IMPLEMENTATION OF THE HELSINKI ACCORDS

HEARING

BEFORE THE

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

ONE HUNDREDTH FIRST CONGRESS

FIRST SESSION

THE RIGHT TO RECEIVE AND IMPART INFORMATION
PRELUDE TO THE LONDON INFORMATION FORUM

MARCH 16, 1989

Printed for the use of the
Commission on Security and Cooperation in Europe

[CSCE 101-1-2]

U.S. GOVERNMENT PRINTING OFFICE

99-774 ±± WASHINGTON : 1989

For sale by the Superintendent of Documents, Congressional Sales Office
U.S. Government Printing Office, Washington, DC 20402

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

DENNIS DeCONCINI, Arizona, *Chairman*
STENY H. HOYER, Maryland, *Cochairman*

DANTE B. FASCELL, Florida
EDWARD J. MARKEY, Massachusetts
BILL RICHARDSON, New Mexico
EDWARD FEIGHAN, Ohio
DON RITTER, Pennsylvania
CHRISTOPHER H. SMITH, New Jersey
JOHN EDWARD PORTER, Illinois
FRANK R. WOLF, Virginia
FRANK LAUTENBERG, New Jersey
TIMOTHY WIRTH, Colorado
WYCHE FOWLER, Georgia
HARRY REID, Nevada
ALFONSE M. D'AMATO, New York
JAMES McCLURE, Idaho
MALCOLM WALLOP, Wyoming

EXECUTIVE BRANCH

HON. RICHARD SCHIFTER, *Department of State*
HON. RONALD LEHMAN, *Department of Defense*
LOUIS LAUN, *Department of Commerce*

SAMUEL G. WISE, *Staff Director*
MARY SUE HAFNER, *Deputy Staff Director and General Counsel*
JANE S. FISHER, *Deputy Staff Director*
MIKE AMITAY, *Staff Assistant*
ANN W. BANCHOFF, *Staff Assistant*
DICK COMBS, *Senior Advisor for Soviet and East European Affairs*
CATHERINE COSMAN, *Staff Assistant*
DANA L. CROSBY, *Receptionist*
OREST DEYCHAKIWSKY, *Staff Assistant*
JOHN FINERTY, *Staff Assistant*
ROBERT HAND, *Staff Assistant*
GINA M. HARNER, *Administrative Assistant*
JUDITH INGRAM, *Staff Assistant*
JESSE JACOBS, *Staff Assistant*
RONALD McNAMARA, *Staff Assistant*
MICHAEL OCHS, *Staff Assistant*
SPENCER OLIVER, *Consultant*
BETH RITCHIE, *Press Officer*
ERIKA SCHLAGER, *Staff Assistant*
TOM WARNER, *Printing Clerk*

CONTENTS

WITNESSES

APPENDIX

CONTENTS

WITNESSES

APPENDIX

PUBLIC HEARING: THE RIGHT TO RECEIVE AND IMPART INFORMATION

PRELUDE TO THE LONDON INFORMATION FORUM

THURSDAY, MARCH 10, 1988

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

Washington, DC

The Commission met pursuant to notice, at 2:10 p.m., Representative Steny H. Hoyer, Cochairman, presiding.

In attendance from the Commission: Representatives Edward Feighan, Don Ritter and Frank R. Wolf.

OPENING STATEMENT OF REPRESENTATIVE EDWARD FEIGHAN

Representative FEIGHAN. Presiding. Good afternoon, ladies and gentlemen. I would like to call the meeting of the Commission to order.

The Helsinki Commission is meeting today to examine the issue of access to information in the context of the Helsinki Accords. From April 5 to May 15, representatives of the 35 signatory nations will gather in London for the Information Forum, one of the specialized follow-up meetings mandated by the Vienna Concluding Documents.

The freedom to impart and receive information has been much discussed in recent weeks as a result of the Salman Rushdie affair. The West has been unified in insisting that freedom of expression and the free flow of information are cardinal human rights, which form the bedrock of democracy. We intend to maintain this approach in London as well. The Helsinki process is predicated upon the individual's free access to any and all information, including the right to know the rules and laws by which one is governed, the right to receive information from whatever sources one chooses in order to make informed choices about government, lifestyle and other dimensions of life.

Perhaps the most notable event of the past year was the cessation of jamming of Western broadcasts to Eastern Europe and the Soviet Union. In Hungary, Poland and the Soviet Union, there has been a greater effort in the official press to present more accurate and comprehensive coverage of the news and to fill in the blank spots of history. That is clearly the good news.

But, when Romania keeps guards posted in front of the home of human rights activist Doina Cornea, cuts her telephone line, and

intercepts her mail in order to prevent her from having any contact with foreigners, or when the official Bulgarian press engages in a virulent campaign against that country's fledgling dissident community, then the credibility of the Helsinki process is clearly threatened. When the German Democratic Republic brutally stops peaceful church activists from participating in a demonstration in Leipzig, or when Czechoslovakia jails and subsequently convicts a prominent playwright and human rights activist, Vaclav Havel, for his work with Charter 77 just as both countries were signing the Vienna Concluding Document, it makes a mockery of the entire process. It is then incumbent upon us to hold up these violations to public scrutiny and to demand better compliance by the East with the Helsinki Accords.

At the London Information Forum, we intend to review the compliance records of the Soviet Union and Eastern Europe, with the provisions regarding the free flow of information. Although some of these countries have made significant improvements in this field in recent years, all of them still have a long way to go before they fulfill not only the letter, but also the spirit of Helsinki.

Thus, the East has a mixed record in terms of its compliance with the information provisions of the Helsinki Accords.

We are pleased to have our four expert witnesses with us today to help us make sense of all of the bewildering, and sometimes contradictory signals the East is sending us on its information policies.

Let me, introduce the witnesses who will be join us today, the three who are at the witness table, and then indicate the additional witness who we will have.

First, Mr. Leonard Sussman, is the senior scholar in International Communications of Freedom House, where he served 21 years as its Executive Director. He has been a journalist and has specialized in Freedom of Information issues. His third book on the subject, Power of the Press and the Technology of Freedom, is due out this fall.

Mr. David Shipler is the senior associate at the Carnegie Endowment for International Peace, and is well known for his reporting during a distinguished 22-year career at the New York Times. He was stationed in Moscow for 4 years, and was bureau chief for 2 of them. An updated version of his 1983 best seller, Russia: Broken Idols, Solemn Dreams, is to be published this May.

Dr. Gabor Demszky is a Hungarian sociologist and co-founder, and chief editor of the AB Independent Publishers, established in Budapest in 1981. Dr. Demszky is also editor of the independent journal, Hirmondo, and a long time leading member of Hungary's Democratic Opposition. At present, Dr. Demszky is a visiting scholar at the Atlantic Research and Publications Institute.

We are also pleased to have six Yugoslav journalists, who are in the audience today, and we are particularly grateful for their presence at this session of the Commission.

Also, if technology serves us, as we anticipate it will, we will have a fourth witness, Mr. Lev Timofeyev, a writer, who was arrested and sentenced in October 1985, to 6 years hard labor, and 5 years internal exile for anti-Soviet agitation and propaganda. He was released in 1987, became a founding member of the Press Club Glasnost. And in December 1987, he helped organize the first unof-

ficial International Seminar on Human Rights in Moscow. Mr. Timofeyev is currently the main editor of the unofficial journal Referendum.

And I would explain to the audience, and particularly to members of the panel, that we are anticipating that phone call to be placed about 8 o'clock. If it comes before, or after that, I hope you will allow us to interrupt whatever stage of the proceedings that we are in, so that we can proceed with that and take advantage of the technology when it does work.

Let's begin the testimony from the witnesses, if we could begin, first, with you, Mr. Sussman, and then proceed to Mr. Shipler, and Dr. Demszky.

STATEMENT OF MR. LEONARD SUSSMAN, SENIOR SCHOLAR IN INTERNATIONAL COMMUNICATIONS OF FREEDOM HOUSE

Mr. SUSSMAN. Thank you very much, I am very pleased to be here today.

My written testimony outlines the intimate association of Freedom House with the Helsinki Process since its inception in 1975. I have testified several times on the process, and edited Ambassador Kampelman's book on his service at the CSCE/Madrid meetings from 1980 to 1983. In my present role as specialist in international communication, I am particularly interested in the information sections of the Vienna Concluding Document, and the Information Forum scheduled next month in London.

The Helsinki Accords are a dynamic tool, something quite unique in diplomatic history. The accords marshall the power of information, of international persuasion, even the artful use of public shame to spotlight the oppressive deeds of signators. No part of the Helsinki Process is more vital than assessing the free flow of information within and between countries. For on that flow, and on the diversity of information depend all other aspects of the Helsinki Process; indeed, on the guarantees of human rights and national security found in all baskets of the Final Act. Information is the key element, not just in the CSCE, but in fulfilling all promises of freedom for the human race.

Information is the first line of defense for any people assuring their freedom. Information is the most important element in any people's striving toward a freer life. And information is the first target of tyrants who would deny a people their rights to a more secure and cooperative existence. Information, then, is a primary indicator of a nation's sincerity in keeping the promises it makes at the CSCE.

There has been slow, but notable movement since 1975 in the CSCE commitment to a freer, more diverse flow of information. The Final Act more than a decade ago set broad guidelines. These committed the signers to improve "the circulation of, access to and exchange of information" within and between countries. They also agreed to enlarge cooperation in the field of information and improve the working conditions of journalists. There was, however, no specific commitment to enlarge or diversify the content of the information flow. Yet content, the ultimate product of access and

The 1975 Final Act, therefore, was a notable beginning. The recent Vienna Review Conference resumed the difficult assessments of compliance and outright violations by signatories. At its conclusion, the Vienna conference broke new ground in CSCE information diplomacy. The nations acknowledged more precisely the need to release from absolute state control the communications technologies which, by their nature, manipulate the content of the information flow.

They agreed to stop jamming international radio broadcasts and, indeed, by the end of 1988, the Soviet Union and its allies ended jamming; to permit public access to machines that reproduce and distribute information; to permit the use of cable and satellites between countries and harmonize technical standards and norms, so that international exchanges are facilitated; to ensure the distribution in one country of another's official bulletins; to broadcast live radio and television programs from one country to another, with participants in different states; and increase the number of telebridges between countries; to permit journalists, foreign and domestic, freedom of access to public and private sources of information; and assure confidentiality, so important to press freedom; and to facilitate foreign journalists' accreditation, access to press conferences and relevant technical information.

An important further accomplishment of the Vienna Concluding Document was the agreement to hold the CSCE Information Forum in London.

Now, there is much unfinished business in the field of information. My prepared testimony, and its attached table, indicate the widespread governmental controls over news and commentary, and the distortion of information this generates for most citizens of the world. I have also provided documentation of censorship and other restrictions of journalists in the Soviet Union, and several East European countries, during and since the Vienna conference.

As we sit here today, the most effective, unofficial journalist/publisher in the Soviet Union is incarcerated in a prison outside of Moscow. Sergei Grigoryants, founder of Glasnost magazine, was arrested last Sunday at a demonstration in the capital. He was fined 150 rubles and sentenced to 10 days in jail. We learned from Moscow, yesterday, that Grigoryants announced he has begun a hunger strike. This is the third time in less than a year that Grigoryants has been imprisoned or detained for seeking or publishing information not found in the official publications.

On the same day in Leningrad, another unofficial journalist, Olga Lipovskaya, editor of the independent Woman's Magazine, was fined 200 rubles for participating in a similar demonstration.

Grigoryants' comment to me in his apartment in 1987 is still an accurate gauge of the real level of freedom in Soviet journalism. He said, as he handed me the first edition of Glasnost, that by the manner in which the Kremlin treats his magazine one can readily determine the status of Soviet journalism. That is still a poignant test of Soviet performance. His imprisonment once again is deplorable. The head of FIEJ, the international federation of publishers, said of Grigoryants' latest arrest, "This continued harassment of a

journalist, trying to do his job, is intolerable and makes a mockery of the Gorbachev policy of glasnost."

There have, indeed, been significant changes in the Soviet Union and in the relationship between the USSR and the United States. To be sure, Soviet newspapers and television today report current events and history never publicly discussed during the first 67 years after the Communist Revolution. All of this, welcome as it is, serves primarily to advance the official objectives of restructuring the economy and society in a fashion determined by the topmost Soviet leadership.

Glasnost, a component of perestroika, is essentially then a management tool. It employs the media of information to achieve predetermined goals. Glasnost, as presently used, exhorts the public to understand some operational, if not ideological, reasons for the nation's social and economic stagnation, and work efficiently to overcome it. In place of the old Glavnit, censorship bureau, a single monitor now sits in every publication office. He must approve final copy before a printer can commit it to paper. In a word, monitored self-censorship now controls the individual journalist.

The most important implication for glasnost, the chance of a real opening for diverse Soviet news and information flows, inheres in the economic and technological imperative which produced the governing policy of perestroika, restructuring. It is no longer possible to sustain a modern nation without revolutionizing the flow of information through telecommunications and the related instruments of computerization. This may mean nothing less for Communist ideologies than the counter-revolution they have railed against since 1917. Ultimately, for most citizens of the Soviet Union and indeed the world at large, it can be revolution without losers.

Current Soviet policy is seeking large and small information instruments to prepare for 21st century communications linkages. These inevitably demand citizens trained to employ these instruments, experiment with them, and eventually inspire some ideas not yet approved by central authority. This threatens substantial subversion of a totalitarian or authoritarian system. Stated positively, the new communications technology is capable of providing ready access to diverse ideas and the free flow of information. They are essential to achieving the human rights guaranteed all men and women in universal declarations and covenants.

