The Case for Secession of the Königsberg Region
in International Law Perspective

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Abstract

This paper analyses the Königsberg region in the World War conferences: the Washington, the Teheran, the Yalta, the Potsdam conferences as well as the Paris Peace Conference in international law perspective. It attempts to answer the key question: was the Soviet presence in the Königsberg region after the World War II legal? Primary archival sources of the National Archive in Washington, D.C., the Public Record Office in London, the Churchill’s College, Cambridge University and of the J Mudd Manuscript Library, Princeton University for the James Baker’s collection of documents on reunification of Germany were used in the preparation of this study. It has been found that Stalin has made a claim to the Northern part of the Königsberg region during the Teheran and the Potsdam conferences but there was not any international agreement or treaty signed about the transfer of the occupied territory to the Soviet Union, neither at the Potsdam conference, nor during the so called 4+2 negotiation on the reunification of Germany. Therefore, this article claims that the Soviet military presence in the Königsberg region was illegal, similarly to the illegal occupation of the Baltic States. This work also attempts to draw some parallels with other secession cases in international relations, analyzing similarities and differences. It concludes that it would be within the long-term interests of the United States and the Transatlantic Alliance to emphasize the policy of the non-recognition of the incorporation of the Königsberg region into the Soviet Union.
Introduction

This article argues that the territory of the present Kaliningrad region historically was never part of Russia, and that its continued occupation by Russian military and security forces implies a “right of conquest” which is not sustainable in international agreement or international law. Indeed, the present status of the Königsberg/Karaliaučius/Kaliningrad region is not defined well at the international level. The Soviet Union broke an agreement of the Potsdam conference, namely its undertaking not to mark its western borders and not to incorporate Königsberg and the adjacent area into the USSR in advance of the final peace settlement. In addition, the Soviet Union no longer exists, but Russia retains its hold on this illegally occupied territory, a trophy of the Second World War.

The neighbouring states of Lithuania, Poland and Germany, as well as the Scandinavian states, are deeply interested in the demilitarization of the region. The Balts welcomed the U.S. House of Representatives resolution demanding the withdrawal of Russian troops from the region, which was unanimously passed in 1996. However, almost nothing appears to have happened since, as the Russian Army is still there and the pollution of the Baltic Sea still continues on a critical scale.

With the enlargement of NATO and the EU, the question of the Königsberg/Karaliaučius/Kaliningrad region has inevitably become a part of the international agenda, not least because this region, which contains a rusting Soviet fortress, the legacy of Russian Stalinist expansionism into Europe, found itself located as its exclave within the territory of NATO and the EU since April 2 and May 1, 2004.1

The region of Königsberg/Karaliaučius is a separate territory (Kaliningradskaya oblast) which is currently administered as part of the Russian Federation.2 It lies on the Baltic shore between Poland and Lithuania, and is separated from Sweden by the Baltic Sea. Until the Second World War this region was a part of Germany, known as East Prussia. When the German frontiers were redrawn after 1945, the Allies agreed to assign the southern part of East Prussia to Poland, but the northern part was annexed by the Soviet Union, despite the agreement of the Soviet delegation at Potsdam, described in detail below, not to mark the western borders of the USSR and not to incorporate Königsberg and the adjacent area into the Soviet Union in advance of a peace settlement. Thus, it is important to emphasise that though the region is currently administered by Russia, it can be argued that it is not a legal part of Russia.3

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1 The Baltic States were invited to join NATO during the Prague Summit on November 21, 2002 and they became full NATO members on April 2, 2004. They also completed their negotiations for joining the European Union and they were invited to join it together with other ten candidate states during the Copenhagen summit of December 12 – 13, 2002. Lithuania, Poland, Estonia, and Latvia overwhelmingly voted “for” in their EU referendums. (In Lithuania 89.95 percent of voters voted for joining the EU on May 13 and 14, 2003 and 8.82 percent were “against” from among the 63.37 percent of the electorate who voted. In Poland 74.77 percent voted for joining the EU on June 7 and 8, 2003, while 25.23 percent were “against” from 57.34 percent of all eligible voters. In Estonia 64.1 percent of eligible voters took part in the referendum on September 14, 2003, 66.8 percent of voters voted in favor of joining the EU, and 33.2 percent were against. In Latvia 72.5 percent of voters participated in the referendum on September 20, 2003 and 67 percent voted for the joining of the EU with 32.3 percent of voters “against”). The Baltic States became full EU members on May 1, 2004.

