

**THE RIGHT TO KNOW,  
THE RIGHT TO ACT**

**Documents of Helsinki Dissent from the Soviet Union  
and Eastern Europe**

**Compiled and Edited by the Staff of the  
Commission on Security and Cooperation in Europe**

**Washington, D.C.**

**May, 1978**

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FOREWORD

The documents presented in this volume are links in a chain reaction of free expression. Taking place inside the Soviet Union and its Eastern European allies, this process of civil protest varies from one locale to another both in scope and content. Its common base, however, can be found in the 1975 Helsinki accord, the Final Act of the Conference on Security and Cooperation in Europe.

There, in the introductory Declaration on Principles Guiding Relations between Participating States, the 35 signatory nations bound themselves to accord the same respect to the human rights and fundamental freedoms of their own citizens as to one another's frontiers, sovereignty, and immunity from force or the threat of its use. The pledge to respect "freedom of thought, conscience, religion or belief," to "promote and encourage the effective exercise of civil, political ... cultural and other rights", to accord ethnic minorities "equality before the law" and "full opportunity", and to "act in conformity" with international commitments on human rights constitutes Principle VII of the Final Act. In that human rights Principle, moreover, the signatories confirmed "the right of the individual to know and act upon his rights and duties in this field."

Some of the results of that knowledge and that action have been brought together in this sampling of Helsinki-related protest and commentary. Many of the documents are the collective work of specially created Helsinki-monitoring groups, such as those in the Soviet Union. Whether the tie to CSCE is direct (as in Romania and the USSR) or attenuated by the local, specific, political setting (as in Czechoslovakia and Poland), two common tenets unite the diverse worlds of the Helsinki dissenters. All proclaim a fundamental right to the open exchange of information and all insist that law -- domestic and international -- be honored.

This dual attachment to the rule of law and to open, public discussion has long been a central principle in the conduct of Soviet dissenters. In asking that the Helsinki guarantees be applied to their situations as well, activists in East Europe seized on the same two points of argument. Whether Poles are reporting on the censorship of news about coffee exports or Romanians are complaining about the maltreatment of would-be emigrants, the thrust of their protest is against the violation of law and the secrecy which shrouds such violations.

Although the Commission has not been able to publish an anthology of all the dissident documentation it has received, the following compilation is at least representative of the range of Helsinki issues which are of acute concern to the citizens of Warsaw Pact states. The reports touch on the freedom to preach, to write, to publish, to travel, to learn languages and to teach them, to hold unpopular views and to express them.

Taken as a whole, these documents cast light on the darker side of Communist societies. That is not the only side, of course, but it is important to know that it exists and to realize that brave men and women are working to illuminate and correct it. In the hope that this sampling of their work will guide researchers and policy makers in many countries to an understanding of the hopes brought into the open by the Helsinki accord, this volume is dedicated to its authors.

A handwritten signature in dark ink, appearing to read "Dante B. Fascell". The signature is fluid and cursive, with the first name "Dante" being more prominent.

DANTE B. FASCELL  
Chairman, U.S. CSCE Commission

A handwritten signature in dark ink, appearing to read "Claiborne Pell". The signature is cursive, with the first name "Claiborne" being more prominent.

CLAIBORNE PELL  
Co-Chairman, U.S. CSCE Commission

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### Acknowledgements

The Commission wishes to acknowledge with gratitude the contributions to this volume by several organizations and individuals. For their introductory essays on Helsinki-related dissent we are indebted to Professor Vilem Precan (Czechoslovakia), Nicholas Carroll (Poland), Dumitru Tsepeneag (Romania) and Valery Chalidze (Soviet Union).

Professor Precan emigrated in the summer of 1976 from Czechoslovakia where he had been a research associate at the Historical Institute in the Academy of Sciences. He was dismissed from his position in 1970 for having co-authored the Black Book and now pursues his scholarly work in West Germany.

We are indebted to the Sunday Times of London and its international correspondent, Nicholas Carroll for permission to use excerpts from an article Carroll wrote for the April 9, 1978 edition of the Times shortly after a visit to Poland. Carroll's piece, "Communism in kid gloves for a state where most people are dissidents," provides an excellent introduction to the range of dissident activities described in the following materials written by Polish citizens.

Dumitru Tsepeneag is senior editor of Cahiers de L'Est, a Paris journal of East European writers in exile. He was a writer in his native Romania until his departure some five years ago. He has since been stripped of his citizenship by the Romanian authorities.

Valery Chalidze was co-founder of the Moscow Human Rights Committee and edited and signed fifteen issues of the "Samizdat" journal, Social Problems. He came to the United States in 1972 to lecture at Georgetown University and subsequently was deprived of his Soviet citizenship for his activities in defense of human rights in the Soviet Union. He is now editor of A Chronicle of Human Rights in the USSR, a bimonthly journal reporting on the human rights movement in the Soviet Union, and author of To Defend These Rights and of Criminal Russia.

The Commission is also grateful to several other organizations and individuals for advice, editorial assistance and translation services. For the section on Czechoslovakia, we wish to thank Professor H. Gordon Skilling, Department of Political Economy, University of Toronto for his advice throughout and to Miss Káca Poláčeková, Eliot Lake, Ontario, Canada; Mrs. Anna Faltus, Czechoslovak National Council of America, Washington, D.C.; Amnesty International;

and The International Committee for the Support of Charter '77 in Czechoslovakia for their translation work. For the section on Poland, we are indebted to the ANEKS organization, 61 Dorset Road, London, England W5 4HX, England, for compilation and help in translation. For the Romanian section, we wish to note the contribution of Keston College, Heathfield Road, Keston, Kent BR2 6BA, England; R.S. Penners of the Library of Congress, Washington, D.C.; and Ester Kurz of the Commission staff, for translations from the Romanian source material. For the section on the Soviet Union, we are grateful for translation services to the Helsinki Guarantees for Ukraine Committee; ELTA Information Service; and Catherine Cosman and Helen Sen of the Commission staff.

The editing of the volume was supervised by Alfred Friendly, Jr., Senior Consultant for the Commission.

The views expressed on the pages that follow are those of the authors. Their compilation and presentation by the Commission on Security and Cooperation in Europe is done as a public service to further knowledge and implementation of the Helsinki Final Act.

### Guide to Sources

In preparing this volume on Helsinki-related dissent in Eastern Europe and the Soviet Union, the Commission had recourse to a wide variety of sources. To aid scholars and others who wish to pursue the subject, we provide below a listing by country of these and other sources where additional materials, including current documents, can be obtained. Given the growing number of organizations and individuals involved in following the dissent movement, our list is by no means exhaustive, but it does provide, in our experience, a useful guide to some of the major sources. There is no listing for Bulgaria and Hungary because we are not aware of any sources for these two countries.

#### Czechoslovakia

Amnesty International  
International Secretariat  
10 Southampton Street  
London, WC2E 7HF  
England

Council on Free Czechoslovakia  
2051 Park Road, N.W.  
Washington, D.C.

Index  
P.O. Box 410511  
5 Cologne 41  
Federal Republic of Germany

Index on Censorship  
Writers and Scholars International, Ltd.  
21 Russell Street  
London WC2B 5HP  
England

International Committee for the  
Support of Charter '77 in  
Czechoslovakia  
3, Rue des Lions  
75004 Paris  
France

Palach Press Limited  
Press and Literary Agency  
145 Gray's Inn Road  
London WC1X8UB  
England

#### East Germany

CDU/CSU Group  
German Bundestag  
Bonn  
Federal Republic of Germany

#### Poland

ANEKS  
61 Dorset Road  
London W5 4HX  
England

Association of Polish Students and  
Graduates in Exile  
42 Emperors Gate  
London SW7 4HJ  
England



Poland (con't)

Federation of Poles in Great Britain  
238-246 King Street  
London W6 ORF  
England

Polish American Congress, Inc.  
1200 North Ashland Avenue  
Chicago, IL 60622

Palach Press Limited  
Press and Literary Agency  
145 Gray's Inn Road  
London WCLX8UB  
England

For readers interested to learn further about political programs formulated by Polish dissident groups, we would refer them to Edward Lipinski's "Open Letter to Gierek" (text in Survey No. 99), the Programme of the Polish League for Independence (text in Survey No. 99), Jacek Kuron's Reflections on a Programme of Action (manuscript) and interview in Le Monde (January 29, 1977) and Adam Michnik's article "Vive la Pologne" also in Le Monde (December 16, 1976).

Romania

Committee for the Defense of  
Human Rights in Romania  
14 Rue de l'Amorique  
75015 Paris  
France

Radio Free Europe  
1 Englischer Garten  
8 Munich 22  
Federal Republic of Germany

Committee for Human Rights in  
Romania  
P.O. Box J  
Gracie Station  
New York, N.Y. 10028

Soviet Union

Documentation in Russian:

Arkhiv Samizdata  
RFE-RL, Inc.  
1 Englischer Garten  
8 Munich 22  
Federal Republic of Germany

Khronika Press  
505 Eighth Avenue  
New York, N.Y. 10018  
(Selected documents are available  
in English in A Chronicle of  
Human Rights in the USSR.)

Keston News Service  
Keston College  
Centre for the Study of Religion  
and Communism  
Heathfield Road  
Keston, Kent  
England, BR2 6BA

Washington Street Research Center  
3101 Washington Street  
San Francisco, CA 94115

Soviet Union (con't)

Documentation in Other Languages:

In English: ELTA Information Service  
Supreme Committee for Liberation of Lithuania  
29 West 57th Street  
New York, N.Y. 10019

Helsinki Guarantees for Ukraine Committee  
P.O. Box 32397  
Washington, D.C. 20007

In French: Comité pour l'application des accords d'Helsinki  
en Géorgie  
6, rue Thiers  
75116 Paris  
France

In German: Glaube in der 2. Welt  
Zürichstrasse 115, Postfach 142  
8700 Kusnacht-Zürich  
Switzerland

Kuratorium Geistige Freiheit  
Postfach 227  
3600 Thun  
Switzerland

CZECHOSLOVAKIA

An Introduction to Charter '77

by Professor Vilem Prečan

Charter '77 is a changing phenomenon; trying to give it a definitive description is like trying to shoot down a moving target. In the 15 months of its existence, it has been characterized from many different perspectives. Its objectives have been defended, for instance, against official efforts to outlaw and liquidate it. Some foreign observers have erred in viewing it as an opposition group, an organization of dissidents, whose stress on the rule of law is merely camouflage. Even among Charter members, the debate has been continual over how Charter can or should realize its aims. The discussion occurred last summer, resumed in March, 1978, and is apparent in many Charter documents.

The initial Charter proclamation of January 1, 1977, for instance, termed the group "a loose, informal and open association of people of various shades of opinion, faiths and professions, united by the will to strive individually and collectively to promote in our own country and throughout the world respect for the civic and human rights embodied in the U.N. Universal Declaration of Human Rights and accorded to all by the International Covenants and the Final Act of the Helsinki Conference."