Closed societies then face this dilemma: Make thinking and information machines available to citizens, or deepen the nation's social and economic stagnation. My study of this dilemma and its potential will be published by Freedom House this fall, titled *Power, the Press and the Technology of Freedom: The Coming Age of ISDN.* Today's Reality, however, is quite different from tomorrow's promise. For that reason, the London Information Forum is essential.

It is a pity so little time remains for preparation. The Forum should grapple with the practical issues which have already been examined in more generalized terms at the CSCE. Practical discussions require participation by practitioners. Journalists, not only representatives of Information Ministries, the censors, should participate. That would require discussing substantive matters and information flows at plenary sessions, not in closed meetings. It would be enlightening to invite journalists from Eastern Europe, as

well as the West. Many would simply reflect official policies, but some from the Soviet Union, would welcome the opportunity to exchange views on practical journalistic matters with Western counterparts.

I have participated in several such exchanges, and they can be mutually enlightening. The emphasis at the Forum should be on increasing the access to, and diversifying the content of news and information. That agenda can be based upon recent experience and future objectives of East Europeans. They ended the jamming of cross-border radio broadcasts because it was finally in their interest to do so. The annual bill for jamming is estimated in the hundreds of millions of dollars. Another serious cost was the loss of credibility at home and abroad for the jamming government which denies its own people the right to hear a divergent voice. That divergence could also provide insight useful to economies and polities which by their own admission are stagnant. If jamming was triply injurious to the jammer, so is continued stringent control of virtually all domestic information in the Soviet Union and Eastern Europe.

The Vienna document set the stage for permitting the new communications technologies to diversify the content of information. The document calls on signers to permit public access to machines that reproduce and distribute information. These are the new, small publishing instruments—copiers, telefax, even typewriters and mimeographs, which in some countries are licensed and controlled. Such machines enable 100 new small dissident publications to circulate in Moscow today. They have pitifully small circulations, but they are the forerunner of diversity, particularly when they can eventually be linked by telephone to computers elsewhere in the nation and abroad.

Another Vienna commitment would enlarge the use of cable and satellites between countries. This, then, already commits the signers to some cross-border exchanges. Protocols should be discussed permitting other than official messages to pass through the cable and satellite systems. To enhance that capability it will be necessary to harmonize technical standards and norms, so that telephones and computers in one place can speak in real time to receivers far off.

There should also be practical discussions in London of increasing live radio and television exchanges between countries. Care should be taken, however, that telebridges, however desirable, are not used to distort reality. It is easy to assert that participating audiences at both ends of the bridge are all "people like us." Often, however, carefully selected Soviet participants simply project official views, while American anchorpersons often stress a presumed political and social convergence between the two countries. That distorts reality.

To be sure, all countries risk searing examination from the new technologies. They have the power to transform not only journalism but education and production. If wisely managed, they can help end economic stagnation. The price for central authority is greater freedom for the individual citizen. The cost of delaying the introduction of intelligence technologies is the further degradation of the society, and the need for increasingly repressive political

controls. It is likely that Soviet leaders have already made the fundamental judgment that some deployment of information technology is urgently essential in the USSR. It is too early to know whether that decision will be adequately implemented, and whether the nomenklatura will short-circuit the implementation because of the democratizing aspects of the technology.

These technologies provide the opportunity to carry the CSCE process forward on a new level, and with a new promise that appeals directly to the self-interest of all participating States. The London Information Forum should be designed with that opportunity in mind.

Representative FEIGHAN [presiding]. Thank you very much, Mr. Sussman.

Mr. Shipler.

STATEMENT OF MR. DAVID SHIPLER, SENIOR ASSOCIATE AT THE CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE

Mr. SHIPLER. Thank you very much.

I am very honored to have been invited today. This is a matter of high importance, not only to journalists, of course, but in East-West relations in general.

You have my written statement, and I will just try to summarize it as briefly as I can.

Drawing both from my own experience, and I have made six trips to the Soviet Union in the last 2 years, in addition to having worked there steadily for 4 years in the late seventies, and also from conversations I have had with colleagues in the last few days, what seems to emerge in terms of the working conditions for Western correspondents in the Soviet Union is quite a mixed picture. Generally speaking, important improvements have been made during the last year, or two, mostly as a result of Gorbachev's policy of glasnost.

But these changes in policy have not been supported by changes in the system. As a result, the improvements are only as durable as the policy itself, susceptible to contradiction by individuals in authority, particularly at the local level, in outlying areas. So, for example, a correspondent may get an interview with a senior official in Moscow one week and the next week be harassed by the KGB in some provincial town. Or somebody may be able to travel to Armenia, or Azerbaijan one week, and the next week a different correspondent, or the same one, may be denied permission to take such a trip.

What I would like to do here is to speak first about my own experience in the last year, or so, which has been entirely positive, I must say, and then layout the problems that others have encountered in several areas, including internal travel, visas, and KGB harassment and surveillance.

My two longest reporting trips in the last year have been in April for 3 weeks, and in January for 2 weeks. They have given me absolutely nothing to complain about. I received my visas in both cases in a timely manner, I didn't have to wait until the 11th hour, as some people have had to, and juggle departure flights. I was granted permission to travel everywhere I wanted to. And, in fact,

in April, the Foreign Ministry very speedily revised my visa after my arrival in Moscow to include towns north of Moscow which I had not originally planned to visit.

Virtually all of the appointments I asked for were granted with few exceptions, but I think they were probably since there were such high level people, probably understandable. The Soviet organizations that were asked to help me arrange my trips in April the Academy of Sciences, and in January, the Estonian Foreign Ministry were extremely cooperative. I was permitted to go to high schools and have the most free wheeling, unstructured discussions I have ever had with Soviet teenagers. I visited many schools, in the seventies, and was never permitted the kind of open talk about multi-party political systems, the meaning of perestroika, the search for the truth about the Stalinist era and all of this kind of thing, which I was able to engage in with teenagers during these trips.

So the whole experience was rather revolutionary for anyone who worked as a correspondent in the 1970's.

Bill Keller, the Moscow Bureau Chief of the New York Times told me on the phone a couple of days ago that he has found that officials are even available on the telephone for interviews, extemporaneously, without the previously required letters and written questions, and so forth. Now this is quite a new phenomenon.

For example, when Soviet air controllers went on strike recently, a rather odd strike in which they continued to work but refused to give routine information to pilots, the Soviet transla- tors in the times bureau was able to get an official at the Ministry of Civil Aviation on the phone for a one-half hour interview with one of the correspondents there. Keller says he frequently phones people at the Finance Ministry to talk about budgets and taxes, and the like.

This candid climate has also made the interviews themselves much more valuable than they used to be. I used to feel that most contacts with officials were like trying to reach somebody through a piece of Plexiglas, all the questions about problems and difficulties were deflected very neatly and there were no negative things in the world, as far as these officials were concerned.

Now it is really different. You can have candid discussions that really seem natural and genuine. Officials will talk about problems in a very open manner, they will even disagree with each other in front of you, if you have more than one sitting there. So, the whole experience for a journalist becomes much more fruitful, and of course much more rewarding.

In addition, many Soviet journalists, official Soviet journalists have shed their roles as mere propagandists. They are now permitted to delve into social ills much more extensively than previously. So they, too, have become important sources of information for Western journalists.

Soviet citizens, in my experience, display considerably less anxiety in their contacts with Americans, somehow the penalties that they imagined the sanctions that were in their minds before seem to have withdrawn and retreated somewhat. So there is much more willingness to have conversation with Americans and even to es-

tablish ongoing relationships with American journalists who are based in Moscow.

Now, on the other hand what you have in that society, it seems to me, is the co-existence between these more open impulses and some old reflexes, the reflexes of xenophobia, insularity, paranoia and suspicion. And these are usually visible at local levels in other cities outside Moscow, and not every city, because there are regional differences it seems. If you go to Tallin, Riga, or Vilnius, or Tbilisi, generally speaking, from what I understand the journalists do not have a lot of problems, although I have one little story to tell you about somebody who went to Tbilisi and had an interesting little encounter with the KGB.

But if you go to certain other areas, Minsk, for example, the KGB seems much more active and much more present. The KGB still conducts surveillance of journalists, of course, sometimes ostentatiously, and in a manner seemingly designed to intimidate both the journalist and his Soviet interlocutor.

Felicity Barringer of the New York Times, told me that when she was in Tbilisi last fall, she returned to her hotel room and turned on her little laptop computer, and discovered a new file there, which she hadn't put in. So she called it up, and it read, "Irina is a very good student in school and she is learning English." Then there were three paragraph marks, and the words, "Play Ball," so the KGB seems to like to leave its signature.

Phil Taubman in Semipalatinsk returned to his hotel a little early one day and the key lady tried to prevent him from entering his room. And when he pushed past her, two men were rushing out of his room. And when he went in, he saw his address book had been moved from his bag to the top of the television set.

Andrew Nagorski's experience recently demonstrates the mixture of situations. Nagorski is now a senior associate at the Carnegie Endowment for this year. He is a Newsweek correspondent who was expelled from the Soviet Union in 1982. He applied for a visa and was granted one. I understand in an explicit exchange with Melor Sturua, of Izvestia, who had been expelled from Washington in retaliation for Nagorski's explusion. Sturua came to the United States, Nagorski went for 1 month to the Soviet Union.

He applied for a rather extensive trip, and was granted permission to visit every single city he applied for, including Yerevan in Armenia, and Baku in Azerbaijan. In Baku he was not permitted to stay overnight, but to visit only for 6 hours. But some resident correspondents of Moscow have not been able recently to go to those republics.

He had a good time, his work was very fruitful, but he did have a few unpleasant encounters. And I will tell you about one of them, which I think illustrates the point. He went to Vologda, and was called in his hotel room by a man who identified himself as a friend of Phil Taubman's. He said he would like to meet Nagorski. This is a little unusual. This kind of thing happens in Moscow, but rarely when you are on a trip and in a hotel—how does someone know you are there, and so forth?

Nagorski met the man, and he asked if Nagorski could transmit some information to Taubman, and Nagorski said, well he understood that Taubman had left Moscow, which was correct, Taubman

is now in Washington. And the man said, "Well, I have a new address, and I would like you to forward it to him, and if he writes to me, don't have him use his real name, have him use"—and he gave him a Russian name. And Nagorski said, "I'm not getting involved with this, what is all of this about? What sort of information?"

And the man said, "Oh, information that I am sure he will want to know, information about the military and the militia deployment around Vologda."

Well, this was a pretty crude attempt at provocation. Nagorski broke off the conversation and walked away.

Now my own interpretation of this, and it is pure speculation, is that at the local levels the KGB still operates within certain narrow parameters, pretty much as before. It doesn't need direction from Moscow, and it is not particularly restrained, although overt efforts at, for example, drugging correspondents, may be out of bounds at this point. Little attempts at playing games of this kind seem to be perfectly all right, in certain places, and perhaps, based on the decisions of local officials.

The travel restrictions that correspondents have faced recently have been much less onerous than in the past, but because of the ethnic tensions in Armenia and Azerbaijan, it has been a kind of on-again, off-again situation, in terms of traveling into those regions. At times you can go, and at times you can't. Certain closed cities have been opened temporarily; Magadan is one example that comes to mind. Perm, as you know, was visited by Phil Taubman and A.M. Rosenthal of the New York Times, and I understand that Ann Cooper of NPR also went there not too long ago. Vladivostok——

Representative FEIGHAN [presiding]. Excuse me, Mr. Shipler, we are hoping this is our call.

MR. LEV TIMOFEYEV, WRITER, PRISONER, FOUNDING MEMBER OF THE PRESS CLUB GLASNOST, HELPED ORGANIZE THE FIRST UNOFFICIAL INTERNATIONAL SEMINAR ON HUMAN RIGHTS IN MOSCOW AND IS NOW EDITOR OF THE UNOFFICIAL JOURNAL REFERENDUM

[Mr. Timofeyev speaks via speakerphone from Moscow]

Mr. Timofeyev?

Mr. TIMOFEYEV. That's me.

Representative FEIGHAN [presiding]. I am Congressman Feighan, of the Helsinki Commission, good afternoon.

Mr. TIMOFEYEV. Hello.

Representative FEIGHAN [presiding]. Yes. Mr. Timofeyev, if you would like to open with some remarks for us, and give us your general view of issues of information access in the Soviet Union. You can take several minutes to give us your general impression of circumstances as they are today.

Mr. TIMOFEYEV. I have concentrated on the attitudes of the independent press here.

Hello?

Representative FEIGHAN [presiding]. Yes, we can hear you fine.

Mr. TIMOFEYEV. Good.

Representative FEIGHAN [presiding]. The focus of our inquiry today is the access to information, the status of the press and other forms of information in the Soviet Union today.

What changes have you seen, particularly over the past six months or year, that would indicate to us that there are real fundamental changes taking place in the Soviet Union, allowing its citizens greater access to internal news accounts, as well as to news accounts from international agencies?

Mr. TIMOFEYEV. Well, I have a small piece for you, if you permit, I can begin immediately.

Representative FEIGHAN [presiding]. That's fine. You can begin.

Mr. TIMOFEYEV. As befits journalists and writers I think that without freedom of [inaudible] speech can be truly realized. That is the reason why I would like Rosnakuroff [phonetic] to begin any consideration of the situation in this country, specifically with the evaluation of our real freedom of speech habits to be here. So far there hasn't been any freedom in my country.