2 We will use the historic name Königsberg but we will not change other spelling (Koenigsberg, Königsburg, Konigsberg) used in the quotations from the archival material. The Lithuanians call the area the Karaliaučius region or Mažoji Lietuva, Lithuania Minor. The Russians still call it the Kaliningrad region from the name of Kalinin, Soviet Commissar and President of the Stalinist Soviet State.

3 See Richard J. Krickus, The Kaliningrad Question (Lanham: Rowman & Littlefield, 2002), pp. 172-174. Professor Krickus argues that the United States should now recognize Kaliningrad as a de jure part of Russia, while the author of this book argues that it is now the right time
1. The question of East Prussia in Paris peace conference

The British Foreign Office Research and Press Service paper “East Prussia at the last Peace Settlement” dated August 10, 1942 summarized the distribution of East Prussian territory after the First World War:

Danzig was made a Free City under the League of Nations. The Memel territory was ceded to the Allies and later annexed by Lithuania. Poland was given Pomorze. Plebiscites were ordered in Masuria (Allenstein) and the Marienwerder area. German objections to these terms (particularly to the geographical severance of East Prussia from the rest of the Reich) were overruled. The plebiscites went for Germany who thus finally retained all her pre-1914 territory between the Vistula and the Memel rivers⁴.

British Prime Minister Lloyd George opposed Polish claims to Danzig and Marienwerder which would bring over two million Germans under Polish rule. He thought that “the German government might refuse to sign such a treaty, or fall if it signed⁵.” He also believed that “this would spread bolshevism across Europe⁶.” According to the paper, he finally converted President Wilson to his view, and the “French and Italian representatives acquiesced⁷.”

2. East Prussia and the Königsberg issue at the World War II conferences

Primary archival documents of all major Second World War conferences were examined in the National Archive in Washington, D.C. and in the Public Record Office in London during the preparation of this study. It has been found that Stalin has made a claim to the northern part of East Prussia (the Königsberg region) during the Teheran and the Potsdam conferences, suggesting that the southern part should be assigned to Poland if the Allies recognize the new Soviet borders. There was no any international agreement or treaty signed about the transfer of the occupied territory to the Soviet Union, neither at the Teheran conference, nor at Potsdam conference, so the Title has not been transferred to the Soviets⁸. The Soviet Union occupied the Königsberg region and administered it, de facto but not de jure in legal terms.

for the United States to emphasize the policy of non-recognition of the incorporation of this region into the USSR and to raise the issue of the illegality of the Russian presence in the region internationally.

⁴ “East Prussia at the Last Peace Settlement,” PRO C12826, December 22, 1942
⁵ Ibid.
⁶ Ibid.
⁷ Ibid.
Foreign Secretary Anthony Robert Eden wrote to his American counterpart James Francis Byrnes that in December 1941 Stalin had informed him that he regarded the question of the western frontiers of the Soviet Union as “the main question for us in the war.” In preliminary talks, the possible border along the so-called Curzon Line of the Paris Peace Conference was discussed between Stalin and Eden during his visit to Moscow in 1941 and with Molotov in London in 1942.

**Teheran conference**

In the Teheran conference (28 November 28 – December 1, 1943) Anthony Eden said that it was the line known as the Ribbentrop-Molotov Line. After substantial discussion on the future of Germany and its partition, Stalin was seeking a deal on East Prussia at the Teheran conference in 1943, himself drawing the line with a red pencil on a map “to illustrate the fact that if part of eastern Prussia, including the ports of Königsburg and Tilsit, were given to the Soviet Union he would be prepared to accept the Curzon line [...] as the frontier between the Soviet Union and Poland.” This line goes roughly along the current border between the Kaliningrad region and Poland, but Stalin’s red line on the map went virtually through the cities of Königsberg and Insterburg. Charles E. Bolen, the interpreter for the American delegation, says in his memoirs that during their discussion Stalin and Churchill virtually agreed on the future borders of Poland but the official American record of the conversation says that “although nothing was stated, it was apparent that the British were going to take this suggestion back to London to the Poles.”

**Yalta conference**

On February 11, 1945, at the Crimea (Yalta) Conference the Big Three agreed on the boundary between Poland and the USSR as being the Curzon Line (with minor deviations from the Line surrendering a few miles in favor of Poland). However, the archival material clearly shows that there had not been any legally binding agreement made between the allies about the transfer of the Königsberg region to the Soviet Union at any conference. This is why Stalin attempted to secure his gains at the Potsdam conference in Berlin, which took place from July 17 to August 2, 1945. (The conference was named the Terminal conference in the British diplomatic correspondence or alternatively the Berlin conference).