Professor Jiri Hajek, one spokesman for Charter '77, has spoken of "an association of interest born of the effort to examine whether or not the laws and regulations to which a state is committed are being put into practice." He stressed that "the essence of the Charter is a call to full and active citizenship." Another spokesman, Dr. Ladislav Hejdanek, held that "the main aim of Charter '77 is to spotlight the situation of the society in which we live." And the late Professor Jan Patocka, who was inextricably associated with the early phases of the Charter and its highly moral nature, closed the essay which is rightly called his political testament with these words: "From the Charter we may expect a new ideological orientation to enter our life -- an orientation towards basic human rights, towards morality in political and in private life. The Charter will not stop reminding us of our debt to these legally protected rights; it will not stop reminding us -- or people abroad -- no matter what risk such activities entail."

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The importance of the Charter and of its continuing activity can only be appreciated against the background of Czechoslovakian reality. After eight years of so-called consolidation (since the Soviet invasion of August, 1968), that society remained crippled by the failure to achieve fundamental democratic reforms. The majority of its citizens not only inwardly disagree with the policies of the small governing elite; they actually oppose them. Externally, however, they had resigned themselves to passive accommodation, unable to hope in any change for the better. The governing elite is also a prisoner of the new situation imposed after the defeat of the Prague Spring. Discredited and compromised, it does not dare to decrease its pressure for fear of bringing the collapse of the precarious structure of "consolidation."

Under these circumstances and especially after the sweeping police action of January 1972, and the political trials which followed it, dissent was confined to a small group of people -- individuals or ad hoc groups -- who could only express their criticism of the political establishment by publishing their protests and proclamations abroad. Unlike the dissidents in the U.S.S.R., those in Czechoslovakia did express the opinions of the majority of the dissatisfied population, although they were mainly intellectuals and some politicians still defending the 1968 reforms. Their protests continued into 1975 and, after the publication abroad of a letter by Alexander Dubcek, more public pronouncements emerged without spurring direct confrontation with the regime. After the Helsinki Conference as well, several such individuals and small groups of people voiced the demand that Czechoslovakia implement the Final Act principles.

Disappointed that detente did not automatically bring that hoped-for internal liberalization, these lonely and isolated voices lacked sufficient influence to pressure the regime or to provide the basis for broader community action. Those who spoke up were mainly already prominent dissidents or former Communists out of touch with other circles in the society -- particularly with young adults.

In the second half of 1976, however, events took a different turn in connection with the trial of 14 young people. Members of underground musical groups, they had been brought to trial only because their compositions expressed an existentialist opposition to hypocritical morals, to conformity, and to consumerism. Their trial was meant to be a warning to all nonconformist youth, but

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it in fact spurred several spontaneous joint actions, in which people of different generations, political views, and religious faiths became friends. Crucially, this action was not political in nature but merely the defense of the basic rights of a group of young people to sing what they wanted to sing and to define their own philosophy of life. The defense of the "singers" -- as Patocka called them -- created the basis for further unified activity in defense of human rights. Warm feelings of solidarity grew during this common search for truth and strength as it was discovered how many people refused to be silent in the face of injustice.

Unable to remain patient and fearless of further consequences, these people would no longer wait for change to come from above or outside. The long years since 1968 had made them realize that freedom and human rights are indivisible. And that only by claiming a right does one make it real.

Jan Patocka later expressed this realization: "Passivity only makes the situation worse. The greater the fear and servility, the more brazen the authorities become. Only when the authorities are convinced that injustice and discrimination will not be ignored, will they lessen the pressure."

The achievements of those whose discontent with the status quo brought them to a firm resolve to act through systematic public criticism brought in August and September, 1976 the liberating realization that change in society must begin with the people themselves. Advancement of human and civic rights was seen as THE primary problem affecting the lives of ALL citizens. It is the will of people to be citizens -- with all the risks such a stand involves -- that makes possible the enforcement of human and civil rights.

At this societal turning point, at the birth of the first mass movement since 1969 to oppose persecution, a legal program appeared. In November, 1976, the two International Covenants on Human Rights were published (although quietly) in the Law Code and thus became a formal part of the Czechoslovakian legal system. Not even a superficial reader of the Covenants could fail to see a flagrant discrepancy between their provisions -- assumed as obligations by the Czechoslovakian government -- and the daily practice of the state, police, judicial and other agencies. This discrepancy was actually a challenge: to demonstrate the real state of affairs, to spotlight it, and to reveal the discrepancies fully. The challenge consisted not only in

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offering suggestions for improvement but in continuing the struggle beyond single protests. The challenge, as Charter '77 proclaimed, was not only to make the state accept its own laws, but to require that "everyone share responsibility for the present situation and, accordingly, for the implementation of the enacted Covenants."

Thus, Charter '77 was born.

\* \* \* \* \*

In Czechoslovakia, the basic obstacle to the resolution of civic and human rights problems is in the nature of the regime, a dictatorship based in the Communist monopoly of power, perpetuating itself at the expense of the independent role of citizens or civil institutions. The built-in inflexibility of that situation is compounded by the fact that through the post-1968 consolidation process, the authorities have failed to solve the problems which brought on the crisis of the late 1960's. Thus, it was hardly surprising that the regime reacted with near hysteria to the civic initiative of Charter '77, to the criticisms it voiced, to its restrained program of citizen involvement. In its defense of human and civil rights, the Charter struck the Achilles heel of the regime.

Unable to discuss or debate with the Charter -- for the Charter principles of inalienable human rights are irrefutable -- the regime could not straightforwardly gainsay the Charter's claim to be defending the state's own pledges to observe minimum international standards. (According to the Czechoslovak Interior Minister, indeed, Charter '77 is so cunningly written that only one person in ten could recognize the danger it represents.) Instead, the regime chose to use ideological argumentation in its propaganda campaign against the Charter and to increase repression against its supporters.

As a matter of principle, however, the Charter is non-ideological in its approach to human rights, and Charterists refuse to engage in polemics. As long "as people feel there are issues worth suffering for" (Patočka) and as long as detente continues, at least in its present form, the challenge of the Charter will remain. The state may answer criticism of human rights violations by their further violation. It may try to ruin people by depriving them of their livelihood. It may intimidate them and -- through police terror -- isolate this civic initiative and break it up. But the struggle between Charter '77 and the state will still remain undecided.

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In fifteen months Charter '77 has gone from 240 to 930 signatories, about half of them in their twenties. It has brought together Catholics, Protestants and atheists, former Communists, disciples of Eurocommunism, young Trotskyites, intellectuals and workers (about one third of the signatories.) It has done this -- even under a dictatorship -- by systematically performing what Jan Patočka called pedagogic activity -- education in citizenship.

Primarily, as the selection of its documents published below indicates, it has publicized and criticized judicial, police and other forms of persecution, stressing violations of human rights in political, public, social, economic, cultural and religious life. But through the solidarity of its members and its public appeals, both to leading government officials and to world opinion, the Charter has gone beyond criticism to a systematic, objective analysis of Czechoslovak legislation and various administrative practices. In comparing them to recognized, established international standards of the rights of man, it has also submitted proposals for improving existing conditions. And in making these proposals public, the Charter has been performing a useful educational function.

In connection with the Charter, a parallel information system has developed, circulating "samizdat" documents, proclamations and other Charter communications, as well as dozens of texts, commentaries and legal papers prepared by Chartists. This system has informed the public of illegal police conduct, of acts of persecution and of political trials. Directly or indirectly, Charter '77 also stimulated the search for other kinds of civic initiatives outside and beyond its framework. It helped create the opportunities for an independent spiritual and intellectual life concerned with problems of ecology, the creation of alternative "self-help" institutions. Among the latter are private education groups for young people denied entry into state institutions of learning and the publication in "samizdat" of literary magazines and works by proscribed authors.

For many years most people have lived in fear. Charter '77 has revitalized civic action and courage. Vaclav Havel, one of the early Charter spokesmen, testified to this change when he was released from prison on May 20, 1977, having been jailed January 14. "I lived in total isolation for four months," he said, "and on returning home I was able to make a vivid comparison of the situation before and after the Charter. I must say that I was amazed to see how much had

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*changed in that time ... It was as if society's conscience had begun to awaken, as if the barrier of apathy behind which people had isolated themselves from reality had begun to crumble, as if they had begun to realise anew that there are more precious things in life than material possessions."*

*In evolving an independent structure basically concerned with the moral issue of how citizens obey their own consciences and defend the rights of others as though they were their own, Charter '77 has disrupted the totalitarian system in which it developed. It has shown a feasible and promising way gradually to overcome dictatorship in Czechoslovakia. It represents an embryonic democratic structure -- a potential model of civic emancipation -- and establishes the missing link between the attempts at reform in the 1950's and 1960's in Eastern Europe and the human rights movement which had to wait for the signing of the Helsinki Final Act before it could make its appearance.*

*Charter '77, as the documents released in connection with the Belgrade Conference show, is aware of the international dimension of its endeavors. It realises that peace and freedom are indivisible and that without widening the frontiers of freedom, the process of detente will only be a truce between two blocs armed to the teeth.*



CZECHOSLOVAKIA

Prague, March 12, 1978

Proclamation of Charter '77

The Conference in Belgrade has just concluded. Its sessions were attended by representatives of 35 states who gathered to review the implementation of the provisions of the Final Act of the Conference on Security and Cooperation in Europe, signed in August of 1975. The attention which the proceedings of the conference received in all countries on this continent reflects the real interest in the preservation of peace, development of cooperation and in further detente. It is also an expression of belief that the struggle for these goals is not and cannot be a matter of interest for diplomats and governments only, but for all nations and their people. This is why civic movements and other initiatives in support of this endeavour have originated in many countries. Charter '77 is one such movement.

The Helsinki accord specifically proclaimed the basic unity, equal applicability and reciprocal nature of the principles formulated in the Final Act. It is an improvement over other documents concerned with the search for peace and cooperation, in that it clearly states that military and political detente and economic and cultural cooperation among states are inseparably linked to the advancement of human rights and fundamental freedoms within the signatory states. One is contingent on the other, so that the violation of one endangers the other, retards the overall process of detente and endangers peaceful coexistence.

The proceedings in Belgrade were an objective illustration of the validity of this idea. Considerable discussion was devoted to the question of the applicability of the proceedings to all the participating states. Because civic initiatives and other movements in support of the implementation of the provisions of the Final Act were also discussed, it is natural to recall that the principles of Charter '77 are among the initiatives of this type.

The time and effort devoted to discussions of human rights at the Belgrade Conference gives testimony to their importance in the process of detente. We believe that the spirit of Helsinki is violated when one signatory nation refuses to discuss with other signatories how it is implementing the Final Act. The resultant antagonism cannot be beneficial for the attainment of common goals. It is regrettable that the adoption by some states of just such a position regarding the question of human rights and fundamental freedoms caused the discussions in Belgrade to run aground and prevented positive results. This showed how large and complicated are the obstacles to the goals established at Helsinki. However, at the same time, it confirmed anew the validity of the commitments and obligations undertaken under the Final Act as a whole and in all its parts. The effort to implement them remains a permanent task for European nations.

