy chairman and departmental head of the Central Committee of CPSU, had initialled the resolution, but did not consider it a signature. Comrade Alexander Yakovlev was not in principle against signing, but announced that he had to receive approval before signing (which he still seemed to be waiting for).

Is the Soviet army stationed in the Baltic States the army of an occupying force? The opinion of Vytautas Landsbergis was that the Soviet armed forces were using our territory without having asked the permission of our nations. Endel Lippmaa added, "As is known, the Supreme Councils of Estonia and Lithuania have declared that the entry of their states into the Soviet Union in 1940 was illegitimate." Yes, but what is the conclusion? We must decide whether to remain in the Soviet Union (which we have not entered). Hearing that, Sergei Lavrov wanted to know whether those words expressed a personal opinion?

Edgar Savisaar spoke briefly about the morning seminar in which the connection between the MRP and the following annexation were discussed. Why had there been such a long delay after the publication of the interview with Yakovlev? Savisaar repeated that the statement of the Central Committee of CPSU had been a surprise.

Igor Gräzin continued, "Why are we in this silly situation? The commission has completed its work, but then such a statement. What are you doing? The commission has not finished its work! That 1940 was the expression of the nation's will and that this issue should not be revised! Of course there was going to be a reaction!"

Endel Lippmaa: "A rapid reaction may not be always the best option. Moreover, everything that is relevant to the issue (the connection between the MRP and the Soviet annexation) must be studied. Now we can prove with detailed accuracy how one step lead to another and how, following the last step, the Baltic States found themselves inside the Soviet Union."

There was also discussion of the ownership of the central television monopoly. Is it owned by the Communist Party's Central Committee, or by some smaller group of people? After all, it is funded by the people."

* * *

At the international press conference held in September 1989 in Moscow, a journalist from The Washington Post asked about criticism that had been directed against Yakovlev and commented that he found it confusing because until now, Yakovlev, the Secretary of the Communist Party Central Committee, had been labelled the leader of the Politburo's liberal wing. Afanasyev responded: "I also respect Yakovlev, but facts are facts. Yakovlev has given reason for criticism." Journalists then asked the commission's members if the press conference constituted an uprising. The response of Lithuania's Motieka was elegant: "This is not an uprising, This is *glasnost*."

Shortly after those words, the power in the press room was switched off and the lights went out. After a long delay power was restored and the press conference was declared over.

Christmas in the Kremlin

I will always remember my feelings of joy when the commission's work ended in victory. I was standing in the front row of the large balcony in the hall of the Congressional Palace and listening to the speech of Alexander Yakovlev, chairman of the commission, during the session on December 23rd 1989. At some point I realised that Yakovlev was telling the nearly two thousand Soviet Deputies just exactly what we had been hoping for, and that he had finally come over to our side. My emotions were so overwhelming that, for the first time in a public place, I began to cry.

We rode to the Kremlin on the morning of December 23rd 1989 in the Soviet limousine used by Arnold Rüütel, the chairman of the Supreme Council of the Estonian SSR – his limousine was allowed to enter the Kremlin without being searched. Rüütel himself was sitting in front alongside the driver while Lippmaa, Rüütel's assistant and myself were on the back seat. Below our feet were piles of Russian-language booklets about events in Estonia in 1940, which Lippmaa had prepared for the Soviet Deputies.

I remember one anxious moment when the car suddenly stopped inside the Kremlin and I saw some men standing in front of the car each wearing similar drab Soviet winter coats and holding an ice pick. A moment later the car moved on and I understood that they were actually women who were removing ice from the road. That scene has remained vivid in my memory. There was something symbolic about smashing ice in the Kremlin, just before the decisive session for the Baltic States – that women were out in the Kremlin's yard doing such hard work in the middle of the Russian winter was absurd like the entire apparatus of the Soviet State.

By pure coincidence or good fortune, we managed to sabotage the last desperate attempt of the Soviet Ministry of Defence to influence the People's Deputies on this issue. The Ministry had prepared a huge exhibition about the "voluntary" entry of the Baltic nations into the Soviet Union, and had attempted to set it up in the foyer of the Congressional Palace in the Kremlin during the decisive session of the Congress on December 23rd. I saw the exhibition and immediately informed Lippmaa, who was already sitting in the huge session hall. He asked the session chairman if he could speak and, speaking into the public microphone, announced that an unsanctioned propaganda exhibition had been set up without the knowledge of the commission. As a result, officials of the Soviet Ministry of Defence were required to remove exhibition stands before the session ended and nearly two thousand deputies, for whom the Ministry of Defence had intended the exhibition, did not see it.

I wrote about this incident in *Noorte Hää!* on December 28th and 29th 1989:

"The renewal of my doubts about Yakovlev's upcoming speech on Saturday was related to a strange incident that occurred during the morning session in the Congressional Palace. /.../ We had been handing out Russian-language books printed in Tallinn, about the events in Estonia in 1940, to the People's Deputies. The interest in the book was immense, but because some delegates took two or three copies, there were not enough for everyone. /.../

As the morning session was coming to an end, I went to check whether there were any books left. I found no books, but suddenly I saw a group of army officers who were setting up large exhibition stands in the main foyer of the Palace. As I approached them, I felt like the main character of "The Stone Visitor", a performance of Moscow Grand Theatre that I had seen a few days previously. The exhibition that was being set up was dedicated to the events of 1940 in the Baltic States. I looked, but could not believe my eyes. The whole exhibition began with the text of the so-called "Mutual Assistance Pact" that the Republic of Estonia and the USSR had signed on September 28th 1939, allegedly at the request of Estonia. In the final stand of the exhibition was, for example, a photo signed "Tallinn, August 1940" and a blurred photo of Tallinn's Freedom Square crowded with people who, according to the caption, were demanding rapid incorporation into the Soviet Union. The exhibition was still being assembled, but those stands that were already up left no doubt what it was about. It was still a few hours until the speech of the chairman of the MRP commission and there would be a break in the session in one hour. The first curious passers-by were already studying the "truth" about the MRP and Estonia in 1940.

I was shell-shocked and heard my colleague from Georgia say "On the reverse side of the stands there will surely be a similar forgery of the events in Tbilisi (where civilians had been killed by the Soviet army in spring 1989 - AR)."

I asked a colonel standing next to me who was responsible for this exhibition. Without giving me his name, he said that the Soviet Ministry of Defence had prepared it for the Congress. My next question regarding whether they had a permit for an exhibition clearly intended to brainwash the delegates was ignored. A group of high-ranking army officers then approached me, asking what the problem was. I told them I knew that the MRP commission, whose role was to establish the truth, had not approved such an exhibition. They reacted by quickly turning the stands around to face inward forming a closed circle. "We will turn them around during the break," they explained. I also told them that I was not going to argue with them about the "evidence" in the exhibition, since it was already in all Soviet history books and there was nothing new.

Then I remembered that on that same morning, when I had been handing out our documents at the press conference, I had overheard the deputy head of the press centre say, "We will shortly put up an interesting exhibition." I enquired with the management of the press centre, but they claimed that they were unaware of the exhibition and did not know whether it had been approved or not.

What followed was like an action movie. I asked a security guard to go and ask Endel Lippmaa to step outside the hall. When Lippmaa came out he understood immediately what the military was planning. He ran to the Secretariat (journalists were prevented from access) and demanded to know who had approved such an exhibition and on what basis. He was told that no one had requested approval. Of course, this was not enough to make the exhibition disappear. Lippmaa then returned to the session hall and was soon given an opportunity to ask for a response from the unsuspecting session chairman. Lippmaa's words – "I want to say that an exhibition is being put up in the foyer at the moment without the commission's knowledge", enraged Lukyanov and the microphone was immediately switched off. A moment later, when I returned to the foyer from the session hall I saw, to my great relief, something comical: high-ranking officers were angrily carrying exhibition stands out of the Congressional Palace of Congresses.

One can only imagine who had initiated the exhibition organized on behalf of the Soviet Ministry of Defence to influence the Congress of People's Deputies, how it was prepared, and which members of the Presidium had secretly supported the action. Such an exhibition could not simply have bypassed the strict control of the Palace of Congresses "accidentally and by chance". /.../ "

* * *

The Congress sessions on December 23rd and 24th were covered extensively by the press. My immediate impressions, published in Noorte Hääl, of the commission's sessions in Moscow and of the grand finale in the Kremlin during Christmas 1989 are far more authentic than my narration today, two decades later. By the way, since there were no computers, internet or mobile phones in 1989, I wrote all of my reports with pen and paper and then dictated them by telephone from Moscow to the newspaper's typist in Tallinn. This usually required shouting for thirty minutes or more into the phone, because the line was invariably very poor.

Even on the morning of December 24th it was still unclear whether we had won, but it would become clear a few hours later when Soviet Congress admitted and condemned

the Hitler-Stalin pact that had led to the occupation of the Baltic States in June 1940. My heart was singing that evening as back home in Tallinn we celebrated the extraordinary gift that Christmas had brought us that year. It is hard to describe the euphoria we felt after having forced the Soviet powers to admit the existence of secret protocols to the MRP – protocols which had led to the occupation of the Baltic States.

However, there were a number of disappointments during the next twenty months before the independence of Baltic States was restored.

In spring 1989, shortly before our battle over the MRP began, Ilmari Sundblad, head of the foreign desk of the Finnish News Agency STT and at that time also working as a Finnish correspondent for the international news agency Agence France Presse, had asked me to write about events in Estonia through STT for the foreign press. Because Sundblad had hired me as a freelance correspondent of STT, soon after our December victory in Moscow I was able to participate in several international meetings in which the Baltic issue was discussed.

Following the meeting of the Conference of Security and Cooperation in Europe (also known as the "Helsinki Process") in Copenhagen in June 1990, I attended several meetings of foreign ministers as a journalist – in Helsinki, Vienna, New York, Berlin and elsewhere. It was only then that I realised how modest was the support given by several Western leaders to the efforts of the Baltic nations to restore the independence of the Baltic States, even though the US and most of the rest of the Western world had never officially recognized the USSR's annexation of the Baltic States.

My greatest disappointment was with the US administration under President George Bush and Secretary of State James Baker. They seemed to believe that the freedom movement in the Baltic countries had become too dangerous for Gorbachev's perestroika policy and so failed to react adequately and rapidly, even at the end of 1990 when perestroika had been put into reverse. They kept their mouths shut for far too long, even in January 1991 when Soviet troops killed civilians near Vilnius TV tower.

One of the strongest advocates of the Baltic freedom movement was Jon Baldvin Hannibalsson the foreign minister of tiny Iceland, who in Copenhagen in June 1990 gave an extraordinarily powerful speech about the need to restore the independence of the Baltic States. Others, whose strong support for the Baltic cause stood out in contrast with the cautious approach of the rest of the world, were Denmark's foreign minister Uffe Ellemann-Jensen and Sweden's opposition leader Carl Bildt who later became prime minister and foreign minister.

The restoration of the independence of the Baltic States also received strong support from several members of the US Congress, including Donald L. Ritter who was one of

the US Congressmen that sent Mikhail Gorbachev a letter urging him to publish the secret MRP protocol that had resulted in the loss of independence of the Baltic States.

When I met Ritter in his office in Washington in September 1989, he told me that, at the same time as we were fighting in Moscow over the MRP, US Congressmen had urged President Bush to give more active support to the Baltic nations. One hundred and thirteen US Congressmen had signed a petition calling for Bush to support the independence movement of the Baltic States and to take specific steps towards the peaceful restoration of Baltic independence (the interview with Congressman D. Ritter was published in daily *Noorte Hääl* on October 17th and 18th 1989).

The main reason why so little has been written about our battle in Moscow is the modesty of the small number of persons involved, especially the academician Endel Lippmaa who played a key role in the battle and in the restoration of Baltic independence. During the last two decades Lippmaa has also stood firm, with the same commitment, against various high-profile initiatives in Estonia that could damage Estonia's national interests. Among others, he successfully derailed the plan to privatize the state-owned energy monopoly Eesti Energia— an initiative that could have resulted in Russian ownership of Estonia's main energy company. In late summer 2007, when some Estonian leaders had already given support to Gazprom's request (i.e. Moscow's) to begin surveying the Estonian seabed in order to prepare for the construction of a Russian-German gas pipeline, it was Lippmaa again who managed to persuade the government to refuse the request, arguing that the project would cause ecological damage to the Baltic Sea and that for the Russian leadership the pipeline would have strong political implications and they might conceivably wish to defend it militarily.

A winter skirmish with Moscow: Sillamäe 1989

For Endel Lippmaa and myself, the fight with Moscow had already begun early in 1989 during the winter. The daily newspaper I worked for had decided to interview some of the Estonian candidates who were running for the seat at the Congress of Soviet People's Deputies. I decided to make just one interview - with Endel Lippmaa, a member of the Estonian Academy of Sciences who had impressed me long before with his honesty and commitment to Estonia. Lippmaa agreed to the interview, but said that it would not affect his candidacy because he was sure the people were going to vote for him anyway.

At the end of the interview, he suggested that if I wanted to do something really useful we could start together a campaign to fight against the Soviet military factory in

Sillamäe, a town located in north-east Estonia on the Baltic Sea coast. This factory was subordinated directly to Moscow and since the late 1940s it had been depositing extremely hazardous radioactive waste only metres from the Baltic Sea. There was also reason to believe that, because of the radioactive waste, the drinking water of the city's mainly Russian population was being polluted.

I of course accepted Lippmaa's proposal and, after speaking with other experts and interviewing local officials and residents during the next few weeks and months, I wrote several articles about this ticking environmental time-bomb.

The factory's Russian executives and the town's public health official, who received his orders directly from Moscow, initially denied that there was radioactive waste in the seaside storage, but this small battle ended in victory for Estonia. Early in June 1989 the plant's management invited me to visit Sillamäe, which had previously been a closed town for much of the Soviet era. The director of the factory showed me a telegram he had received from the Soviet Ministry of Atomic Energy in Moscow, in which they admitted that there was hazardous waste in the storage facility and announced that, following the public scandal, Moscow had decided that it stop depositing radioactive waste at the site from the start of 1990. The Sillamäe saga reached its conclusion at the same time as the Soviet Congress of People's Deputies, acting on the initiative of Endel Lippmaa, was setting up the MRP commission. It was natural that I should continue to work together with Lippmaa also in Moscow so I decided to participate as a journalist.

Although the connection between the Sillamäe Military Plant and the Molotov-Ribbentrop Pact may at first seem remote, for me the link is direct. The story of the Sillamäe chemical plant and the extremely hazardous pollution that it had caused is only one of many examples of how the Soviets forced their policies of colonialization onto the countries that Stalin had occupied under the secret protocol of the MRP. Among the key elements of the Soviet colonialization policy was the mass migration of populations from Russia to the Baltic States. By the way, the decommissioning of the Sillamäe radioactive waste storage facility, which the European Commission ranked as one of Europe's four most dangerous waste stores, was completed as recently as autumn 2008.

The MRP today

Knowledge in both East and West about the crimes committed by Stalin's regime is still patchy. Working in the international press, I have noticed that the collusion between Hitler

and Stalin before WWII and important events that changed and influenced the history of the Baltic States are hardly known, not only to Russians, but also to a large proportion of the Western generations that grew up after WWII. The annexation of the three Baltic States by the Soviet Union went largely unnoticed in the rest of the world because it took place during the very same week in June 1940 when the Nazis marched into Paris. In 1945, Europe was so relieved to see the end of a tough long war that it lost sight of the Soviet occupation that had begun shortly after the war began.

Unlike the Holocaust, the full extent of Stalinist Russia's crimes against humanity in the Baltic States during the 1940s, including genocide, is still largely unknown to many Russians and citizens of Western democratic countries, although it was a direct consequence of the secret deal made between Stalin and Hitler in August 1939. After the Soviet regime had established its terror over the Baltics, in June 1941 and March 1949 it deported hundreds of thousands of innocent people from all three Baltic States to Siberia. The Baltic nations themselves know of these deportations mostly through their own experience, but the majority of Estonians still do not know that already by 1948 around 100,000 Lithuanians had been put onto cattle wagons and sent to Siberia, before the biggest deportation from all three Baltic States in March 1949.