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15 World War II conferences material (Boxes 1A-10b), National Archive II, Washington, D.C.
Potsdam conference

“At plenary session on July 22nd Marshal Stalin circulated a draft paper [...] seeking the approval of the Conference for a proposal that pending the final settlement of territorial questions at the Peace Congress the boundary of the U.S.S.R. should embrace the northern half of East Prussia including Königsberg.”

The Soviet delegation presented the following draft of the document entitled “On shaping the decision of the Three Heads of Government regarding the transfer to the Soviet Union of the Königsberg area”:

The Conference approved the proposal of the Soviet Union that pending the final settlement of territorial questions at the Peace Congress, the part of the western border of U.S.S.R. adjoining the Baltic Sea should follow the line from the point on the eastern shore of the Danzig Bay indicated on the map, annexed hereto, eastward - north of Braunsberg - Goldap to the junction of the frontiers of the Lithuanian S.S.R., the Polish Republic and the former East Prussia.

The British preparatory material for the Potsdam conference clearly states that “the Soviet draft is not acceptable in its present form” because it would commit His Majesty’s Government to:

(i) admitting that the Königsberg area is not under the authority of the Allied Control Council in Germany;
(ii) admitting that East Prussia no longer exists;
(iii) recognising the incorporation of Lithuania into the U.S.S.R. as the Lithuanian Soviet Socialist republic.

“It would seem preferable that we should not ourselves propose a redraft at this stage, but should first see whether the Russians cannot be persuaded to withdraw their proposal,” stated the British Foreign Office document entitled “Königsberg.”

However, the British protocol of July 24 reports that:

At plenary session on July 23rd Prime Minister explained that Soviet Delegation’s draft would in effect require His Majesty’s Government to recognise (a) that East Prussia no longer existed and that this area had been withdrawn from the authority of the Control Council in Germany, and (b) the incorporation of Lithuania in the U.S.S.R. On the other hand he had already made it clear that His Majesty’s Government were in full sympathy with this Soviet claim. President Truman stated that the United States Government likewise saw no objection in principle to this part of Germany being transferred to the Soviet Union in due course. It was agreed that the Conference should record understanding that His Majesty’s Government and the United States Government would support the Soviet claim at the peace settlement.

Stalin presented two main arguments why Russia had to have this port in its possession at the expense of Germany, when submitting the draft of a text on the western borders of the USSR:

16 PRO FO 10 (37).
17 PRO FO 10 (37).
18 PRO FO 934/2, p. 508.
19 PRO FO 934/2, p. 508.
20 PRO FO 10 (37).
First, Russia had shed so much blood and gone through untold suffering during the present war. Secondly, Russia was anxious to secure some piece of German territory, so as to give some small satisfaction to the tens of millions of her people who had suffered in the war.  

President Truman said that the American delegation was ready to agree to this proposal in principle, though they thought that “some examination of it on ethnological grounds might prove necessary. But he raised no objection to Russia acquiring a piece of German territory.” Mr Churchill agreed also in principle with the Soviet claim, but he emphasised that all legal issues had to be solved in a peace settlement:

The only question which now arose was what he might describe as the act of legal question of transfer. At present the Soviet draft involved an admission by us all that East Prussia no longer existed, and that Koenigsberg and the territory around it was under the authority of the Allied Control Commission for Germany, and that Lithuania was now one of the Soviet Republics. All these were really matters for the final peace settlement. But so far as His Majesty’s Government were concerned, we were ready to support the Soviet wish that the Peace Treaty should make provision for the U.S.S.R. acquiring the port of Koenigsberg.

He also emphasised that “he made this statement as one of principle. He had not examined the exact line on the map, and this would be a question which would have to be examined at the Peace Conference. But he would like to assure Premier Stalin of a continuing support of the Russian position in this part of the world, when the Peace Conference came.”

Stalin agreed that a final settlement of this question would be made at the Peace Conference and he “was satisfied with the assurances given by the British and United States governments.” Churchill suggested the redrafting of the Russian statement “in somewhat more general terms” and that “meanwhile the understanding of the three Great Powers would be recorded in the conclusions of the present Conference.”

However, if we read the final document of the Potsdam conference without a deep analysis and knowledge of the context and without careful reading of the protocols of the British and American delegations, the impression can arise that the Potsdam conference agreed to the final transfer of Königsberg and adjacent areas to the Soviet Union and that the case is therefore closed. Indeed, many researchers wrongly take for granted that the region was “ceded to the Soviet Union by the Western allies” at the Potsdam conference in 1945. The final text of the sixth paragraph of the Potsdam declaration says:

VI. CITY OF KOENIGSBERG AND THE ADJACENT AREA.

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21 CHAR 20/209/6, Churchill Papers, Churchill Archives Centre, Churchill College, p. 186 (Prime Minister’s printed personal minutes, June and July 1945. June 1, 1945 – July 23, 1945).