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Human rights are among the most important components of this task. The fact that so much time was devoted during the proceedings to civic initiatives and citizens' implementation movements enhanced the possibility that these movements will grow. Even though they did not receive legal recognition, the Belgrade Conference strengthened these initiatives and movements. Their activities received moral recognition and acknowledgement as a factor for peace. They were firmly established as such in European and world public opinion.

At the same time, the difficulties of implementing internationally-accepted principles are a reminder to those who work for their implementation through civic initiatives in their own countries. It is a long and complex task, requiring civic courage, perseverance, decisiveness and patience.

In more than a year of existence, Charter '77 has had much experience in this regard. It is not mere chronological coincidence which leads us to assess the results and significance of the Belgrade Conference at the same time we commemorate the anniversary of the dramatic clash between the Charter and its domestic adversaries and pay homage to the memory of Professor Jan Patocka.

His tragic end last March symbolized this encounter and his funeral gave expression to the strength of Charter '77 ideas and their unquestioned superiority over the machinery of repression. By all this, we also are committed.

Dr. Jiri Hajek

Marta Kubišova

Dr. Ladislav Hejdanek

Spokesmen of Charter '77

CZECHOSLOVAKIA

Prague, October, 1977

The Opening of the Belgrade Conference

Dr. Gustáv Husák  
Prague

Mr. President,

Representatives of the states that took part in the Conference on European Security and Cooperation will meet soon in Belgrade to determine how the principles and recommendations of the Final Act, signed in Helsinki August 1, 1975, are being fulfilled. Because your signature binds our republic to live up to this document, we consider it proper to turn to you with our comments and suggestions. We are concerned that Czechoslovakia and her people contribute as much as possible to this all-European endeavour.

At Helsinki, you agreed that in order to ensure the peaceful co-existence and cooperation of all countries in Europe, it is essential that each participating state respect the sovereign equality of all the others, their territorial integrity and the inviolability of their borders, as well as the principles of self determination, equality and non-intervention, the obligation to resolve disputes by peaceful means, and also human rights and fundamental civil liberties. Among the practical steps toward the peace and security of our continent, the Final Act lists not only negotiations to decrease military forces and armaments, cooperation of an economic, scientific, technical and cultural nature, but also measures which will facilitate contact and mutual understanding among all citizens of participating states.

We fully understand that the provisions of the Final Act of Helsinki comprise an integral whole. Yet at the same time, this document expresses, far better than many previous documents, the humane postulates which earned it great understanding and hope from our people. Equally welcome at the end of 1975 was your signature on a document ratifying the International Covenants on Human Rights, making those agreements valid both internationally and within our own legal system. Your signature thus created the prerequisites for fulfilling the promise to adhere to the Covenants, a promise confirmed as well by all the participants in the Helsinki conference.

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After being approved by the Federal Assembly and ratified by the President of the Republic, these international Covenants became a part of the Czechoslovak legal order. Following their publication, many of our citizens read them and contemplated their contents and the consequences of their being applied in our conditions. They felt and continue to feel that their binding nature, confirmed both by your signature and by the declaration of the highest constitutional and political bodies, should and must be applied, without exception, to all aspects of the life and conduct of our republic. They feel that such application will do away with discrimination against hundreds of thousands of citizens who are restricted particularly in their right to work and their right to receive just remuneration for work done, simply because they profess opinions that are fully in keeping with the constitution and the aforementioned documents, although not always in keeping with what is stated as the official point of view at a given moment. They feel that every citizen will be effectively protected in his constitutional rights against the anonymous pressures of power and the political apparatus.

These citizens see in the Helsinki confirmation of "the right of the individual to know and act upon his rights and duties in this field" an international recognition that civil initiatives taken to ensure the realization of these rights and freedoms constitute one of the forms of participation in implementing the conclusions, principles and aims of the Final Act of the Conference on Security and Cooperation in Europe.

Many of our citizens are turning, both individually and jointly, to their constitutional and political authorities with comments, reminders, requests and suggestions. In this atmosphere of increasing civic activity, there arose a loose, informal petition group called Charter '77, which voiced the main postulates of its activity in its basic document, and which gave more concrete, specific detail as applied to the individual areas of our lives in numerous further documents.

Charter '77 was not and is not seen by its signatories as an organization with aspirations. Rather, it is an association of those who concern themselves with human rights. Once Charter '77's basic aims are met, its raison d'etre and its activity will cease.

The critique it sets forth is not destructive, but highly constructive, since it is directed against the violation of constitutional and legal rights of citizens. Its activity aims at contributing to the carrying out of the obligations accepted by the Czechoslovak state as a result of the ratification of the international Covenants. Revealing shortcomings is always linked with positive proposals and suggestions as to how to overcome and eliminate these defects.

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In this sense the documents of the Charter reflect a current of citizens' criticism far broader than just the community of its signatories. It can be proven objectively that the multiplying signs of social tension are linked to the postponement of the resolution of many acute cases. In such a complex internal situation, where economic problems are beginning to increase in geometric progression, statesmanlike wisdom suggests that well-considered measures be taken to decrease tension. Certainly nothing should be done to fuel the fire.

We also refer, Mr. President, to your own personal experiences, to the time when your voice "from inside" was not heard, much to the detriment of the cause. We recall how after your return to freedom you yourself were silenced on more than one occasion, and attacked for criticizing shortcomings in our public life in the Sixties. You might understand therefore the efforts of those of our citizens who are convinced of the need to remedy conditions, particularly when problems now are far more serious than they were 10-15 years ago, and when further delay will cause such phenomena to increase rather than disappear.

We consider it essential to state openly that these shortcomings will not be eliminated by reprisals against those who criticize them. Nor can critics today be silenced by such action. More than once Charter '77 has offered its active and positive cooperation in overcoming various negative phenomena in our society. In response we have met only defamation, discrimination, degradation and repression.

In a letter dated May 30, 1977, addressed to the Federal Assembly, a spokesman of the Charter, along with 10 other signatories, called attention to grave breaches of civil rights in the form of blows to the livelihoods of signatories of Charter '77 as well as other Czechoslovak citizens. All were illegally fired from their jobs because they refused to withdraw their signatures to the Charter, or refused to vote for various anti-Charter resolutions. At that time, we attached 80 documents to our report on job discrimination. The only change since that letter was the occurrence of still more such cases, so that today the documentation would be even more extensive. Moreover, since that time, a number of signatories have been deprived of their rights to invalid pensions, in spite of the fact that they are ill or crippled and will be unable to obtain even a minimum income without their pensions. Furthermore, the children of these families continue to be discriminated against when they apply for admission to secondary schools or universities.

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Several signatories of Charter '77 have been subjected to criminal prosecution, and some of them are still in prison. For that reason citizens turn to you, both individually and in groups, to request their release. Your constitutional authority enables you to resolve this question to preclude its becoming a serious problem in the future and complicating public life for years to come.

Even the respective state agencies publicly admit the existence of these problems. In a resolution dated April 5, 1977 the Federal Assembly establishes, as ongoing tasks, the need to fortify socialist legality, to draw decisive conclusions when it is violated, and to intensify the systematic protection of citizens' rights. The cause of law and legality is not strengthened, however, when the law-abiding efforts of one or more citizens are labeled "subversion of the Republic." It sounds equally senseless to accuse the Charter of damaging the interests of the Republic abroad, when it is common knowledge that these interests are most damaged by the official campaign of defamation against the Charter and by repression and discrimination against its signatories.

No problem can be resolved by denying its existence or by pointing to other countries which have similar or far greater problems and shortcomings and where human rights are violated even more, or in different ways. We call attention to shortcomings here precisely because we are convinced that they need not, and ought not, exist in this society, because it is within its power to resolve them. Before the Belgrade meeting begins, we would like to contribute to its successful outcome by making the following proposals:

- recognize the justification of civic initiatives aimed at implementing the agreements on human rights signed and ratified by Czechoslovak institutions;
- rescind all acts of repression and discrimination against such initiatives (including Charter '77), their participants and family members;
- incorporate into law and other legal norms all the measures which follow from the ratification of these Covenants by Czechoslovakia, and publish information on the concrete preparation of these legislative measures;

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- discuss straightforwardly, in all appropriate government agencies, the individual and collective initiatives of all citizens, without judging these proposals according to whether or not the person who voices them is in total agreement with existing conditions.

It is our most sincere wish that the Belgrade meeting be successful and that it contribute to the further irrevocable relaxation of tension in Europe. We feel that by carrying out the above proposals, our republic will strengthen its participation in this work and at the same time, will facilitate the solution of a number of our own problems and difficulties.

Dr. Jiri Hájek

Marta Kubisová

Dr. Ladislav Hejčánek

Spokesmen of Charter '77

*Following are extracts from three of the fourteen Charter '77 documents issued in 1977: from Number 4 (January 23) on discrimination in education against the children of supporters of the 1968 Prague Spring; from Number 7 (March 8) on workers' rights; and from Number 9 (April 22) on violations of religious freedom.*

Number 4 (excerpts)

For many years now one of the most burning problems in the area of human rights in Czechoslovakia has been the persistent discrimination in the selection of young people for secondary schools and universities. Every year the opportunity for further education is denied to a large number of young people whose scholastic achievements, qualities of character, interest in education, and good results in entrance examinations have proved them to be suitable for it.

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This discrimination has been practised for a great many years against the children of citizens of many different categories . . . according to undeclared but strictly administered directives. In this way, contrary to the law but all the more efficiently, they are deprived of many fundamental human rights, among them the right to free education for their children. In earlier times this affected the families of the so-called kulaks, of political prisoners in the various trials of the 1950s, of members of Western armies in the Second World War, of emigres, of those who practised a religion, etc. At the present time the victims are (on a massive scale) in particular the families of those citizens who in 1968 were actively involved in public, political, scientific and artistic life . . . .

The discrimination against them is often willful and not infrequently amounts to a settling of old scores. But even provided that these people were criminally prosecuted and convicted, their punishment should not extend to persons who are obviously innocent, viz. their children. Punishment of these children in the most sensitive sphere of their education and preparation for life is, by the same token, not only completely illegal but also contrary to all ideas of a decent and humane society, especially a society which claims to be socialist . . . .

Eight years after the declaration of the normalization policy, secondary schools do not accept children who in 1968 were 7-8 years old, and universities, children who in 1968 were 10-11 years of age, if, at that time, their parents spoke up for the democratization of our public and political life.

The present system of selection for study at secondary schools and universities is not concerned with an objective evaluation of the abilities, talents and prospects of the candidates, nor with the proper utilization, development and dispersal of talent. Its two basic functions are: firstly, to reward for political "involvement" and conformity, and secondly, to punish parents for their political views if they are not in complete agreement with today's political practice . . . .

A proof of discrimination coupled with patronage can be seen, for instance, in the official directive of the Ministry of Education concerning the selection procedure for the school year 1976-77.