When speaking about the fate of the Baltic nations, many Russians still stress that millions of Russians also suffered during Stalin's regime and insist that the Baltic nations should be grateful to the Red Army for liberating them from Nazi Germany. My usual response is to ask them whether they would have considered it normal if, after liberating France from Nazi occupation, the Americans had made France a US state, set up US military bases in France, forcibly recruited young French people into the US army, imprisoned tens of thousands of French people, and deported millions to Alaska.

Sadly, in spite of the 1,432 Soviet People's Deputies in the Kremlin who were courageous enough to expose and condemn the Molotov-Ribbentrop Pact, Russia under Vladimir Putin has used Soviet historiography as a weapon of domestic policy and, for failure to pay respect to the Red Army, has accused the Baltic States of fascism. The Baltic nations, who lost their independence to the Soviets for over half a century, have never considered the Red Army a liberator, and never will.

While Russians, as a nation, are not responsible for the crimes committed by Stalin and his regime, those who deny such crimes automatically position themselves along the same plane as the Stalinists. The litmus test that distinguishes Russian democrats from those Russians who still harbour the Soviet mentality is knowledge of history and acknowledgement of the crimes of the Soviet regime.

One of the things I remember of our battle in Moscow in 1989 is the hatred that I received because of my activities concerning the MRP. The staff of the four-page *Noorte Hääli* – at that time one of Estonia’s two largest Estonian-language daily newspapers – included several journalists with a sense of mission, but there were also people who had collaborated with the KGB and people with a Soviet mentality operating with double standards. Their visible hatred against our activities was surprising and distressing, but also useful: it showed that the frontline of our battle for independence did not follow the lines of individual nationality, for there were Soviet-minded people among Estonians too. There were even such despicable people among Estonian journalists during the period of the Singing Revolution.

My experiences during the period of the MRP commission and following the victory in 1989 gave me an emotional sense of commitment which compelled me to fly back to Moscow in 1991 when, on August 19th, news about an attempted coup shocked the world. I reported those days in Moscow from the so-called “White House”, which had become the headquarters of the Russian democrats, and stayed in the building on the evening of August 20th despite repeated warnings that forces acting in support of the conspirators planned to attack the building. My memory of that night will be with me forever. Fortunately, the attack never came. During the days after the August 1991 coup attempt, we held great hopes, albeit prematurely, that Russia would move quickly and firmly towards democracy.

It is important that new generations of Russians learn about the work of the MRP commission and the contribution of Russian democrats in disclosing the truth about our history. If only the leaders of Russia today would have the courage to condemn publicly the Soviet mass deportations and to admit that the Soviet Union violated international law when it ended the independence of the Baltic States, then I am sure that there would be significant improvement in relations between Russia and the Baltic States. Moreover, it might begin to end the mistrust towards the Russia and Russians that remains deep in the hearts of the Baltic nations.

Tallinn, May 10th 2009

III. Appendices

Appendix 1

Transcript of the conversation between Molotov and German Ambassador Schulenburg on August 17th 1939

– Schulenburg announces that he has already received a response from Berlin. It is clear that we work fast in Berlin, he adds. He asks for permission to read this response on behalf of the German Government. Schulenburg emphasises that the points brought up by Herr Molotov on August 15th comply with the desires of the German Government. Schulenburg then reads out the response that he had received from the German Government.

At this point Schulenburg made a personal remark saying that this response includes the provision on joint guarantees for the Baltic States, because the German Government was under the impression that it was the desire of the Soviet Government. Schulenburg adds, we did not fully understand comrade Molotov, whether in the August 15th conversation he had repeated the plan prepared by Rosso or had expressed the desire of the Soviet Government itself. The German Government thought that it would take a step towards appeasing the wishes of the Soviet Government.

– Comrade Molotov states that this issue must be clarified.

– During a conversation about the need to consider upcoming significant events, Schulenburg explains that Germany is not going to tolerate Polish provocations. In addition to the abovementioned response, Schulenburg, in accordance with separate directives given to him, asks comrade Molotov to start negotiations with Ribbentrop either this week or the following week. Acting on the instructions received from Ribbentrop, Schulenburg says this issue needs an urgent response.

– Comrade Molotov says that he has already received a response to the German proposal from August 15th and can communicate it to Schulenburg in written form. I must caution, adds comrade Molotov, that comrade Stalin is aware of it, has approved the response and is in complete agreement with what I am communicating on behalf of the Soviet Government.

Explaining the presented response of the Soviet Government, comrade Molotov emphasizes that it discusses the need to complete negotiations about the credit and trade agreement before starting negotiations about improving political relations. This would be the first step that needs to be made on the road towards the improvement of mutual relations. The

second step would be either to confirm the agreement of 1926, that it seems Schulenburg had in mind when he talked about the renewal of agreements, or to sign a non-aggression treaty with a protocol on foreign policy issues that are of interest to both contracting parties.

Switching to the issue of Ribbentrop's visit, comrade Molotov declares that we were very gratified by this proposal, since the dispatch of such a distinguished public figure and statesman emphasized the earnestness of the intentions of the German Government, contrary to Great Britain who, in the person of Strang, had sent only an official of the second class to Moscow. A journey by Ribbentrop, however, requires thorough preparation.

Comrade Molotov asks Schulenburg whether it is possible to go public on the issue of what needs to be done for improving mutual relations. Then comrade Molotov asks Schulenburg about his assessment of the prospects of the first and following steps.

– Concerning credit and trade negotiations, responds Schulenburg, he has the impression that the agreement would be made either today or tomorrow. About the second step, Schulenburg will wire Berlin and ask for the draft of the agreement. However, Schulenburg says that he sees problems with regard to the additional protocol.

– Comrade Molotov declares that it is necessary either to enter into a non-aggression treaty or to confirm the existing treaty on neutrality. One or the other must be done, as chosen by the German Government. It would be good to have an outline of the treaty and then to continue with the protocol.

– Schulenburg says that irrespective of whether a non-aggression treaty is signed or the existing treaty on neutrality is renewed, the discussion might be limited to a single paragraph. In his opinion, the protocol would be the key and therefore it would be desirable for the Soviet Government to supply at least a draft protocol. The protocol would play an important role, emphasises Schulenburg, and in its preparation there are likely to emerge also such issues as guarantees to the Baltic States, etc.

– Comrade Molotov says that he has already received the response of the German Government about the non-aggression treaty, an issue that had not previously been raised by the German Government at all. It is necessary to review today's response. The response about the protocol is not yet ready. In preparing it, both the German and the Soviet side would be revising issues that concern the German communication from August 15th. Initiative for drawing up such a protocol must come not only from the Soviet, but also from the German side. Naturally, the issues mentioned in the German communication from August 15th cannot be included in the agreement, but in the protocol. The German Government must therefore consider it. The agreement is likely to have four or five items, and not only one as Schulenburg suggested.

– Schulenburg announces that he has no doubts that the German Government would be willing to communicate the draft treaty. The head of the legal department of the Foreign Office is capable of fulfilling such a task without difficulty as well as preparing the draft agreement. However, he is likely to have problems in setting up the protocol and therefore to simplify the work it would be desirable to have a preliminary idea of what it should include. For instance, there is the open issue of the guarantees to the Baltic States. Perhaps it is necessary to reflect in the protocol the communication from August 15th which says that Germany is taking into account the interests of the USSR in the Baltic Sea?

– Comrade Molotov responds that the contents of the protocol must be a subject of negotiations. The trade agreement is already in its completion phase, now it is necessary to prepare the draft non-aggression treaty or to confirm the treaty of 1926 as well as to discuss issues that are more concrete and the contents of the protocol in the process.

– Schulenburg promises to ask Berlin for the draft agreement. As for the protocol, he will ask them to prepare it on the basis of the German communication from August 15th, incorporating the general formula about the consideration of German interests in the Baltic States.

Transcribed by V. Pavlov

August 17th 1939

Appendix 2

Telegram from German Ambassador Schulenburg from Moscow to the German Foreign Office, August 19th 1939

Telegram No.190, August 19th

Supplementing my telegram No.189 of August 19th 1939

The draft of the Soviet non-aggression treaty reads as follows:

"The government of the USSR and the German government, desirous of strengthening the cause of peace among the nations and proceeding from the fundamental provisions of the Neutrality Agreement that was concluded in April 1926 between the USSR and Germany, have reached the following accord:

ARTICLE 1. Both High Contracting Parties obligate themselves to desist reciprocally from any act of violence and any aggressive action whatsoever toward each other, or from an attack on each other either individually or jointly with other powers.

ARTICLE 2. Should one of the High Contracting Parties become the object of an act of violence or attack by a third power, the other High Contracting Party shall in no manner whatever give its support to such acts of that power.

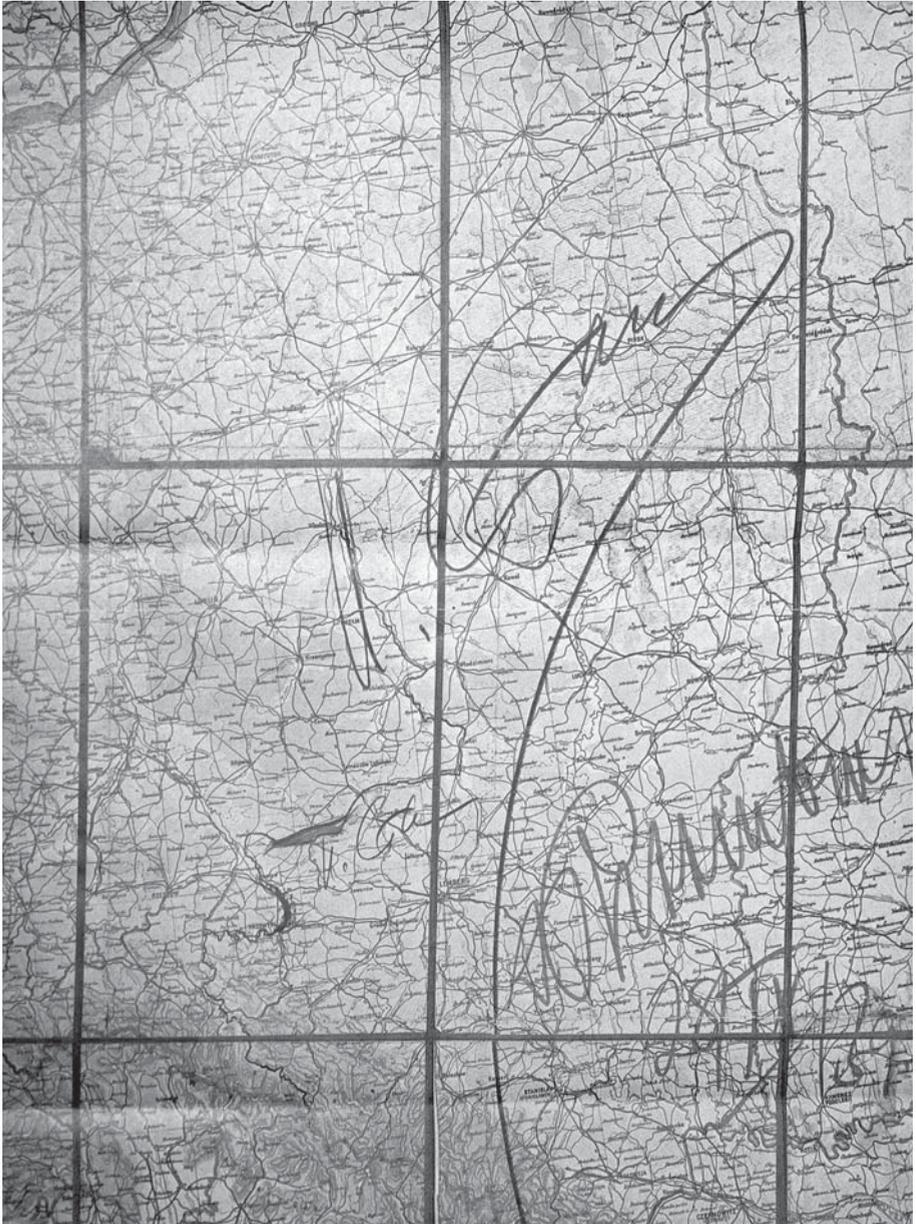
ARTICLE 3. Should disputes or conflicts arise between the High Contracting Parties with regard to questions of one kind or another, both parties obligate themselves to settle these disputes and conflicts exclusively by peaceful means through mutual consultation or if necessary through the creation of suitable arbitration commissions.

ARTICLE 4. The present Treaty shall be concluded for a period of five years with the proviso that insofar as one of the High Contracting Parties does not denounce it one year before the expiration of the term the validity of the Treaty shall automatically be extended for another five years.

ARTICLE 5. The present Treaty shall be ratified in as short a time as possible, whereupon the Treaty shall enter into force.

Postscript. The present Treaty shall be valid only if a special protocol is signed simultaneously covering the points in which the High Contracting Parties are interested in the field of foreign policy. The protocol shall be an integral part of the Treaty.

Schulenburg



Map of Poland signed by Stalin and Ribbentrop adjusting the German–Soviet border in the aftermath of the Nazi and Soviet joint invasion of Poland. September 28th 1939.

Appendix 3

Hitler's telegram to Stalin, August 21st 1939⁵⁴

August 21st 1939

Herr Stalin, Moscow

- i) I sincerely welcome the signing of the new German-Soviet Commercial Agreement as the first step in the reordering of German-Soviet relations.
- ii) The conclusion of a non-aggression treaty with the Soviet Union means to me the establishment of a long-term German policy. Germany thereby resumes a political course that was beneficial to both states in bygone centuries. The Government of the Reich is therefore resolved in such case to act entirely consistent with such a far-reaching change.
- iii) I accept the draft of the non-aggression treaty that your foreign minister, Herr Molotov, delivered but consider it urgently necessary to clarify the questions connected with it as soon as possible.
- iv) The supplementary protocol desired by the Government of the Soviet Union can, I am convinced, be substantially clarified in the shortest possible time if a responsible German statesman can come to Moscow himself to negotiate. Otherwise the Government of the Reich is not clear as to how the supplementary protocol could be clarified and settled in a short time.
- v) The tension between Germany and Poland has become intolerable. Polish demeanor toward a great power is such that a crisis may arise any day. Germany is determined, at any rate, in the face of this presumption, from now on to look after the interests of the Reich with all the means at its disposal.
- vi) In my opinion, it is desirable, in view of the intentions of the two states to enter into a new relation with each other, not to lose any time. I therefore again propose that you receive my foreign minister on Tuesday August 22nd, but at the latest on Wednesday August 23rd. The Reich Foreign Minister has full powers to draw up and sign the non-aggression treaty as well as the protocol. A longer stay by the Reich Foreign Minister in Moscow than one to two days at the most is impossible in view of the international situation. I should be glad to receive your early answer.

Adolf Hitler

⁵⁴ Source: *Akten zur deutschen auswärtigen Politik*. 1918-1945, Serie D, Bd. VII, Baden-Baden, 1956, pp139-140



People's Commissar for Foreign Affairs Vyacheslav Molotov signs the Soviet-German Non-Aggression Treaty; Foreign Minister of Germany Joachim von Ribbentrop and Josef Stalin stand behind him. Moscow, August 23rd 1939.

Photo: National Archives and Records Administration



The signing of the German-Soviet Treaty of Friendship, Cooperation and Demarcation on September 28th 1939 in Moscow. In the foreground is Minister of Foreign Affairs of Germany Joachim von Ribbentrop.

Photo: Deutsches Bundesarchiv/Bildarchiv

Appendix 4

Stalin's telegraphed reply to Hitler agreeing to receive Ribbentrop on August 23rd

August 21st 1939

To the Chancellor of the German Reich A. Hitler.