22 Minutes.

23 Minutes.

24 This is particularly important point because Churchill linked the Königsberg question with the question of the status of Lithuania, which was never ultimately recognized as part of the Soviet Union by the British Government. See Minutes.

25 Minutes.

26 Minutes.

The Conference examined a proposal by the Soviet Government that pending the final
determination of territorial questions at the peace settlement, the section of the western frontier of
the Union of Soviet Socialist Republics which is adjacent to the Baltic Sea should pass from a
point on the eastern shore of the Bay of Danzig to the east, north of Braunsberg-Goldep, to the
meeting point of the frontiers of Lithuania, the Polish Republic and East Prussia.

The Conference has agreed in principle to the proposal of the Soviet Government
concerning the ultimate transfer to the Soviet Union of the City of Koenigsberg and the area
adjacent to it as described above subject to expert examination of the actual frontier.

The President of the United States and the British Prime Minister have declared that they
will support the proposal of the Conference at the forthcoming peace settlement.28

This declaration was signed by Truman, Attlee, and Stalin. After Churchill lost the subsequent
General Election to Attlee, the new British Prime Minister came to the Potsdam conference in
Berlin.

The real agreement is, however, clearly and thoroughly reflected in the protocol of the
British delegation. It reports the agreement of the Soviet delegation to comply with the demand
of the British and American delegations, its obligation not to incorporate the territory of the
region and not to mark the western borders of the USSR in advance of the Peace Settlement:

M. MOLOTOV said that on the substance of this question there was no misunderstanding
between the three Delegations. The Soviet Delegation fully accepted the position that there could
be no actual transfer of territory in advance of the peace settlement and, further, that the actual
frontier could not be delimited in detail without expert examination on the spot.29

The protocol of the American delegation also confirms the agreement by saying:

MR. BYRNES pointed out that the President had taken a position on all discussions such as this
that it must be understood that the cession of territory would have to be left until the peace
settlement.

MR. MOLOTOV stated that everyone agreed to this.30

Thus it is important to emphasize once again that the Soviets agreed at Potsdam that their
western borders would be subject to negotiation at the Peace Settlement by the Allies. It is
interesting to note that Stalin signed up to the wording “the frontier of Lithuania” not to the
wording “the frontier of the Lithuanian S.S.R.,” as originally suggested in the Soviet draft, thus
also emphasizing the illegal nature of the incorporation of the Baltic States into the USSR.31

However, the Soviets broke the Potsdam agreement and incorporated Königsberg and the
adjacent area into the Soviet Union in advance of the Peace Settlement. Stalin refused to
negotiate the withdrawal from Europe. The speedy satisfaction of Russia’s wishes was the naïve
idea of Churchill himself. He wanted to persuade Stalin to agree to the withdrawal from Poland

28 The Potsdam Declaration, President Truman Library, Independence, Missouri.
29 CHAR 20/236, Churchill Papers, Churchill Archives Centre, Churchill College, p. 258 (Official: Prime Minister’s “Terminal”: record
of the proceedings of the [Potsdam] Berlin Conference [Germany], 17 July to 1 August, 1945).
30 Minutes of the Eleventh Meeting of the Foreign Ministers, 11:25 A.M. August 1, 1945, President Truman Library, Independence,
Missouri.
31 Lithuania and the other Baltic States, Latvia and Estonia, were incorporated into the Soviet Union in 1940 as a result of the Molotov-
Ribbentrop pact of 1939.
and the rest of Central and Eastern Europe, including possibly also the Baltic States, by accepting the Soviet claims to Königsberg and its adjacent area, but with the condition that the Imperator agree to negotiate the Bear’s withdrawal from Europe (Churchill’s terminology), to facilitate achieving the final Peace Settlement. Churchill wrote to President Truman in his top secret telegram after the capitulation of Berlin on May 11, 1945, expressing his concern about Russia:

[...] We may be able to please them [the Russians] about the exits from the Black Sea and the Baltic as part of a general settlement. All these matters can only be settled before the United States Armies in Europe are weakened. If they are not settled before the United States Armies withdraw from Europe [...] there are no prospects for satisfactory solution and very little of preventing a Third World War. It is to this early and speedy showdown and settlement with Russia that we must now turn our hopes.\(^{32}\)

He also wrote to President Truman the next day, repeating his anxieties:

I am profoundly concerned about the European situation. What about Russia? [...] The absolute combination of Russian power and the territories under their control or occupied, occupied with the communist technique in some other countries, and above all their power to maintain very large armies in the field for a long time. [...] An iron curtain is drawn down upon their front. We do not know what is going on behind.\(^{33}\)

Despite this denial Churchill was in fact well informed about the communist terror, particularly in Poland. The people of the Königsberg region suffered even more intense terror. Indeed, after the Soviet Army entered the region in October 1944, the inhabitants experienced mass murder at the hands of the communists. Probably the most brutal ever mass rape and murder of German women and children took place in the Königsberg region. Almost all the Germans and Lithuanians living there were killed or deported to Soviet concentration camps in Siberia. It was not until the late 1980s that ethnic Germans from other parts of the Soviet Union were allowed to settle there again, and it now seems likely that some 10,000 Germans live there today, half of them in Kaliningrad, the capital.