According to this directive an entrant who has passed his matriculation with honours (with grade "one" in all subjects), and who has obtained top grades in both the written and oral entrance examination, but who does not fulfill the "class-political criteria," will rank lower in the acceptance scale to an institute



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of higher education than an entrant whose matriculation results and marks throughout his secondary school only reach the average of 2.7 (i.e. there may be no "one's and more "three's" than "two's"), whose written entrance exam is "unsatisfactory" and the oral only average, if this latter student meets the "class-political criteria."

Such an official Ministry of Education directive does not induce secondary students to study, to develop their knowledge and to work hard; rather the opposite is true.

The illegality of the entrance procedure is aggravated by other factors:

1) The directives and rules are secret and so they are beyond public control, not to speak of the fact that the absence of information about these rules decreases the chances of the majority of applicants.

2) The whole selection procedure is also secret and not subject to any public control.

3) The number of college places is also not made known and by artificially lowering the number of places available in some subjects (particularly in non-technical fields) the chances of acceptance for politically handicapped children are again decreased; this latter strategy affects the specially gifted, in particular e.g. talented linguists, artists, musicians, etc. ....

4) In certain fields some courses are being opened secretly; for instance, one year no applications were officially accepted for a "History of Art" course but subsequently the course was suddenly opened and filled exclusively with children, particularly girls, from today's "prominent families" . . . .

Apart from the contribution the current selection practice makes to the devaluation of moral values, to widespread hypocrisy and patronage, it also has grave consequences for standards in secondary schools and universities. It influences the professional standards of the graduates of these schools in their future positions and in practical life. Society as a whole is being deprived of creative forces and talent. Such practices have a particularly grave and alarming effect on the economic and cultural development of a small country like ours, poor in raw materials and other extensive sources of growth. Those who are today responsible for husbanding our country's most valuable resource, the creative abilities of the people, should realize what enormous and often irretrievable losses are being inflicted on our society as a whole . . . .

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### Number 7 (excerpts)

We, the signatories of CHARTER 77, citizens of various political beliefs, have one thing in common, namely our identification with the provisions of this Covenant. A careful examination of the latter has led us to conclude that the state of economic and social rights in Czechoslovakia requires an unbiased evaluation; the present document should serve as a stimulus to this end.

1. One of the most important articles of the pact speaks of the "right to freely choose or accept work" (Article 6). It is often claimed that in Czechoslovakia this right has already been realized and that, as distinct from capitalist countries Czechoslovakia has no unemployment. It is true that the Czechoslovak workers created economic conditions which have abolished open unemployment; in this sense the workers have greater social security than in other developed countries. However, this has been achieved at a price incommensurate with the purpose; there was a decrease in the effectiveness of the national economy which resulted in widespread hidden unemployment, which took the form of a large number of superfluous institutions and jobs that could have been disposed of long ago by the use of advanced technology and organization of labour.

At the same time, this state of affairs is accompanied by the virtual obligation to be employed, by the curtailment of the right to vote, to resign from employment or to change jobs, and by the possibility that those who do not comply in this respect with the increasingly severe requirements of the state are liable to legal prosecution. The state is the almost monopolistic employer; the formation of co-operatives is being progressively limited and the co-operatives are increasingly directed by the state. The free choice of employment is an integral part of the right to work; it is particularly this last attribute of the right to work which is very little heeded by both current practice and the valid Labour Code. In this respect labour legislation as well as the labour policy have in recent years even shown signs of deterioration.

2. The International Covenant also stipulates the right to a just reward for work which can provide "a decent living for families" (Article 7). Within this definition, the right to a just reward is, in Czechoslovakia, almost non-existent because the salary of a wage-earner only seldom ensures a decent standard of living for his whole family.

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This is also why Czechoslovakia has a very high level of female employment; in fact, one of the highest in the world. But we are all aware that this fact makes a virtue out of necessity. Most women do not take jobs because they wish for a fuller life or independence, but rather under economic pressure and out of bare necessity, because their husband's pay would not ensure a decent life for their families. Consequently, the almost universal employment of women is not a sign of their increased equality, but rather of their increased dependence.

3. Discrimination between men and women is, however, not the only case of wage discrimination. The trend towards discriminating between large groups of workers can be seen in comparing the young with the old, manual with non-manual workers, some highly skilled groups with the non-skilled, and also in the wage classification of individual branches of the national economy, etc.

A massive and largely demoralizing aspect of discrimination in remuneration is the so-called personal work appraisal; this practice places political involvement above professional skills or the actual work output . . . .

4. Both the current practices of the trade union movement and the legal norms concerning association in trade unions contradict the right of trade unions to "function freely" (Article 8), since they do not concede the "right of everyone to join the trade union of his choice (Article 8(a)). The trade unions are not run primarily by workers and shop-floor employees but by economic and other apparatuses . . . .

The trade unions do not make any effort to safeguard the participation of the broad masses of the workers in wages policy, whether it be on a local or national level. They allow this aspect of policy to be organized from above; when the workers resist wage reductions (for example during the rationalization of the wage system in 1973-1975), the trade unions do not support them. If the workers attempt to organize a strike (with the risk of persecution, which is at variance with the right to strike; it does not happen too frequently), they discourage them. The trade unions do not even press the Government to establish a subsistence minimum which could be reviewed yearly and which could serve as a basis for determining a minimum wage . . . .

In many spheres of our life we can also observe many positive phenomena, especially in comparison with the past. The essence of the matter does not lie, however, in the proportion of pluses and minuses in the field of economic and social rights, but rather

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in the way they are approached. We consider it our civic duty to voice our disagreement with the view that a working man in our country has full social freedom and that all his rights are safeguarded; we disagree in particular with the thesis that, with the achievement of the right to work and of some other social rights, all the other rights, in particular political rights and democratic freedoms, lose importance . . . .

With equal urgency we would like to draw attention to the fact that the purpose and essence of socialism is not simply to secure social rights and certainties, but rather the all-round development of man as a free being, i.e. the liberation of man in the deepest and fullest sense of the word. A great deal still remains to be done before this aim is realized. This would still hold true even if we could enjoy social and economic rights in Czechoslovakia to a much greater extent than is possible today; it would hold true even if we could exercise these rights to the extent stipulated by the International Covenant on Economic, Social and Cultural Rights.

### Number 9 (excerpts)

. . . Article 18 of the International Covenant on Civil and Political Rights proclaims the right to freedom of thought, conscience and religion. Further it proclaims freedom of expression and freedom "to seek, receive and disseminate information and thought of all kinds -- regardless of frontiers -- orally, in writing or in print, through art or by other means according to the person's own choice." (Article 19, para. 1, 2) . . . .

It is well known that, although a person's religious affiliation has been omitted from official documents for more than twenty years, it plays an important role in assessing people for a variety of purposes. It is necessary to ensure that believers and non-believers have an equal opportunity to become teachers, professors, scientific workers, civil servants and employees of courts, the procuratorate and other institutions without having to hide their beliefs and convictions. Only the skills and moral qualities of the individual should be decisive in the matter of employment . . . .

It is not compatible with the principles of the freedom of conscience, thought and expression that certain occupations

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(e.g. teaching) should be restricted to those who pledge their adherence to the ideology proclaimed by the ruling political powers. The impact of any school of thought is weakened if it is enforced by the political powers in an administrative manner . . . .

Freedom of expression includes the right to receive ideas regardless of frontiers. It is at variance with this right to prevent citizens from obtaining theological, philosophical, teleological, religious and other literature from abroad and from freely disseminating ideas, articles, studies and other works across frontiers. It is high time to cease the unfortunate practice of restricting at all costs the possibilities of obtaining undistorted information and ideas about Christianity and other religions. It is wrong for the dissemination of religious literature and even the Bible to be considered almost a criminal offence and an anti-state activity. (For example, almost without exception, it is forbidden to read the Scriptures in prison) . . . .

Our Constitution and the two international covenants (Article 28 and Article 21 of International Covenant 1 and Article 22 of International Covenant 2) proclaim the right to hold meetings and the freedom of peaceful assembly . . . .

An integral part of the freedom of assembly is the opportunity for churches and religious associations to meet their counterparts abroad. This involves exchanges of students and teachers from faculties of divinity schools, friendly visits and study leave for individuals and church representatives on various levels. Lively contacts between Christians across frontiers, a mutual cross-fertilization of various traditions and movements would reflect positively on the life of society as a whole. Their existence is expressly required by the Final Act of the Helsinki Conference in the chapter on international co-operation in the field of the humanities . . . .

Prague, October 17, 1977

### The Trial of Lastuvka and Machacek

Between September 26-28, 1977 a trial took place at the Regional Court in Usti nad Labem of Eng. Vladimir Lastuvka and Eng. Alex Machacek, signatories of Charter 77, who had been

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detained for investigation in Litomerice since January of this year.\* Initially they were accused of instigation (of hostility to the social order, etc., Paragraph 100 of the Criminal Law), but later on the charge was changed to subversion of the Republic (Paragraph 98 of the Criminal Law).

The basis of the indictment was that both were found to have Czech and Russian books and magazines published in Toronto, Paris, Munich and Rome (referred to by the court as "harbouring" these publications), which they "disseminated" (loaned to friends and fellow-workers), and which they discussed with other readers. As evidence of the subjective factor necessary to qualify such action under Paragraph 98 ("out of hatred for the socialist system"), the court brought up, among other things, the fact that the accused had sympathies for Charter '77 and refused to join the campaign to condemn it, conducted in January. (That campaign, it is common knowledge, was conducted on orders from "above," without allowing the respective "censuring" groups to acquaint themselves with the text or even with a truthful summary of the contents of the Declaration of Charter '77 dated January 1, 1977). On such weak factual and legal grounds, both defendants were condemned to three and one half years loss of freedom.

The attitude of the court was reflected in the atmosphere of the trial as well as in the verdict. Ostensibly public, the hearing was held in a room with eight seats (selected from among the 150 rooms of the Palace of Justice), which were occupied by three family members for each of the accused, and by the State Security Police. Friends of the accused as well as representatives of Amnesty International were refused admission. The judge grossly reprimanded not only the accused but also members of their families, threatened them, and brought inadmissible pressure to bear on witnesses as well. The obvious violation of Czechoslovak law, particularly the provisions of the International Covenant on Civil and Political Rights (Collection of Laws, 120/1976), as well as the disregard of fundamental principles and provisions of trial procedure, clearly illustrate how legality and Article 17 of the Constitution of the Czechoslovak Socialist Republic are being respected in actual fact, and the manner in which the principles of the Final Act of the Conference on Security and Cooperation in Europe are observed, even while the implementation of those principles is being discussed in Belgrade.

\*On September 28, 1977, the court sentenced Lastuvka and Machacek to three and one half years for subversion. At the appeal trial on January 5-6, 1978, the Supreme Court upheld the three and a half year sentence passed on Ales Machacek and reduced Vladimir Lastuvka's prison term to two and a half years.--ed.