I thank you for the letter. I hope that the German-Soviet non-aggression treaty will mark a decided turn for the better in the political relations between our countries.

The people of our countries need peaceful relations with each other. The assent of the German Government to the conclusion of a non-aggression pact provides the foundation for eliminating the political tension and for the establishment of peace and collaboration between our countries.

The Soviet Government has authorized me to inform you that it agrees to Herr von Ribbentrop's arriving in Moscow on August 23rd.

J. Stalin.

Appendix 5

Ribbentrop's telegram from Moscow to the German Foreign Office, requesting Hitler's approval that Liepaja and Ventspils be recognized as part of the Soviet sphere of interest

Telegram No.204, August 23rd 1939

Please advise the Führer at once that the first three-hour conference with Stalin and Molotov has just ended. In the discussion – which, moreover, proceeded affirmatively in our sense – it transpired that the decisive point for obtaining the final result is the Russians' demand that we recognize the ports of Libau and Windau as within their sphere of influence. I would be grateful for confirmation before 8 o'clock German time that the Führer is in agreement. The signing of a secret protocol on the delimitation of our mutual spheres of influence in the whole Eastern area is being contemplated, for which I declared myself ready in principle.

Ribbentrop



Joint military parade of the Wehrmacht and Red Army in Brest-Litovsk at the end of the invasion of Poland on September 22nd 1939. In the middle, Major General Heinz Guderian and Brigadier Semyon Krivoshein.
Photo: Deutsches Bundesarchiv/Bildarchiv



A pause during the joint Soviet-German military parade in Brest-Litovsk on September 22nd 1939.
Photo: Deutsches Bundesarchiv/Bildarchiv

Appendix 6

Treaty of Non-Aggression between the Third German Reich and the Union of Soviet Socialist Republics

(Translation from Russian)

The Government of the German Reich and The Government of the Union of Soviet Socialist Republics, desirous of strengthening the cause of peace between Germany and the USSR, and proceeding from the fundamental provisions of the Neutrality Agreement concluded in April 1926 between Germany and the USSR, have reached the following Agreement:

Article I. Both High Contracting Parties obligate themselves to desist from any act of violence, any aggressive action, and any attack on each other, either individually or jointly with other Powers.

Article II. Should one of the High Contracting Parties become the object of belligerent action by a third Power, the other High Contracting Party shall in no manner lend its support to this third Power.

Article III. The Governments of the two High Contracting Parties shall in the future maintain continual contact with one another for the purpose of consultation in order to exchange information on problems affecting their common interests.

Article IV. Should disputes or conflicts arise between the High Contracting Parties, neither shall participate in any grouping of Powers whatsoever that is directly or indirectly aimed at the other party.

Article V. Should disputes or conflicts arise between the High Contracting Parties over problems of one kind or another, both parties shall settle these disputes or conflicts exclusively through friendly exchange of opinion or, if necessary, through the establishment of conflict arbitration commissions.

Article VI. The present Treaty is concluded for a period of ten years, with the provision that, in so far as one of the High Contracting Parties has not denounced it one year prior to the expiration of this period, the validity of this Treaty shall automatically be extended for another five years.

Article VII. The present treaty shall be ratified within the shortest possible time. The ratification letters shall be exchanged in Berlin. The Agreement shall enter into force as soon as it is signed.

Document produced in duplicate, in German and Russian languages.

Plenipotentiary of the Government of the USSR: V. Molotov
For the Government of the German Reich: J. v. Ribbentrop

Moscow, August 23rd 1939

Secret Additional Protocol

On the occasion of the signature of the Non-Aggression Treaty between the German Reich and the Union of Soviet Socialist Republics, the undersigned plenipotentiaries of each of both parties discussed in strictly confidential conversations the question of the boundary of their respective spheres of influence in Eastern Europe. These conversations led to the following conclusions:

Article I. In the event of a territorial and political rearrangement in the areas belonging to the Baltic States (Finland, Estonia, Latvia, Lithuania), the northern boundary of Lithuania shall represent the boundary of the spheres of influence of Germany and USSR. In this connection the interest of Lithuania in the Vilna area is recognized by each party.

Article II. In the event of a territorial and political rearrangement of the areas belonging to the Polish state, the spheres of influence of Germany and the USSR shall be bounded approximately by the line of the rivers Narew, Vistula and San. The question of whether the interests of both parties makes desirable the maintenance of an independent Polish State and how such a state should be bounded can only be definitely determined in the course of further political developments. In any event both Governments will resolve this question by means of a friendly agreement.

Article III. With regard to South-East Europe attention is called by the Soviet side to its interest in Bessarabia. The German side declares its complete political disinterestedness in these areas.

Article IV. This protocol shall be treated by both parties as strictly secret.

Plenipotentiary of the Government of the USSR: V. Molotov
For the Government of the German Reich: J. v. Ribbentrop

Moscow, August 23rd 1939

Appendix 7

Report of German Ambassador Schulenburg to the Reich Foreign Minister regarding his conversation with Molotov, November 26th 1940

VERY URGENT

Moscow, November 26th 1940–5.34am

Received November 26th 1940–8.50 am

VERY SECRET

No. 2362, November 25th

For the Reich Minister in person.

Molotov asked me to call on him this evening and in the presence of Dekanosov stated the following:

“The Soviet Government has studied the contents of the statements of the Reich Foreign Minister in the concluding conversation on November 13th and takes the following stand:

The Soviet Government is prepared to accept the draft of the Four Power Pact, which the Reich Foreign Minister outlined in the conversation of November 13th, regarding political collaboration and reciprocal economic support subject to the following conditions:

- i) Provided that the German troops are immediately withdrawn from Finland, which, under the compact of 1939, belongs to the Soviet Union's sphere of influence. At the same time the Soviet Union undertakes to ensure peaceful relations with Finland and to protect German economic interests in Finland (export of lumber and nickel).
- ii) Provided that within the next few months the security of the Soviet Union in the Straits is assured by the conclusion of a mutual assistance pact between the Soviet Union and Bulgaria, which geographically is situated inside the security zone of the Black Sea boundaries of the Soviet Union, and by the establishment of a base for land and naval forces of the USSR within range of the Bosphorus and the Dardanelles by means of a long-term lease.
- iii) Provided that the area south of Batum and Baku in the general direction of the Persian Gulf is recognized as the centre of the aspirations of the Soviet Union.
- iv) Provided that Japan renounces her rights to concessions for coal and oil in northern Sakhalin.

In accordance with the foregoing, the draft of the protocol concerning the delimitation of the spheres of influence as outlined by the Reich Foreign Minister would have to be amended so as to stipulate the focal point of the aspirations of the Soviet Union south of Batum and Baku in the general direction of the Persian Gulf.

Likewise, the draft of the protocol or agreement between Germany, Italy, and the Soviet Union with respect to Turkey should be amended so as to guarantee a base for light naval and land forces of the USSR on the Bosphorus and the Dardanelles by means of a long-term lease, including – in case Turkey declares herself willing to join the Four Power Pact – a guarantee of the independence and of the territory of Turkey by the three countries named.

This protocol should provide that in case Turkey refuses to join the Four Powers, Germany, Italy, and the Soviet Union agree to work out and to carry through the required military and diplomatic measures, and a separate agreement to this effect should be concluded.

Furthermore, there should be agreement upon:

- a) A third secret protocol between Germany and the Soviet Union concerning Finland (see point i) above).
- b) A fourth secret protocol between Japan and the Soviet Union concerning the renunciation by Japan of the oil and coal concession in northern Sakhalin (in return for an adequate compensation).
- c) A fifth secret protocol between Germany, the Soviet Union, and Italy, recognizing that Bulgaria is geographically located inside the security zone of the Black Sea boundaries of the Soviet Union and that it is therefore a political necessity that a mutual assistance pact be concluded between the Soviet Union and Bulgaria, which in no way shall affect the internal regime of Bulgaria, her sovereignty or independence.”

In conclusion, Molotov stated that the Soviet proposal provided five protocols instead of the two envisaged by the Reich Foreign Minister. He would appreciate a statement of the German view.

Schulenburg



German-Soviet Axis talks on November 14th 1940 in Berlin.

Photo: Deutsches Bundesarchiv/Bildarchiv

Appendix 8

Resolution of the Supreme Council of the Estonian SSR on the Molotov-Ribbentrop Pact⁵⁵

The Supreme Council of the Estonian SSR, pursuant to the Declaration of Sovereignty adopted by the Supreme Council of the Estonian SSR on November 16th 1988 and taking guidance from the positions of the 14th plenary of the Central Committee of the Estonian Communist Party held in 1989, considers it necessary to give a clear assessment to the Non-Aggression Treaty signed between the USSR and Germany on August 23rd 1939 including its secret protocol, on the basis of which these two countries divided Eastern Europe into their spheres of interest. Based on the provisions of these agreements, the fate of the nations was decided by force under military and political pressure of empires in direct violation of the principles of international law and the people's right to self-determination.

⁵⁵ Published in *Rahva Hääli*, May 23rd 1989

Pursuant to the above, the Government of the Republic of Estonia was forced to enter into the Mutual Assistance Pact with the USSR, allowing Soviet forces to enter Estonia, a precondition for the events of June 1940. This was followed by the terror of the Stalinist regime and Estonia became defenceless under imperialist pressure.

The Supreme Council of the Estonian Soviet Socialist Republic has resolved:

- i) To condemn and urge the Congress of People's Deputies of the USSR to declare the Soviet-German Non-Aggression Treaty (Molotov-Ribbentrop Pact) signed on August 23rd 1939, including its secret protocol, null and void from the moment of signing.
- ii) To apply to the Congress of People's Deputies of the USSR to set up a special commission involving Soviet people's deputies elected from Estonia, Latvia and Lithuania and experts for drafting and publishing by the end of June the historical-legal, political and ethical position regarding the Molotov-Ribbentrop Pact and on the events following its signing.

Chairman of the Presidium of the Supreme Council of the Estonian SSR: Arnold Rüütel
Chairman of the Presidium of the Supreme Council of the Estonian SSR: A. Almann

Tallinn, May 18th 1989

Appendix 9

Members of the commission set up by the Congress of People's Deputies of the USSR on June 2nd 1989 for giving a political and legal assessment of the 1939 Soviet-German Non-Aggression Treaty

(Translation from the Russian language – the document bears the stamp of the US national archives)

Chairman:

YAKOVLEV Alexander – member of Politburo, Secretary of the Central Committee of CPSU

Deputy chairmen:

AFANASYEV Yuri – Director of the Moscow State History and Archive Institute

FALIN Valentin – Head of the International Department of the Central Committee of CPSU

SAVISAAR Edgar – Deputy managing director of *Mainor*

Members:

AITMATOV Chyngyz – Chairman of the Writers' Union of the Kyrgyz SSR

ARBATOV Georgi – Director of the Institute of USA and Canada of the Soviet Academy of Sciences

ARUTYUNYAN Ljudmila – Professor of Yerevan State University

BYKAV Vasil – Secretary of the Writers' Union of USSR

DRUTSE Ion – Moldovan writer

GRÄZIN Igor – Head of Department of the Institute of Philosophy, Sociology and Law of the Estonian Academy of Sciences

KAZANNIK Alexei – Professor of Omsk State University

KEZBERS Ivars – Secretary of the Central Committee of the Latvian Communist Party

KOROTICH Vitali – Editor-in-chief of *Ogonyok* Magazine

KRAVETS Vladimir – Minister of Foreign Affairs of Ukraine

LANDSBERGIS Vytautas – Professor of the Lithuanian State Conservatory

LAURISTIN Marju – Professor of Tartu University

LAVROV Sergei – Head of Chair of Leningrad State University

LIPPMAA Endel – Director of the Institute of Chemical Physics and Biophysics of the Estonian Academy of Sciences

MARCINKIEVICIUS Justinas – Lithuanian writer

MOTIEKA Kazimieras – Lawyer of Vilnius Law Firm No. 1

NEILAND Nikolai – Deputy Minister of Foreign Affairs of the Latvian SSR

RIDIGER Aleksei (Alexy) – Patriarch of Leningrad and Novgorod

SINKARUK Vladimir – Director of the Institute of Philosophy of the Ukrainian Academy of Sciences

ŠLICYTE Zita – Lawyer of the Klaipeda Law Firm

VULFSON Mavrik – Senior teacher of the Latvian Academy of Arts

YEREMEI Grigori – Chairman of the Council of Trade Unions of the Republic of Moldova

Appendix 10

Interview with Edgar Savisaar, People's Deputy and vice chairman of the MRP commission, June 1989⁵⁶

How was the MRP commission of the Congress of People's Deputies born?

As you know, on May 18th the Supreme Council of the Estonian SSR adopted a resolution in which it denounced the Molotov-Ribbentrop Pact and urged the Congress of People's Deputies of the USSR to give an assessment of the Molotov-Ribbentrop Pact, its secret protocols and the chain of events that followed its signing from a historical-legal, political and moral standpoint. This resolution was ignored by the Presidium of the Supreme Council of the USSR. We became increasingly worried that the Soviet Congress would make no moves with regard to the MRP. To prevent this, our group of delegates, including Tiit Käbin, Igor Gräzin, some others, and myself, drafted a proposal for setting up a special MRP commission. We planned to make our proposal to the Congress during one of its morning sessions. Tiit Käbin was going to make the presentation and had been queuing for his turn at the podium, while Endel Lippmaa was going to drum up support from the Presidium. However, this plan was called off when we heard that our draft proposal had been passed into the hands of Mikhail Gorbachev. Lippmaa then defended our proposal in one-to-one meetings with both Shevardnadze and Gorbachev, as has already been described by journalists. We were strongly advised to include in the commission Valentin Falin, who was head of the Central Committee of the CPSU and had been denying the existence of the secret protocol, also Georgi Arbatov, head of the Institute of the United States and Canada of the Academy of Sciences of the USSR, and representatives from Ukraine, Belarus and Moldavia. The interests of Ukraine and Belarus, which had themselves incorporated several new territories as a result of the MRP, differed notably from the interests of the Baltic States which had altogether disappeared from the map as independent states. Alexander Yakovlev, Secretary of the Central Committee of CPSU, was appointed the commission's chairman. This was excellent news, since he was rightly considered a liberal-minded and enlightened man of principle. Among other things, Yakovlev was managing the Central Committee of the CPSU's rehabilitation committee and had also headed the commission that investigated the circumstances surrounding the execution of Tsar Nikolai II and his family.

⁵⁶ Published in *Maaleht*, June 15th 1989 (abstracts)

In the commission's first session Yuri Afanasjev, Valentin Falin and I were elected deputies to Yakovlev. Special sub-committees were set up: for research of documentation – Yuri Afanasjev; for witness enquiry – Kazimieras Motieka; for providing a legal assessment of the MRP – Igor Gräzin; and for the development of final resolutions – Vytautas Landsbergis. It was also decided to set up a group of experts consisting of both Soviet and foreign specialists.

Our plan is to announce the first conclusion at the end of July or beginning of August, allowing the Supreme Council of the USSR to state a position on the MRP and the secret protocols by August 23rd. The commission will then continue by working to identify the causal chain of events following the signing of the Pact.

Was there opposition to the establishment of the commission?

Without the support of Mikhail Gorbachev the proposal would probably have been rejected. In my opinion, Gorbachev supported the setting up of the commission mainly on foreign policy considerations, while some delegates were opposing it for domestic reasons. By adopting the resolution at the Congress of People's Deputies, the USSR admitted the existence of the problem.

What are the objectives of the commission's activities?