Here are crucial examples. For the last years, no independent publication has been officially registrated by the authorities. No independent publication has won access to the [inaudible]. No independent publication has had an opportunity to conduct a legal campaign or to be sold with [inaudible]. Not only any private publishing. It is banned. Last December strict legislation outlawed copyrighted publishing, killing outright any hope for independent publishing within the limits of corporations or cooperative enterprise.

[Inaudible] in February a campaign of scandalous attacks in the official mass media worked against a group of book publishers and journalists who start to publish some of their magazines unregistrated by the authorities.

The newspaper Svyetska Criema [phonetic] and Syetska Industria [phonetic] published material calling for an outright official reprisal against independent publishers and journalists which [inaudible] ethnic magazine in [inaudible] as the Glasnost magazine in Moscow and Valisendra [phonetic]. An article in the newspaper [inaudible] publisher is the Central Committee of the Communist Party. That was their record mostly against myself as the editor of the independent magazine [inaudible]. So there is a limit to our patience for those who have chosen the way of fighting the socialists and the ideas of perestroika.

It is obvious that such articles [inaudible] of [inaudible] and hate, pave the way for outright aggression. The reason for this attitude on the part of publishers is understandable, that they want any cause to show, in their own hand, the monetary [inaudible], the monetary of any printed word. This is supposed to be independent and [inaudible]. [Inaudible] the last 60 years not a single independent publication has been registrated by the authorities, not a one.

And yet, the social need for an independent press, independent thinking, independent growth is enormous. That's why the independent press [inaudible] without [inaudible] without explanations from readers. There are hundreds of [inaudible] journals written, even newspapers published in the country. Most of them are [inaudible]. It won't be explanation for this [inaudible] edition [inaudible] from the public. Each of them is read by dozens, even hundreds of readers. The interest in the independent edition is so great

that everywhere in the country official libraries have arrived, where publications from this whole country is being gathered today.

[Inaudible] is in Moscow, Leningrad, [inaudible] in Siberia, the far east. The majority of independent publications is harshly oppositional to the Communist ideology. The ideas of political pluralism and market, a system of [inaudible]. Many of them criticize some aspect of Gorbachev's [inaudible]. This is what makes it impossible for this material to be published in the official press [inaudible] ideas of socialism remains obligatory [inaudible] political pluralism and [inaudible] of Gorbachev are rooted out of [inaudible].

From the point of glasnost, openness, is a mere expansion of the list of what is [inaudible] remains where they were from the start. For all their [inaudible] of interest with independent editors, [inaudible] don't care any [inaudible] existing system or any other extremist political [inaudible].

The fact that an editor of the political maturity [inaudible] it is completely [inaudible] by accusing them or [inaudible].

The referendum magazine that I have published through December, 1987, has [inaudible] situation of all those independent publications. Just [inaudible] a number of copies of every [inaudible], four or five issues of this year, a market for 40 [inaudible]. I have the primary number of copies because nearly every [inaudible] copy of the magazine was [inaudible] in its form by readers using Xerox and photography.

We use a computer to publish our magazines, so it becomes possible to [inaudible] issues together [inaudible]. We cannot naturally [inaudible] resultant copies. The magazine is widely distributed [inaudible] of our popular organization [inaudible] society for the glasnost which [inaudible] sometimes has made as many as 600 copies get distributed without [inaudible].

The general direction of the magazine I would define as [inaudible] opposition [inaudible] editors, by no means encroach on our [inaudible] existing structure. The main [inaudible] of our polemic is [inaudible] of ideas in the pressure of [inaudible]. The problems are cultural and religious. The [inaudible] edition of the magazine has recently [inaudible] Soviet intellectual [inaudible] that reach the editor from the fact that it's quite a large [inaudible] circulation. We cannot satisfy the demand of the area [inaudible] popularity of the magazine is best illustrated by the publication on its pages of writers [inaudible]. A number are well known in this country, writers and scientists [inaudible] of the public committee against inflation that has initiated by our magazine has drawn ranks [inaudible] [inaudible] of economy [inaudible]. [Inaudible] the last 60 years not a single [inaudible] have repeatedly said that [inaudible] our readers that our magazine [inaudible] with the official press in order that affects, understandably, the circulation. But the fact that our publication reaches many influential persons of our country [inaudible] the very kind of readers we would like to have. These are the kind of readers we try to reach [inaudible] with our magazine, independent ideas reflection [inaudible]. It won't be explanation for this [inaudible] we've already said that our [inaudible] petition of independent press irritates such [inaudible] politicians [inaudible] circles of readers.

The former KGB chief [inaudible] and our acting as secretary of the Communist Party of the Soviet Union, speaking a few days ago, one of the Central Communist Party committees called for issuing such legislation so as to outlaw the independent press. [inaudible] law would become exactly such in this respect I would like [inaudible] single independent publication has officially registrated, registered, in my country.

Thank you for your attention, gentlemen.

Representative FEIGHAN [presiding]. Thank you, Mr. Timofeyev. We very much appreciate the testimony that you gave us.

We have been joined by the Chairman of our Commission, Congressman Steny Hoyer. Before I turn the microphone over to him, I would like to ask you just one question, that is to what extent are you able to communicate with journalists and other independent publishers in other countries, particularly, say, in Hungary or Poland?

Mr. TIMOFEYEV. Well, of course, we try to cooperate [inaudible] such press agency where independent journalists of Soviet Union, Poland, Hungary and Czechoslovakia included. [Inaudible] by telephone of course with Czechoslovakian people especially. But my [individual] with Czechoslovakia and Poland in January was stopped. My visa was banned and passport was withdrawn out of my hand.xxx

Cochairman HOYER. Mr. Timofeyev, this is Steny Hoyer. It is nice to talk to you again, we cannot see you this time, but it is nice to talk to you again.

Mr. TIMOFEYEV. [Inaudible] you.

Cochairman HOYER. We were very impressed with your statement. We share your concern about the lack of legal registration on publications of which you spoke.

Mr. TIMOFEYEV. We shall try what we can do.

Cochairman HOYER. That will be, of course, one of the issues that we are going to press in London, obviously. What other issues do you think ought to be pressed specifically in London, at the upcoming conference, on the free flow of information?

Mr. TIMOFEYEV. Excuse me. I don't understand you.

Cochairman HOYER. As you know, this hearing is related directly to the forum on the free flow of information that is scheduled for next month in London.

Mr. TIMOFEYEV. Oh, yes, I heard about that meeting, yes.

Cochairman HOYER. I am wondering what specific issues you might want us to raise in London, at that conference?

Mr. TIMOFEYEV. Well, [inaudible]. I think that all of us, you and we, all of us insist on full fulfillment of this article IX without conditions.

[Interruption of call.]

Cochairman HOYER. Maybe somebody doesn't want us to have advice and counsel on this issue.

Mr. TIMOFEYEV. Yes.

Cochairman HOYER. Hello.

Mr. TIMOFEYEV. Yes.

Cochairman HOYER. I take it you ended.

Mr. TIMOFEYEV. Yes.

Cochairman HOYER. All right. Let me now ask if some of the other members of our Commission—and also, I want to take the very unusual step, we have with us three distinguished panelists with respect to free flow of information: David Shipler, who you may know, Leonard Sussman and Dr. Demszky. I am going to ask them if they would like to ask one question apiece of Mr. Timofeyev, which is I know unusual, but seeing how you are experts, you may want to get some information as well.

But before I do, let me ask Don Ritter, a member of our Commission.

Representative RITTER. [Speaking in Russian.]

Mr. TIMOFEYEV. Hello.

Representative RITTER. [Continuing in Russian.]

Mr. TIMOFEYEV. Hello.

[Laughter.]

Representative RITTER. Hello. Good to talk to you.

Cochairman HOYER. Mr. Ritter is the representative of the Politburo on the Commission.

[Laughter.]

Representative RITTER. Mr. Hoyer is the General Secretary.

[Laughter.]

Representative RITTER. [Speaking Russian.] It is good to talk to you again. We met in Moscow with Grigoryants. I wanted to ask what exactly has happened to our friend, Mr. Grigoryants, in the last several weeks? You mentioned something about it in your remarks, and we couldn't quite pick it up. [Speaking Russian.]

[Whereupon, the telephone call with Lev Timofeyev, from Moscow was interrupted.]

Cochairman HOYER. We have had a slight technical difficulty, which we will try to overcome.

Mr. Shipler, I understand that you were testifying before we got the phone call from Mr. Timofeyev.

Let me apologize to the panelists, this is a hearing about the free flow of information. I was at a press conference about the free flow of people in the Washington metropolitan region. We just introduced the reauthorization of the Washington Metropolitan Area Transit System, a relatively large and important issue in my district, and in the Washington Metropolitan region.

But I want to apologize to all three of you. Rarely, if ever, am I late to one of these sessions. And I do not like to, particularly, with such a distinguished panel, to be late. And I thank Mr. Feighan for chairing the hearing.

I also want to say that with me at that press conference was Congressman Frank Wolf, from the State of Virginia, who is the newest member of the Commission. Congressman Wolf has been deeply involved in human rights issues, prior to his coming to the Commission and very much involved in Eastern Europe issues as well. We are very pleased to have him on the panel.

I must add also, that from my standpoint as a resident of the Washington metropolitan region, Congressman Wolf is one of the key individuals in the Washington Metropolitan area on transit system issues.

So, Frank, we are pleased to have you for all sorts of reasons.

Mr. Shipler, if you could continue.

Mr. SHIPLER. Well, as a faithful Metro rider, I think that is a fine reason to be late.

I had just about finished actually. I just had a couple of points to make, one about travel restrictions and the other about visas. It would seem to me that this might be an appropriate time for the United States to make an effort to induce Soviet officials to relax travel restrictions internally.

Now, I don't know the Bush administration's policy on this question, in terms of reciprocity with travel restrictions that are imposed on Soviet citizens in the United States. I do know that when I was in Moscow in the 1970's, the American—the formal American position, which was renewed from time to time in discussions with the Soviets, was that all restrictions inside the U.S. would be removed, if all restrictions inside the Soviet Union were removed.

I was given to understand by State Department officials during the Reagan administration, that actually restrictions on Soviet citizens' travel in the United States had become a rather attractive counter-espionage measure, and that therefore, the United States was not particularly interested in opening everything widely.

But it does seem to me that even though it is probably unlikely that the Soviets would open up all of their territory to foreign travel, there may be a possibility now for some kind of, either parallel unilateral action, that is an American step to open certain closed areas of the United State with the understanding that perhaps the Soviet Union will follow suit so some kind of a process toward further relaxation can take place; or some explicitly reciprocal measures might be possible.

It seems to me in this atmosphere now, in which we see the Soviet Union—when I am told by correspondents in Moscow, for example, that the Foreign Ministry is not being very obstructionist about the rules and so forth, except in these cases that I mentioned earlier, Armenia and Azerbaijan—that there might be some possibilities here to explore.

The other question is about visas for journalists. There doesn't seem to be any particular lack of clarity in the way a journalist who is to be accredited in Moscow goes about getting a visa. His news organization applies to the Foreign Ministry and so forth. But there does seem to be some confusion about how free-lance journalists are supposed to operate when they travel to the Soviet Union.

Bob Cullin, who recently left Newsweek, and is now in the Soviet Union, or perhaps he has just returned, on an assignment for the New Yorker, told me that he tried twice to get Novosti, the Soviet press agency, to arrange a trip for him to Rostov-on-Don, and twice Novosti refused. And he was a bit stymied, until he found that applying as a tourist seemed to be permissible. And the Soviet authorities knew that he was going as a journalist, but they granted him a tourist visa.

So the question arises how one is supposed to go about this, when one does not have steady employment with a particular news organization. Normally, when you apply to Novosti for support in getting a visa, you end up paying a fee for translator, or for somebody who goes with you. Now, this may be necessary for somebody who doesn't speak Russian, but for somebody such as Bob Cullin, or

myself, our preference would be to go on alone, and make all our own arrangements.

And it is not quite clear to me whether the Soviet authorities regard it as appropriate and acceptable for a journalist to pay in advance for In-tourist rooms and hotels, and so forth, and then present the vouchers to the Soviet Consulate, and then get a tourist visa.

[Interruption by telephone operator calling to confirm that she was attempting to place the call.]

Cochairman HOYER. This is Mike, ladies and gentlemen. He runs our high tech operation here.

[Laughter.]

Mr. SHIPLER. Anyway, I am finished, that's the point I wanted to make.

Staff. The red one.

Cochairman HOYER. You told me the green one.

Hello.

Staff. No, to put it on. When it rings again, just the green one. Stop with the red one.

Cochairman HOYER. That makes sense. I can probably remember that. Green is go and red is stop. Because of my high intellectual ability, I have been given this responsibility to push either the red button or the green button.

[Laughter.]

Cochairman HOYER. Feighan says he's ready to fill in for me if I can't handle it.

[Laughter.]

Cochairman HOYER. Mr. Shipler, we are fascinated with your testimony, would you go on?

Mr. SHIPLER. Well, Mr. Chairman, I have basically made all the points I need to make. On this visa question I think there may need to be just room for some clarification and discussion with the Soviets about how this is supposed to work.

For example, I went to Estonia, in January, on a tourist visa, but I also had support from the Estonian Foreign Ministry. And I was a little concerned that because the visa said Tourist, I might have a little trouble. So I had my letter with me that I had sent to the Soviet Consulate here, saying that I was going as a journalist.

But when I arrived in Moscow the customs man looked at my visa and said, "Are you here as a tourist?"