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Prague, October 12, 1977

The Trial of Ornest, Lederer et al

On October 17, 1977 at 8 o'clock a trial will begin before the Senate of the Municipal Court of Prague, No. 2 Spalena Street, in room 84, against journalist Jiri Lederer and stage director Ota Ornest, who have been detained for investigation since January, and authors Frantisek Pavlicek and Vaclav Havel, who have been at liberty pending trial. Jiri Lederer is charged on the basis of Paragraph 98 of the Criminal Law with subversion of the Republic which he allegedly committed by sending abroad leaflets, works of fiction and articles by Czech writers for publication in Czech periodicals and by foreign publishers. Ota Ornest is being prosecuted under the same paragraph for working with Jiri Lederer in this activity, and Frantisek Pavlicek for preparing to commit the crime of subversion of the Republic by giving Jiri Lederer an interview for his book of conversations with Czech writers. Vaclav Havel is charged under Paragraph 112 of the Criminal Law with attempting to damage the interests of the Republic abroad, which he allegedly did by turning over to Jiri Lederer the manuscript of the memoirs of former Minister of Justice, Prokop Drtina, for mailing abroad.\*

The planned trial is not only profoundly unjust from a human, moral and cultural standpoint, but -- should a verdict of guilty be passed -- it will be an obvious violation of the International Covenant on Civil and Political Rights, which is part of Czechoslovak law, and which guarantees every citizen, in Article 19, the right freely to "seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of their own choice."

The fact that Czechoslovak writers are increasingly publishing in Czech periodicals and with Czech publishing houses abroad is only a natural consequence of the unnatural conditions prevalent in domestic publishing practice, a difficulty recently referred to

\*On October 18, 1977, the Presiding Judge pronounced the following verdicts: Ota Ornest was sentenced to three and a half years of imprisonment; Jiri Lederer received a sentence of three years of imprisonment; Dr. Frantisek Pavlicek was given a suspended sentence of 17 months of imprisonment; Vaclav Havel received a suspended sentence of 14 months of imprisonment.--ed.

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by Charter '77 in Document No. 12.\* Since it is impossible for many Czech writers to publish at home, publication abroad in fact functions as one substitute to enable Czech readers to become acquainted with the works of Czech writers. We do not consider it healthy that many outstanding works of domestic writers are published in their native language only abroad, frequently under circumstances on which these authors have no influence.

We do not perceive its true cause, however, in the activity of those citizens who are the intermediaries for such publication, but in the situation that leads them to this activity. Under such circumstances, it is supremely unjust that Czechoslovak authorities -- instead of thinking responsibly about the real causes of the situation that has developed -- prosecute citizens who are serving Czech culture by trying to remedy the resulting cultural damage.

In the spirit of the aims it has set for itself, Charter '77 takes this opportunity to call the attention of Czechoslovak authorities and the attention of our own and the world public to this further case of the violation of basic human rights. At the same time it calls on all those concerned with the maintenance of these rights to join the Charter in devoting their attention to this case, in striving to achieve just treatment of the four cultural workers, and in assuring that the requirements of the International Covenant on Civil and Political Rights, a part of the Czechoslovak legal order, are met. Public participation in this trial must not be artificially limited by a small courtroom and a pre-selected gallery. Domestic and foreign journalists must be able to inform our own and the world public about the course of the trial.

\*Document 12 listed the names of 130 writers whose works cannot be published in Czechoslovakia because of the writers' politics, cited 90 Czechoslovak writers who left the country after 1968 and have been blacklisted, reported on the withdrawal from bookstores and libraries of the works of 50 well-known writers, and noted that purges have reduced membership in the Czech Writers' Union from 400 to 164.



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Prague, November 1, 1977

The Trial of Ornest, Lederer et al (excerpts)

. . . The indictment declared, and the court confirmed, that the accused were guilty of these crimes on the basis of activity which in no way corresponds with the factual basis for such crimes: the writings sent abroad were works exclusively of a literary nature (literary history and literary criticism), and were non-political in character. Therefore their publication anywhere in the world cannot be subversive activity on the basis of Paragraph 98 of the Criminal Law, still less can it be a threat to the social and state system of the Republic, its territorial integrity, its defense capability, its independence or its international interests. Moreover, the subjective element, indispensable according to the law, is also lacking: in order to speak about criminal activity on the basis of Paragraph 98, it must be proven that such activity was based on "enmity toward the socialist system of the Republic", which was not proven in the case of any of the accused. In fact, those accused under Paragraph 98 were citizens who had devoted their entire lives to the cause of socialism, not only in the cultural sphere, since they also had committed themselves in broader, socio-political contexts. That was officially recognized, in part, by the awarding of the Order of Labour to J. Lederer, the title of the Gottwald State Prize Laureate to F. Pavlicek and the award For Merit in Building (Socialism) to O. Ornest.

As to the charge against Havel of preparing to commit the crime of damaging the Republic abroad (Paragraph 112 of the Criminal Law), the memoirs of a politician who was active almost thirty years ago cannot be considered an "untruthful report about conditions in the Republic or about its foreign policy" . . . . The norms of trial procedure were also ignored. O. Ornest and J. Lederer were held in detention from January 11 and 15, 1977, respectively. Yet, in view of the nature of their activity, the legal grounds for detaining them could not have existed after the completion of investigation . . . . In the course of the trial the court displayed bias and a lack of objectivity toward the defendants. V. Havel was not permitted to present, in his own defense, an unfavourable opinion written by the President of the Republic concerning the credibility of the expert whose judgment supported the indictment's claim about the nature of the work sent abroad . . . . J. Lederer was prevented from stating many important facts and circumstances of his actions, although the criminal code allows the Chairman of the Senate to interrupt the concluding speech of the accused only when it strays from the framework of the matter at hand.

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For the proceedings, for no objective reason, a small room was chosen, with places for fourteen persons. In addition to the wives of the defendants and the son of J. Lederer, all seats were assigned beforehand to persons, as members of "the objective public," whom the defendants and their families recognized as employees of the State Security Police. Furthermore this de facto exclusion of the public was assured by an extensive campaign on the part of security organs, which issued summonses during the trial to dozens of friends of the defendants, under the pretext of investigating their participation in some "provocation being prepared", but were unable to give those interrogated and detained any concrete information about this. Also the presence and behavior of the security agents in the courthouse and around it during the trial was marked by a number of illegal acts, including the photographing and filming of citizens and foreign journalists who by their presence displayed an interest in the trial . . . .

All these facts lead us to conclude that during the preparation and conduct of the trial many substantive, procedural and legal principles and norms of Czechoslovak criminal law were ignored. The judgment of the international public, e.g. the central organ of the Communist Party of France, L'Humanite (which cannot be accused of prejudice against our Republic, and whose reporter was not even permitted to enter Czechoslovakia), as well as the response to the trial at the talks in Belgrade, is evidence of the fact that the entire manner in which it was conducted, among other things, cause grave damage to the interests of the Republic abroad . . . .

## POLAND

The following essay on dissident activities and goals in Poland is composed of extensive excerpts from an article in the April 9, 1978 edition of The Sunday Times of London by the Times' international correspondent Nicholas Carroll. Originally entitled "Communism in kid gloves for a state where most people are dissidents", the Carroll article provides an excellent introduction to the materials which follow. The Commission is grateful to The Sunday Times for permission to reprint parts of Mr. Carroll's article.

### The Dissident Movement in Poland by Nicholas Carroll

One day last month Adam Michnik, a 32-year-old university lecturer and leading Polish dissident, set off from Warsaw by train to Krakow to give a talk to a group of students in a flat. He never got there.

About halfway there, as his train pulled into a small town named Kamienna Skarzynsko, he saw seven militiamen waiting on the platform. A moment later they burst into his compartment, dragged him off the train and took him to a police cell. He was freed after 46 hours -- long enough to stop him from giving his talk, but within the 48-hour time limit when a charge would have had to be brought.

He took a train back to Warsaw and his life of political protest. He is used to experiences like this. He is a leader of the Public Self-Defence Committee (known as KOR), which is Communist East Europe's most successful and widespread political opposition movement. Dissidents have become a serious irritant for the Soviet Union and every communist regime in Europe, especially since the Helsinki 1975 conference, but nowhere is the power of protest more challenging than in Poland, where the historic resistance of the church is nowadays reinforced by an extraordinarily well-organised and pervasive non-Catholic underground Press.

In addition to KOR there is the Movement for the Defence of Human and Civil Rights, known as Ropco, which stands rather right of centre and has a nationalist flavour, whereas KOR is left-of-centre. The two do not agree on how society should be reformed, but Michnik says: "That's what pluralist democracy is about."

A couple of days after Michnik's brief detention I called on him at his flat to hear about his work. He told me that between them, KOR and Ropco publish more than a dozen journals, information bulletins, magazines, even books. These are printed secretly on small presses and distributed from hand to hand. The militia hunt them down tirelessly. But Jack Kuron, another KOR leader, lecturer, and close friend of Michnik, told me the clandestine output is around 15,000 copies monthly, and is read by some 150,000 people...

KOR started in 1976 as a small committee of intellectuals campaigning on behalf of workers arrested after their protests against a sudden steep rise in prices of essentials. Its quickly expanding body of helpers collected £45,000 for the relief of the families of the men in prison and for their legal costs.

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The KOR workers were harried and bullied by the militia -- but then, amazingly, the trial of strength ended in victory. The authorities gave way, and last June the last of the prisoners was freed. Since then KOR has switched to human rights activities and the quest for peaceful democratic reform.

Before last June it was tough going for opposition leaders. The militia behaved with savagery. An outstanding example was the death last May of a young Krakow student, Stanislaw Pyjas, found in the doorway of a block of flats with his head battered in. The authorities were disconcerted by the reaction: a requiem mass attended by 2,000 silently parading students, and a boycott of the annual student rag a week later. Militia brutality has moderated lately, though students still get a tough time.

Over glasses of tea in his small bedsitter, barely 100 yards from Warsaw's communist party district headquarters, Michnik describes KOR's aims. He is thin, with curly blond hair, a narrow chin and fierce eyes and has a heavy stammer. He wears fashionable jeans, open-neck shirt and old sweater. In his room hangs a poster he bought in a Soho tourist shop on a visit to London. In mock Wild West style it reads: "Wanted, dead (preferably) or alive, Adam Michnik, 25,000 dollars reward in gold coin..."

The phone rings constantly, just as it does at Kuron's flat, which I visited later. Foreign journalists ask for news. Friends inquire about lecture times. Discussion groups are mentioned. A report comes that the militia have found and confiscated 700 secretly printed copies of *Głos* (Voice), a serious loss. But this is followed by news that all 6,000 copies of the latest issue of the fortnightly *Robotnik* (Worker) have been distributed.

Michnik, who lectures in political science, has been an active protester against official injustice since 1968, when students rioted against government policies. He has been in and out of prison and seems indifferent to personal hardship. His aim is the same as Alexander Dubcek's at the time of the Prague Spring of 1968 -- communism with a human face. I ask: Why don't the authorities hit harder at KOR?

"They know that putting us all in jail won't solve the party's problems," replies Michnik. "Without our uncensored publications they wouldn't know the real state of public opinion, and could be caught by surprise as they were in 1976. They know we're not revolutionaries or extremists. There is nothing secret about our existence. We keep within the law, and follow the lines of the Helsinki Act and the United Nations human rights convention.