I will highlight five objectives:

The *first objective* is the admission of the secret protocol's existence. Although it is still claimed that the Soviet copy of the document is lost and that Germany's copy has been burned or is waiting at the bottom of Lake Toplitz, there is plenty of evidence, both direct and indirect, for the existence of the protocol. For example: the telegrams of Molotov and Schulenburg from the autumn of 1939; Serov's decree about deportations in the Baltic States; the map of the division of Europe signed by Stalin and Molotov, now held in the Bonn archive; transcripts of the negotiations of Stalin and Mannerheim; hints made in Germany's declaration of war; the Sikorski-Maiski agreement from September 1941; the speech of Hess's defence lawyer at the Nuremberg trials, etc. Stalin's interpreter Pavlov is still alive, and members of the commission are planning to meet with him. There are other witnesses who may also have valuable information about the signing of the Molotov-Ribbentrop Pact.

The commission's *second objective* is to determine whether the secret protocol to the MRP violated the international law in force at that time, especially the Paris Convention on International Agreements. According to that document, an international agreement is

valid only when it does not damage the interests of third countries and contains no obvious conditions of inequality. Otherwise, the agreement is null and void from the moment of signing and the steps taken on the basis of such an agreement would be in violation of international law.

The *third objective* is to assess the Pact and its secret protocol from a political perspective. If the aforementioned claims are substantiated, it means that the Soviet Union had had its own geopolitical interests in re-dividing the world and Stalin had been conducting an aggressive foreign policy. In this case it would also be necessary to reassess the role of the USSR and the Stalinist regime from the beginning of World War II.

The *fourth objective* is to study the causal chain of events that followed MRP, including the agreement on military bases, Soviet ultimatums to the Baltic States and the entry of Soviet army units, parliamentary elections and the institution of new authorities in the Baltics, and the mass deportation in 1941. It is an investigation concerning an alleged revolution and the occupation, and an assessment of the political situation during summer 1940.

The *fifth objective* is a separate study of the historic background in which the above events unfolded.

Do you mean that the work of the MRP commission could lead to a substantial reassessment of the history of the Baltic States?

Not only the history of the Baltic States, but, as shown by the statements of both Polish and Soviet historians, also Poland and Finland. We should not forget that the official version of the events of autumn 1939 was that the Red Army had initiated the Winter War to in order to liberate Finland's working class. The third day of the war saw the birth of the interim "government" of Otto Kuusinen and the so-called "Finnish Liberation Army" which, according to one Winter War veteran, consisted of Karelians⁵⁷ and soldiers with Finnish names who had served in the Red Army. It seems likely that Stalin's original plan had been to conquer Finland and incorporate it into the USSR in accordance with the MRP agreement, since Soviet officials only later came up with the story about a border dispute.

⁵⁷ Karelians are an ethnic Finnic people at that time living in the area of Eastern Finland and North-Western Russia. (Jl)

Appendix 11

Report from People's Deputy E. Savisaar to the 12th Plenary Session of the 11th Supreme Council of the Estonian SSR, about the work of the MRP commission⁵⁸

The People's Deputies' commission, set up on the initiative of Estonian delegates elected in the 1st Congress of People's Deputies, set itself the following objectives:

i) To take a stance on the existence of the secret protocols of the Molotov-Ribbentrop Pact, whose existence had previously been denied; ii) To make a legal assessment of the Pact and its secret protocols, i.e. to establish in fact whether and to what degree those agreements violated the international law of that time; iii) To give a political assessment of the Pact and its secret protocols, and also of the role of the Stalinist regime in launching World War II; iv) To study the historical situation in which the Pact was signed; v) To form an opinion regarding the causal link of events that took place after the Pact was signed.

In order to meet these objectives the commission studied a large quantity of documents received from the archives of the Ministry of Foreign Affairs of the USSR, the Ministry of Defence of the USSR, the Central Committee of the CPSU, and from other sources. Comrades Vulfson, Lippmaa and other commission members researched in the archives and libraries of Washington D.C and Bonn. Thanks to the work of academician Endel Lippmaa, the Estonian delegates had at their disposal an independent and unique resource of documents for use in defending our arguments during the commission's debates.

The commission's work was dominated by two opposing positions. One position defended the imperialist approach. It attempted to neutralize any political assessment of the Pact and claimed that the Pact was necessary to guarantee the peace and security of the Soviet Union. Advocates of that position denied that the Pact had had any real political consequences for the Baltic States or for other states in the region. The other position, rather than focus on the complex conditions of the pre-war period in which the Soviet leadership allegedly had no alternative course of action, insisted instead that discussion focus on the general foreign policy objectives of the Stalinist regime, which had been expressed in the treaties and protocols. Such objectives included not only territorial demands and the restoration of the former borders of the Russian Empire, but also the use of the Baltic States as a lever for influencing events in Europe and the use of their ice-free

⁵⁸ Published in *Rahva Hääl*, July 28th 1989

ports during winter. Stalin understood that he would not meet these objectives by striking an agreement with Great Britain and France, since those two countries had raised the issue of guaranteeing and securing the independence of the Baltic States. However, by signing the treaty with Germany, Stalin deliberately chose the path that best served his interests and objectives. This shows that the foreign policy of the Soviet leadership at that time was imperialist in principle and violated international law. Therefore, the secret protocol of the MRP should be viewed as preparatory to aggression against neighbouring states.

The commission also debated the mandate it had received from the Congress of People's Deputies: some commission members, attempting to avoid analysis of the events that followed the signing of the Pact, demanded that it should be strictly limited to August 23rd 1939. There was some dispute in the commission over the proper interpretation of "sphere of interest," a term used in the protocol. In my opinion, this issue is irrelevant because no matter how one chooses to interpret the words themselves, it is the actions of the Soviet Union and Germany following the signing of the Pact which give the clearest indication as to what it all meant.

By now, the commission has itself passed the test of de-Stalinisation and has achieved its first practical results. It has drafted its opinion, which we plan to publish during the next few days. Primarily, this draft document concludes that the existence of the secret protocols of the MRP should be considered proven and suggests that the protocol itself should be published in the central press. It states that the division of spheres of interest between the Soviet Union and Germany was, in legal terms, a violation of the principles of sovereignty and independence of third countries. It recalls that, starting in 1920 with the Tartu Peace Treaty, relations between the Soviet Union and the Baltic States had been regulated in a system of treaties which obliged the signatories to respect under any circumstances their mutual sovereignty and territorial integrity. The commission recommends that, in a separate act, the Soviet Congress of People's Deputies confirm the annulment of the Molotov-Ribbentrop Pact and any other Soviet-German treaties since the beginning of the Great Patriotic War. As for the secret protocols, which determined the fate of the Baltic States' independence, the commission recommends that they be declared legally null and void, and invalid from the moment of signing.

The commission recommends that the Congress of People's Deputies denounce the breach of agreements with the Baltic States, which were signed by the leaders of the Soviet Union at that time, and the use in foreign policy of ultimatums and threats of force. The commission is almost unanimous in its view that such a statement from the Soviet Congress is necessary. Only a minority of the commission's members hold a different position, but I hope that it will be possible to reach an agreement with them.

Following such a statement the commission considers it necessary to continue its work by studying events in the Baltic States and elsewhere following the signing of the Pact in order to clarify their actual political and geopolitical meaning. Its conclusions regarding events during 1939 and 1940 will be presented at the 2nd Congress of People's Deputies of the USSR in the autumn.

Finally, concerning the handling of the issue of the Molotov-Ribbentrop Pact with respect to the public opinion of the Soviet Union: concerns have been raised that the Russian people might regard the publication and assessment of the Pact and the secret protocols as an action targeted against Russians. In reality however, the Pact was not signed by the Russian people and it was done behind their backs and without consideration for their actual interests. Moreover, every nation values truth over lies and in this respect the Russian people are no different from any other, no matter how bitter that truth may be.

As to the population of Estonia, many Estonians and Russians have already formed an opinion about the MRP and its secret protocol. In June, a public poll conducted by *Mainor* showed that 88% of Estonians and 41% of other nationalities in Estonia were convinced, completely or almost completely, that the signing of the MRP is a Stalinist crime and an unjustifiable act. Only 5% of Estonians and 27% of non-Estonians believed that it was an emergency measure intended to delay the onset of war. A large proportion of the population also had a clear opinion concerning events during summer 1940 in Estonia. 62% of all respondents, including 88% of all Estonians and 25% of all non-Estonians, were of the opinion that Estonia was subjected to an occupation; and 20%, including 5% of all Estonians and 41% of all non-Estonians, were of the opinion that there was a revolution in Estonia in 1940 but that the support of the Soviet Union had played a key role in its outcome. Only 4% of the respondents were of the opinion that the Soviet Union influenced the course of events but did not have a deciding role in determining the outcome of the revolution – of that 4%, none were Estonian.

Of course, our commission and other groups must focus on raising public awareness of the MRP issue. For a long time this issue has been carefully concealed and contemporary events misinterpreted. This applies not only to public opinion throughout the Soviet Union, but also here in Estonia. Therefore, it should come as no surprise that in Estonia, at the time of the poll, 7% of the ethnic Estonian population and 32% of non-Estonians had no personal opinion about the MRP; and 7% of Estonians and 23% of non-Estonians had no opinion about events in Estonia during 1940. However, the knowledge and values of the public are changing rapidly and today, just one month after the poll, these percentages may already be quite different.

Appendix 12

Telegram from the MRP commission to M. Gorbachev

August 9th 1989

Urgent telegram

To the Chairman of the Supreme Council of the USSR, comrade M. S. Gorbachev

We hereby express our concern over the unjustified delay in the publication of the documents prepared by the commission set up to give a political and legal assessment of the 1939 Soviet-German Non-Aggression Treaty. The delay is creating unease and increasing tensions in the Baltic republics. Every day of delay is affecting all of us. Even a wise decision is impotent if it is not adopted in time.

The results of our work and the approved document reflect the truth and do not need to be revised at this point. It is the text that has been adopted by the commission, with only one member voting against. To relieve the build-up of tension we have decided to publish the final document and kindly request that you urgently order the central press and television authorities to publish it without delay.

People's Deputies of the USSR:

E. Savisaar, Y. Afanasjev (vice chairmen of the commission)

M. Vulfson, I. Gräzin, V. Landsbergis, M. Lauristin, E. Lippmaa, J. Marcinkievicius, K. Motieka, Z. Šlicyte (members of the commission)

Appendix 13

Statement of the members of the commission set up by the Congress of People's Deputies of the USSR for giving a political and legal assessment of the 1939 Soviet-German Non-Aggression Treaty⁵⁹

In the opinion of commission members, the future development of the rule of law in our country requires truthful depiction of its political history. All members agree that only full disclosure of historical truth ensures true respect and mutual trust between the nations, our firm support for new political thinking and creation of the common European home.

Having studied the documents and scientific data and having heard the opinion of experts, the members of the commission have arrived at the following conclusions:

- i) The Non-Aggression Treaty signed by Germany and the USSR on August 23rd 1939 had an annex: an additional secret protocol. Although the original copy of this protocol has not been found either in Soviet or in foreign archives, the credibility of the surviving copies must be considered proven (copies shall be published in mass media channels).

The obligations arising from the treaty entered into force immediately at the moment of signing, although the treaty was subject to ratification. In the course of this ratification in the Supreme Council of the USSR on August 31st 1939, the secret protocol was not presented nor mentioned in the speech of V. M. Molotov, Chairman of the Council of People's Commissars of the USSR and the People's Commissar of Foreign Affairs, either directly or indirectly.

- ii) Members of the commission find that in both its manner of preparation and its contents, the secret protocol represents a deviation from the Leninist principles of Soviet foreign policy, and the division of spheres of interest of the USSR and Germany as set out in the protocol in legal terms violates the sovereignty and independence of a number of third countries.

The members of the commission state that the relations of the USSR at that time with Latvia, Lithuania and Estonia were regulated by a system of treaties. These relations were based on the 1920 peace treaties and on the non-aggression treaties made between 1926 and 1933, under which all signatories were obliged to respect, under any circumstances, their mutual sovereignty, territorial integrity and inviolability.

⁵⁹ Published in *Noorte Hääl*, August 22nd, and *Kodumaa*, August 23rd 1989

iii) The members of the commission state that negotiations regarding the secret protocol with Fascist Germany were held in secrecy by Stalin and Molotov without the knowledge of the Soviet people, the party and the delegates of the Russian Communist (Bolshevik) Party and the Supreme Council of the USSR. Therefore, its signing reflected in no way the will of the Soviet people. The latter is not responsible for the crimes committed by the Stalinist leadership.

A sharp change of policy from the uncompromising fight against the Fascism to cooperation with Nazi Germany disoriented people's masses and had a demoralising effect on forces that were opposing aggression and war.

iv) Considering the major political importance of this issue, the members of the commission recommend that the Congress of People's Deputies of the USSR:

a) issue a special decree confirming that the treaty of August 23rd 1939, the Friendship and Border Treaty from September 28th of the same year and other Soviet-German agreements signed between 1939 and 1941 are annulled effective from the moment when Germany attacked the USSR and declaring all secret protocols legally unfounded and invalid from the moment of signing;

b) condemn the violations committed by the pre-war Soviet leaders of the legal obligations that the USSR had assumed with regard to third states and the use of ultimatums and policy of force as methods that are strange to Socialism in foreign policy, and consider them incompatible with the Leninist foreign policy; v) In the light of the importance of the events of 1939-1941, the members of the commission consider it necessary to continue comprehensive study of the matter. The commission is continuing its work.

Deputy chairmen of the commission: Yuri Afanasyev and Edgar Savisaar;

Members of the commission: Ljudmila Arutyunyan, Vasil Bykav, Ion Drutse, Igor Gräzin, Aleksei Kazannik, Grigori Yeremei, Ivars Kezbers, Vitali Korotich, Vytautas Landsbergis, Marju Lauristin, Sergei Lavrov, Endel Lippmaa, Justinas Marcinkievicius, Kazimieras Motieka, Nikolai Neiland, Vladimir Sinkaruk, Zita Šlicyte and Mavrik Vulfson.

Appendix 14

On September 29th 1989 the MRP commission held a press conference for Soviet and foreign journalists in the Institute of History and Archives in Moscow. In fact, the press conference was called by a qualified majority rather than by all of the commission's members. The conference resulted in extensive coverage elsewhere in the world, but not at home. The press conference opened with the following public statement from two of the commission's vice chairmen, Yuri Afanasyev and Edgar Savisaar.

Statement made on behalf of the qualified majority of the commission set up by the People's Deputies of the USSR for giving a political and legal assessment to the 1939 Soviet-German Non-Aggression Treaty⁶⁰

We have called this press conference today not because of the direct task of our commission – to study and analyse the events that took place 50 years ago, something that we have mostly completed by now – but because of the events during recent months and today. Yes, we could have marginalized the obstacles and the distorted information spread about the work of the commission as isolated problems and could have considered them natural events in the development of the authority of the People's Deputies of the USSR and their institutions. However, taking into consideration also the Presidium's unconstrained actions made on behalf of the whole Supreme Council – the failure to provide even the most basic working conditions for the delegates, the antagonism from officials towards requests from the delegates and their elected bodies, the tabloid-like insinuations targeted against individual deputies in the central press, etc. – this all indicates a general and extremely worrying trend: the ideological rule of the CPSU, the government and the administrative apparatus, the oppression of democratic bodies of state power and the role of old-boys networks in making policy.

At the same time we, who as democratically elected delegates have been given a mandate on behalf of the People's Deputies of the USSR, have been forced to act as a kind of shield for resolutions that we cannot agree with and that we have often had nothing to do with, often learning about such resolutions retroactively from the press. While we do not speak on behalf of the others, we consider it our duty on behalf of the overwhelming

⁶⁰ Published in full in *Reede*, October 20th 1989

majority of the commission's members to draw public attention towards some aspects of the commission's work. Moreover, concealing the truth about the commission's activities and distorting its positions have already led to significant political consequences. While recognising our duty, we do not want to be made responsible for actions that we have not been involved in but which nonetheless have been placed on our account.

