
Presidential Documents

Title 3—

Presidential Determination No. 96-6 of December 6, 1995

The President

Assistance Program for New Independent States of the Former Soviet Union

Memorandum for the Secretary of State

Pursuant to Section 577 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1994 (Titles I-V of Public Law 103-87), I hereby certify that Russia and the Commonwealth of Independent States continue to make substantial progress toward the withdrawal of their armed forces from Latvia and Estonia.

You are authorized and directed to notify the Congress of this certification and to publish it in the Federal Register.



THE WHITE HOUSE,
Washington, December 6, 1995.

MEMORANDUM OF JUSTIFICATION REGARDING CERTIFICATION UNDER SECTION 577 OF THE FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 1994 (TITLES I-V OF PUBLIC LAW 103-87)

There continues to be active and substantial progress on the issue of Russian and CIS troop withdrawal from the Baltics since the President's previous determination under Section 577 "of substantial progress" on June 6, 1995.

Since the last determination, the troop withdrawal agreement between the Russian Federation and Estonia was ratified by the Russian State Duma on July 21, 1995, and endorsed by the Federation Council on October 4. Russian President Boris Yeltsin signed the federal law on ratification of the treaty on October 13. The agreement awaits ratification by the Estonian legislature. As noted previously, the troop withdrawal agreement between the Russian Federation and Latvia has been ratified by both countries, the documents of ratification having been exchanged on February 27, 1995.

By its terms, Section 577 remains in force until the President certifies to the Congress under Section 577(b) that all Russian and CIS armed forces have been withdrawn from Latvia and Estonia, or that the status of those armed forces has been otherwise resolved by mutual agreement of the parties. The Section 577(b) certification is not being made at this time, pending ratification by Estonia of the agreement between the Russian Federation and Estonia.

The residual issues remaining between Russia and Latvia and Russia and Estonia relating to troop withdrawals continue to be primarily political and social rather than military. In particular, there continues to be the question of Russian/CIS military personnel demobilized in place before August 31, 1994, when all active duty military personnel and equipment were

withdrawn from Estonia and Latvia according to agreement. As noted previously, the lack of precise data for determining the number of troops demobilized in place, combined with certain ambiguities in the agreements, contribute to the difficulty of resolving these residual issues. Humanitarian concerns continue to constitute another factor. Since the June 6, 1995 determination, the parties have actively worked on both bilateral and multilateral levels to resolve these residual issues. In particular, they have used the OSCE Permanent Council and OSCE missions as fora for raising, and working through, their differences.

Latvia and Russia continue to review lists of demobilized officers in an orderly manner to clarify the status of these individuals. In September 1995, Russia submitted updated lists totaling 1238 former Russian military personnel whose status is still unresolved. The Latvians have told the OSCE Mission to Latvia that they believe another 163, outside these lists, reside in Latvia illegally. Of the 1238 on the Russian lists, Russia has committed to repatriating 401 by the end of 1995. In addition, since the last determination, the Russians have recognized the need for individual case-by-case review of a second major category of the 1238, comprised of 771 cases. The Russians have redesignated the category "those claiming to have the right to stay," rather than those "having the right to stay." In noting the progress the two sides have made in resolving the issue of demobilized officers, the OSCE Mission has also commended the political will shown by the Latvian Government in agreeing to investigate each claim to stay with appropriate care. Latvian President Ulmanis stated in September that, despite their serious foreign policy disagreements, Latvia and Russia are continuing to develop good-neighborly bilateral relations.

The bilateral dialogue between Russia and Estonia has broadened and deepened since the last determination. On October 11, Russian Foreign Minister Kozyrev and Estonian Foreign Minister Riivo Sinijarv met in Helsinki to discuss, among other issues, the Estonian ratification process for the July 1994 agreements on troop withdrawal and Russian military pensioners. Sinijarv termed the meeting "very constructive and relaxed," and noted that despite difficulties, the two countries had achieved certain progress in the normalization of Estonian-Russian relations. In November, a group of Russian State Duma members visited the Estonian capital of Tallinn and discussed with their counterparts the schedule for ratification by Estonia of the bilateral agreements signed in July 1994. In mid-November during UNESCO's 50th anniversary celebrations in Paris, Estonian President Lennart Meri noted that "relations between Russia and Estonia have already passed their most difficult stage." He highlighted the progress made on the border talks as an example of this new phase in relations and stated that he viewed future relations with Russia with "optimism."

The decommissioning of the Paldiski facility in Estonia has also been cited by both sides as a major bilateral success. In his 50th UNGA address, Foreign Minister Sinijarv noted that on September 26 "the final remnant of occupation, in the form of the former Soviet nuclear submarine training facility at Paldiski, will be turned over to Estonian authorities by civilian Russian dismantling specialists. I take this opportunity to acknowledge Estonia's satisfaction with the Russian Federation's having fulfilled its commitments in this regard, as mandated by the agreement signed by Russia and Estonia on 30 July 1994."

Russia and Estonia continue to use the OSCE Permanent Council mechanism to raise issues of dispute. The Russians, for example, chose to use the October 12 meeting of the Permanent Council to express concern over a decision by the Estonian Parliament to remove from the week's agenda ratification of the bilateral Russian-Estonian agreement on military pensioners. Estonia replied that the Estonian government had resigned on October 11 and that this issue took precedence over ratification of the bilateral agreement. Since the October 12 OSCE meeting, the Estonian Parliament has been reviewing the package of troop withdrawal agreements for ratifica-

tion as a high priority agenda item. On November 29, the package of agreements passed the first of three required readings in the Estonian Parliament. The OSCE has also appointed a representative to the Commission dealing with the granting of residence permits for Russian military pensioners desiring to stay in Estonia. Applications are being submitted and processed on a case-by-case basis under this program.

In U.S. discussions with Russian, Latvian, and Estonian officials, the residual troop withdrawal issue no longer receives the priority it once did as an outstanding problem between Russia and Latvia and Russia and Estonia. Further, local press commentators in the leadup to the September 30–October 1 elections in Latvia pointed out that normality had come at last to Latvia. Troop withdrawal concerns had ceased to be a key issue for the populace; integration into European institutions as well as bread and butter issues had taken on greater importance.

Russia and Latvia and Russia and Estonia continue to recognize the importance of dialogue and diplomacy in resolving the residual issues relating to troop withdrawals. They continue to look for practical ways, including through international mechanisms, to solve their differences and have moved significantly towards normal bilateral relations. In a November 7 speech to the opening session of the sixth Saeima in Riga, Latvian President Ulmanis eloquently defined the challenge and the goal facing the parties: “To find a fruitful balance for this mutual tension of political factors is both a task and a challenge to the creative and diplomatic abilities of our politicians.”

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