"We don't want to overthrow the system. We realise that in Poland today the communist party must rule, and that Poland must stay in the Soviet bloc -- we just want them to rule more justly. We want a dialogue with the party, not a clash. They must listen to us. We must have a forum where the minority ruling party can discuss reforms with the people."

Though the opposition people are being handled comparatively gently by the authorities at the moment, the militia are extremely touchy about one aspect of protest, the so-called "flying university," a reincarnation of a type of action taken by Polish academics and students in Czarist days, with lectures in private flats.

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It started last year with student solidarity committees set up in five main academic centres. Then 58 academics (since grown to 65) founded the Society of Academic Courses. A secret library of officially unavailable books has been built up. A spring term of lectures is under way on history, economics, sociology and literature.

I attended a lecture in a private Warsaw flat. Fifteen young men and 10 women sat in the sitting-room on chairs, benches and cushions. The professor was in an armchair, under a standard lamp, a cup of tea at his elbow. He spoke without notes. The students listened intently.

Classes are usually bigger than this, but it was just before Easter, and the subject matter, Polish economy in the Sixties, was a bit stodgy. Michnik's lectures, when he's allowed to give them, draw classes as big as 150, and tapes are made.

The government is obviously afraid of the intellectual contagion of the flying university, hence the fierce militia forays against many of the private gatherings which are legal...

Poles have a bulwark against the regime that is unique in the Communist world -- the Roman Catholic church, to which over 85 per cent adhere. The party has learned there is a limit to which the episcopate and the faithful can be pushed.

In the midst of his troubles last year Gierek felt it necessary to curry favour with Cardinal Stefan Wyszyński, the effective "leader of the opposition" in Poland, a granite-like, deeply respected primate. The two men did a deal of sorts. Gierek freed the last political prisoner, had a long talk with the primate, then visited Rome and met the Pope -- the first Polish ruler ever to do so. Gierek hoped this would moderate popular criticism.

Wyszyński's price for cooperation was to get the party's agreement to discuss a list of demands: for independent creation of a Catholic youth movement, permission to build still more churches, broadcasts of masses for house-bound sick and elderly people, and legal recognition of the church.

The party official now negotiating with the episcopate, Kazimierz Kakol, 58, minister for religious affairs, would seem an odd choice. His remarks about the church in May 1976 (leaked from a meeting with party activists) have never been forgiven by Polish Catholics. Among them: "Even though as a minister I have to smile to gain the church's confidence, I will fight it unceasingly...if we cannot destroy the church, at least let us stop it from causing harm...The bishops never stop writing -- we reply civilly, but how can one reply intelligently to stupid letters?"

Yet when I saw him in his office in Warsaw -- it happened to be Good Friday, with the country's 13,500 churches packed to the doors -- this grey-haired crewcut man gave an impression of sweet reasonableness. He spoke of peaceful co-existence. "The church can play a constructive part in a programme of socialist construction," he told me. "We have common problems such as the stability of the family, and fight against alcoholism." He said some of the church's demands could be met, but legal recognition of it as a public institution was unthinkable.

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*All Poles share a common anxiety. Somebody may make a decision that the community will reject violently. A militiaman's brutality may go too far. A minister may tighten the economic screw a turn too much. A meat queue may lose patience, wreck a shop and start a riot in which people get killed. Discontented workers with no means of rational communication with the party are its Achilles heel. Without proper unions, the workers have nothing to represent their interests save the church and the new KOR political opposition.*

*If the party lost control over an infuriated populace, the Kremlin might feel forced to send in Red Army tanks. The Poles would give them a much bloodier reception than the Czechoslovaks did in 1968. For Brezhnev, Gierk and Wyszynski alike, the thought of a Soviet intervention is nightmarish.*

*To an outside observer, underneath its pleasant and busy surface Poland is potentially the most unstable member of the communist family. It is virtually a whole nation of dissenters whose demands cannot be indefinitely fobbed off. One wise way out would seem to be the start of a genuine dialogue between rulers and ruled, a course which many younger Central Committee members favour. But nobody can predict how far the Kremlin would go in permitting that.*

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Warsaw, June 5, 1977

To the Participants in the Belgrade Conference

Representatives of the countries which are signatories to the Final Act of the Conference on European Security and Cooperation, signed in Helsinki, on August 1, 1975, are to meet on June 15, 1977. The last section of the Final Act contains, among other resolutions, one which aims "to facilitate the freer and wider dissemination of information of all kinds, (and) to encourage co-operation in the field of information and the exchange of information with other countries...."

Poland is a signatory to the Final Act. Recently, the Peoples' State Council ratified the International Covenant on Civil and Political Rights, passed by the General Assembly of the United Nations on December 16, 1966. Thus, the provisions of this Covenant became an integral part of Polish legislation.

Article 19, paragraph 2, of the Covenant states: "Everyone shall have the freedom of expression; this right shall include freedom to seek, receive, and impart information and ideas of all kinds, regardless of frontiers...."

These principles are not yet being realized in our country. Between May 14 and 19, the following members and associates of the Workers' Defence Committee were arrested: Wojciech Arkuszewski, Seweryn Blumsztajn, Mieszław Chojecki, Jacek Kuroń, Jan Józef Lipski and Wojciech Ostrowski, Jan Lityński, Antoni Macierewicz, Adam Michnik, Piotr Naimski, Hanna Ostrowska. They were charged with committing crimes against the State as set out in articles 132, 271, and 273 of the criminal code. It is evident from statements issued in the press and from the pronouncement made by the Procurator General during his appearance on a television program June 1, 1977, that the reasons behind the criminal charges were the efforts to amass, deliver, and spread information within the country and, with the help of journalists abroad, to publicize it on a mass scale.

One of the aims of the Workers' Defence Committee, repeatedly stated in every bulletin, is to reveal to the public any repressive and unlawful act carried out against any participant of the workers' protest of June 25, 1976. The Workers' Defence Committee has also reported on the persecution and repression suffered by those who took part in aiding the workers. All the information it has given was true.

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It was released in the belief that it serves the public interest to publicize events which official information agencies prefer to keep hidden.

The imprisonment of members and associates of the Workers' Defence Committee on the aforementioned charges constitutes a clear infringement of the provisions of the International Covenant on Civil and Political Rights as well as of the Helsinki Final Act. This kind of political repression, taking place on the eve of the Belgrade Conference, harms the good name of a nation in the international arena.

### The Workers' Defence Committee

Jerzy Andrzejewski, Stanisław Barańczak, Bogdan Borusewicz, Ludwik Cohn, Stefan Kaczorowski, Anna Kowalska, Edward Lipiński, Halina Mikołajska, Emil Morgiewicz, Wojciech Onyszkiewicz, Antoni Pajdak, Józef Rybicki, Aniela Steinsbergowa, Adam Szczypiorski, Józef Sreniowski, Fr. Jan Zieja, Wacław Zawadzki, Wojciech Ziemiński.

Warsaw, September 29, 1977

### Resolution

The Workers' Defence Committee was created in 1977 in order to bring legal, financial, and medical aid to victims of the repressions which followed the June strikes and demonstrations. The Workers' Defence Committee demanded that those who had been charged for their part in the demonstrations be granted unconditional amnesty; that those who had been sacked be reappointed to their rightful jobs in accordance with their qualifications and that their job tenure be secured once more as well as all their professional and social rights; that the full extent of the repressions imposed as well as all the other circumstances surrounding the workers' protest of June 25, 1976, be revealed; that all those guilty of lawlessness, of using torture and so on, be exposed and punished; and that a Special Parliamentary Committee be established to make an impartial investigation into all the problems which are creating social unrest. Once all these demands are met, the Workers' Defence Committee will have no more reason to exist.

All the participants in the events of June 25, 1976, who were arrested have now been released. The majority of those who had been sacked have been reappointed, and--with only a few exceptions--their working conditions are considerably worse and the continuity of their service not maintained. The demand for an official disclosure of the extent to which repressions were imposed has not been met, and the Polish Government has turned deaf ears to demands by public opinion



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for the creation of a Special Parliamentary Committee to make an unbiased investigation into the circumstances surrounding the June events.

The main aim of the Workers' Defence Committee was to provide legal, financial, and medical aid for the victims of the post-June repressions. This campaign has, for the most part, been completed, although there are a certain number of cases where help is still necessary. At the same time, in the course of its activities, the Workers' Defence Committee has received appeals from many people who, for political reasons unconnected with the June events, have also been suffering repressions and who are seeking aid in the fight for their rights. All sorts of problems have arisen connected with the unlawful activities of the Security Forces and the police, with the way in which justice is dispensed, with the way prisons are managed, and so on. The Workers' Defence Committee could not refuse to ally itself with such important social problems. It found various ways of doing so, including the formation of a Bureau of Intervention and the announcement of the intention to create a Fund for Social Self-Defence.

In this situation, we, the undersigned, consider it necessary to expand the tasks and the field of activities of the Committee. We have decided to reshape the Workers' Defence Committee into the Social Self-Defence Committee. The Social Self-Defence Committee, "KOR", will insist on the realisation of the Workers' Defence Committee's hitherto unrealised demands, and it will give aid to those victims of the post-June repressions who are still in need of such aid.

The Social Self-Defence Committee, "KOR", has the following aims:

1. To fight against repression based on political, philosophical, religious, or racial reasons and to give aid to those who are being victimised for such reasons;
2. To fight against lawlessness and to help those who have been wronged;
3. To fight for an official guarantee that the rights and freedoms of the citizen will not be violated; and
4. To support and protect all public initiatives which aim at the realisation of human and civil rights.

The year's activities of the Workers' Defence Committee have documented the tragic state of law and order in Poland. This relates above all to the abuse of power by the organs of prosecution, by the prison authorities as well as by the law courts and administrative councils. We will continue our activities, as we are sure that active solidarity of all citizens is the most effective weapon against the constraints

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imposed by the authorities. The main source of lawlessness as practised by the authorities is the defencelessness of a society deprived of institutions which are independent of the government and which protect individuals and groups in accordance with what is in their best interest.

23 Signatures

Warsaw, October 31, 1977

To Our Czech and Slovak Friends

We may sincerely address each other thus--in the knowledge that it is not the ritual declarations of our governments that make us friends but the common cause: the common striving towards reform in your country and in ours, the insistent demands for a human form to our lives and for a stop to those everyday practices on the part of the authorities which contradict the legally codified principles of human and civil liberties. In post-war years, we have often looked to each other to share our hopes and anxieties. Now we are shocked to learn of the prison sentences imposed on you, blatantly and provocatively violating the resolutions made at Helsinki at the very moment when the implementation of these resolutions is being discussed in Belgrade by representatives of the signatory states, including your own.

We know that, as the spokesmen for society's protest, you are in painfully difficult circumstances. For the past nine years, you have been continuously stifled by a force which has not even taken the trouble to maintain a semblance of legality. You have been openly and brutally persecuted at every point and in every manifestation of public life. Despite the indignation that this has aroused the world over, your situation remains unchanged. We perceive in these victimisations a revenge for the Prague Spring and, above all, a fear lest that magnificent surge which united your country might be repeated not only there but also serve as an inspiration to other nations which share your fate.