3. East Prussia and the Re-unification of Germany

The question of East Prussia and the Königsberg region has been omitted from the discussions on the re-unification of Germany. James Baker’s collection of private papers, which is closed for the general public, has been examined at J. Mudd Manuscript Library of Princeton University. Although the documents of the unification of Germany contain the “Elements of a Final Settlement,” a member of the American delegation assured me that the Königsberg issue was left

\(^{32}\) CHAR 20/218/109-110, Churchill Papers, Churchill Archives Centre, Churchill College, p. 86 (Prime Minister to President Truman marked “Personal and Top Secret,” May 11, 1945).

\(^{33}\) CHAR 20/218/109-110, Churchill Papers, Churchill Archives Centre, Churchill College, p. 109 (Telegram from WSC to President Harry Truman marked “Personal and Top Secret” expressing his concern over the future strength of the Soviet Union in Europe and what is going on behind the “iron curtain” of the Soviet Front; and asserting the importance of them coming to an “understanding” with the Soviet Union before they withdraw significant forces from Europe and retire to their zones of occupation,” May 12, 1945).
aside on purpose so that the Soviets would not be able to claim that the United States recognized the region as being a part of the Soviet Union.\textsuperscript{34}

\textbf{4. Legality of occupation?}

“Formerly, conquest followed by annexation with or without a treaty of cession gave good title to territory” but “the use of force by one state against another cannot now be considered as a legal method of acquisition of title to territory."\textsuperscript{35}"

Under the law of the Charter of the United Nations, it appears that neither the sovereign dispossessed by force nor other states may lawfully recognise the title of the aggressor: Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in Accordance with the Charter of the United Nations, principle 1, General Assembly Resolution 2625 (XXV) of 24 October 1970. Peace treaties imposed by force are void: see the Vienna Convention on the Law of Treaties (Vienna, 23 May 1969; TS 58 (1980); Cmd 7964) art 52; and para 105. The principle of non-acquisition applies whether or not a state originally resorted to force lawfully. A state using force to take control of the territory of another state becomes the belligerent occupant of territory, its powers limited by international law: see war and armed conflict vol 49(1) (2005 Reissue) para 573.

So, it follows that the Soviet military presence in the Northern part of East Prussia (the Königsberg region) is illegal also according to the International Relations Law and the Charter of the United Nations.

In addition, President Truman absolutely rightly noted in his diary, which is now on exhibit at his Library in Independence, Missouri, that “the Soviets broke all agreements: Teheran, Yalta, Potsdam, they raped Bulgaria, Romania, Estonia, Latvia, and Lithuania.”\textsuperscript{36}

Unfortunately, the Russians still fail to understand that the withdrawal of their remaining military troops from Europe would not reduce their prestige but, on the contrary, would improve their “face” and their relations with the West.

\textbf{5. The Kaliningrad region is an anomaly and an anachronism}

Inevitably the future of this region lies with Europe. President Vytautas Landsbergis, Member of the European Parliament, made a statement on the Karaliaučius-Kaliningrad region on May 23, 2002 which suggested that Europe should initiate a “real international debate on this issue.” He asked in addition: “Will the European Union be responsible for this region in future, or will its neighbours, Poland, Lithuania or Sweden?"\textsuperscript{37} In July 2004 he suggested the establishment of a

\textsuperscript{34} JAB notes from 5/4/90 mtg. w/USSR FM Shevardnadze (in conjunction w/2+4 mtgs.) Bonn, FRG. James A. Baker III Papers, Seeley G. Mudd Manuscript Library, Princeton University, MC#197, Series B: Secretary of State, Box 108, Folder 1.