I

The commission completed the first phase of its work with a statement, which we expected to be published before August 23rd of the same year, i.e. on the eve of the 50th anniversary of the signing of the Soviet-German Non-Aggression Treaty and its secret protocol. Agreement with regard to the text of the statement was reached in July and was almost unanimous among – from the total of twenty-six members it was confirmed by twenty signatures and one initial (two members have been unavailable since the July session).

We will not discuss the clearly good intentions, regarding the domestic and foreign policy of our country, which were behind the planned publication of the statement. Nor will we talk about how this act of new political thinking could have contributed to the actual de-Stalinisation of the country, restored the confidence of many nations in the policies of the USSR and increased respect for it internationally. The fact remains: the commission's statement about the completion of the first phase, which has been approved by the qualified majority of the commission, has not been signed by the commission's chairman and has not been published. Instead, *Pravda* published an interview with the commission's chairman, whose views are considerably different those of the majority of the commission, which contains claims that disrupt that unity of opinion which has been achieved after much hard work.

By concealing the fact that the first phase of the commission's work was practically complete, the foundation was laid for a variety of political actions such as the infamous statement of the CPSU Central Committee regarding the situation in the Baltic States. Essentially the CPSU's statement, contrary to that fact, claimed that the Baltic republics were planning massive political actions and were requesting denunciation of the Molotov-Ribbentrop Pact while the special commission had not yet completed its work on the issue. A similar pretext was used for dispersing peaceful rallies in Moscow and elsewhere on August 23rd of this year.

There should be no doubt that the political action of millions of people in the Baltic States had the potential to become a step towards resolving differences with the Centre. But the Centre's silence over such an important issue for the Baltic and Moldavian people

rendered it no more than a political gesture. Thus, action that had had the potential to unify was met with inaction breeding mistrust and suspicion.

II

Although the documents representing the true position of the commission were presented for official publication, we are partly to blame for not having been sufficiently rigorous in searching for alternative ways of informing the people of the results of the first phase of our work. And this is especially so given the fact that – we repeat – we had practically completed our work with the August 23rd treaty and its secret protocols already by July 19th, as the Baltic delegates had told their voters. In August, having been deprived of access to official means of mass communication, we sent a telegram on this issue to the Chairman of the Supreme Council of the USSR. We have not yet received a reply and the opinion of the majority of the commission continues to be ignored. The most recent example of this was the official communication between our signatories and the chairman of the Television and Radio Committee of the USSR, in which we requested airtime to present the commission's statement and opinion on Central Television. Our request was denied. We received an explanation, which said that the TV and Radio Committee was prepared to consider such a request only if it came from the commission's chairman or from persons authorized by him. Such a response from the chairman of the TV and Radio Committee is unprecedented, and, in so doing, the head of the executive body had taken it upon himself to divide the People's Deputies of the USSR into a hierarchy of ranks and categories of his own discretion. This was a public act of opposition to a body set up by the Congress of People's Deputies of the USSR and is a blatant violation of duty.

III

The commission had not even been able to begin work on its second phase – a legal assessment of the direct consequences of the Molotov-Ribbentrop Pact – when, in September, we heard the resolution prepared at the plenary session of the Central Committee of the CPSU. That resolution has triggered grave doubts and great controversy. Firstly, if the resolution was determined and presented at such a high-level forum, then why are we still working? Furthermore, isn't it simply an attempt to put political pressure on us?

Nonetheless, our work with the second phase continues, and we give our respect, where due, to the relevant commissions of the governments and Academies of Science of Moldavia, Lithuania and Estonia. The claim that they are in some respect of a different class to us did not originate with us. We are against the monopolization of policy, we deny

Lysenkoism in science, and we do not intend to contribute to the use of politics in dictating scientific research.⁶¹ Among the republics, there are commissions similar to ours and they are our partners and colleagues, not our subordinates or students.

IV

Concerning the problems we have been experiencing, we find it necessary to announce that we regard attempts in the central press to libel one of the commission's members as an act of political sabotage and we have drawn the inevitable conclusions.

V

Finally, let me emphasise that the problems experienced by our commission are not unique. Similar problems are also being faced by other commissions and by numerous of the People's Deputies of the USSR.

We have received a mandate from the people of the Soviet Union, but our power has been undermined. Our voting rights have been severely limited and we have heard statements made on our behalf that are in conflict with our principles, but we continue to follow our conscience and to take proper responsibility for our role in the world, for the state, for our voters and for ourselves. We must have the truth, however bitter it may be. Truth: for the sake of clarification and redemption, to develop new trust internationally, and to bring into being a truly democratic Soviet federation. We not only claim the right to tell the truth, but we are also required to do so. If we fail to be truthful, if we tell only half-truths, or if the democratic status of the People's Deputies of the USSR is only conditional, then we may as well abandon our mandate.

We are now close to the completion our work. We will continue to pursue it until the truth of history is no longer subjected to a trade-off and the conscience is no longer compromised.

Yuri Afanasyev
Edgar Savisaar

September 29th 1989

⁶¹ Trofim Lysenko was an agricultural scientist and Stalinist who had advocated harsh, politically and socially repressive policies regarding practice and ideology in the sciences. (JI)

Appendix 15

Resolution of the MRP commission, December 14th 1989

In accordance with the mandate received from the 1st Congress of People's Deputies of the USSR, the commission has studied the documents and materials concerning the circumstances of entry into the 1939 Soviet-German Non-Aggression Treaty. Due attention has been given to the international situation of that time as well as to objective and subjective factors that determined the foreign and domestic policy of the USSR during the pre-war years.

In the opinion of the commission's members, the future development of the rule of law of any socialist country requires the truthful depiction of its political history. Only full disclosure of historical truth complies with the principles of new political thinking and only the whole truth can ensure genuine mutual trust and respect between the nations of the Soviet Union.

The commission notes that the Soviet people are deeply interested in establishing the facts about the causal chain of events on the eve of the Second World War, and that this interest reflects not only a wish to obtain more information about the birth of that cruel tragedy for mankind but also to draw the necessary conclusions for guidance in the future. The fact that so many representatives of different ages, professions, nationalities and religions have participated in debates concerning the events of 1939 throughout all of our country and that this participation was especially massive in the Baltic Soviet republics, the western regions of the Ukrainian SSR, the Belarusian SSR and in the Moldavian SSR, shows that the Soviet people have become discontent with the inadequate response, over a long period, to many of the principle questions concerning our past.

Public expectation and interest have increased the importance of the commission's responsibility for determining its conclusions in accordance with the mandate given it by the Congress of People's Deputies of the USSR. In these circumstances, its primary objective has been to collect documentation that would reproduce as accurately as possible the course of events fifty years ago, and to study the relevant international relations of that time.

From Soviet archives, the commission requested documents that would essentially characterise pre-war relations between the USSR and Germany, Great Britain, France and other countries. Several documents relevant for comparative analysis were received from the Political Archive of the German Federal Republic and from other foreign sources. Al-

together this collection comprises a considerable quantity of documents that have not previously been researched and that cast new light on the developing situation in 1939. Members of the commission studied the depositions of people who had been personally involved in some aspect of the negotiations between the USSR and Germany, Great Britain and France, and who are still alive. In addition, the commission heard the opinions of Soviet and foreign scholars and experts who have studied the issues of World War II.

The commission also received a large amount of correspondence containing personal observations and impressions connected with the events of 1938 and 1939. Naturally, the opinions described in these letters are extremely diverse. Many of the authors emphasised the importance of avoiding any superficiality in our conclusions, cautioning against anti-historicism and against allowing present emotions to distort our view of the past.

During the commission's sessions, controversial opinions were presented regarding the manoeuvres of the major players in the 1939 events and we were recommended to use a variety of methods for research the object of our study and its historical boundaries. While some claimed that the catastrophe of 1939 was inevitable, others were convinced that the diplomatic and political means available at the time were not thoroughly exhausted. Opinions differed on the criteria for determining the individual responsibility of those states which themselves became a target for Hitler's aggression.

The political scientists, lawyers, and diplomatic staff involved in the pre-war policy of the USSR, which were invited as experts to the commission, did not arrive at a consensus of opinion. Some experts defended the view that entry into the Soviet-German Non-Aggression Treaty was an act of self-defence on the part of the Soviet state and that it had helped to delay armed conflict with the Nazis for almost two years. That view was opposed by the theory that the deal with Germany had significantly weakened the Soviet Union by the time of Germany's attack and that it was therefore a mistake by Stalin. The claim that the August 23rd 1939 Treaty fuelled antagonism within the alliance of countries opposed to the Comintern, thus weakening it significantly, was in competition with the view that the Soviet-German Treaty helped Hitler to start the war. Some experts claimed that the 1939 August Treaty halted the eastward movement of Nazi forces, forcing Germany to take Soviet interests seriously. Other specialists, on the contrary, interpreted the Treaty as indicative of Stalin's intention to "add new territories" and become a "caretaker" of regions bordering the USSR and to meddle in their domestic affairs. The reintegration of western regions into the Ukrainian SSR and Belarusian SSR in 1939 was claimed to have been an important phase in a historical process of consolidation for both the Ukrainians and Bela-

rusians. However, a large proportion of the ethnic population of the Baltic States consider the 1939 Soviet-German Treaty to be the starting point for assessing the events of 1940 that led to the incorporation of Lithuania, Latvia and Estonia into the USSR.

It was also noted during the sessions that the situation during the 1930s became increasingly complicated following the betrayal of Czechoslovakia by Great Britain and France, and that the Soviet leadership had a duty to protect the security of the state. However, this duty did not release it from its obligation to honour agreements that regulated relations between the USSR and other states. Although the use of coercive force, aggression and duplicity was common to international relations at that time, this did not justify Stalin's deviation from Leninist principles of foreign policy or the distortion of those principles.

Fifty years after the event, it is now possible to critically assess every episode in Europe's transition from peace to war and to carefully examine the facts preceding, during and following August 1939. In memory of the countless victims, whose fates have touched every family in the Soviet Union from the Baltics to Kamchatka, it is our duty to re-evaluate history. In this process, no issue can be prohibited and nothing can be elevated above the truth.

Having considered all elements of the past relevant to the present and the future, the commission of the Congress of People's Deputies of the USSR, which was set up to provide a political and legal assessment of the 1939 Soviet-German Non-Aggression Treaty, has arrived at the following conclusions:

- i) The USSR signed the Non-Aggression Treaty with Germany in a critical situation, in which conflict in Europe was rapidly approaching and joint attempts by the USSR, Great Britain and France to block aggression had effectively failed. The Treaty signed on August 23rd 1939 was to be approved by the Supreme Council of the USSR, although the contractual obligations of the signatories took effect without delay. The decision to ratify the Treaty was made in Moscow on August 13th and letters of ratification were exchanged on September 24th 1939.
- ii) The contents of this Treaty did not deviate from the standards of international law or from the respective states' practices at that time for making such agreements. Furthermore, Great Britain and France had signed similar agreements with Germany at that time. However, there was no mention on entry into the Treaty, ratification process or in any other relation to the Treaty, that a "secret protocol" had also been signed that established the "spheres of interest" of the contracting parties from the Baltic Sea to the Black Sea and from Finland to Bessarabia. The original copy of that protocol has not

been found either in Soviet or foreign archives. Nonetheless, in the light of documents and materials concerning 1939-1941 that have been obtained from Soviet and foreign sources and that were made available to the commission, there can be no doubt about the existence of the secret protocol or the authenticity of the surviving copies. The text of the copy has been published in the proceedings of the Ministry of Foreign Affairs of the USSR

- iii) The commission finds that, in both its manner of preparation and its contents, the "secret protocol" represents a deviation from the Leninist principles of Soviet foreign policy and the division of spheres of interest of the USSR and Germany as set out in the protocol in legal terms violates the sovereignty and independence of a number of third countries. The commission notes that at that time relations between the USSR and Latvia, Lithuania and Estonia were regulated by a system of treaties. These relations were based on the 1920 peace treaties and on the non-aggression treaties made between 1926 and 1933, under which all signatories were obliged to respect, under any circumstances, their mutual sovereignty, territorial integrity and inviolability. The Soviet Union had assumed similar obligations towards Poland and Finland.
- iv) The members of the commission state that the negotiations regarding the secret protocol with Germany were held in secrecy by Stalin and Molotov without the knowledge of the Soviet people, the Central Committee of the All-Soviet Communist (Bolshevik) Party and the whole party, and the Supreme Council and government of the USSR. Therefore, the signing of the secret protocol was essentially an act of individual personal power and in no way reflected the will of the Soviet people. The latter is not responsible for this collusion.
- v) The change in the policy of Stalin and his associates following the signing of the Treaty and its secret protocol on August 23rd 1939, from an uncompromising fight against Fascism to cooperation with Nazi Germany, caused significant confusion among the forces in opposition to aggression, war and Fascism.
- vi) In consideration of the major political and moral importance of this issue, the commission recommends, in connection with the above, that the Congress of People's Deputies of the USSR:
 - a) confirm that the Non-Aggression Treaty of August 23rd 1939 and the Friendship and Border Treaty of the USSR and Germany from September 28th of the same year, in addition to other Soviet-German agreements signed between 1939 and 1941, are annulled according to international law effective from the moment when Germany instigated the war against the USSR, i.e. from June 22nd 1941;

b) denounce the signing of secret protocols during the course of entry into the treaties of August 23rd and September 28th 1939, protocols which renounced the Leninist principles of Soviet foreign policy and whose existence has been proven by available data;

c) declare that the protocols adopted in secrecy, unknown to the Soviet people and the Supreme Council of the USSR and that had been removed from the ratification process, were null and void effective from the first moment of their signing.

It is important to assert that the protocols did not create a new legal basis for the relations of the Soviet Union with third countries, but that the pre-war leadership of the USSR used them to support their ultimatums and to apply pressure on other states, thus violating their legal obligations towards those countries.

The commission is governed by consideration for its complicated and controversial role in the process of perestroika and in line with the new political thinking that aims to ensure that all people in the Soviet Union have the opportunity to develop freely and equally and with respect to the development of mutual understanding.

[Signatures]

Appendix 16

Chairman of the MRP commission Alexander Yakovlev's speech to the 2nd Congress of People's Deputies, December 23rd 1989⁶²

Comrade delegates! I will begin with the Soviet-German Non-Aggression Treaty that was signed on August 23rd 1939 and ratified by the Supreme Council of the USSR on August 31st. The treaty was published on August 24th and ratification letters were exchanged on September 24th.

The existence of the secret protocol was mentioned for the first time during the Nuremberg trials in 1946. The protocol was published in the *Saint Louis Post Dispatch* newspaper on May 23rd 1946 and in 1948 it was included in *The German National Socialist Party and the Soviet Union*, a book published in the USA. Before that, the contents of the protocol were not known either to the general public or to the Supreme Council of the Soviet Union. Even the Politburo of the CPSU Central Committee was unaware of its existence. Since 1939 no information concerning this protocol has been published in our country. The reason was understandable – on the basis of the secret protocol, Stalin and Hitler divided their spheres of interest, i.e. the sovereign neighbouring countries.

We have had to pay a high price for it, both morally and politically. Speculation continues about how Europe might have been without the treaty and the protocol and whether World War II would have started anyway on September 1st 1939. Public opinion continues to be manipulated by claims that the August 23rd 1939 treaty and the secret protocols signed in August and September either influenced or served as the basis for particular aspects of the current situation in Europe. By the way, these claims do not only concern the Soviet Union.

Such considerations convinced the 1st Congress of People's Deputies of the USSR to set up a commission of twenty-six people's deputies on June 2nd 1989. I want to emphasise that we studied only the year 1939. I mention this because the commission has received very many requests and letters concerning 1940 and later years. Therefore, allow me to repeat that the mandate of the commission was limited to 1939 and it had no legal capacity to answer any other questions or to assess other events. This is the introduction.

⁶² Published in *Politika*, issue 2, 1990

The commission's conclusions are based on consensus, but because of disputes and conflicts of opinion this has not been easy to achieve. Nonetheless, the working atmosphere in the commission in general has been constructive.

