

ANNEX II

AGREEMENT ESTABLISHING THE COMMONWEALTH OF INDEPENDENT STATES

We, the Republic of Belarus, the Russian Federation (RSFSR) and Ukraine, as founder States of the Union of Soviet Socialist Republics and signatories of the Union Treaty of 1922, hereinafter referred to as the High Contracting Parties, hereby declare that the Union of Soviet Socialist Republics as a subject of international law and a geopolitical reality no longer exists.

On the basis of the historical commonality of our peoples and the ties that have developed between them, and bearing in mind the bilateral agreements concluded between High Contracting Parties,

Desirous of setting up lawfully constituted democratic States,

Intending to develop our relations on the basis of mutual recognition of and respect for State sovereignty, the inalienable right to self-determination, the principles of equality and non-intervention in internal affairs, of abstention from the use of force and from economic or other means of applying pressure and of settling controversial issues through agreement, and other universally recognized principles and norms of international law,

Considering that the further development and strengthening of relations of friendship, good-neighbourliness and mutually advantageous cooperation between our States are in accord with the vital national interests of their peoples and serve the cause of peace and security,

Confirming our adherence to the purposes and principles of the Charter of the United Nations, the Helsinki Final Act and the other documents of the Conference on Security and Cooperation in Europe,

Undertaking to abide by the universally recognized international norms relating to human and peoples' rights,

We have agreed as follows:

Article 1

The High Contracting Parties hereby establish the Commonwealth of Independent States.

Article 2

The High Contracting Parties guarantee to their citizens, regardless of their nationality or other differences, equal rights and freedoms. Each of the High Contracting Parties guarantees to the citizens of the other Parties, and also to stateless persons resident in their territory, regardless of

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national affiliation or other differences, civil, political, social, economic and cultural rights and freedoms in accordance with the universally recognized international norms relating to human rights.

Article 3

The High Contracting Parties, desirous of facilitating the expression, preservation and development of the distinctive ethnic, cultural, linguistic and religious characteristics of the national minorities resident in their territories and of the unique ethno-cultural regions that have come into being, will extend protection to them.

Article 4

The High Contracting Parties will develop equitable and mutually advantageous cooperation between their peoples and States in the spheres of politics, economics, culture, education, health care, environmental protection, science and trade and in the humanitarian and other spheres, will promote the broad exchange of information and will discharge their mutual obligations conscientiously and in full.

The Parties deem it necessary to conclude an agreement on cooperation in the above-mentioned spheres.

Article 5

The High Contracting Parties acknowledge and respect each other's territorial integrity and the inviolability of existing borders within the Commonwealth.

They guarantee openness of borders, freedom of movement of citizens and freedom of transmission of information within the Commonwealth.

Article 6

The States members of the Commonwealth will cooperate in safeguarding international peace and security and implementing effective measures for the reduction of armaments and military expenditures. They are striving to eliminate all nuclear weapons and achieve universal and complete disarmament under strict international control.

The Parties will respect each other's efforts to achieve the status of a nuclear-free zone and a neutral State.

The States members of the Commonwealth will maintain, and retain under joint command, a common military and strategic space, including joint control over nuclear weapons, the procedure for implementing which will be regulated by a special agreement.

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They also jointly guarantee the necessary conditions for the deployment and functioning and the material and social security of the strategic armed forces. The Parties undertake to pursue an agreed policy on issues of the social welfare and provision of pensions for military personnel and their families.

Article 7

The High Contracting Parties recognize that the sphere of their joint activity, conducted on an equitable basis through common coordinating institutions of the Commonwealth, embraces:

- coordination of foreign policy;
- cooperation in the formation and development of a common economic space and Europe-wide and Eurasian markets and in the field of customs policy;
- cooperation in developing the transport and communications systems;
- cooperation in the protection of the environment and participation in establishing a comprehensive international system of environmental security;
- issues of migration policy;
- combating organized crime.

Article 8

The Parties recognize the planet-wide nature of the Chernobyl disaster, and undertake to unite and coordinate their efforts to minimize and overcome its consequences.

They have agreed to conclude for these purposes a special agreement which takes into account the seriousness of the disaster's consequences.

Article 9

Disputes regarding the interpretation and application of the provisions of this Agreement shall be resolved by means of negotiations between the appropriate organs, and if necessary at the state and governmental level.

Article 10

Each of the High Contracting Parties reserves the right to suspend the application of this Agreement or individual articles thereof by giving the Parties to the Agreement one year's notice of such suspension.

The provisions of this Agreement may be supplemented or modified by mutual agreement among the High Contracting Parties.

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Article 11

From the moment of signature of the present Agreement, application of the laws of third States, including the former Union of Soviet Socialist Republics, shall not be permitted in the territories of the signatory States.

Article 12

The High Contracting Parties undertake to discharge the international obligations incumbent on them under treaties and agreements entered into by the former Union of Soviet Socialist Republics.

Article 13

This Agreement shall not affect the obligations of the High Contracting Parties towards third States.

This Agreement is open for accession by all States members of the former Union of Soviet Socialist Republics, and also by other States sharing the purposes and principles of this Agreement.

Article 14

The official location of the coordinating organs of the Commonwealth shall be the city of Minsk.

The activities of organs of the former Union of Soviet Socialist Republics in the territories of the States members of the Commonwealth are hereby terminated.

Done at Minsk on 8 December 1991 in three copies, each in the Byelorussian, Russian and Ukrainian languages, the three texts being equally authentic.

For the Republic of Belarus

S. SHUSHKEVICH

B. KEBICH

For the RSFSR

B. YELTSIN

G. BURBULIS

For Ukraine

L. KRAVCHUK

V. FOKIN