\textsuperscript{36} See the diary of President Truman in the exhibition of his Presidential Museum in Independence, Missouri.

parliamentary group in the European Parliament for the solution of the Königsberg problem, and thirty other members of the European Parliament have expressed interest in joining. Vytautas Landsbergis’ book “Karaliaučius ir Lietuva” (Königsberg and Lithuania) is an important collection of documents and it is the most significant contribution to the debate on the future of this region in Europe. As early as February 16, 1992 Vytautas Landsbergis, then President of the Lithuanian Parliament, called the region an anachronism, demanding the withdrawal of all Russian military troops. He also called for a change in the status of the region at the international conference organized by the Lithuanian Parliament in 2006, but the Russians are still keeping the region as a trophy of the Second World War, just as they keep the Northern territories of Japan.

6. The Russian Military Fortress within the EU

There are probably more Russian troops concentrated there than there are American army personnel in the remainder of Europe. The Military Balance of the International Institute of Strategic Studies (2006, 2007, 2008, 2009 and 2010) indicates a slight increase in ground forces in 2006 in comparison with the numbers of military vehicles in 2001 (some 837 battle tanks (plus some 26 tanks of the naval infantry – 864 all together), 865 armoured vehicles (plus some 220 armoured vehicles of the naval infantry – 1,085 all together).

[i] In 2006, there were 51 Su-27 aircraft: 28 SU-27 aircraft Flanker (Baltic Fleet) coastal defense plus 23 Su-27 Flanker naval aviation and 26 Su-24 Fencer as well as 14 other planes (12 An-12 Cub / An-24 Coke / An-26 Curl; 2 An-12 Cub), all together 91 planes (Baltic Fleet) and 55 helicopters (including 11 Mi-24 Hind attack helicopters, 19 Ka-28 (Ka-27) Helix, 8 Ka-29

38 “V. Landsbergis iniciuoja specialios grupės Kaliningrado klausimais įsteigimą” (Vytautas Landsbergis initiates a special group for the solution of issues related to Kaliningrad), ELTA, July 26, 2004.


41 The United States reduced the presence of American troops in Europe from 250,000 to 100,000 in 1997. Further withdrawal of more than 70,000 troops from Germany and South Korea is foreseen within ten years (2004-2014). See e.g. Roland Eggleston, “Germany: Dismay In Some Towns Over Planned U.S. Troop Withdrawal”, RFE/RL HEADLINES, August 18, 2004. Also, the President of the United States, despite the deep concerns of the Government of Iceland, decided that Naval Air Station, Keflavík in Iceland “will begin a transition to a reduced “footprint” which will be completed by 30 September 2006.” http://www.naskef.navy.mil/template5.asp/PageID=51&newsID=318. This ongoing American withdrawal from Europe undoubtedly contradicts the long-term national security interests of the United States, despite all justifications about the permanent relocation of troops closer to the war areas in the Middle East. It indirectly encourages the nostalgic authoritarian Russian regime to take up more adventurous policies towards Central Europe, including the Baltic States, thus increasing the chance that the present economic war in Europe between the expansionist Russian state and oil and gas companies and the governments defending their key infrastructure will grow into a military confrontation not least because of the possibility of an accumulated perception by the Russians that the United States would choose to refuse to defend its NATO allies in Europe if Russia decides to attack the EU in future. Therefore, the fascist Russian regime can try to use its military forces in adventurous attempts to occupy a smaller NATO country, under various pretexts and explanations, checking the overall NATO response and imagining that such a step could contribute to the eventual dissolution of the North Atlantic Alliance, as some experts foresee within the next twenty years. On the other hand, if the Russian influence in Washington, D.C. continues to increase further and if the whole layer of short-sighted middle ranking officers, who think that “Putin is our ally,” remains within the Pentagon and the Department of State, the repetition of the tragedy of 1939 in Europe will be more likely, particularly when the neo-conservatives have already succeeded in shifting all U.S. foreign policy from dismantling communist power structures in Russia to the development of democracy in the Middle East.
The ground and airborne forces were backed by 18 SS-21 Scarab (Tochka) missiles and the coastal defense – by a regiment of 8 surface-to-surface SS-C-1B Sepal missiles. (These Sepal missiles (the so-called shorter range missiles - up to 745 km range with 350 kT conventional or nuclear warheads) are prohibited by the INF treaty).  

[ii] According to the ISSS, the Kaliningrad Oblast had in 2006 some 10,500 ground troops, 1,100 naval infantry plus four additional regiments (approximately four thousand men). So, it mentions about sixteen thousand troops altogether. The Swedes and Danes give a similar figure, and this figure is generally accepted. The Military Balance (2006, 2007, 2008, 2009 and 2010) indicates a slight increase in ground forces in 2006 in comparison with the numbers of military vehicles in 2001.  