Although many different opinions, views and emotions were voiced, the commission remained determined to understand the entire pre-war reality – the actual mutual relations and dependencies – instead of highlighting an arbitrary selection of episodes from the past. The task was made more complicated because our official historiography has kept silent about many episodes in post-revolution Soviet foreign policy. Of course, one must take into account the conditions and restrictions related to the interests of third countries, but many documents remained hidden simply because of apathy or prejudice. Some of the key documents concerning the issue at hand, which are held in the Soviet archives, have become accessible only recently. By the way, I should point out that the public perception that Germany and the USA have given full access to their archive of documents is nothing but a myth. For example, London has decided that a large part of its government archive, which would be very important for understanding the past, will remain classified until 2017, and Washington has restricted access to some of its documents indefinitely. However, the reliable information that we have been able to collect has enabled us to reconstruct the situation in which individual countries and mankind in general found themselves on the brink of World War II, and to make adequate conclusions based on facts. However, allow me to make some further introductory remarks.

First, while studying and assessing the period it is impossible to switch off our memories of the events following 1939. Our minds still feel the loss of the millions of workers, farmers, scientists and writers that are no longer with us. Add also our eternal fury against Fascism and our contempt for those who proved unable to stop the murderers, and it is difficult to consider only the facts and to ignore our natural emotions. It is always easiest to abandon and to condemn, but in order to understand the background of past events and to avoid repeating those same mistakes one must understand how such agreements and deals were made and what were the motives and incentives for the contracting parties. In terms of the past, time is at a standstill. To understand properly a historical event, and to do so without emotion, it must be analysed in the context of the development of history. Instead of focusing on the facts, we are often possessed by an urge to praise our own actions and to demean those of others or, what is worse, to allow ideology to overwhelm and obscure the actual meaning of history. Only an analysis free from blinding emotions and demeaning prejudice, that is sober and honest, is capable of harnessing the raging sea of emotions. In order to understand history better one must search for truth. Our conscience

must prevent progress from becoming a conspiracy and from the deadly attraction of playing hide-and-seek with the past. By avoiding discussion of inconvenient issues we make yet another mistake. By trying to justify our own mistakes in accordance with the sins of others, we forget history instead of honestly analysing and renewing ourselves.

Second, the work of the commission re-assured us how much the world has changed during the last fifty years and how different the current political, legal and moral practices are from those in Europe five decades ago. This had to be considered, not only for analysis of the past, but also in consideration of the *realpolitik*. The most important task was to separate relevant from irrelevant information.

This report does not pretend to give an exhaustive explanation of pre-war events. Its logic and contents are limited to the events of 1939. Anyone without prejudice can understand that in 1939 dark clouds were gathering. Therefore, in order to give an objective assessment of what followed we need to analyse the preceding events. Everything that I am about to say is based on archival documents. The problem itself is richly nuanced, so it is necessary to analyse the circumstances comprehensively and sometimes in fine detail.

Without doubt the congress should expect the commission to substantiate its conclusions. Therefore: What was the international context in which the Soviet-German Non-Aggression Treaty was made? What happened in the period immediately preceding it? What were the objectives of the treaty as envisioned by its authors and initiators? There are no exhaustive answers to these questions. In assessing the treaty, at least the following three aspects must be considered: i) the sudden improvement in Soviet relations with a Fascist regime; ii) the secret agreements with Germany that violated the interests of third states; iii) the concealment of the actual content and objectives of those secret agreements, from the Soviet people, the party and the constitutional powers.

So, how was it possible and why was it done? The prelude in the tragedy was Germany's invasion of Poland on September 1st 1939. This also marked an end to the anti-German policy of Western countries, which had generally conducted their policy without the Soviet Union and often against its interests. And this is where history reveals its treachery. In 1936, British prime minister Stanley Baldwin said "We are well aware of Germany's wish... to move to the East... If he (Hitler) moved to the East in reality, it would not make me particularly sad... If Europe starts to fight, I would like to see it happen between the Bolsheviks and the Nazis." This view was later repeated in Paris. This joint policy of placating the aggressor and tolerating the Nazi's plans to expand their "living space" resulted in the incorporation of Austria into Germany and, in 1938, the betrayal of Czechoslovakia in Munich. By sacrificing Czechoslovakia, London believed that it had won a promise from Berlin

that Germany “will never fight with Great Britain again” and that it would remove “sources of possible disputes by consultations.” A similar agreement with the Third Reich was forged by the second party to the Munich tragedy, France. After that, Paris effectively terminated the Soviet-French mutual assistance treaty.

The Munich agreement changed the whole situation in Europe, strengthening Germany’s position significantly. It destroyed the budding collective security system and opened the way for the aggressor all over Europe. The Munich deal was not a hasty improvisation. It continued the political course marked out by the Treaty of Locarno in 1925 and the so-called four-party treaty of 1933. Small and medium sized European states understood that the democratic countries had betrayed them and, out of fear, started to lean towards Germany.

The Soviet Union found itself isolated internationally. Considering that the Munich Treaty was supported by the USA, Poland and Hungary, led to the division of Czechoslovakia, and that Japan approved of all the deals, the Soviet leadership had at least to consider the possibility that there existed an anti-Soviet coalition.

Premature decision-making and mystified, irrational handling of the realities was a disease of the time. In the opinion of London and Paris, Germany had finally been placated and for the democratic states peace was ensured for decades to come. However, Hitler saw this as a sign that he could begin to use force to gain control over Europe. After Munich, no one asked any more whether there would be war – the question was who would be the next victim and when. What is amazing and still confuses many people is the fact that the West had detailed information about Germany’s preparations for war. They were informed, but still they thought that the Nazis would start damaging their interests only after they had conquered the Soviet Union. Belief in this myth continued even in the spring of 1939, when the Nazis occupied all of Czechoslovakia, took control of Klaipeda⁶³, and Italy attacked Albania.

In terms of Soviet interests, what role was played, taken as a whole, by the annexation of Austria, by Czechoslovakia’s entry into Germany’s domain of control, by the growth of Nazi influence in Hungary, Romania and Bulgaria, and by the high levels of German intelligence activity in Estonia, Latvia, Lithuania and Finland? The main options available for Soviet foreign policy were: i) to form an alliance with Great Britain and France and stop the aggressor; ii) to achieve a mutual understanding with those neighbouring countries that were also at risk; and, if the first two options failed, iii) to avoid war with Germany and a fight on two fronts – in the West and in South-East Asia.

63 Klaipeda is situated on the west coast of Lithuania and is its main seaport. (JI)

The first option was put to the test during March and April 1939 when the Soviet Union attempted to cooperate with the West in an effort to prevent the aggression. The second option was attempted with the visits of V. Potyomkin, the then People's Commissar of Foreign Affairs, to Turkey and Poland in April and May 1939, and in diplomatic efforts in March 1939 to convince the governments of Latvia and Estonia that the Soviet Union was interested in avoiding any aggression against the Baltic States.

The normalization of relations with Germany was still unresolved. The Soviet Union's diplomatic documents from 1937-1938 contain no evidence of our having attempted to achieve a mutual understanding with Berlin. On the contrary, Germany was first to test the ground for improving relations with the Soviet Union at the end of 1938 and in early 1939. Hitler called it the next phase in the Treaty of Rapallo. Documents show that Soviet leaders had reliable information concerning the Nazi regime's preparations for war and how the West was thinking. For instance, a report concerning discussions between Hitler and Chamberlain on September 15th 1938 reached Stalin the next day.

Existing documents give us reason to believe that if attempts to derail Germany's aggression against the Soviet Union had failed then either it could have been achieved through an alliance with Poland, or Poland would have remained loyal to the Third Reich, or Poland would already have been occupied anyway. All three possibilities involved the territories of Lithuania, Latvia and Estonia. Operation Weiss – a German plan to attack Poland that had been approved on April 11th 1939 – involved the annexation of Lithuania, whose inviolability Great Britain and France did not secure in any way. Already on March 16th 1939 the Latvian ambassador in Berlin had been told that Latvia must do as Germany asks "otherwise the Germans would force the Latvians under the protection of the Führer". Speaking to his generals in May 1939, Hitler ordered them to solve the "Baltic Problem."

As with many other similar cases, Berlin had both minimum and maximum objectives. According to some sources, Germany could have postponed the launch of Operation Weiss if the West had betrayed Poland in the same way as Czechoslovakia. However, Germany's leadership now understood that the time for easy victories was over and that even Poland, which had assisted Germany in its incorporation of Austria and invasion of Czechoslovakia, was beginning to have second thoughts. Indeed, so long as other territories were being invaded, Poland's foreign minister Beck and his colleagues saw nothing wrong in continuing dialogue with Berlin. Only after they were told to hand Danzig over to Germany, to create a traffic corridor through Poland to East Prussia, did they lose their appetite for gaining a part of Soviet Ukraine.

Suddenly Germany's promise to give Poland an outlet to the Black Sea, and to give it Odessa as part of the deal, no longer seemed so attractive. The British military tried to convince Chamberlain that the threat of Nazi aggression was not a myth and that the most effective way to prevent it was military cooperation with the Soviet Union. There is documentary proof of that. Chamberlain's response to these warnings was that he would rather resign than begin to cooperate with the USSR. Caller, from the office of the British secretary of state, wrote about the position of his government "What London wants is not to bond with the Soviet Union, but to give Germany an opportunity to develop an eastward aggression at the expense of Russia."

Some publications, especially those of recent months, complain that Soviet diplomacy was too rigid, that opportunities were missed and so on. These accusations are certainly justified to an extent, but archival documents also tell another story. Every time the Soviet Union tried to reach an agreement with the West, London and Paris gave their negotiators strict orders to sign nothing that would suggest that the parties were getting close to a deal and asked them to make additional demands and unbalance the agreement. Finally, on July 11th 1939, Great Britain rejected the Soviet government's proposal to sign two agreements at the same time, a political and a military one. The dominant view during the sessions of Chamberlain's government in July 1939, in which the British delegation's position for military talks with Moscow was laid out, was that proceedings should be delayed at all costs. "The agreement is no longer as important as we initially thought," claimed Foreign Secretary Halifax.

Many British and French documents from May to August 1939 show that Chamberlain's government considered partnership with the Soviet Union unwelcome and military cooperation impossible. Although Canaris, head of Nazi military intelligence, had clearly informed British leaders that Poland would be attacked during the last week in August, the British military negotiators were ordered to prolong talks with Moscow until October, if possible.

The views of the British and French governments were supported by representatives of the US administration in Europe. Joseph Kennedy, the US Ambassador in London, said that no assistance should be given to Poland and that the Nazis should be allowed to achieve their objectives in the East. It was his opinion that the Soviet-German conflict would benefit the whole of the Western world. Also, H. Wilson, the US Ambassador to Germany, believed that the best possible outcome would be Germany's invasion of the Soviet Union – the West was in silent agreement and tacitly approved of it.

The Soviet Union has been accused of failure to convince the Polish government that cooperation was necessary and of having instead hoped that London and Paris would

do it, and yet Poland continued to reject Soviet proposals for cooperation only days before the German invasion. On August 20th 1939, Beck announced “We have no military agreement with the USSR. We have no need of such an agreement.”

On the eve of the 50th anniversary of the German invasion of Poland, again there is speculation about how events might have developed if the Soviet Union, together with London and Paris, would have succeeded in convincing Germany that the three were actively seeking to join forces against German aggression – though this is nothing but hot air. Opinions conflict about such a scenario. Some believe that war would have been avoided, while others say that it would have pushed the Soviet Union into war already in 1939, with Great Britain and France as, at best, only nominal allies. This is all merely speculation. History does not know about what otherwise might have been. History is definite. No one can predict with any certainty the behaviour of all that are subject to politics and logic does not apply to assumptions. One might even say that, rather than politicians, the actors on history’s grand stage are gamblers, but one thing is clear: all of those involved acted irresponsibly, to say nothing of their lack of wisdom, and mankind paid a heavy price.

In the same context, we may consider the question: How real was the threat that Nazi Germany would invade the USSR in 1939? Of course, this issue is beyond the proper competence and objectives of our commission and is a question for academics. It is a question that has not previously received detailed analysis, but documents show that the Soviet policy at that time was based more on ad hoc operational information than on in-depth strategic calculation. The whole issue of Hitler’s readiness to launch an aggression against the Soviet Union in 1939 has at least three main elements. First, was Germany objectively ready for war? Secondly, did Hitler himself consider his war machine prepared? Third, did the Soviet leadership consider the threat of Nazi invasion likely?

Only the third question can be answered with any certainty: Yes, they did. Perhaps it was Stalin’s hopes that Hitler would become bogged down in the European warpath that prevented him seeing all the possibilities and assessing them objectively. Of course, it is difficult to talk of these factors in concrete terms. However, we may reasonably claim that they existed. What is unconvincing is the claim that Germany would not have started their war against Poland if they had not already signed a non-aggression treaty with the Soviet Union. Several statements made by Hitler himself speak against this view. Moreover, by the middle of August 1939 Germany’s preparations for war had gone beyond the point at which the Führer could have stopped the process without causing major political damage to himself.

Those who believe that Stalin exaggerated the threat of war point to the fact that, in August 1939, the German Chief of Staff still lacked a master plan for military operations

against the Soviet Union. First, this was discovered only after 1945. Second, at that time the Nazis had no such master plans against Great Britain or France either. The generals were ordered to prepare such plans only on October 10th 1939, after the Western countries rejected Hitler's peace proposal. Third, the silence on the western front had a distinctive undertone. Buoyed by a quick victory in Poland, Hitler contemplated for some time whether to tear up the non-aggression treaty he had recently signed with the Soviet Union and attack by surprise. Fourth, it took the German officers of the Chief of Staff only a few weeks to turn conceptual theses into operational plans.

While analysing the possible alternatives of 1939, one cannot ignore the fact that Soviet leaders must have been well aware of the instructions that had been given to British and French negotiators for their military talks with Moscow. Nor was it a big secret that London and Berlin were communicating behind the scenes.

Careful study of the documents reveals a simple game: with every turn in the development of British-French-Soviet negotiations, Berlin was skillfully adjusting its approach to relations with Moscow. For example, Ribbentrop ordered a low-profile approach following early contacts with the Soviet Union and Molotov's unenthusiastic reaction to Germany's approach on May 20th 1939, but as soon as a dispute flared up over security guarantees to the Baltic States in the three-way negotiations in Moscow, Germany became much more active. Shortly after the British, French and Soviets decided on July 26th 1939 to start negotiations towards signing a military convention, Berlin proposed to "update" the neutrality treaty of 1926 and announced its readiness to honour the inviolability of the Baltic States and "balance mutual interests." Soon after Moscow announced the date for the start of military negotiations, Ribbentrop invited Grigory Astakhov, temporary Soviet charge d'affairs in Berlin, to a meeting and told him of the need to specify the interests of Germany and the Soviet Union "from the Baltic Sea to the Black Sea." The next day, on August 3rd, German Ambassador Schulenburg repeated these issues in talks in Moscow. The period from July 26th until August 3rd 1939 is of primary importance. This was the time of shuttle diplomacy, in all directions, in the number of contacts and in content. For Stalin, everything came down to one question: whether to sign an agreement or not? And, if the answer is yes, then should it be with the democratic Western countries or with Nazi Germany? This was also the time when, driven by ambition, the main players became the political gamblers that would eventually give rise to the secret protocol and determine its content.

What were the events during the period preceding the Soviet-German negotiations? The Germans made the first move. For the first time, Berlin took notice of our national interests and openly proposed to formulate relations with the USSR in a treaty. After the Nazis had

come to power in Germany, they had effectively ostracised the Soviet Union; in other words, until August 1939, the USSR had no real alternative to cooperation with Great Britain and France. Even after receiving a direct offer from Ribbentrop, the Soviet side did not change its strategy. For another week the Soviets listened to the German proposals and, day after day, Schulenburg telegraphed Berlin that the Soviet government was very suspicious of Germany and "keen to reach an agreement with Great Britain and France at any cost."