And I said, "No, I am here as a journalist."

He said, "Fine."

So obviously they understand the system, but I don't. So I think some clarification is needed.

Cochairman HOYER. Well, we will raise the question about Mr. Shipler's not understanding the system, in London. We will try to get that clarified.

Dr. Demszky, thank you for being with us, and we will recognize you at this time.

STATEMENT OF DR. GABOR DEMSZKY, A HUNGARIAN SOCIOLOGIST AND CO-FOUNDER AND CHIEF EDITOR OF AB INDEPENDENT PUBLISHERS, EDITOR OF THE INDEPENDENT JOURNAL, HIRMONDO, LEADING MEMBER OF HUNGARY'S DEMOCRATIC OPPOSITION, PRESENTLY A VISITING SCHOLAR AT THE ATLANTIC RESEARCH AND PUBLICATIONS INSTITUTE

Dr. DEMSZKY. Thank you very much for the invitation and for the possibility to speak at this forum. I will be very short; I have written a longer contribution.

I think it is well-known that in Hungary, as in anywhere else in the Soviet-type political systems of the Eastern bloc, the nomenklatura is quite openly the real owner of the mass media. This little group of people, during the last four decades, created the only reliable journalists. Naturally, self- and officially-imposed censorship, and central control over the licensing of the press, are essential parts of this self-perpetuating system.

However, at the end of the eighties, in 1988 and 1989, two major shocks affected this self-perpetuating system. The present political crisis has gone so far in the last couple of months in Hungary that even the leading role of the Hungarian Socialist Workers Party, the Hungarian Communist Party——

[Telephone operator advised that line is still busy to Moscow.]

Dr. DEMSZKY [continuing]. So in the last 2 years, two major shocks affected this structure, the present political crisis, which has gone so far that even the leading role of the Hungarian Communist Party has become questionable for the future, and the rhetoric coming from Moscow which has an unpredictable quality about it. The result of these two shocks is a more enlightened and more interesting press, as both an actor and mirror of the changes.

Nevertheless, the main feature of Hungarian *glasnost* is that while openness is increasingly evident, any perceptible restructuring still remains to be seen. In the period from 1988 to 1989, control over the media was significantly loosened, and many former political taboos—like evaluation of the 1956 revolution and the presence of Soviet troops—are now publicly being discussed and hotly debated. But if we consider the existing system of publishing and the fact that the press still needs to be licensed, it is clear that the institutionalization of democratic changes has not yet begun. The old rules and laws are in force and the old reliable guard is still on board.

The general framework for matters relating to the press is regulated by Law No. II of 1986, and the licensing of the press itself is the subject of different lower-level press regulations. According to this policy, an office under the Council of Ministers is authorized to issue a license for the production and publishing of any domestic periodicals, foreign newspapers, and for the establishment of television or radio studios, and also for the establishment of other technical devices that transmit any information. The Ministry of Culture is responsible for the licensing of books, educational materials, textbooks, films and videocassettes. The local press is under the control of county councils.

After 8 years of desperate fighting, populist writers have finally succeeded in gaining a license, and since October 1988, they have

been publishing a biweekly called "Hitel," or "Credit." In this way, one of the significant streams of political thinking in Hungary has gotten a public voice. But the large number of unofficial samizdat publications indicates that there are many other groups and ideologies without this privilege. They are, however, significant enough to be mentioned at this forum.

The other generation of the Hungarian Democratic Opposition still publishes different journals and periodicals, and some of the newly established political initiatives publish newsletters without any license. The independent trade unions, the independent Social Democratic and Small Holder parties, and other organizations rarely have access to the mass media. The Alliance of Free Democrats and Federation of Young Democrats do not have licensed newspapers. The institutionalization of democracy has many obstacles. First of all, the whole structure of press licensing has to be abolished.

But there is another question, too, namely these democratic organizations with 10,000 members and an undeniable political base, that need some constant source of institutional support.

I think that regardless of how much we believe, or don't believe in the reforms-from-above approach, it would be a mistake to place faith only in the goodwill of the Communist leaders in the Eastern bloc.

Thank you.

Cochairman HOYER. Thank you very much, Doctor.

Mr. Feighan has to go, do you want to ask any questions?

Representative FEIGHAN. Mr. Chairman, I will pass on the opportunity to ask questions of the panelists. I apologize, I have to leave, I have to catch a plane to Cleveland.

I very much appreciate the testimony that we received today. I think this was, although interrupted on occasion, an extremely worthwhile session. And I appreciate you being with us and taking the time, and particularly the efforts that you put into your testimony.

One thing that I did not mention earlier is that the full testimony which you have submitted for the record, will be included in its entirety in the record. And in most cases, I think it was abbreviated for presentation here today.

Thank you very much.

Cochairman HOYER. Thank you, Mr. Feighan.

Let me ask you, Mr. Shipler, or Mr. Sussman, or you Dr. Demszky, if you have some thoughts on this as well. What effect has the Daniloff affair had on practicing journalists in the Soviet Union?

Mr. SHIPLER. I think that correspondents after the Daniloff affair became somewhat more cautious about having contacts with Soviet citizens, and especially in taking materials from them, in parks and on the streets.

In a sense, this was a relearning experience from what my generation of correspondents in the late seventies learned from the incident involving Robert Toth of the Los Angeles Times, who was set up similarly, and was arrested by the KGB, although he was not held in prison overnight, he was simply interrogated each day, I think, for 5 days.

But it was very much the same kind of situation, where someone he had gotten to know handed him an envelope, a few days before he, Toth, was scheduled to leave, and the KGB grabbed them, and took them away. And what was in the envelope in Toth's case was a paper on extra-sensory perception, which the Soviets said was a secret matter.

But I think a lot of correspondents are also aware that they can't be overly paranoid because they will cut themselves off from ordinary Soviet citizens, and thereby, do the work of those in power who would like to decrease the amount of contact.

These days my impression is that there is so much access to so many different kinds of people in that society, the barriers really have fallen in so many respects, that the Daniloff affair is no longer as inhibiting as it was soon after it took place.

Cochairman HOYER. Let me do the obverse of that. Mr. Airikyan who was forcibly expelled from the Soviet Union and testified before our Commission, kept the West informed on events in the Nagorno-Karabakh area. On the other hand, every day we were getting information, pretty easily from other citizens, including dissidents of the Soviet Union.

What are the guidelines as far as you can tell with respect to Soviet citizens, is it the same thing, that some people can give you the same kind of information that other people would get in trouble for?

In other words, is it the reverse chilling effect on the Soviet citizen?

Mr. SHIPLER. My impression now is in most cases, simply giving information is not enough to take you across the threshold of danger of arrest. Organizing a demonstration, as we have seen in the case of Grigoryants, or the Nagorno-Karabakh committee, puts you in a different category, in which the authorities may still move against you.

But the simple passing of information, or expressing dissenting views does not appear to have triggered any all-out political arrests, which then led to trial, conviction and long sentences for I think the past couple of years, at least. So I think that Soviet citizens, each person obviously comes to his own calculations on this.

Cochairman HOYER. Do you know from your colleagues, and I met with a number of correspondents in Moscow, when we were over there in November but didn't ask this question, but is there a briefing by the Foreign Ministry, upon getting there, as to what you can do, and cannot do?

Mr. SHIPLER. I have never heard of such a thing, no. I think that would be rather offensive to most journalists anyway, to be told what you can and cannot do. I don't think, from the standpoint of being a journalist, the journalist himself should not restrict his own activities, as long as they are in harmony with his role as a journalist.

Cochairman HOYER. Yes, I understand that. And if you are saying that the premise would be that you cannot be told, in that sense, I would agree with that. But you are talking about guidelines. I am wondering if there are any general guidelines set forth.

Mr. SHIPLER. I have never heard of any such thing, no.

Cochairman HOYER. Mr. Ritter, do you want to ask any questions of the witnesses?

Representative RITTER. Yes, I would like to ask questions, particularly of David Shipler, but also of the others.

Do you perceive the Soviet authorities as treating journalists and networks differently, based on the kind of material that they report? If so, is this in flux? What is your experience?

Mr. SHIPLER. My experience was that the treatment was various, but that it didn't depend so much on the type of material that was reported, as it did on the length of time the correspondent had been there, and his fluency in Russian, and the number of contacts he had.

Now, I can't say whether this is the case now, but when I was there, the first 6 or 8 months were kind of a grace period, a honeymoon, as we like to say around here, in which the Foreign Ministry was extremely cooperative in helping arrange trips and interviews, and so forth.

And then I suppose maybe on the naive hope that this new correspondent would not be as hostile to the Soviet Union and the Soviet system as his predecessors. And then of course, as it became clear that he was just as bad as anyone else from the official Soviet viewpoint, the level of cooperation began to decline.

So, in my case, for example, when I first arrived, I was invited on about every trip the Foreign Ministry organized for groups of correspondents. And as time went on, I would hear about these trips from somebody else, and I wouldn't get invitations, and in some cases I didn't care particularly, because I preferred to travel alone. But there were some trips where access was much better if you went with the Foreign Ministry. For example, a group of us went to the oil fields in western Siberia once, and I had a lot of trouble getting on that trip. I had not been invited, and I agitated, and finally was allowed to go. That's an area where individually you just couldn't go.

So I think there is a general downward trend in cooperation, but I can't say whether this is still the case. This is the way it was when I was there.

Representative RITTER. What about the networks? Sometimes there seems to be some competition between the networks to get a particular story?

Mr. SHIPLER. Well, I reached the outer edge of my own expertise.

Representative RITTER. Are there any other comments on that? Mr. Sussman, do you want to comment on that?

Mr. SUSSMAN. No, not really specifically.

Representative RITTER. Excuse me?

Mr. SUSSMAN. Not on that particular question.

Representative RITTER. You don't feel qualified?

Mr. SUSSMAN. No, I really don't. I just see what you see at the receiving end, that's about it.

Representative RITTER. Do you think that the Soviet system, because of glasnost, has made a policy decision that the mass media will remain either 100 percent, or nearly so, in the hands of the Communist Party, and that that will be the rule of the game of glasnost, as it is continued?

Mr. SUSSMAN. That certainly is the impression at the moment. There is nothing that would suggest—Mr. Timofeyev was hoping that there would be independent publications registered. There have been very harsh statements about not registering independent media of any kind.

Representative RITTER. How about Mr. Timofeyev's statement just a moment ago, that they are thinking of passing a law against independent publications?

Mr. SUSSMAN. That is being argued now. There is a press law under consideration, and so far several versions of it have been leaked. There is a conservative version and a more liberal version, neither one of which would permit independent publications.

But he, of course, was thinking that they might take it one step further and actually ban independent publications. And I think that is certainly possible.

Representative RITTER. I think we in the London Conference——

Apparently Mr. Timofeyev is back on the phone.

Hello, Mr. Timofeyev.

Mr. TIMOFEYEV. Hello.

Representative RITTER. Is this Lev Timofeyev?

Mr. Timofeyev, are you speaking into the phone?

Mr. TIMOFEYEV. Yes.

Representative RITTER. We, at this point can barely hear you. Hold on one second.

Mr. TIMOFEYEV. Do you hear me?

Representative RITTER. [Speaking Russian] Now it is much better. Can you hear me?

Mr. TIMOFEYEV. Yes, I hear you well.

Representative RITTER. I was asking about Sergei Grigoryants.

Mr. TIMOFEYEV. Yes.

Representative RITTER. What is his status at this time?

Mr. TIMOFEYEV. At this very moment he is detained.

Representative RITTER. He is still detained?

Mr. TIMOFEYEV. During the [inaudible] meeting [inaudible]

Representative RITTER. Hello.

Mr. TIMOFEYEV. Hello.

Representative RITTER. I think this communication may be not as smooth as we would like to have it. There may be some interruptions. You are being cut off intermittently. Could you repeat that last comment?

Mr. TIMOFEYEV. Grigoryants, as far as I know, was detained [inaudible] where there was an attempt for meeting. Hello.

Representative RITTER. I am under the impression that somebody is playing with the volume dial. You are not coming through continuously.

Is Sergei Grigoryants still in jail?

Mr. TIMOFEYEV. Yes, he was [inaudible] administrative sentence.

Representative RITTER. For how many days?

Mr. TIMOFEYEV. For ten.

Representative RITTER. Ten days?

Mr. TIMOFEYEV. Yes.

Representative RITTER. Are you in any danger of an administrative sentence placed on you for having conducted this communication with us?

Mr. TIMOFEYEV. [Inaudible] Hello.

Representative RITTER. Hello.

Mr. TIMOFEYEV. [Inaudible] was a speech on the [inaudible].

Representative RITTER. Yes, we got a good deal of it. We got a lot more than we are getting at this moment, but I ask you, are you in some danger of administrative arrest, having participated——

Mr. TIMOFEYEV. [Inaudible] arrest for now. It is [inaudible], but [inaudible] there is no great danger, a danger only in case when you demonstrate or when you have a not a party meeting.

Representative RITTER. The demonstration law is still in effect, is that true?

Mr. TIMOFEYEV. Yes, the demonstration and meeting law is still [inaudible]. [inaudible].

Representative RITTER. We were of the understanding that that law was being reconsidered when we visited in November.

Mr. TIMOFEYEV. No. No, it's—well, I don't know when it will be reconsidered. Now it is in action and [inaudible]. [inaudible]. [inaudible] and some of them [inaudible].

Representative RITTER. Lev, am I coming through smoothly to you, without interruption?