[iii] In 2008, there were 28 Su-27, 26 Su-26 aircraft (Baltic Fleet) and 11 attack as well as 44 transport helicopters. The ground forces in the Kaliningrad area were backed also by 18 SS-21 Tochka (Scarab) missiles and the coastal defence – by a regiment of 8 surface-to-surface SS-C-1b Sepal missiles. Both type of missiles can be used as nuclear weapons.  

(iv) In 2000, there were 74 aircraft and 41 helicopters in the region, although only one operational submarine.  

[v] In 1996, there were 5 naval aviation regiments: 102 aircrafts and 42 helicopters, and one army headquarters of 24,000 ground troops in the region.  

[vi] One can observe a decrease in numbers of aircraft and attack helicopters as well as troops in the region over the last decade; nevertheless, the exact number of military forces in Russia is still a state secret and probably totals between four and five million (officially 1.1 million). At least 12 agencies in Russia (including border troops, the railways, Interior Ministry, Presidential communications, etc.) have official military organizations. The border troops do not have heavy equipment, so they do not count in the balance of forces. And who can deny that this is all enormously large for this small area of 6,000 square miles (15,000 square kilometres)? Substantial military tasks could be carried out if necessary by these border guards or other military personnel, including relatively young pensioners (age 40+), called back for duty, still residing in the region. Consequently, even a figure of two hundred thousand militarized personnel or roughly one fourth of the population of the region, including women and children, is likely to be a modest one. Surprisingly, “the European Commission was not aware of any demands for the withdrawal of the Russian military presence in Kaliningrad” and it believed that

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“the Russian military presence in Kaliningrad amounts to a total of 16,500 men, with some 8,600 men due to leave by the end of 2003.”

It would be wise for the EU to check if this was the case, because unfortunately Russia still remains “a wild-card in European and regional security scenarios.”

7. Possible solutions

The official policy of Lithuania is that, while it does not have any territorial claims at present, “Lithuania has a potential claim to the Kaliningrad region.” Both Vytautas Landsbergis, former President of the Lithuanian Parliament, and Stasys Lozoraitis, former Lithuanian Ambassador in Washington, D.C. and the head of independent Lithuania’s diplomacy in the West, indicated that this region should belong to Lithuania in future. Lithuania raised her claim to this region in the past, when after World War I, the National Council of Prussian Lithuania issued the following declaration in Tilsit (Sovietsk) on November 30, 1918:

Taking into account that everything that exists has a right to continue existing and that we, Lithuanians who live here in Prussian Lithuania, are the majority of the population of this land, we demand, on the basis of Wilson’s right of national self-determination, that Lithuania Minor be joined to Lithuania Major. All these, who with their signatures have adopted this declaration, pledge to dedicate all their capabilities for implementation of this goal.

From 1998, by the vote of the Lithuanian Parliament, November 20 is officially celebrated as the commemoration day of the Act of the unification of Lithuania Minor with the Republic of Lithuania. In its Lithuanian-Russian Treaty of July 29, 1991 Lithuania recognized the Kaliningrad Oblast as part of the Russian Federation de facto but not de jure. So, Lithuania still keeps an active claim to the northern part of East Prussia open, but at present it is more deeply interested in the demilitarization of the region.

The Baltic Assembly passed a resolution “Concerning the demilitarization of the Kaliningrad region and its future development,” suggesting that “the demilitarization of the Kaliningrad Region should be treated as an essential element for the security process in Central

49 Letter of Gerhard Lohan, Head of Unit (Russia, Ukraine, Moldova, Belarus), Directorate Eastern Europe, Caucasus, Central Asian Republics, External Relations Directorate General, who quoted Jane’s Sentinel security assessment from August 2002.


Europe and the entire Continent.” On the eve of the EU-Russia summit, Prof. Tunne Kelam, Estonian Member of the European Parliament, asked the European Commission “how systematic violation by Russian planes of the borders of EU Member States can be tallied with common values upon which the EU-Russia partnership is officially based. Is not the integrity of the EU’s eastern borders part of our common foreign and security policy? As for Kaliningrad, is it not in the interests of all parties to start to find ways to demilitarize this last vestige of the Cold War in Europe?” The Lithuanian Parliament called for the demilitarization of the Kaliningrad region in its resolution on the crash of the Russian SU-27 fighter in Lithuania. The Lithuanian American Council demanded full demilitarization of the region and that its future be resolved as part of the heritage of the Lithuanian nation.

On the other hand, the EU’s aid to Russia has totalled more than one billion euros since 1990. It does not seem inappropriate to request something in return for this, in the form of a rapid, orderly and complete demilitarization of the Königsberg region. (This is an approach which worked well in the early 1990s when Russian officers received vouchers for housing in Russia, with American assistance, in return for the smooth withdrawal of military forces from the Baltic States).