We now know that Stalin suspected everybody and everything. He mistrusted Hitler as much as Chamberlain and Daladier, and not only because of idiosyncrasies. It was his belief that the Western countries and Nazi Germany were attempting to divide the world, and to destroy the USSR. This thesis would play a deciding role during the fatal days of August 1939.

However, even while Stalin held such suspicions about the actual intentions of London and Paris, he did not wish to miss the opportunity to form an agreement with them. According to G. Dimitrov, on September 7th 1939, just seven days after the war started, Stalin had said in recollection of the negotiations with the Western countries that "We began the negotiations because we preferred to have an agreement with the so-called democratic states. However, the British and the French did not only want to make us their servants, but also their unpaid servants! Of course, we would have never agreed to be servants, especially if we were not going to be paid."

Schnurre, an official of the German Ministry of Foreign Affairs, told Astakhov on July 26th 1939, "Moscow should consider what Great Britain has to offer. In the best case, it would be participation in the European war and hostility against Germany, which is hardly in Russia's interest. What can we offer? Neutrality, non-involvement in a possible European conflict and, if Moscow insists, a German-Soviet treaty on mutual interests." What precisely did this mean? Berlin explained that Germany would give up its demands for Ukraine and the Baltic States and its expansion plans in those regions in Eastern and South-East Europe where the Soviet Union had major interests.

By July 1939, Soviet intelligence had already informed the Soviet leadership that Germany might invade Poland either at the end of August or at the beginning of September in that year. People close to Hitler have claimed that Hitler was convinced that the Poland issue must be resolved at any cost. Hitler is reported to have said "The invasion by the Huns pales in comparison to what would happen to Poland in the event of war. Poland's destruction would be proof that the German war machine is unstoppable and would show the countries of Eastern and South-East Europe what it means to resist the German will and provoke Germany's armed forces."

On August 7th 1939, Stalin received information that Germany would be capable of starting a war on any day after August 25th. On August 11th 1939 the situation was discussed during the session of the Politburo of the Central Committee of the All-Soviet Communist Party (Bolshevik). Given Hitler's attempts to restore direct relations with Chamberlain and the pessimistic forecast for military negotiations in Moscow, it was considered appropriate to begin official discussions of the issues raised by the Germans and to inform Berlin accordingly. Consequently, Soviet-German negotiations began on August 15th 1939 with meetings between Molotov and Schulenburg.

The Germans proposed either to confirm the neutrality treaty again, or to sign a new non-aggression treaty. Stalin chose the second option. The final phase of the Soviet-German negotiations is difficult to reconstruct because no transcripts were made and all of the drafts that Ribbentrop had brought to Moscow were later destroyed on his orders. It is known that shortly before the meeting on August 23rd Ribbentrop was still doubtful that his mission would succeed, even though he had been authorized by Hitler to agree to any of Moscow's demands.

The working documents used by the Soviet team in the negotiations have not been found in the archives, if they ever existed. It is known only that the parties had planned initially to disclose a document containing general objectives. This was clearly unnecessary, since Molotov was talking about issues that were already known, such as the mutual assurance of the independence of the Baltic States, the requirement that Germany convince the Japan to end its military action against the Soviet Union, and the development of Soviet-German economic relations. At this stage, territorial demands related to Poland or to the fate of any other specific country were not raised.

However, Hitler offered more than Stalin expected. What explains this? This question can be answered partly by a Directive of the Executive Committee of Comintern from August 22nd 1939, the contents of which became known to Berlin. The directive stated that the Soviet Union had started negotiations with Germany on signing a non-aggression treaty in the hope that it this would force Great Britain and France to take more seriously the negotiations for a military alliance that were then ongoing in Moscow. It seems clear that Hitler wanted to foil Soviet negotiations with London and Paris and was urging Stalin to his bridges.

Events proved timely for the Nazi masterminds. On August 19th and 20th 1939, Stalin received documentary evidence that Great Britain, France and Poland were not intending to change their position. He had hoped that signing the non-aggression treaty with the Germans would send a strong signal to Great Britain and France, but this was a miscalculation. Following the signing of the treaty, the Western countries lost all constructive interest in us.

Was it possible to negotiate only the non-aggression treaty with Berlin? Analysis shows that this was possible. The formal treaty signed on August 23rd 1939 could have been just another political agreement. By that time Germany had already signed similar agreements with Poland in 1934, with Great Britain and France in 1938, and with Lithuania, Latvia and Estonia in 1939. Entering into the non-aggression treaty changed the balance of power and allowed Berlin to remove an unknown element from a complicated political equation.

But our analysis must not stop there. In spite of his imperialist manners, Stalin understood the immoral and potentially explosive nature of the secret protocol that had been agreed with Hitler. The fact that, following the end of World War II, Stalin and Molotov destroyed all traces of the secret protocol clearly shows this. The original document of the protocol had not been found in our archives until now. N. Khrushchev has quoted Stalin as saying "It was a game of who fools and beats the opponent. I fooled them." Apparently, Stalin was not disturbed by the price that he had to pay in betraying the noble moral principles of the foreign policy created by Lenin. In the German version of the protocol, he accepted such concepts as "sphere of interest", "territorial-political re-arrangement", etc., which had previously been attributed only to greedy imperialist politicians dividing and re-dividing the world.

Hitler had a purely practical objective in mind for this "Second Rapallo": to put aside the USSR as a potential enemy of Germany for two years. It remains a mystery why Stalin ignored the warnings he received from multiple sources that the Nazis would trash their obligations and invade the Soviet Union within twenty-four months at the most. Already in July 1939, Soviet intelligence had warned that Germany's good-neighbourly relations with the Soviet Union – especially its respect for Soviet interests in the Baltic States – were only pretence and would last no more than two years. In addition, all economic agreements between Germany and the Soviet Union were valid for an equally short period. Stalin did not want to consider these facts.

In drafting the secret protocol, Hitler wished to create a rift with the Soviet Union on one side and Poland, Great Britain and France on the other. There was a tense situation when the Soviet Union moved its forces into western Belarus and western Ukraine, but thank God that Hitler failed. Who knows what might have happened if Soviet forces had not stopped at the so-called "Curzon Line" which in the Treaty of Versailles marked Poland's eastern border?

Let us return to issues directly relevant to August 23rd. Hitler did not like the structure of the protocol that Molotov submitted, since it was unclear how the Soviets would react if Germany became the Soviet Union's western neighbour rather than Poland. According to

intelligence reports, the ambiguity of the Soviet position forced Hitler into abandoning a plan to test the Soviet Union's neutrality with the issue of Ukraine. Moreover, in August 1939, the Nazis indicated that they were not indifferent with respect to the wish of Ukrainians and Belarusians to reunite with their families. The fact that the restoration of justice in Ukraine and Belarus was done hand in hand with territorial-political rearrangements in other countries did not bother Stalin.

Allow me to summarize. In contrast to the commission's unanimous assessment of the secret protocols, opinions among commission members differed concerning the non-aggression treaty. First, the treaty was politically justified under the given circumstances. The politics of Germany and Japan and the position of Western countries left the Soviet Union with no alternative. The Soviet leadership was under an obligation to take measures to ensure the country's security and, if possible, to delay the outbreak of the war and win more time for strengthening the country's economy and defence capability. Second, Stalin agreed to sign the non-aggression treaty because of other considerations. His main objective was not the treaty itself, but his ambitions formulated in the provisions of the secret protocols. These ambitions included deploying Soviet troops in the Baltic States, Poland, Bessarabia and later also in Finland. Therefore, the main driving force behind Stalin's agreeing the non-aggression treaty was his imperialist ambition.

In giving its legal and political assessment of the Soviet-German Non-Aggression Treaty of August 23rd 1939, the commission of the Congress of People's Deputies made the following conclusions.

From the legal perspective, the treaty fits into the framework of agreements made during those times and violated neither the laws nor the international obligations of the USSR. Legally, the treaty was annulled on June 22nd 1941. All Soviet-German agreements that were in force at that time became null and void when the Germans opened its first artillery barrage at dawn on June 22nd. This is not only our opinion, but a generally accepted principle of international law. Post-war Europe is based on principles of international law derived from various sources, which are mainly enshrined in the UN Charter and the final document of the pan-European meeting.

There is another issue: that Stalin and some of his associates may already have harboured imperialistic anti-Socialist intentions. But this goes beyond an assessment of the treaty as a document of international law.

After having signed the 1939 agreements Stalin fell victim to a dangerous illusion. It obscured his vision and he failed to benefit from the valuable time that the Soviet Union had gained. It confused and demoralized the anti-Fascist forces, weakening the fight against

the Nazis and their allies. It is also clear that by agreeing the treaty certain basic elements of a democratic world-view were violated. Even if they had known about the secret protocols, it is difficult to imagine that the Communists or other pre-war left-wing movements would have agreed to enter into a treaty with Hitler. Having ignored the people's desires and moral values, it was only a matter of time before the moral, ideological and social payback, and that is precisely what happened.

The political and legal assessment of the Soviet-German Non-Aggression Treaty is presented in the commission's conclusions and in the proposed draft resolution. It is an analysis of facts and a synthesis of opinion and, in our opinion, it adequately reflects both the unique and extremely controversial international circumstances of the time and our new political thinking. The commission also formulated the following assessment of the protocol:

First: The secret protocol from August 23rd 1939 existed, but its original has not been found in either Soviet or foreign archives. The copies at the disposal of the governments of the Soviet Union and the Federal Republic of Germany should be considered trustworthy in the light of available information. History has developed exactly as projected in the protocol.

Second: The initial protocol was drafted by the German Ministry of Foreign Affairs. Stalin and Molotov approved it with minor amendments. To their great shame, Soviet leaders participating in the negotiations forgot about their intention to provide a bilateral guarantee for the independence of the Baltic States. They also failed to demand that Germany declare its readiness to restrain Japan and they were content to accept Ribbentrop's spoken word on this matter.

Third: Neither the political nor state institutions of the USSR were informed about the protocol. Molotov was not properly authorized to sign the protocol. The protocol was not ratified and was not approved by the country's legislature or government institutions.

Fourth: Having been signed in violation of the laws of the Soviet Union and its obligations to third countries, the protocol was illegitimate from the outset and represented a collusion reflecting the intentions of its signatories as individual physical persons.

Finally, *fifth:* In its principles and terms, such as "territorial-political rearrangement" etc., the protocol was clearly a deviation from the Leninist principles of Soviet foreign policy.

It is true that the protocol helped the nations of Ukraine and Belarus to restore their territorial integrity, but we must also use that same measure of humanity to understand the feelings of those nations who became toys in the hands of more powerful forces and who then began to assess their entire post-war history in view of an injustice done by Stalin.

Dividing the prey with the predator, Stalin issued ultimatums and threats against neighbouring countries, especially the small nations. He was even willing to use armed force, as seen in the dispute with Finland. The return of Bessarabia to the Soviet Union and the reinforcement of Soviet power in the Baltic States were carried out entirely imperialistically. All of this distorted Soviet politics and national morale.

This is probably the first time that the events of this complicated pre-war period have been described in such harsh terms and so directly, but we must simply tell the whole truth, no matter how bitter it may be.

The secret protocol of August 23rd 1939 clearly reflects the essence of Stalinism. While it is certainly not the only one, it is among the most dangerous relics in the mine-field that we have inherited, and now it must be diffused. Concealed from public view, such mines will not decay and must be diffused as part of *perestroika* – to strengthen the new political thinking and to restore the Socialist values that Stalin and his associates have trampled into the ground.

The commission finds that its work has helped to clarify several important issues of interest to the people. It also feels that, in a legal and moral sense, it has formulated the right resolutions particularly with respect to the secret protocol. Every word of the conclusion has been carefully weighed. If the Congress of People's Deputies should choose to agree with the commission's proposals, then some important relics standing against Socialism and justice will be dissolved.

Comrade delegates! I would like to conclude with the following. History is at once both prosecutor and judge, but while studying history one must not forget that pre-war events occurred in the context of a different system of coordinates. At that time, states did not yet feel themselves to be part of the common river of mankind. European and worldwide principles of justice and humanity had not yet been established in social and national consciousness. The voices of philosophers who had seen the looming threat to civilization were lost in the din of marching soldiers and the clamour of ovations to leaders. The fate of the world was decided by small political groups that were ambitious, egotistic, demagogic and distanced from the people, and wanted nothing else than that they be praised and joined by nations in their mutual destruction. Mankind stood at the edge of an abyss until people began to cooperate in freeing the world of tyranny for peace to be reborn.

Sooner or later, the truth will prevail and the lies will sink. Without moral purification civilization cannot progress. There is no more important time to admit this than now. People can co-exist in peace and have confidence for the future only if they act together and not against one another.

Appendix 17

The speeches of Endel Lippmaa and Edgar Savisaar to the 2nd Congress of People's Deputies of the USSR, December 23rd 1989⁶⁴

E. Lippmaa

Honourable Congress! The resolution that we are now discussing is a historic document. It is of great importance that we adopt it. We must be loyal to our principles. One may understand the need to make a deal with Hitler in 1939, but not that the same deal remains in force fifty years later. We cannot, and it is therefore absolutely necessary that it be denounced. We must not simply approve the first item alone, as comrade Kravets has requested. His concern about Ukraine's border is not valid. That border was agreed in Yalta and I do not think that there will be any major problems with it. Moreover, Helmut Kohl has recently expressed his hope that Poland's western border will be fixed, so it is my opinion that there will not be any special problems.

We must admit that there was a deal. Now we must continue to work constructively to determine how to proceed. This concerns economic, military, ethnic and global political issues. Today it is insulting to claim that we ourselves had been willing parties to the deal. In politics, it is never wise to insult states and nations, no matter how big or small they may be, and it is even better not to attempt it at all. Let us be constructive. In order to create a good basis for mutual trust in the world – something we are all badly in need of right now – the resolution must be approved in its current form, in its entirety, and without any amendment. Moreover, it has already been approved by the commission and all of its experts and this is a resounding affirmation, after careful consideration, of the wisdom of what has been a difficult decision. Furthermore, your approval would significantly enhance the authority of our actions and increase international trust in our country.

There is of course another aspect to consider – that we continue with the work. This is obviously reasonable and there is always more to be done. However that is a separate issue, and I have already emphasized what is truly important right now, so it does not seem to me to be necessary to repeat everything here. For example, the authenticity of Molotov's signature on the photocopies preserved in the Federal Republic of Germany has been verified by experts. This has also been confirmed by comrade Shevardnadze in his

⁶⁴ Source: Второй съезд народных депутатов СССР, 12-24 деку 1989: Стенографический отчёт. Том IV. М., 1990. С. 284–285, 296.

letter to comrade Yakovlev. It has to be done, but I consider such things to be just details so I would prefer not to go into them here.

Once again, I urge the Congress to approve the draft resolution in its entirety. Thank you.

E. Savisaar

I have asked to speak as a vice chairman of the commission. It has been suggested that the Congress adopt a brief resolution on this issue, stating its acknowledgment of the conclusions of the commission that was set up to provide a political and legal assessment of the Soviet-German Non-Aggression Treaty from August 23rd 1939 – item one of the draft resolution. This would be equivalent to setting out on a journey and then quitting halfway through. The commission's conclusions are only recommendations presented to the highest authority, and in no way reflect the will of the State. I am completely convinced that the 2nd Congress of the People's Deputies of the USSR must adopt its own wide-ranging resolution, which has been drafted by the commission. Therefore, I propose a vote that is not anonymous. Especially not anonymous.



Aleksandr Yakovlev giving a speech prior to the voting
Image from Juhan Aare's film "The Inside Story of Moscow's Kremlin. The Collapse of the Soviet Union", 2006.