We trust that that fear is not without foundation. Whenever we turn our thoughts to that spring, we recall, with grief and bitterness, that the Polish army too took part in the invasion of your country. It is our most earnest desire, however, that you should not hold that against us and that you should believe that it happened through foreign compulsion and against our will.

Our Dear Friends,

We admire your determination, your courage, your persistence in

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opposing wrong. We know that it is you who express the genuine will of the Czech and Slovak people--even though the majority of them must, under unrelenting pressure, remain passive until such time as they will be able to express themselves as openly as they did in 1968.

In Charter '77, that historic manifesto of embattled democracy, you spoke not just for yourselves, but for us as well. Proclaiming our solidarity with your actions, we shall, despite the omissions and lies of our press, give the Polish public true information about your activities, strive towards strengthening the bond of friendship between our nations and undermine the principle "divide and rule," which has brought us so much harm in the past.

We do not know what difficulties we have yet to overcome. The path we tread is still by no means easy. Yet when it does take its toll, let us take comfort with you in our awareness of the common cause and our faith that our sacrifices are not in vain. The effects of our joint effort are already visible; the achievements are irrevocable. The future--and, we would wish to believe, the not so distant future at that--must belong to you, to us, and to all people of good will--all, that is to say, who desire truth, justice, and democracy.

Social Self-Defence Committee--KOR

*On November 2, 1977, the Social Self-Defence Committee--KOR--received from Tomasz Strzyżewski a packet of Polish censorship documents which Strzyżewski, a censor himself from August 1975 to March 1977, had taken out of Poland on a visit to Sweden. Having been granted asylum in Sweden, Strzyżewski decided that the most effective use of the documents would be to send them to KOR and to make them available to the West. Following are a few excerpts from a KOR statement which describes and analyzes portions of these documents.*

Warsaw, November 18, 1978

### Statement

The documents which we have received are a random but representative selection of the secret materials of the Central Office of Control for the Press, Publications and Entertainment--covering the period from February 1974 to February 1977....From a reading of the entire collection a horrifying picture emerges. The texts in our possession can be divided

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into three basic categories.

The first category consists of guidelines and instructions for censors, which not only describe with pedantic exactitude the nature and scope of the information and in what manner their use by the mass media is to be prevented but also the type of information which is to be promoted and supported. These instructions and prohibitions concern a vast range of subjects from matters of general national concern to the most abstruse subjects. Especially worth noting are the restrictions concerning religious matters, nationalities, and socio-economic matters. In these fields, access to information by the general public is almost totally prevented. The guidelines, however, contain additional prohibitions and so-called "notes", relating to specific surnames, facts, figures, and events. In order to illustrate the scope and range of censorship, it is enough to quote a dozen or so instructions, taken at random from the "Book of Notes and Recommendations," of the COCPPE.

- "Information about direct danger to life and health by industry and chemicals used in agriculture is to be eliminated."
- "No information should be published concerning the pit disaster in the "Katowice" mine, in which four miners lost their lives."
- "All publications containing general, integrated figures concerning safety and hygiene at work as well as 'occupational' illnesses are to be withheld."
- "Statistics on the level and increase of alcoholism on a national basis are not to be published or broadcast by the mass media."
- "At School No. 80 in Gdansk, harmful substances were found to be emitted by materials used to insulate the windows. Lessons were interrupted as a consequence. It is forbidden to release any information whatsoever on this subject."
- "No information is to be published concerning the sale by Poland of meat to the Soviet Union."
- "All information about the purchase by Poland of licenses from capitalist countries is to be eliminated from the mass media."
- "All material concerning religious matters in the countries of the socialist camp are to be eliminated."
- "Any information about the prohibition by the Episcopate of cooperation between the priesthood and the Front of National Unity, official social organisations and PAX, is to be eliminated."
- "In published material concerning the 2nd Synod of Bishops, the 3rd session of which took place in the Vatican in 1974, no speculations

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may be published concerning the speech of Cardinal Wyszyński nor any evaluations which highlight the role of the Polish delegates to the Synod and the major contribution made by them to the proceedings."

- "Obituary notices, inserts, and other notifications in the press, radio, and TV and the like, announcing meetings in cemeteries, by memorials, battlefields and the like, to mark the anniversary of the Warsaw Rising or particular episodes of the Rising organised by former members of the Home Army (AK) and other right-wing organisations taking part in the Warsaw Rising, are not to be released for publication."
- "No material concerning the sources and methods of financing the activities of the Volunteer Reserve of the Citizens' Militia ("ORMO") are to be released for publication."
- "No information is to be released for publication concerning the refusal of state agencies to purchase cattle and pigs from farmers."
- "No information is to be released concerning the yearly consumption of coffee on a national scale in order to prevent calculations being made relating to the re-export of this commodity."
- "No statements may be published criticising present wages and social policy."
- "In view of the fact that certain expatriate Polish circles are sensitive about contacts with official representatives of our state, when publishing the name of Comrade Wiesław Adamski, only his position as secretary-general of the Polonia Society may be mentioned. In no case mention is to be made of his rank as deputy minister or undersecretary of state. The above directive is to be kept in strict secrecy."
- "No material may be published polemicizing with articles published in Trybuna Ludu and Nowe Drogi."
- "No information may be published concerning the bribery case in Sandomierz."
- "No information is to be published about greetings received on his 60th birthday by B. Piasecki from members of the Party leadership and the government."
- "No information may be released relating to the demolition of the historic St. Clare's mills in Wrocław."
- "Until confirmation of the speech of the President of Uganda, General Amin, in which among other things he gave notice of his intention to erect a statue to Adolf Hitler, no material on this subject is to be released...."

The second type of document is the "Information on material not passed," which is produced on a regular basis by the COCPPE at fortnightly

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intervals. These are, as it were, a register of censors' interventions and contain lengthy quotations of the texts (and even satirical drawings) which have been rejected by the censorship. One is struck by the fact that the preventive censorship in Poland controls literally every type of public information and every means of its purveyance: from the press, books, shows and films to invitations, classified advertisements, certificates and commemorative plaques. Objections may even be made to texts which are reproduced in minimal numbers and not intended for the general public. An example of this are the hymn texts duplicated by the Pauline Fathers for the benefit of pilgrims to the Jasna Góra monastery or the DKF bulletin "Politechnika" in Wrocław, which is duplicated in a total of 350 copies. The ambiguous position of such publications as "Polityka" and "Zycie Gospodarcze," which according to official assurances are not subject to preventive censorship, is also significant. Instruction Note No. 2 of Feb. 6, 1976 explains the situation thus: "Employees of COCPPE are obliged when controlling such publications to confiscate without question any materials which go counter to guidelines and instructions concerning national security. When making an assessment of a polemical or controversial article, they are however obliged to present their objections to the chief editors of the relevant publications. In practice, editors as a rule share our point of view and questionable articles are corrected or expunged in accordance with our suggestions."

Here are examples of literally hundreds of interventions by the censorship contained in the "Information on material not passed" and in the "Information on Current Interventions" - between 1974 and 1976.

Socio-political matters. Among other things, the numerous articles concerning the growth of the epidemic of alcoholism, which the authorities do far too little to counter, were questioned, as were the frequent alarming reports of pollution of the natural environment by industry; reports of road accidents and accidents at places of work; criticism of the bill on psychiatric medicine; criticism of the so-called voluntary "social action"; information on the carcinogenic properties of PVC; articles proposing the adoption of Western models of work organization; information about antisemitic excesses; articles critical of the civil service or the judiciary. The censor intervened in a wide variety of texts: from Kisiel's remarks on the Helsinki Conference, M. Król's article on free will, J. Maziariski's article on workers' democracy, W. Górnicki's reminiscences of the activity of the Eastern-bloc countries at the U.N., to J. Ladosz's article on inappropriate methods of fighting anti-communist ideologies (censorship of translations of Western thinkers), etc. . . . .

The third category of censorship materials sent to us consists of so-called "Instruction Material", which is the result of the work of the so-called "Double-check Agency". This body checks publications already on sale to the public, and notes "omissions" on the part of the censors and "unnecessary interventions" (these last, of course,

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as a rule cannot be reversed). The "omissions" are studied in particular detail and serve as directives for the future. The same purpose is served by the COCPPE bulletin, which is a sort of regular review of "general tendencies appearing in material not passed in all branches of the mass media in the country."

Now for our conclusions: we have no hesitations in saying that we have here one of the most important revelations of the entire post-war period, of something which can only be compared with the now distant revelations of Swiatlo. While those exposed the criminal activities of the security forces directed against the citizen and his life, these latest documents reveal, as it were, a parallel sort of activity directed against our nation; of a censorship imposed on us by the political and party authorities of the Polish Peoples' Republic, a planned annihilation of the culture of our nation, the deliberate mutilation of the individual personality and the personality of society, through the methodical suppression of the freedom of speech and information. . . .

*Following is a statement by Halina Mikolajska, a well-known Polish actress and member of the Social Self-Defence Committee -- KOR -- to a press conference in London, organized in connection with the exhibition of Polish "samizdat", which took place at the Polish Social and Cultural Centre, King Street, Hammersmith, London.*

London, January 31, 1978

### Statement

I am deeply moved to be here, taking part in the opening of our exhibition -- and I am certain that you need no assertions of my sincerity, nor assurances that these are not trite or facetious sentiments. Yes! I am moved. But yet I feel apprehensive as to whether I am equal to this occasion. I did not expect to find myself standing before you all, a representative of the Workers' Defence Committee, and now, I have the responsibility of speaking on behalf of a group of people, many of whom would be far better qualified than I, to give a reliable account of our activities. After all, there are people amongst us with a thorough knowledge of law, of economics, of contemporary history, of sociology, people one can only describe as outstanding social activists, people prepared for the ultimate sacrifice, people ready to give all of themselves.

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I am an actress, first and foremost, and my career is my chief means of fulfillment. I beg you, therefore, to forgive me when I speak about the Workers' Defence Committee from a very particular and personal standpoint. In fact, the Workers' Defence Committee cannot, in the strict sense, have a spokesman to represent it for, through its activities, it has bound together a variety of people for a variety of reasons. We have, in our midst, believers and non-believers, humanists and scientists, scholars, ecclesiastics, intellectuals; we have active support from workers, students and pensioners -- in short, we are a group of people separated by broadly differing philosophical world outlooks, belonging to diverse professions, having diverse interests, even our dates of birth vary widely. And yet, certain matters unite us, regardless of all these differences. Above all, we believe in protecting values such as freedom, human dignity and justice. We want our society to have the opportunity to form and profess its opinions freely, to practice its beliefs freely, to have freedom of conscience. We want, and we try, to fight against all manner of force and injustice; against physical violence such as beatings and tortures; against mental cruelty and demoralization of society, through the use of practices such as blackmail, deprivation of work, restricting material opportunities, narrowing the individual's possibilities of realising his potential in accordance with qualifications and talents. Lastly, we are trying to oppose a very particular kind of wrong, inflicted when a community -- presented with biased information or with lies which, veiled in half-truths, are difficult to recognise or finally, by being given no information at all -- is deprived of the chance to defend itself.