Mr. TIMOFEYEV. Yes, I hear you well.

Representative RITTER. I would like to tell you that modern technology, as good as it is, may not be the only determining force. There may be some reason why you are being interrupted in this conversation, or perhaps, the technology is not working. But we have had great difficulty hearing the last part of this discussion.

I am going to put you on with Chairman Hoyer.

Mr. TIMOFEYEV. Yes.

Representative RITTER. [Russian farewell.]

Mr. TIMOFEYEV. [Russian farewell.]

Cochairman HOYER. Mr. Timofeyev, I think we received most of your statement, in fact, we have it recorded here, and we will have it transcribed, so that it will be available for all of the Commission members, and anybody else who wants to see it.

I think it is going to be very helpful for us, as we go to London, to have your views on what we perceive to be a critical aspect of the free flow of information, and that is the right of individuals within the Soviet Union, or any other country, including the United States, to publish their thoughts and to distribute those thoughts freely.

We very much admire the efforts that you and others are making to bring that to reality. And we thank you very much for participating in this telephone conversation with us. We regret the difficulty of transmission, but are still amazed that this telephone conversation which perhaps would have been unthinkable even 4 years ago is occurring.

Thank you very much.

Hello.

[No response.]

Cochairman HOYER. The observation that I made when we were talking about the Moscow conference, was that if any of us had predicted in November 1986, when Mr. Shevardnadze proposed that we go to Moscow for a human rights conference, that there would have been the progress that has been made between November

1986 and January 1989, I think we probably would have all said that person is a wild-eyed Pollyanna, and it will not happen.

Mr. Sussman.

Mr. SUSSMAN. Yes, just a comment on the question that Mr. Ritter was raising. Recently they have strengthened the law with respect to demonstrations, so that now one must apply 10 days in advance of the demonstration to get permission. And journalists must have passes from the police in order to cover a demonstration. This is a new regulation.

Cochairman HOYER. Another question we ought to raise in the conference in London.

Representative Wolf.

Representative WOLF. Thank you, Mr. Hoyer.

I just have a couple of questions, if I may. One, how important is it when a congressional office gets involved in an informational/human rights case, or any type of human rights case in the Soviet Union, or in the Eastern bloc?

Mr. SHIPLER. I think that it has become increasingly important. When I was there in the seventies, I felt that the East-West relationship was part of the equation in determining Soviet policies, but not the overwhelming part, that essentially these policies were determined by domestic considerations. I think that is still probably the case, but it seems to me, in conversations I have had in Moscow, that increasingly now Soviet officialdom takes cognizance of attitudes in the West.

In some respects, for example, one can even hear officials speak admiringly of certain elements of, say, the American judicial system, and criminal law and so forth. They are in the process of going through some judicial reform and revising their Criminal Code, and they talk now about adopting some of the principles, not all to be sure, but some of the principles in our system. I have had experience where a party official has lectured a class of students I have been speaking to, who, when one of them expressed the opinion that the Soviet political system is much better than the American one, because in America anybody can just buy his so-called elected position.

And this Communist Party official, who was with me in the class said to these students,

> Who here knows how to make steel? Nobody. Then you wouldn't pretend to tell us how to make steel. You don't know anything about the American political system either, so don't tell us about the American political system, we have a lot to learn from America.

I just about fell over.

So I think that given the scope of the dialogue that is taking place, particularly between the State Department and the Foreign Ministry over the last 2 years on human rights issues, and I think this Commission has a very important role in that, then given the degree to which the Soviets are prepared now to talk about such a broad range of issues, I think there is a lot of possibility for increased dialogue and influence, as long as the relationship between the United States and the Soviet Union remains a fairly good one.

In a time of tension, I think the American influence declines.

Representative WOLF. If a Member's office wanted to make the greatest impact, whether it be for a member of the press, a journal-

istic case, or a human rights case, what are the hot buttons? Is it letters to the Soviet Embassy in Washington? Is it letters to the General Secretary Gorbachev? Is it letters to certain ministries?

What is the best thing that a congressional office can do to help someone with regards to human rights cases in the Soviet Union?

Mr. SHIPLER. Mr. Sussman probably has some thoughts on this.

It has always been difficult for me to figure out exactly what the best techniques would be. But I would say, as a general principle, the Soviet Foreign Ministry seems to me now to have become somewhat more important in the overall picture than it was before. I remember reading in Shevchenko's [phonetic] book, that the Foreign Ministry was not much of a player in the human rights question, when he was involved.

But it is clear now, because of this dialogue that is taking place, Foreign Ministry officials will go to other ministries and other authorities in the Soviet Union with particular cases, and get information. And that there is a constituency inside the Soviet hierarchy that is in favor of relaxation. And they, armed with American pressure, can perhaps have an influence.

So I would say the Foreign Ministry would be—that is through the Soviet Embassy, would be the most logical course. Although, if there is a way of having direct access to the Politburo, in one way, or another, then that is even better.

Mr. SUSSMAN. I would certainly agree with that, and I would add to it the impact as well of the press. The sharing with the press very rapidly such messages, so that it becomes a matter of public consideration, because all of this does have an impact. Certainly the embassy here, I would assume, relays press results, as well as formal contacts from Congress. And as well, too, the nongovernmental institutions, human rights groups and others, play a role. The CSCE, of course, is aware of all of that.

But all of these things together, I think, should be played at once. I think it is never clear from our side exactly which is the hot button. But I think all of them together are important. It has been true for a long time that even the most oppressive countries, even before there was glasnost and before there was detente, don't like to be called bad names in the world scene. So, publicizing this it seems to me, is vital, to CSCE. I have always felt—its major purpose has been to be the publicizer.

It is an extremely important effort, and I believe the Congress does its part by working with, and through the press, and the human rights groups. That has a multiple impact.

Representative WOLF. That was my next question. What impact does a story have? How about editorials in primary newspapers here in America, and in the West? I would think that can be very, very helpful.

Mr. SUSSMAN. I would certainly think so. We certainly believe that is the case. There is now much more responsiveness at the other end to such things, than there was 3, 4, 5, 8 years ago. And, indeed, they get picked up in some of the more liberal papers in the Soviet Union, such as the Moscow News and others, which tend to use it to their own purposes, of course, but nevertheless, indicate that they are watching. I think it is important, therefore, for us to understand that it is being watched.

Representative WOLF. My last question is for any of you who want to speak. What do you know about the Literary Gazette in the Soviet Union, that is published by Mr. Burlatskii? How—I don't want to use the word credibility—but how is that viewed in downtown Moscow? Is that like the New Republic? Or Time? Or is it U.S. News and World Report? Or National Review? How is it viewed in the Soviet Union, among the leadership?

Mr. SHIPLER. Well, I don't know how the leadership views it, it is the publication of the Soviet Writers' Union, and it has become much more interesting in the last year, than it used to be.

When I was there in the seventies, it was frequently used I think by the KGB to attack journalists, American journalists, accuse them of being CIA agents and all that sort of thing. Now, you get quite a variety of articles in the journal, and it is very interesting. I think that it is one of those staples of the reading diet that westerners in Moscow rely on. I mean, you must read it, it is as important to read as Pravda, or Isvestia, even though it doesn't have the authority, because it is, as I say, the writers' union journalists, as I understand it, not a party paper, per se.

Representative WOLF. But do you think it goes against the party? Do they do much——

Mr. SHIPLER. No, I think that would be going too far. I think it has become much livelier and much more—it has become very full of all kinds of different views on historical questions, for example, criticisms of Stalin and discussions of crimes committed under Stalin. It has dealt with literary matters in some detail. I mean, it has become—in some respects, it has become rather unorthodox and irreverent, as many other journals have. It is not—you would put it, I don't think—and I don't read it regularly now, I look at it occasionally, and read translations. So, I am not the best one to talk in detail about it.

But my impression is that you wouldn't put it in the same category as Ogonyok, which is a weekly magazine, which is really very audacious, and at the forefront of liberal discourse. And you wouldn't put it in the same category as Sovietskaya Rossia, which is a fairly conservative newspaper. But it has become a very interesting journal for articles about history, literature and so forth.

Representative WOLF. If you wanted to influence anything, whether it be a human rights case, or whatever, would it be absolutely ridiculous to think of putting those different publications on your mailing list. As you send a letter to Shevardnadze—or as you send a letter co-signed by Mr. Hoyer, or Mr. Ritter, or perhaps 100 Members of Congress—Would it be important to send that to all of the Soviet publications, in addition? Would that make a difference?

Mr. SHIPLER. I don't know, I think it would be a good idea to send it to Ogonyok and Moscow News certainly, definitely, because whether or not they published it, their editors would be interested in knowing what is going on and what you are saying in particular cases that you are spotlighting, definitely.

Representative WOLF. Thank you very much.

Cochairman HOYER. Dr. Demszky, let me ask you a question about your perception of how free the press is in Hungary, and specifically, how that is affecting Hungary's relationship with Czechoslovakia, in particular? At this point in time there has been in the

Hungarian press, statements by certain leaders in Hungary critical of the arrests that have occurred in Prague.

Dr. DEMSZKY. I have a special expertise in this because we were very, very glad to hear that there were mass rallies in Prague this year, in January. It was a very good sign that there is already a very strong protest movement, not only in Poland, but also in our neighborhood, in Czechoslovakia.

And on the other hand, it helped the Hungarian reform thinking and the reform line very much, because reform-minded political leaders within the Politburo can emphasize if we do not make concessions, if we do not make a compromise, what happened in Prague earlier this year in January can happen elsewhere.

A few weeks ago Mr. Berecz met Mr. Jakes and other Czech leaders, and afterwards really there was a very sharp criticism of the Czech political line and political thinking in the Hungarian press.

Cochairman HOYER. Now, focusing on the freedom of the Hungarian press, if you put the United States presses, or the Western presses as the freest presses—some may dispute that, I suppose, but I think that is probably basically true—that is give them a 10, and you put a controlled system as a 1, where is the Hungarian press on that spectrum?

Dr. DEMSZKY. I think it is not a quantitative difference, but a difference in clarity because of the present system of licensing of the press. I do not think that anybody has to ask for a license to publish, to establish a new journal.

Cochairman HOYER. There is no longer need for registration?

Dr. DEMSZKY. I do not think that registration is the same as permission.

Cochairman HOYER. I understand.

Dr. DEMSZKY. So I completely agree with this kind of registration in the courts, but it is only a question of institutionalization of the press. But I do not agree with any kind of licensing of the press.

Cochairman HOYER. But you believe that registering is alright?

Dr. DEMSZKY. Yes.

Cochairman HOYER. I think that's an interesting comment. From your perspective is there any chilling effect by having to register? In other words, is there the possibility that registration will in some way, in effect, put the Government on notice that somebody is publishing materials, so that if policies change sometime down the road—a week, a month, a year, that there might be some retribution for past criticism, or present criticism of the Government?

Your perspective is that registration is a normal——

Dr. DEMSZKY. Normal procedure, yes. I think so.

Cochairman HOYER. Mr. Sussman, or Mr. Shipler, do you have any comment on that?

Mr. SUSSMAN. Well, I am always a little wary of registration, whether it takes the form of licensing, or simply payment of a bond, or whatever is involved in official registration, because the power to register is the power to deregister, as your question suggests. And whether it is used immediately, or not, it hangs over the heads nevertheless of the editors and the reporters.

So I always look askance at registration and licensing.

Mr. SHIPLER. I agree. I think you can imagine the uproar in the United States if anyone proposed registering publications before

they could be put out. If you take the religious parallel in the Soviet Union, congregations must register with the State Committee on Religious Affairs. And that may, or may not be used as a weapon to restrict religious freedom and prosecute people who are not allowed to register, and yet who gather and form congregations anyway.

So it is a dangerous tool in the hands of authorities.

Cochairman HOYER. As you know, the Katyn Massacre was recently covered in the Polish press as to assignment of responsibility being with the Soviets, rather than to the Nazis. Does anybody know whether any of that appeared in the Soviet press?

Mr. SHIPLER. I don't know, I don't think so yet, but it may.

Cochairman HOYER. Are there any other questions?

Representative RITTER. Yes, Mr. Chairman, I would just like to ask that our Commission staff try to just find out whether or not Katyn was mentioned in the Soviet press, because I think it is quite important. It is incredibly symbolic that they would admit at home that they were responsible for Katyn, and it would not be out of line with what recently came out in Ukraine, where they covered with graphic photographs the skulls with bullet holes in the back.

My question is to have communication, the kind of which we are talking about, you need certain kinds of technology. You at least need the typewriter, you at least need Xerox machines. Up until recently, in fact, when we were in Moscow in November, we were told that you still are legally limited to 20 Xerox copies at the Lenin Library, if you want to make Xerox copies, as a citizen.

What about Xerox machines? What about personal computers? What about networks between personal computers? Where are things moving in the Soviet Union today, and I might just add, where are they moving in Hungary?

Mr. SUSSMAN. Well, they are moving very slowly, although, as you may know, last year there was an agreement signed with an American producer in California, to be able to sell computers in the Soviet Union. I am not sure whether that is set up yet, but I know it is still difficult. I talked last week with Mrs. Grigoryants, who is here in New York with us for a while, they have one computer. They have great difficulty getting paper, they must shop around from store to store, and place to place to buy a few sheets here and a few sheets there.

So it is very difficult to use the device. The last one they had, you may know, was taken by the police last fall, when they invaded their office, they took it away.

Representative RITTER. They had a personal computer with a printer?

Mr. SUSSMAN. I believe it had a printer—no, they don't have a printer, she was trying to buy a printer at this point, here in New York.