Appendix 18

A. Yakovlev's speech to the Congress of People's Deputies during the morning session, December 24th 1989⁶⁵

Comrade delegates! The commission has asked me to emphasize again that the document we presented to you yesterday is the outcome of extensive and intensive work involving a large number of experts, researchers, organizations and institutions.

In order to fulfil its role, the commission has studied documents, concerning the onset of World War II, received from the archives of the Soviet Ministry of Foreign Affairs and Ministry of Defence, State Security Agency, Central State Archives, University of Marxism-Leninism and the General Department of the Central Committee of the CPSU. At the commission's request, archive documents were also received from the

⁶⁵ Source: Второй съезд народных депутатов СССР, 12-24 дек. 1989: Стенографический отчёт. Том IV. М., 1990. С.378-381.

Embassy of the Federal Republic of Germany to the USSR and with the approval of its government.

Last night the commission once again discussed the conclusions of its work, as well as the remarks and recommendations made by the People's Deputies. Representatives of the Ministry of Foreign Affairs participated in this discussion.

On behalf of the commission, I urge you once again to consider our conclusions, with amendments that I will outline below.

Let me start by saying a few words about the secret protocols that were the subject of most yesterday's questions. Yes, the originals of the protocols have not been found either in Soviet or in foreign archives. In spite of that, the commission considers that there is sufficient evidence to support the claim that the secret protocols of August 23rd 1939 existed.

First, the Soviet Ministry of Foreign Affairs has an official document proving that in April 1946 Molotov's assistant Smirnov handed the originals of the secret protocols over to Podtserob, another member of Molotov's staff. This means that we had the secret protocols, but they are now missing. How it happened is not known to the commission nor to anyone else. The text of this handover statement says: "We, the undersigned, Deputy Head of Comrade V. M. Molotov's Secretariat, D. V. Smirnov, and Senior Assistant to the USSR Minister of Foreign Affairs, B. F. Podtserob, on this day, confirm that the former handed over and the latter received the following documents of the Special Archives of the USSR Ministry of Foreign Affairs: i) The original of the Secret Additional Protocol of August 23rd 1939 (in Russian and German), and three copies of the said protocol." This is followed by a list of fourteen documents in one case and several other documents in another case, which is irrelevant. The statement is signed as follows "Handed over by Smirnov, received by Podtserob." That is the first point.

Second, we have at our disposal verified and typed copies of secret protocols in the Russian language. As showed by an expert study, these copies date back to the period when Molotov was working in the Ministry of Foreign Affairs.

Third, forensics experts compared the signature of Molotov on the photocopy of the non-aggression treaty whose original we do have at our disposal with his signature on the photocopy of the secret protocol. The experts determined that the signatures are identical.

Fourth, it was discovered that the protocols photocopied in West Germany had been typed on the same typewriter as the original non-aggression treaty held in the archive of the Soviet Foreign Ministry. You understand that this is no coincidence.

Fifth and finally, there exists a printed map of territories marked exactly as outlined in the protocol. It has been signed twice by Stalin: there is one signature from Stalin together with Ribbentrop and another signature to an amendment Stalin had made with red pencil and that benefited Soviet interests.

Thus, dear comrades, the considerations that we present to you now leave no doubt that the protocol existed. That is my first point.

My second point is that following yesterday's debate and the aforementioned considerations, the commission has revised the draft resolution and is asking the congress to consider it with the following amendments.

We propose to formulate item two, which was subject to criticism yesterday, as follows: after the words "The Congress of the People's Deputies of the USSR agrees with the opinion of the commission that the Non-Aggression Treaty with Germany was made in a critical international situation", we propose to replace the words "and it was therefore declared" with "whereas, with the growing threat of Fascism in Europe and the threat of Japanese militarism in Asia, one of the objectives of this treaty was to guide the risk of looming war away from the USSR." Instead of "armed conflict in Europe," as was proposed by some delegates yesterday, we suggest to use the word "war".

Next, in the sentence that starts with "At the end, this objective was not achieved", we propose to replace the words "created illusions" with words "related mistakes". We also propose to add to this paragraph the following sentence: "Our country was facing tough choices at that time."

Next: The final paragraph of Item 3 that talks about the protocols should be worded as follows: "The original of the protocol has not been found either in Soviet or foreign archives" and should go on saying: " However, graphological, phototechnical and lexical study of the copies, maps and other documents, and the compliance of later events with the protocol, prove that the protocol was factually signed and existed." We avoid using the word "authentic" since, according to lawyers, this word can only be used for describing an original. Instead, the lawyers recommended us to use the phrase "prove that the protocol was factually signed and existed."

There was also a remark about the phrase "pre-war Soviet leadership". The commission considered it appropriate to replace it with the words "Stalin and his associates."

And finally, we propose to delete item eight, which refers to the demobilising effect of the non-aggression treaty on anti-Fascist forces, since this issue has been covered sufficiently in the report and in the covering letter.

These were the commission's considerations and additional proposals.

Dear comrades! The commission is convinced that the verdict is formulated accurately both in legal and in moral terms, regarding both the non-aggression treaty and the secret protocol. This verdict is necessary for socialism, perestroika, new political thinking and for all of us. Irrespective of whether the Congress decides to approve or reject the commission's conclusions, to take note of them or do something else, history will remain the same. The past will remain just as it developed during those years.

This resolution will not change the legal status of the treaty and the protocol studied by the commission. As noted, all Soviet-German bilateral agreements that were in force at that time were annulled from the moment when Germany attacked the Soviet Union. The situation changed when the rebuilding of the post-World War II world began, but, since our mandate was limited to 1939, we had no authority to assess the events of other periods. However, the Congress is empowered to change our political and moral assessment of specific documents.

We are drawing a clear line between the non-aggression treaty, which was legitimate and justified, and the protocol that was immoral, unacceptable, and fails to comply with socialist values. The theory of relativity was a great breakthrough in our understanding of the laws of physics, but there is no relativity in the sphere of ethics. We have an obligation to maintain firm and sound criteria in making ethical judgements. It is time that we admit that criminal activity is unacceptable not only because of its effect, but also because it distorts minds and creates a situation in which opportunism and the absence of ethical considerations become normal.

Comrade People's Deputies, regardless of what we decide, this will be not only a political decision, but also a moral one. Thank you for your attention.



The results of the voting

Image from Juhan Aare's film "The Inside Story of Moscow's Kremlin. The Collapse of the Soviet Union", 2006.

Appendix 19

Resolution of the Congress of People's Deputies of the USSR on the political and legal assessment of the 1939 Soviet-German Non-Aggression Treaty⁶⁶

- i) The Congress of People's Deputies of the USSR acknowledges the conclusions of the commission that gave a political and legal assessment of the 1939 Soviet-German Non-Aggression Treaty.
- ii) The Congress of People's Deputies of the USSR agrees with the opinion of the commission that the Non-Aggression Treaty with Germany was signed in a critical international situation and in conditions of growing danger of Fascist aggression in Europe and the threat of Japanese militarism in Asia, and in which one of the objectives of the

⁶⁶ Published in *Rahva Hääl*, December 28th 1989

Treaty was to shelter the USSR from the danger of looming war. In the end this objective was not achieved, while miscalculations with regard to Germany's obligations to the USSR worsened the consequences of the treacherous Nazi aggression. Our country was facing tough choices at that time.

Contractual obligations came into force immediately after signing, but the Treaty itself was to be approved by the Supreme Council of the USSR. The decision on ratification was adopted on August 31st in Moscow, and ratification letters were exchanged on September 24th 1939.

- iii) The view of the Congress is that the contents of this Pact did not deviate notably from the standards of international law that were used in such regulations. However, it was not disclosed that simultaneously with entering into and ratification of the Treaty, a secret additional protocol had been signed which determined the spheres of interest of the signatories from the Baltic Sea to the Black Sea and from Finland to Bessarabia.

The original of the protocol has not been found either in Soviet or foreign archives. However, graphological, phototechnical and lexical study of the copies, maps and other documents, and the compliance of later events with the protocol, prove that the protocol was factually signed and existed.

- iv) The Congress of People's Deputies of the USSR hereby confirms that the August 23rd 1939 Non-Aggression Treaty and also the Friendship and Border Treaty signed between the USSR and Germany on September 28th 1939 became, as with Soviet-German agreements, invalid pursuant to the standards of international law at the moment when Germany attacked the Soviet Union, i.e. on June 22nd 1941.

- v) The Congress states that in both their preparatory method and contents, the August 23rd 1939 Protocol and other secret protocols that were signed with Germany 1939-1941 were deviations from the Leninist principles of Soviet foreign policy. From the standpoint of law, territorial division into Soviet and German spheres of interest and other actions were in conflict with the sovereignty and independence of several third countries.

The Congress notes that during this period the relations of the USSR with Latvia, Lithuania and Estonia were regulated by a system of treaties. Pursuant to the 1920 Peace Treaties and 1926-1933 Non-Aggression Treaties, the signatories were obliged to honour each other's sovereignty, territorial integrity and inviolability under any circumstances. The Soviet Union had assumed similar obligations to Poland and Finland.

vi) The Congress states that Stalin and Molotov did not disclose to the Soviet people, the Central Committee of CPSU (B) and the whole party, nor to the Supreme Council or the government of the USSR that negotiations were being held with Germany over secret protocols. These protocols were removed from the ratification procedures.

Therefore, the decision to sign them was in both essence and form an act of personal power and in no way reflected the will of the Soviet people who bear no responsibility for this treacherous collusion.

vii) The Congress of People's Deputies of the USSR condemns the fact of signing the secret protocol on August 23rd 1939 as well as other secret agreements made with Germany. The Congress declares the secret protocols legally unjustified and invalid from the moment of signing.

The protocols did not create a new legal basis in the relations between the Soviet Union and third countries, but Stalin and his associates used them to make ultimatums and to put pressure on other countries by violating the legal obligations assumed by the USSR to those countries.

viii) The Congress of People's Deputies of the USSR regards the understanding of the complicated and controversial past as part of glasnost, which must ensure that all people in the Soviet Union have an opportunity to develop freely and equally in the conditions of a wholesome, mutually dependent world and growing common understanding.

M. Gorbachev

Chairman of the Supreme Council of the USSR

Moscow, Kremlin

December 24th 1989

Appendix 20

Resolution of the Supreme Council of the Estonian Soviet Socialist Republic on the status of the Estonian state

The Supreme Council of the Estonian SSR confirms that the occupation of the Republic of Estonia by the USSR on June 17th 1940 has not interrupted the existence *de jure* of the Republic of Estonia. The territory of the Republic of Estonia continues to be occupied.

Taking into account that the Estonian people have clearly expressed their will to restore the independence and legal state power of the Republic of Estonia, the Supreme Council of the Estonian SSR resolves:

- to declare the state power of the USSR in Estonia illegal from the moment of its establishment and to announce the restoration of the Republic of Estonia *restitutio ad integrum*;
- to announce the beginning of a period of transition that shall end with the constitutional bodies of state power of the Republic of Estonia coming into force.

For the period of transition, the Supreme Council of the Estonian SSR shall prepare temporary procedures for governance together with legal guarantees to all residents, regardless of their nationality.

This resolution shall enter into force from the moment of adoption.

Signed by Arnold Rüütel, Chairman of the Supreme Council of the Estonian SSR

Tallinn, March 30th 1990

Appendix 21

Resolution of the Supreme Council of the Republic of Estonia on the independence of the Estonian state

In accordance with the continuance of the Republic of Estonia as a subject of international law;

Based upon the will to restore the independence of the Republic of Estonia that was clearly expressed by the Estonian population in a public referendum held on March 3rd 1991;

Considering the resolution of the Supreme Council of the Estonian SSR from March 30th 1990 on the status of the Estonian state and the declaration of the Supreme Council of the Estonian SSR on the cooperation between the Supreme Council of the Estonian SSR and the Estonian Congress;

Bearing in mind that the coup that has taken place in the USSR has become a major treat to democratic processes taking place in Estonia and has made it impossible to restore the independence of the Republic of Estonia by bilateral negotiations with the USSR;

The Supreme Council of the Republic of Estonia resolves:

- to affirm the independence of the Republic of Estonia and to apply for the restoration of the diplomatic relations of the Republic of Estonia;
- to set up a Constitutional Assembly of delegates nominated by the Supreme Council of the Republic of Estonia as the highest legislative body of state power in the Republic of Estonia and by the Estonian Congress as the representative body of the citizens of the Republic of Estonia for the preparation of the Constitution of the Republic of Estonia and for submitting it to a public referendum;
- to hold the parliamentary elections of the Republic of Estonia by the new Constitution of the Republic of Estonia by the end of 1992.

Signed by Arnold Rüütel, Chairman of the Supreme Council of the Republic of Estonia

Tallinn, August 20th 1991

Appendix 22

Resolution of the State Council of the USSR on the recognition of independence of the Republic of Estonia⁶⁷

Taking into account the concrete historical and political circumstances of the Republic of Estonia joining the USSR, the State Council of the USSR resolves:

- i) To recognise the independence of the Republic of Estonia.
- ii) In accordance with the resolution of the 5th (extraordinary) Congress of People's Deputies of the USSR, to conduct negotiations with the Republic of Estonia for answering the whole range of questions related to securing human rights and the interests of the USSR and its member states on economic, political military, border, humanitarian and other issues.

To form a plenipotentiary state delegation of the USSR for negotiations with the Republic of Estonia and to issue the delegation the necessary powers.

Taking into account the special interest of the Russian SFSR that has a common border with the Republic of Estonia, to include its representatives in the above named state delegation of the USSR.

- iii) In solving issues related to the recognition of the independence of the Republic of Estonia, to consider the need to carry out the responsibilities of the USSR to the world community, as well as to observe generally accepted standards of international law and human rights and freedoms and ethnic minorities that are established in agreements between states and in other acts in which the USSR is participating.
- iv) In accordance with the Declaration of Human Rights and Freedoms, adopted in the 5th (extraordinary) Congress of People's Deputies of the USSR, to acknowledge that the citizens of the USSR who express a wish to stay in the Republic of Estonia or wish to move to the USSR are subject to the protection of the USSR and this specific republic whose citizenship they will take.

⁶⁷ Published in Estonia newspaper, issue 208, 8th September 1991

- v) For the Ministry of Foreign Affairs of the USSR, to announce its support to the application made by the Republic of Estonia in entering the United Nations Organization as well as express its support to joining the Commission on Security and Cooperation in Europe.

State Council of the Union of Soviet Socialist Republics

Moscow, the Kremlin

6th September 1991



On 23rd August 1939, Soviet Foreign Minister Molotov and German Foreign Minister Ribbentrop finalised negotiations for the Soviet-German Treaty of Non-Aggression or “Molotov-Ribbentrop Pact”. In addition to the explicit terms of the treaty, a secret protocol was signed which divided Eastern Europe between the respective “spheres of influence” of Hitler’s Third German Reich and Stalin’s Soviet Union. Following the outbreak of the Second World War, the treaty and its secret protocols would provide a blueprint for the Soviet annexation of several countries, including Estonia, Latvia and Lithuania. Fifty years after the Pact had sealed the fate of the Baltic States and others, a Soviet commission was formed to assess its legality and historical consequences. A number of Estonians were to play a pivotal role in the outcome. During Christmas 1989, amid increasing popular demonstrations by the Baltic peoples in favour of secession from the Soviet Union, the commission completed a historic diplomatic victory which undermined the impenetrable edifice of official Soviet dogma – the Pact and its secret protocols were officially denounced by the highest authorities of the Soviet Union. Within two years the Soviet Union had disintegrated.

This book tells the dramatic story of the commission’s work. For this second edition (the first translation into English), the complete text of the first edition by Heiki Lindpere, an expert consultant to the 1989 commission, is accompanied by commentary, recollections and interviews concerning the commission’s work and events of that period from some of the people most closely involved. In addition, this edition includes English translations of historic documents central to the story, including the text of the 1939 Pact and Soviet-German correspondence, statements from the 1989 commission, and the speeches which called for an end to the lies and sealed the victory.