In addition, taking into account a broader picture of Central and Eastern Europe, it is particularly important that attempts should be made to facilitate regime change in Byelorussia, and to achieve the withdrawal of all Russian military forces from Moldova and Georgia as soon as possible. In this context, we are impelled to note that it is very strange indeed that the U.S. government decided to terminate the broadcasts of Radio Free Europe and Radio Liberty (RFE/RL) to the Baltic States and to Poland as well as other countries of Central Europe in January 2004, as well as to reduce them significantly to Byelorussia and Ukraine. It was a particular paradox at a time when Russia has made attempts to change the foreign policy orientation of Ukraine and to increase its significant influence in the region. It is suggested that this development alone makes it imperative that the U.S. Congress should act to increase assistance funding to the Baltic States, including military assistance programs, and indeed to expand radio broadcasts to other countries of the Baltic Sea region, including Belorussia and Ukraine, while creating a new broadcast, facilitating the liberation of the occupied Königsberg region.

It would also be wise in the long term for other governments to follow the lead of those in the Baltic States in demanding an international court on the crimes of communism, modeled on the Nuremberg trials of Naziism, as a means of cleansing Russia of the stains of the communist period and as a way of finally ending the Cold War, in the way that Nazism was purged from Germany. In the meantime, it would also be particularly important to encourage the international

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community to add pressure on Russia to get the Russians to pay back the grand total of damages to the Baltic States and other Central and Eastern European states related to their occupation ($32 billion to Lithuania alone).  

Conclusions

One can argue that the outcome of the Königsberg question is a litmus test of the European Union itself. Obviously the EU is able to help the region (as we have mentioned earlier, during 2004-2006 this assistance totaled some €392 million or over $400 million, but the real question is whether the European Union can develop firm and clear policies regarding this region’s future. Until it does, its effective stance will remain essentially pro-Russian. In fact the European Union has to create a common strategy toward the Kaliningrad region, replacing its currently ineffective strategy towards Russia.  

Professor Romano Prodi then, President of the European Commission, has stated in his address “A Wider Europe – A Proximity Policy as the key to stability” made in December 2002 to the 6th ECSA-World Conference Peace, Security and Stability: International Dialogue and the Role of the EU that we need to set benchmarks to measure what we expect our neighbors to do […] We might even consider some kind of “Copenhagen proximity criteria.” He also mentioned that 58 percent of Russians wish to join the EU, according to opinion polls performed by the EU at the end of 2002. The percentage in the Kaliningrad region is undoubtedly much higher. Indeed, Russia has to be persuaded to respect human rights and to acknowledge the wish of its people to join the EU, and to let the occupied Königsberg region become free by allowing its integration into the EU. This is the way to resolve the enormous problems of the region, rather than allowing the present clumsy situation to continue.

The question is whether the EU can find the strength to transform its present policies by issuing a clear demand for Russian withdrawal from the Königsberg region. This can be done by attaching conditions to economic aid to Russia and allowing the people of the region and their descendants (but not the colonists, in parallel to the UN case of West Sahara) to decide their own future in a referendum. If this were to happen, the Baltic nations would sincerely recognize that this organization has the genuine intention of playing a positive role in the Baltic Sea region.

An important role in the solution of the Königsberg question might also be imputed to the Council of the Baltic Sea States (CBSS), an organization of multilateral diplomacy and cooperation, established in 1992 at the initiative of Denmark and Germany, and which embraces all countries around the Baltic Sea, including Russia, with the United States participating as an

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59 In 1999 Lithuania’s Government (Prime Minister – Andrius Kubilius, Chairman of the Conservative Party) calculated Russia’s debt as at least 80 billion litas (or $27 billion) due as a compensation for Lithuania’s occupation (1940-1990).


observer. Also the OSCE mechanism for peaceful change of borders could be used. We shall paraphrase the Prime Minister of Hungary, who charged Westerners with “not always understanding his people’s profound longing for Europe,” by saying that “Europe is like grandfather’s watch that was taken away by a Russian soldier.” We might also add that Königsberg, the birthplace of the famous philosopher Immanuel Kant, is like grandfather’s watch, still in the possession of the Red Army. Indeed, the Second World War will at last be over, when the Königsberg/Karaliaučius/Kaliningrad region is finally liberated from Russian occupation, and Russia will then be freer to pursue a destiny of peace with her immediate Western neighbours.

It would be wise for Russia to show its goodwill and to withdraw rapidly, orderly and completely its military and security forces from former East Prussia as they were withdrawn from Denmark in the 1940s, or Austria in the 1950s or the Baltic States, Poland and Germany in the 1990s.

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