You can have computers without printers, and that would be like having a cart without a horse. And they are in the business of communication. Of course there is no linkage from computer to computer, what we call, for example, electronic mail, it is certainly not a public possibility in the Soviet Union at this point.

They have just begun telex—telefax from a hotel in Moscow to the States, but as you know, too, most Soviet citizens can't enter those hotels. So it is a very restrictive use of even the limited technology.

Representative RITTER. I just want to make a comment. I think glasnost is doomed as a prime, positive motive force to change Soviet society, unless communications can filter down to people engaged in their day-to-day work. It will not work just by *Pravda* alone.

But I would like to get an idea of the situation in Hungary, Dr. Demszky. Perhaps you could talk about the availability of the Xerox, the availability of personal computers these days?

Dr. DEMSZKY. Yes, the situation is a little bit different, and a little bit better, I think than in the Soviet Union or in Romania, where even the typewriters have to be registered, and in many Romanian cities you need special permission to buy a typewriter.

In Hungary we can have computers and even printers. The rules are very contradictory, because on the other hand no telex machines, no copiers can be in private hands. So we have difficulties getting access to these machines, and even to make a few Xerox copies of anything.

But there is another problem, too, with this new technology: it is very expensive, and these new initiatives, new parties, simply can't buy it. For instance, computers and printers, and things like that, or telefax machines, this is the real difficulty.

Representative RITTER. You are saying in Hungary they are available, but simply too expensive?

Dr. DEMSZKY. Yes.

Representative RITTER. If your group had the money you could purchase a Xerox and a personal computer?

Dr. DEMSZKY. Otherwise, I am a publisher, so we have machines, offset machines, but we have to hide them. And the printing process is deep in the underground in Hungary. So we produce in a year about 40, 50 tons, with very good machines and equipment, but these machines have to be smuggled into the country and often we have problems with spare parts. And if something goes wrong, it is very difficult to get it repaired. And we have to be very, very careful using it.

Representative RITTER. Mr. Chairman, I would like to thank you for yielding to me.

And I also want to commend Mr. Sussman on the work of Freedom House over the years. You have been there year-in and year-out, many times when no one else was.

Thank you.

Mr. SUSSMAN. Thank you very much.

Cochairman HOYER. I, too, want to thank all three of our witnesses, all of whom have distinguished themselves by service in the cause of the principles in the Helsinki Final Act, and, also, who have great knowledge in the area of information.

Your statements and responses to questions will be very helpful to us as we approach London. I, and other members of the Commission, and other Members of the House, will be visiting Budapest and then London very briefly at the opening of the session on Tuesday, the 18th.

I think all of us believe, as Mr. Ritter has pointed out, that the free flow of information is fundamental to the carrying out of all of the other principles and objectives of international agreements, whether it be the Helsinki Final Act, or the succeeding documents. The right to know is basic to the ability of persons to monitor the adherence of their governments to those guarantees. So we are going to pursue this follow-on meeting, very carefully. As the first non-military follow-on meeting, it will set a tone, I think, for the succeeding conferences.

So we are going to be looking at it very carefully. And we appreciate very much your taking the time in this hot room today, to assist us.

Thank you very much.

[Whereupon, at 4 p.m., the meeting was adjourned.]

APPENDIX

16 MARCH 1989

SENATOR ALFONSE D'AMATO

OPENING STATEMENT

HELSINKI COMMISSION HEARING ON

THE LONDON INFORMATION FORUM

MR. CHAIRMAN:

I WANT TO THANK YOU AND OUR DISTINGUISHED CO-CHAIRMAN FOR ARRANGING THIS IMPORTANT HEARING ON THE FIRST OF THE POST-VIENNA HELSINKI PROCESS MEETINGS. IT CONTINUES THE COMMISSION'S WELL-ESTABLISHED PRACTICE OF HOLDING A HEARING BEFORE EACH MEETING AS WELL AS A SECOND HEARING AFTER THE MEETING TO ASSESS WHAT HAPPENED.

INSTEAD OF RECEIVING OFFICIAL VIEWS AS IS MOST OFTEN THE CASE BEFORE A HELSINKI PROCESS MEETING, TODAY'S HEARING WILL SOLICIT THE COMMENTS OF NON-GOVERNMENTAL EXPERTS ON THE ISSUES TO BE ADDRESSED AT THE LONDON INFORMATION FORUM. TODAY'S WITNESSES CAN SHED LIGHT ON THE CURRENT SITUATION IN THE SIGNATORY STATES AND HELP POINT THE WAY INTO THE FUTURE.

THE PRINCIPAL ISSUE WILL BE, AS IT HAS BEEN IN THE PAST, THE CONDITIONS NECESSARY FOR THE FREE FLOW OF INFORMATION. THIS SEEMS ELEMENTARY TO MOST AMERICANS, BECAUSE WE HAVE GROWN UP IN A SOCIETY IN WHICH THE FREE FLOW OF INFORMATION IS REGARDED AS A FUNDAMENTAL RIGHT OF ALL CITIZENS AND AN ESSENTIAL FOUNDATION FOR A FREE AND DEMOCRATIC SOCIETY.

SENATOR ALFONSE D'AMATO
16 MARCH 1989

NOT EVERYONE IN THE WORLD IS AS FORTUNATE AS WE ARE. THINGS WE WOULD NOT -- AND DO NOT -- TOLERATE HERE HAPPEN TOO FREQUENTLY IN OTHER COUNTRIES. IN PARTICULAR, IN MOST WARSAW PACT STATES, THE FREE FLOW OF INFORMATION IS AN UNKNOWN IDEAL. SOME COUNTRIES ARE WORSE IN THEIR INFORMATION PRACTICES THAN OTHERS.

THERE HAS BEEN PROGRESS IN THE EAST BLOC IN RECENT YEARS. THE SOVIET UNION, LONG THE LEADING OFFENDER, LAST YEAR CEASED JAMMING FOREIGN RADIO BROADCASTS. ALSO, INTERNAL SOVIET MEDIA HAVE BEEN MUCH MORE FREE TO DISCUSS ISSUES AND DISSEMINATE INFORMATION.

BUT ALL IS NOT ROSY. EVEN THOUGH THE FORMAL CENSORSHIP PROCESS HAS ENDED, EXCEPT FOR NATIONAL SECURITY INFORMATION, THE COMMUNIST PARTY OF THE SOVIET UNION STILL UNQUESTIONABLY MANAGES AND CONTROLS WHAT APPEARS IN THE PRESS. INDEED, LOOSENING CONTROLS ON THE DOMESTIC MEDIA WAS A KEY COMPONENT OF GORBACHEV'S REFORMS. THAT LOOSENING, AND THE DISCUSSION IT PERMITS, IS CALLED "GLASNOST."

WE MUST NOT FORGET, HOWEVER, THAT GLASNOST IS NOT A SOVIET FIRST AMENDMENT. IT IS A CALCULATED STEP BY THE COMMUNIST PARTY TO ASSIST WITH PARTY-GUIDED AND CONTROLLED REFORM OF THE SOVIET SYSTEM. THOSE WHO DO NOT SUPPORT THE

SENATOR ALFONSE D'AMATO
16 MARCH 1989

PARTY LINE -- LIKE THE JOURNAL "GLASNOST" AND ITS PUBLISHER -- SOON FEEL THE WRATH OF THE SOVIET STATE.

ALSO, FOREIGN JOURNALISTS REMAIN UNDER SOVIET CONTROL IN CRUCIAL WAYS. THEIR CAREERS DEPEND UPON SUCCESS IN MOSCOW, AND BEING EXPELLED -- OR HAVING THEIR ACCESS LIMITED AFTER OVERZEALOUS REPORTING -- WILL HARM THEIR PROSPECTS IN THEIR OWN ORGANIZATIONS AND COUNTRIES. THUS, THERE IS PRESSURE FOR SELF-CENSORSHIP AND LIMITED EFFORTS TO REACH DIFFICULT OR CONTROVERSIAL SOURCES OR WRITE OR BROADCAST ON SUBJECTS THE SOVIET AUTHORITIES WOULD FIND SENSITIVE.

THESE CONDITIONS, HOWEVER, ARE NO LONGER THE WORST FACING EITHER DOMESTIC OR FOREIGN JOURNALISTS IN THE EAST BLOC. ARGUABLY, CONDITIONS IN ROMANIA AND IN CZECHOSLOVAKIA ARE NOW WORSE THAN IN THE SOVIET UNION.

JAILINGS, EXPULSIONS, CONTINUED STRICT CENSORSHIP, AND TIGHT OFFICIAL CONTROL OVER JOURNALISM REMAIN IN PLACE. INDEED, WHEN THESE CONTROLS ARE CHALLENGED BY PERSONS CITING GORBACHEV'S CHANGES IN SOVIET PRACTICES, THE AUTHORITIES CRACK DOWN HARD AND SWIFTLY.

THE LONDON FORUM HAS THE OPPORTUNITY TO DO SOME MUCH NEEDED WORK, EVEN FOLLOWING SO SOON AFTER THE CLOSE OF THE VIENNA MEETING. I LOOK FORWARD TO HEARING FROM OUR DISTIN-

SENATOR ALFONSE D'AMATO
16 MARCH 1989

GUISHED PANEL OF WITNESSES REGARDING WHAT THEY THINK IT CAN AND SHOULD ACCOMPLISH.

THANK YOU.

Testimony
Commission on Security and Cooperation in Europe
Russell Senate Office Building-Room 485
March 16, 1989

Leonard R. Sussman
Senior Scholar in International Communications of Freedom House

Free Flow of Information and the CSCE

Freedom House, in its forty-eighth year, has been intimately associated with the Helsinki Process since its origin in 1975. Our Board Chairman, Max M. Kampelman, served with distinction from 1980 to 1983 as U. S. Ambassador to the historic Madrid review conference of the CSCE. The President of our organization, John W. Riehm, was a member of the U. S. delegation to the recent Vienna review conference. We have an unbroken association with the Conference on Security and Cooperation in Europe since we urged in 1975 that a "Helsinki watch" monitor that important process. For we saw it, even in the dark days of the cold war, as movement toward a glimmer of greater freedom; by using persistent exposure and condemnation of inhumane practices, and exhortation for significant change in domestic and international deeds, not just words.

We recognized, therefore, that the Helsinki Accords were a tool for the future, not a concluded state of affairs. Indeed, they did not even have the status of a treaty. But they provided something quite unique in diplomatic history. The accords marshalled the power of information, of international persuasion, even the artful use of public shame to spotlight the oppressive deeds of signators.

Freedom House has many programs serving as freedom's advocate worldwide. They include monitoring political rights, publishing, and providing policy advisories on diverse foreign and domestic issues. No aspect of our work, and no

part of the Helsinki Process, however, is more vital than assessing the free flow of information within and between countries. For on that flow, and on the diversity of information depend all other aspects of the Helsinki Process; indeed, the guarantees of human rights and national security found in all baskets of the Final Act. Information is the key element, not just in the CSCE, but in fulfilling all promises of freedom for the human race.

As the compiler of the year-round "journalism morbidity table" I am amply aware of the hazards which accompany restrictions on the free flow of information. The table lists the number of journalists killed, arrested, harassed, expelled; and newspapers, magazines or broadcast facilities censored, bombed or otherwise controlled or shut down by governments---just because journalists are engaged in securing and sharing information for the public, at home or abroad. [In 1988, 38 journalists were murdered, 14 kidnapped, 225 arrested, 40 beaten, 24 expelled; 465 cases of harassment were reported, including 40 newspapers or radio stations shut down and eight bombed.]

Information is the first line of defense for any people assuring their freedom. Information is the most important single element in any people's striving toward a freer life. Information is the first target of tyrants who would deny a people their right to a more cooperative, secure existence. Information, then, is a primary indicator of a nation's sincerity in keeping the promises it makes at the CSCE.

The Final Act more than a decade ago set broad guidelines. These committed the signers to improve "the circulation of, access to, and exchange of information" within and between countries. This commitment applied to oral information such as lecture tours, printed information of all kinds, and filmed and broadcast information.The nations also agreed to enlarge cooperation in the field of information, and improve the working conditions of journalists. Those "conditions" would liberalize the essential arrangements for journalists to secure visas, gain

access to official and unofficial information, travel freely within and between countries, and carry their equipment in and out of a country. Apart from the generalized statements encouraging exchange of information among countries, however, there was no specific commitment to enlarge or diversify the *content* of the information flow. And, as any censor will attest, content---the ultimate product of access, and publication or broadcast---determines the true value of information flows.

The 1975 Final Act, therefore, was a notable beginning, but the Helsinki Process needed to continue, particularly in the field of information. The recent Vienna review conference resumed the difficult assessments of compliance and outright violations by signatories. At the conclusion, the Vienna conference broke new ground in the field of CSCE information diplomacy. The nations acknowledged more precisely the need to release from absolute state control the communications technologies which, by their nature, manipulate the *content* of the information flow. They agreed:

+ to stop jamming international radio broadcasts (and, indeed, by the end of 1988 the Soviet Union and its allies ended jamming);

+ to permit public access to machines that reproduce and distribute information;

+ to permit the use of cable and satellites between countries, and harmonize technical standards and norms so that international exchanges are facilitated;

+ to ensure the distribution in one country of another's official bulletins;

+ to broadcast *live* radio and television programs from one country to another, with participants from different states; and increase the number of telebridges

between countries;

+ to permit journalists---foreign and domestic---freedom of access to public and private sources of information, and assure confidentiality so important to press freedom; and

+ to facilitiate foreign journalists' accreditation, access to press conferences, and relevant technical information.

An important further accomplishment of the Vienna Concluding Document was the agreement to hold the CSCE Information Forum in London.

There is an obvious need for this meeting though it comes soon after the Vienna conference. There is much unfinished business in the field of information. As our latest assessment of press freedom indicates, only 57 of 159 countries (36 percent) provide the "most free" information flows. Eight of the 35 CSCE member-states permit the "least free" movement of information within or between their countries. (The table,"News Media Control by Countries," is attached to this testimony.)

In liberalizing the information flows, progress has been tedious and halting between Madrid/1983 and Vienna/1988. This, despite significant changes in the Soviet Union and several of its allies, and the improved relationship between the United States and the Soviet Union.To be sure, Soviet newspapers and television today report current events and history never publicly mentioned during the first 67 years after the Communist Revolution. Some aspects of government policy and some levels of the bureaucracy are publicly discussed or even challenged in the mass media. But all of this, welcome as it is, serves primarily to advance the specific objectives of the overriding official commitment to restructuring the economy and society in a fashion determined by the topmost Soviet leadership.

Glasnost, a component of perestroika (restructuring), is essentially, then, a management tool. It employs the media of information to achieve predetermined objectives. Glasnost, as presently used, exhorts the public to understand some operational, if not ideological, bases of the nation's social and economic stagnation, and work efficiently to overcome it. For that purpose the leadership encourages a far broader agenda of reportage and discussion. It removes the constrictive control of pre-publication censorship for other than national security---a definite advance---but it places the responsibility for selection, coverage and comment squarely in the conscience of editors and writers. They must make decisions on acceptable publication within the norms set by a still centrally operated State authority. In place of the old Glavnit censorship bureau, a single monitor now sits in every publication office. He must approve final copy before a printer can commit it to paper. In a word, monitored *self*-censorship now controls the individual journalist. That creates an environment for *domestic* coverage more exciting for the public, more nerve-wracking for the journalist. So far, however, glasnost has produced little commentary on *foreign affairs* that deviates from Kremlin policy.

The most important implication for glasnost---the chance of a real "opening" for diverse news and information flows inside the Soviet Union, and with other countries---inheres in the economic and technological imperative which produced the governing policy of perestroika. It is no longer possible to sustain a modern nation without revolutionizing the flow of information through telecommunications and the related instruments of computerization. Current Soviet policy, based on this premise, is seeking large and small information instruments to prepare for twenty-first-century communications linkages.These inevitably demand citizens trained to employ these instruments, which eventually inspire some ideas not yet approved by central authority. This threatens substantial subversion of a totalitarian or authoritarian system. Stated positively, the new communications technology is capable of providing ready access to diverse ideas and the free flow of information which are essential to achieving the human rights guaranteed all men and women in

relevant universal declarations and covenants.

Yet closed societies face the dilemma: make thinking and information machines available to citizens, or deepen the nation's social and economic stagnation. All the more significant, therefore, is the recent commitment at CSCE/Vienna to increase the freer and wider dissemination of information of all kinds through the use of cable and satellites; and---especially---to harmonize technical standards and norms, permitting distant computers to speak to one another in real time. This combination of technologies accompanied by *live* broadcasting can help democratize communications. These systems eventually can transform domestic and international communications into far freer networks than has ever been deemed possible.

My study of this potential will be published by Freedom House this fall. It is titled *Power, the Press and the Technologies of Freedom: The Coming Age of ISDN.*

Today's reality, however, is quite different from tomorrow's promise. For that reason, the London Information Forum is essential.

Even as the CSCE/Vienna sessions were in progress, these events occurred:

The Soviet Union's leading symbol of glasnost, Sergei Grigoryants, editor/publisher of *Glasnost* magazine, was arrested November 28 for the second time last year. With a colleague he had been photographing in Armenia. Both were arrested for one month. Earlier in the year, Grigoryants was detained, his files and office ransacked, and equipment taken by the police. The magazine continues to provide responsible coverage of events, ideas and personalities not found in the official media. Grigoryants told me in his Moscow apartment in July 1987, when he handed me the first typewritten edition of *Glasnost*, that the future of his magazine

would reveal the actual openness in Soviet society. By that standard, Soviet journalism remains under more sophisticated, but no less centralized, control. As recently as February 12, Grigoryants and Lev M.Timofeyev, another independent publisher, were harshly attacked in the official Soviet press. And *Izvestia* that day disclosed that all journalists, including foreign correspondents, would hereafter need passes from the police before covering any public demonstrations. Demonstrators must now apply ten days in advance for permission to hold a public meeting. The new rules effectively restrict public demonstrations and press coverage of them.

In Poland, in mid-summer, foreign human rights advocates were permitted to convene, but forbidden to meet representatives of striking Polish miners. And telefax and other communications instruments previously accessible to the conferees were shut down.

Not even the semblance of unofficial information is permitted to flow inside or from Romania. Video and audio casettes are confiscated at the border. Typewriters are registered with the government, which also controls newsprint and all mass media. Foreign journalists, already strongly curtailed, were repeatedly harassed even during the Vienna/CSCE conference. Police arrested two French television reporters in April, held them for three days and expelled them. Another French reporter from *Le Figaro* was arrested in September after he met with the wife of a dissident. He was expelled and permanently barred from Romania. Two Parisian journalists with *Le Nouvel Observateur* were expelled in November after being arrested for "anti-Romanian activities." They had interviewed a dissident. An American journalist with the *New York City Tribune* was arrested this January as he was about to meet a dissident. The reporter's notebook and film were confiscated, and he was expelled.

The most egregious flaunting of the Vienna Final Document occured in Prague.

On the same day the Czechoslovak Foreign Minister signed the agreement, Czech police turned water cannon on peaceful demonstrators and shot tear gas into subway stations. More than 1,000 people were arrested. Criminal charges were levelled against sixteen activists, including world-reknowned playright Vaclav Havel. The rally commemorated the student who killed himself in 1968 to protest the Soviet invasion of Czechoslovakia, the abrupt ending of the Prague Spring. Many Czechs believe that that liberalizing period was similar to the time of perestroika and glasnost in the Soviet Union today. The official media blamed Charter 77 and other independent organizations for the week-long unrest. Haval was later sentenced to nine months in prison.

Last October hundreds of riot police using dogs and tear gas dispersed a crowd of 5,000 people who defied a ban to mark the seventh anniversary of the independence of Czecholsovakia. Two weeks later, police raided apartments and detained fourteen dissidents who arranged a symposium on the country's future. The symposium, under official opposition, was scheduled to be held in a series of unpublicized apartments in Prague. Foreign guests were invited, but Czech officials refused to provide visas requested by Marion Doenhoff, publisher of the respected West German weekly *Die Zeit*, a Vienna-based Associated Press reporter and Danish professor Ove Nathan.

These were the most prominent incidents, but Czech officials last year cracked down repeatedly on journalists, foreign and domestic. On March 25, an Austrian television crew, a West German TV team, a BBC correspondent and several Czech nationals were detained while covering a Roman Catholic demonstration in Western Czecholsovakia. Two American journalists from the *Nation* magazine were arrested and expelled in June for attempting to gather information about a seminar organized by Charter 77. In September, a correspondent for the Associated Press was threatened with expulsion for covering a Prague rally for political reform which was broken up by police. They dragged participants into a waiting bus. A Reuters

correspondent was roughed up at the same event, and his notes confiscated. The Supreme Court of Slovakia in August upheld a four-year prison sentence against Ivan Polansky, a Slovak Catholic activist and an underground publisher. And, on Human Rights Day last December, a correspondent for the Voice of America was once again harassed covering Czechoslovakia.

* * *

This blatant fear demonstrated by political censors should be examined at the Information Forum. For more than a decade, Western delegates at the CSCE, led in the beginning by Americans, "named names." They recorded the systematic violations of the Final Act by the Soviet Union and Eastern European governments. That record of shameful acts has been an essential motivator for those improvements now seen in confidence-building, family reunions, easing of general emigration restrictions and other human rights issues. In the field of information, the ending in 1988 of the jamming of cross-border broadcasts was another salutary development.

The ending of jamming, a highly significant change, suggests an agenda theme and an approach for the Information Forum.

Jamming was an inordinately expensive exercise for the jamming nation. It cost several times more to jam than to create the original broadcasts---an annual bill for jamming estimated in the hundreds of millions of dollars. There was another, no less serious cost: the loss of credibility at home and abroad for a government which denies its own people the right to hear a divergent voice. Especially since that divergence can provide insight useful to economies and polities which by their own admission are stagnant. If jamming was triply injurious to the jammer, so is the continued stringent control of virtually all domestic information in the Soviet Union and Eastern Europe.

The key to salutary change is the diversification of the *content* of information; particularly by the use of the new communications technologies. They are innately democratizing---when permitted to be so. The Forum should examine in detail the loosening of restrictions on access to information, the diversification of reports by varied sourcing, and the accommodation of the bureaucracy to independent journalism. The new communications technologies have the power to transform not only journalism but education and production. If wisely managed, they can end economic stagnation. The price for central authority is greater freedom for the individual citizen. The cost of delaying the introduction of intelligence technologies is the further degradation of the society, and the need for increasingly repressive political controls. It is likely that Soviet leaders have already made the fundamental judgment that *some* deployment of information technology is urgently essential in the USSR. It is too early to know whether that decision will be adequately implemented, and whether the nomenklatura will short-circuit the implementation because of the democratizing aspects of the technologies.

The challenge of the communications technologies provides the opportunity to carry the CSCE Process forward on a new level, and with a new promise that appeals directly to the self-interest of *all* particpating states.

speedily amended by the Foreign Ministry to permit me to travel to Pereslavl, north of Moscow, which was not originally on my itinerary. There, in response to a request from The New York Times, the Academy of Sciences arranged an extensive program that included long visits to a computer institute that had just conducted elections, discussions with Communist Party officials, and free-wheeling conversations with 10th-graders in two high schools. Never before was I permitted such unstructured access to high school students, who in the past were usually sheltered from alien ideas.

In Estonia during January, I was able to speak with people across the entire political spectrum without interference, including party and government officials, separatists, former political prisoners, journalists, academics, and high school students whose teachers permitted open discussion of unorthodox topics such as the virtue of multiparty political systems.

This all seems revolutionary for anyone who worked there in the 1970s. Correspondents now enjoy extensive access to officials--and not just government officials, but also Communist Party officials, who were very difficult to see before Gorbachev. Some officials are now willing even to talk extemporaneously on the phone, without the weeks of formal letters, written questions, and bureaucratic approvals that used to be required.

Bill Keller, Moscow Bureau Chief of The New York Times, tells me that when Soviet air controllers conducted a rather unusual strike--continuing to work but refusing their salaries--one of the Soviet translators in the Times bureau managed to get the man in charge of air controllers for the Civil Aviation Ministry on the phone for a 30-minute interview with a visiting Times correspondent, John Burns. Keller says he often phones people in the Finance Ministry for discussions about budgets, taxes and the like.

The climate of candor has penetrated so deeply that these interviews are much more informative than before. Previous conversations with officials felt as if they were conducted through a piece of plexiglass. You could never reach out and engage the person. Every effort to discuss problems, to touch reality, was deflected by the smooth surface of denial. Nothing negative existed. Everything under the official's jurisdiction was just fine. Every encounter seemed synthetic.

Now many of the the conversations are genuine. The interaction is natural. Officials criticize, complain, talk openly about problems, and even disagree with each other in front of correspondents. Some allow themselves an admiring remark about the United States, a sardonic observation about the Soviet leadership.

Many Soviet journalists have also shed their roles as propagandists and now investigate social ills with considerable vigor. This makes Soviet reporters and editors helpful to Western correspondents who want to look beneath the surface.

The political liberalization has given rise to a multiplicity of informal interest groups with competing ideas, which in turn provide Western journalists with a window on internal problems and debates. In short, Soviet life has been revived by an intellectual liveliness.

Soviet citizens also display much less anxiety about having

contact with Americans. Such encounters seem to carry less stigma, less fear that they will "end badly," as Russians used to say, in the loss of job promotions or privileges.

There has been a conscious effort to reduce xenophobia, most visibly in the access given Western journalists to the Armenian earthquake. Moscow-based correspondents were allowed to travel to Armenia without prior notification to the Foreign Ministry and could change their itineraries at will. According to one report, foreign television crews were even admitted from Turkey without visas, traveling with a Red Crescent Society convoy across the border. Gennady Gerasimov, the Foreign Ministry spokesman, has cited the policy of openness in the case of the earthquake to argue that glasnost saves lives.

This has given foreign correspondents unprecedented access to Soviet society. But the competing reflexes of insularity, paranoia, and suspicion remain intact. And they coexist with the more open impulses. Three problem areas deserve special attention.

K.G.B. Harassment

The K.G.B. and other authorities still conduct surveillance of journalists, sometimes ostentatiously, and still attempt provocations and occasionally outright interference in correspondents' work.

Phil Taubman, who ended a tour last December as Moscow Bureau Chief of The New York Times, was in Semipalatinsk last fall when he returned early to his hotel. The key lady on his floor tried to prevent him from going to his room. As he pushed past her, he saw two men rushing out of his room. His address book, which had been in his suitcase, was on top of his television set.

Felicity Barringer of The New York Times returned to her hotel room in Tbilisi last fall to discover that a new file had been opened in her laptop computer. She called it up, and it read: "Irina is a very good student in school, and she is learning English." This sentence was followed by three paragraph marks, and then the words, "Play Ball." Obviously, the K.G.B. likes to leave its signature.

During a trip to Minsk last month, she said, she was followed ostentatiously, and official access was poor. She managed to interview only low-level people. She was also barred from attending an officially-sponsored, public meeting on the aftermath of the nuclear accident at Chernobyl. She arrived 45 minutes late and was told she could not enter, despite the availability of seats inside.

Bill Keller of The Times says that he has been followed only twice that he has been aware of--once in Lvov and once in Kishinev, where a man eavesdropped on an interview Bill was conducting outside, and then after the interview got into a car with government plates.

Andrew Nagorski, a Newsweek correspondent who was expelled from Moscow in 1982, had the typical mixture of experiences after he was granted a visa to make a return trip in February and March of this year. In exchange, an American visa was issued to Melor Sturua, an Izvestia correspondent who had been expelled in retaliation.

Nagorski, who is spending this year as a senior associate at the Carnegie Endowment for International Peace, was allowed to travel to every Soviet city he requested -- Moscow, Vologda, Tallinn, Riga, Vilnius, Kiev, Lvov, Yerevan and Baku (for only five hours). But his trip was marked by a few unpleasant incidents.

He was told by a Foreign Ministry official in Moscow that he did not need his visa changed if he wanted to make a day trip to a place that was not listed as long as he did not stay overnight. But when he made such a trip by bus with a Russian friend to Sokol, which is 40 km outside Vologda, he walked around town only 15 minutes before being stopped by a policeman. The officer wrote up a document alleging that Nagorski had violated travel restrictions. The policeman asked Nagorski to sign the document and, when he refused, produced two witnesses to sign it. Before sending the reporter back to Vologda, the officer insisted on escorting him through the better sections of Sokol to make sure he did not leave with a bad impression of the place!

Nagorski was also the target of a crude attempt at what the Russians call a "provocation." A man called him in his hotel room in Vologda, saying he was a friend of Phil Taubman's and asking to see him. Nagorski agreed. The man said he had important information for Taubman and could Nagorski convey it to him. Nagorski said correctly that he believed Taubman had left Moscow, but the man was insistent. He produced a piece of paper with what he said was his address written on it and asked Nagorski to tell Taubman to write to him, but to sign the letter with a certain Russian name to disguise its origin. Nagorski flatly refused and asked what information he wanted to convey.

"Information about the military and militia deployments around Vologda," the man said. Nagorski ended the conversation and walked away.

In Kiev, Nagorski met with two former political prisoners who agreed to talk with him in his hotel room despite their assumption that it was bugged. But when Nagorski tried to escort them into the hotel, the hotel doorman said they could not enter the building without registering at the desk. An argument ensued, but they went to the desk, where they were required to present their internal passports and sign in. Lesser men would have been intimidated by this, but these two had spent enough years in the camps not to be easily frightened.

Other correspondents also feel that their Soviet acquaintances are less intimidated than in the past by K.G.B. activities. They seem less upset when a correspondent has been followed to their homes, for example.

Since overt K.G.B. surveillance and harassment seems to vary considerably from place to place, it seems logical to conclude that this sort of low-intensity interference is done at the initiative of local authorities, who may be acting more on their own than on direct instructions from Moscow.

Travel Restrictions

Despite the more open reporting of demonstrations, riots and ethnic tensions in the Soviet press, Western correspondents based

in Moscow are still being prevented from traveling to regions where disorders have taken place.

The Foreign Ministry has implemented an on-again off-again policy for travel to Armenia and Azerbaijan. For example, although [illegible] was allowed to stay in Yerevan, Armenia, he was not permitted to stay overnight in Baku, Azerbaijan. After this visit, some Moscow-based correspondents were told that the two cities were [illegible] closed. In January, a Reuters correspondent visited Nagorno-[illegible] region of Azerbaijan but was not allowed to stay overnight. In February, Keller was refused permission to visit the region because he was told, frankly, the situation had become more tense.

Nevertheless, Keller has the impression that travel has become a good deal easier, that the Foreign Ministry is not interpreting the rules to be obstructive. Few trips are being denied and phony reasons for refusals--full hotels and overbooked flights--are less common, he says.

There have been a few trips to previously closed areas, most notably to Perm, where Taubman and A.M. Rosenthal visited a prison camp. Subsequently, Ann Cooper of National Public Radio went to Perm. Other closed areas such as Magadan have been opened temporarily. Vladivostok is still off limits except that a few correspondents were allowed to report on a conference there on Pacific relations.

Several correspondents have suggested that I urge the Commission to propose that the United States open a new effort to induce the Soviets to relax travel restrictions. My understanding is that for many years the United States took the position that all restrictions should be lifted, and that certain areas of the United States were closed to Soviet citizens purely as a reciprocal measure. From time to time American officials would propose a complete lifting of the American restrictions if the Soviets would do likewise. The Soviets would not budge.

During the Reagan Administration, however, it was given to understand by State Department officials that the restrictions on Soviet citizens had come to be seen as a counter-espionage measure, and that there was no longer any desire to open all areas of the country. Consequently, no serious effort was made to ease the restrictions on both sides.

I do not know whether the Bush Administration has formulated a policy on this, but some of my colleagues and I believe that this may be a good time to work toward reducing the areas of each country that are closed to citizens of the other.

Although it is difficult to imagine the Soviets' opening all of their territory to foreign journalists, it may be possible to get them to ease the rules and limitations and expand the open areas. This might be accomplished either through strict reciprocity or a series of unilateral, parallel actions. In any event, the United States should be on the side of fostering increased openness, which I am sure can be done without sacrificing our security.

Visas

Soviet authorities seem to have become increasingly accommodating in issuing visas to journalists who are visiting temporarily, as in the case of the lifting of the ban on Nagorski. But some problems remain.

Often, visas are still being issued at the last minute, putting journalists in the position of having to juggle departure flights. (I have not had this problem; I have received my recent visas a week or so in advance of departure.)

Furthermore, freelance journalists are confused about the proper application procedures, since they have neither offices in Moscow nor a Soviet organization that can support their visa requests. It is not clear, for example, whether a freelance journalist can deal directly with the Foreign Ministry's Press Department, or whether he must contract through Novosti for expensive translation and guiding services to get a journalist's visa.

Some Russian-speaking freelance writers who do not want to be under the constant eye of a Novosti guide prefer to go on their own and make their own arrangements for interviews. I am certainly in this category. It seems acceptable now for such people to pay Intourist in advance for hotel rooms, etc., and present vouchers to the Soviet consulate to acquire a visa marked "Tourist." Soviet officials do not seem to mind if a working journalist enters on a tourist visa. But I should think that a more clear-cut procedure could be worked out so there is no possibility of a journalist's being accused of entering the country under false pretenses.

In summary, the fluid situation in the Soviet Union presents the Commission with new challenges in formulating its approach to issues of human rights and freedom of information. It is important to differentiate between official policy and cultural reflex. And the United States must be mindful of its own shortcomings with respect to Soviet journalists, who undoubtedly face their own problems in obtaining visas, interviews and the like.

###

WRITTEN TESTIMONY
OF
DR. GABOR DEMSZKY

HELSINKI COMMISSION HEARING
on

THE RIGHT TO RECEIVE AND IMPART INFORMATION:
A PRELUDE TO THE LONDON INFORMATION FORUM

March 16, 1989
2:00 - 4:00

485 Russell Senate Office Building

ACCESS TO INFORMATION IN HUNGARY

Copying the soviet-type monolithic system the ruling Hungarian Communist Party (HWSP) easily built up its political control over the press and other media. The highest organs of the Party, the Politburo and the Central Committee, jointly control the press, basing their exclusive power on the system of nomenklatura.(The narrower meaning of this word is the list of key positions, appointments to which are made by the higher authorities in the party. The broader meaning of the term designates a group of people considered politically reliable by the regime.)

This nomenklatura is quite openly the real owner of all press publications in Hungary, and this little group of people, in the last four decades, recruited only the reliable journalists. The long run and immediate consequence of this policy results in a lack of confideance for these journalists because of the assumed political requirements, and because of the self- and officially- imposed censorship.

Two major shocks affected this self-perpetuating system in the eighties. The present political crisis has gone so far in the last couple of months in Hungary that even the leading role of the HWSP has become questionable for the future; and the rhetoric coming from Moscow has an unpredictable quality about it.The result of these two shocks is a more enlightened and more interesting press, as both an actor and mirror of the changes, as well.

Nevertheless, the main feature of the Hungarian "glasnost" is that while openness is increasingly evident, any perceptible restructuring still remains to be seen. In the period 1988-1989, control over the media was significantly loosened, and many former political taboos – like the evaluation of the 1956 revolution and the presence of the soviet troops – are now publicly being discussed and hotly debated. But if we consider the existing system of publishing and the fact that the press still needs to be licensed, it is clear that the institutionalization of democratic changes has not began yet. The old rules and laws are in force and the old "reliable" guard is still on board.

The general framework for matters relating to the press is regulated by Law No. II of 1986, and the licensing of the press itself is the subject of different lower-level press regulations. According to this policy, the Office of the Council of Ministers is authorized to issue a license for the production and publishing of any domestic periodicals, foreign newspapers, and for the establishment of television or radio studios, and also for the establishment of other technical devices that transmit any information. The Ministry of Culture is responsible for the licensing of books, educational materials, textbooks, films and videocassettes. The local press is under the control of the county councils. (See in Miklós Radványi: The Press Law in Hungary, 1987). This highly centralized and strictly controlled system has not been modified, although there are high expectations for the future because of the anticipated new press law. (The draft proposal of this law has not been published.)

Because of the loosened party control not only has the approach and the style of the official press changed, but newly established newspapers are on the scene too. Only one of them is realy "independent," but the others use in their title this attractive expression, too.

Among these new journals, the one having the highest circulation has the title of "Reform." This weekly magazine was established with the financial help of the German "Springer concern," but the majority of its equity is in the hands of various Party enterprises. This Bild-Zeitung-like newspaper combines erotic entertainment with "reform minded" articles.

After eight desperate years of fighting, populist writers have finally succeeded in gaining a license, and since October 1988 they have published a bi-weekly called "Hitel" (Credit). In this way, one of the significant streams of political thinking in Hungary has gotten a public voice. But the large number of unofficial samizdat publications indicates that there

Samizdat is the clandestine printing and distribution of banned dissident literature. In Hungary, this activity, modeled after the Russian and influenced directly by the Polish samizdat movement, began to flourish in the form of typewritten peridicals in 1977. In 1980-1981, influenced by the Solidarnosc movement, several groups decided to produce samizdat journals. These Hungarian activists had studied the techniques of independent printing in Poland, and some of them had become true experts in silk-screen and offset printing.

The Jaruzelski coup deeply shocked the Hungarian opposition. Disillusionment ran so deep that some of even resigned from active participation, although most of the dissidents decided to continue their work.

Of the independent periodicals Beszélő is the longest-running and has the largest circulation. The latest issue of this quarterly had distribution of 6000 copies. The editorial board of Beszélő believes that in the midst of economic crisis, society can force the power structure to make certain concessions. Their demands include the enactment of laws to restrict the power of the HWSP, and the granting of real freedom to exercise political rights. Their thougts about the possibility of compromise between society and the political leadership were articulated in a special issue of Beszélő, entitled "Social contract".

AB Hirmondó (Messenger) has been published regularly since 1983, providing its readers with a monthly collection of timely documents, and reports and commentary of political nature. Because it reacts quickly to - and is sharply critical of - day-by-day developments in the political life of the coutry, it more closely resembles a newspaper than does Beszélő. Since 1988 there are many other new periodicals like the Hiány, the Magyar Zsidó (Hungarian Jew) and some of the newly established political initiatives publish newsletters without any license, too.

Along with the first samizdat periodicals, books also began to be published independently in Hungary. The first and most productive independent book publisher is AB Független Kiadó (AB Independent Publishers), which began its activity in December of 1982. In addition to such series bearing titles as Supplement to the History of Eastern Europe, 1956, and Gulag and Poland, it has published such literary works as George Orwell's *Animal Farm* and *Homage to Catalonia*, the novels of Milan Kundera, and the screenplays of Vaclav Havel.

Although the country's leadership wants to avoid the public embarrassment which would result from arresting well known opposition activists, the police are encouraged to find ways to stop or at least hinder samizdat activities. House searches, short-term arrests and various other forms of harassment have occurred regularly since 1981. Thousands of copies have been destroyed, and many copiers and offset machines confiscated. In 1988, the house searches and arrests were intensified in anticipation of two demonstrations: the unofficical mass protest on March 15 (commemorating the 1848 Hungarian Revolution), and the memorial gathering on June 16 (to mark the anniversary of the execution of Prime Minister of Imre Nagy). There is a good chance that this scenario will be repeated this year.

Last but not least, I have to mention a very serious obstacle to access to information. Newly established independent trade unions, the independent political parties and other organizations barely have access to the mass media. The Alliance of Free Democrats and the FIDESZ (the organization of the young democrats) do not have licensed newspapers,

but the situation is the same with the Social Democratic Party and with the Smallholders Party. The institutionalization of democracy has many obstacles. First of all, the whole structure of the licensing for the press has to be abolished. But there is an other unsolved question, namely that of financing. These democratic organizations, with thousands of members and an undeniable political base, need some constant source of institutional support. Regardless of how much we believe, or don't believe, in the reforms-from-above approach, it would be a mistake to build everything on the goodwill of the HWSP leaders.

Gábor Demszky
New York, March 4, 1989