A falsely instructed society is morally threatened, it will, in the end, act against its own interests, unintentionally but also unconsciously or with a false consciousness.

The members of the Workers' Defence Committee are also united in the conviction that the following principles are just:

1. Frank and open activity -- based on civil rights as set down by the Constitution, the U.N. Charter on Human Rights and the Human and Civil Rights Convention, ratified by the Polish Peoples' Republic and passed by the Helsinki Conference.
2. Passive resistance -- so-called "unknown perpetrators" beat our members and supporters; eggs were thrown at us during the workers' trials; insults were hurled at us; we were blackmailed, slandered by the press; we were kept under surveillance; the police interrupted our meetings, arrested our members and kept them for questioning; we



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were searched; our money was taken away and so were our typewriters -- but we returned persistently to the courtrooms, to our interrupted meetings; at critical moments when we had to inform the public immediately about what was taking place we wrote out carbon copies of our documents by hand -- in brief, violence was used against us but we used violence against none.

We want to continue fighting for all those suffering repression because of their beliefs. We wish to broaden our nation's knowledge of the arts and to deepen its social consciousness so that the Polish people will be capable of making a conscious choice as to what their world outlook is to be -- a choice that will not be imposed upon them by state monopoly of the sciences and arts. We want the beliefs and convictions of the members of our society to flourish through the observance of these fundamental values.

London, February 15, 1978

To the Presidium of the Conference  
for Security and Cooperation in Europe,  
Belgrade

Following yesterday's cable from the Social Self-Defence Committee -- KOR -- Warsaw we wish to inform delegates that our colleague, Adam Michnik, has been released from detention. However we stress the continuous police harassment and intimidation of students and lecturers participating in self-educational activities throughout Poland.

We appeal to you to use your influence to assure the implementation of the 1975 Helsinki agreement in Poland. The state authorities of any country have no right to prevent citizens from seeking access to independent sources of knowledge and information.

Social Self-Defence Committee -- KOR  
On behalf of the Committee, its members  
now in England:

Halina Mikołajska, Leszek Kołakowski,  
Jan Józef Lipski

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Warsaw, February 24, 1978

Statement

Actions designated to abort discussion meetings, seminars and lectures organized for the purpose of self-education, were carried out by the police in different Polish towns between February 10 and 24, 1978. Adam Michnik, a lecturer for the Society of Scholarly Courses, was arrested five times and held for many hours in Kraków, Poznań and Warsaw. He was twice beaten and abused by functionaries of the Citizens' Militia.

The writer Wiktor Woroszyński was arrested at the train station in Kraków upon arrival from Warsaw on February 11, to attend a meeting with readers.

The following active members of the Warsaw and Gdańsk Student Committees of Solidarity were arrested in Kraków on February 18: Urszula Doroszeńska, Roland Kruk, Stanisław Śmiegel and Cezary Drzewalski.

Antoni Macierewicz was arrested at the airport in Gdańsk when he arrived for a discussion meeting on February 18.

Bogdan Borusewicz and Stanisław Śmiegel were arrested in a private apartment in Sopot during a history seminar held on February 22.

Bogdan Borusewicz was summarily sentenced to 14 days of imprisonment for hooliganism by the Court for Misdemeanors.

Jolanta Bujwit, Janina Stasiaczek and the following members of the Wrocław Student Committee of Solidarity: Marek Adamkiewicz, Jarosław Klimek and Marek Rospond, were arrested in Wrocław on February 23.

Andrzej Klimowicz, Janusz Krupski and Jacek Kuroń were arrested in Lublin on February 23.

Andrzej Kijowski, writer and member of the Society for Scholarly Courses, actor Maciej Rayzacher and Elżbieta Krawczyk, a graduate of the Kraków Medical Academy, were arrested during the night of February 23-24.

Ewa Sobul and Leopold Gierek of Radom and Ewa Milewicz, Jan Lytiński and Janusz Szpotkański of Warsaw, were arrested in Radom on February 24.

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The following are still being held at this moment: Marek Adamkiewicz, Bogdan Borusewicz, Jolanta Bujwit, Leopold Gierek, Jarosław Klimek, Jacek Kuroń, Janusz Krupski, Jan Lytiński, Adam Michnik, Ewa Milewicz, Marek Rospond, Ewa Sobul, Janina Stasiaczek, Janusz Szpotański and Stanisław Smiegel.

Upon returning to apartments in which discussions or lectures had been held, the police conducted two searches (in Wrocław and Sopot) and twice used tear gas (in Kraków and Sopot). During the search carried out in Wrocław, Anna Bujit was forced to get out of bed even though ill.

Bogdan Borusewicz's apartment in Sopot was destroyed during the search by the Citizens' Militia. One member of the household was given sick leave for eye damage from tear gas.

All members of an independent Discussion Club in Łódź were summoned to the local headquarters of the Citizens' Militia.

Numerous interrogations are taking place at Militia headquarters in Poznań and Wrocław.

There have been no repressive measures on this scale since the mass police actions of April-May 1977.

These facts are concrete evidence of increased brutal police terror directed against self-education. This terror is leading to a clash between society and the police -- morality is unquestionably on the side of the former and against the latter. Polish society has demonstrated a desire and ability to defend itself over the past few years. Disturbing the social peace is not anyone's interest today.

Social Self-Defence Committee - KOR

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Warsaw, October, 1977

Declaration of the Democratic Movement (Excerpts)

I

Today our country is living through a deep economic, political and social crisis. The tragic events in Poznań in 1956, on the Baltic coast in 1970, in Radom, Ursus and Płock in 1976, indicate that today's crisis is the product of the methods of rule imposed on our society in the past and the resulting relations between society and the authorities. The source of the current economic disorganisation, decay of authority and demoralisation of society lies in the fact that the citizens have been deprived of their rights and the State of its sovereignty. Before us all today lies the task of repairing the Republic (Rzeczpospolita). We consider that indispensable changes are needed to secure:

- FREEDOM OF CONVICTIONS. This freedom does not exist where a citizen's views, religion or party political affiliation prejudice, in practice, his right to occupy posts in State institutions, offices, social organisations and the country's economy. The right to occupy these and all other posts should be based solely on qualifications, individual ability and personal integrity.

- FREEDOM OF SPEECH AND INFORMATION. Without freedom of speech there can be no development of culture, resulting in the stagnation of social life. Censorship of information deforms social awareness. When all publications are subjected to censorship prior to their appearance, when publishers and the mass media are controlled by the State, public opinion is prevented from emerging. Citizens are unable to take up informed attitudes towards any decisions made by the authorities, who, in turn, are ignorant of the population's attitude to their policies. Preventive censorship and the State monopoly of information have particularly dangerous consequences for literature, art and science, preventing them from performing their socially significant functions. For that reason trade unions, artistic, religious and other associations should be in a position to publish their own periodicals, independently of the State. It is necessary to abolish all preventive censorship, and responsibility for the violation of the press laws should only be executed by way of court proceedings.

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- FREEDOM OF UNION ASSOCIATION AND ASSEMBLY. This freedom does not exist where the party exercising the State's power subordinates to itself, through administrative measures, all unions and associations.

- THE FREEDOM TO WORK. This freedom does not exist where the State authorities usurp the role of sole employer while trade unions are subordinated to the ruling party. In these circumstances attempts to defend the interests of employees create the possibility of bloodshed and, in any case, could lead to serious disturbances. Free choice of their own professional and trade representation, independent of the State or party authorities, should be guaranteed to all employees.

Only after the implementation of these freedoms can the aims and methods of social cooperation be determined, through understandings reached by citizens and their trade, social, political and other organisations, in the course of free discussions, both directly and indirectly through the mediation of actual representatives, elected in authentic elections. Equally, we are convinced that self-governing local, regional, cultural and social organisations which seek to achieve the aspirations of their members, independently of State organisations, possess a particular significance for enlisting the cooperation of the population.

## II

The first step in this direction should be the implementation of the International Covenants on Human Rights which have been ratified by the Council of State. This requires fundamental changes in many areas of our legislation, particularly in the electoral sphere, in acts regulating matters concerned with rights of assembly, association, the press and publishing, in Trade Union laws, in the Code of Work, in the Criminal Code, in laws on the structure of the judiciary, in passport and customs regulations. The hitherto prevailing practices of the organs of administration will have to undergo a thorough-going transformation, especially in the realms of the defence of order and security, the administration of justice, the prison service and the arbitration of industrial disputes.

## III

Regardless of whether the State authorities exhibit a sense of realism and fulfill the demands put forward in this document the Democratic Movement of Polish Society must accept co-responsibility for the future of Poland. This movement was created over the years by people active in the defense of freedom of thought and speech, in the defense of people imprisoned and persecuted for their activities and their social, political or religious beliefs. Within the last

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two years this movement has widened dramatically. At the juncture of the years 1975-76 thousands of people protested against the imposed changes in the Constitution, defending civil freedoms. The defense of workers who were imprisoned, beaten, tortured and dismissed from their jobs on a mass scale for participating in the June, 1976 protests, became the fundamental form of struggle for human and civil rights. The movement of aid and solidarity led to the formation of the Workers' Defence Committee in September, 1976. This movement struggled for a democratization in the life of our country, realising certain concrete tasks, and, above all, bringing aid to people suffering persecution. In May, June and July 1977, despite an intensified campaign of repression, hundreds of students, workers, farmers and intellectuals joined the Democratic Movement. The solidarity hunger strikes indicated new forms of struggle for human and civil rights. In Craców, during the many-thousand-strong demonstration, the Students Solidarity Committee came into existence. It took upon itself the task of organizing self-governing activities of the academic community. Similar committees are being formed in other university towns. The activities of KOR, the collective actions of the Ursus workers, letters from workers in Grudziadz, shipyard workers in Gdansk, miners from the mine "Gliwice" and finally the successful strike in Pabianice indicate that, despite repression, it is precisely the joint activity of workers and intellectuals which is leading to a democratic organisation of society. Recent times have seen a development of independent publishing activity. Informational, political and cultural periodicals are appearing . . . .

110 Signatures

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### Editor's Prefatory Note

The following material consists of excerpts taken from documents representing the views of various dissenting groups in Romania. All the material relating to the "Paul Goma movement" -- as well as the documents on psychiatry, emigration and the miners' strike -- may be obtained in French from "The Committee for the Defense of Human Rights in Romania", 14 Rue de l'Amérique, 75015 Paris, France. Many of the Goma documents were first published in French by Editions Albatross in vol. 9/10 of their Cahiers de l'Est (May-August, 1977) and as a separate volume, Dossier Paul Goma (September, 1977).

The full text of the "Appeal for Respect of Human Rights for Evangelical Believers in Romania" may be found on page 419 of Volume II of the CSCE Commission Hearings, "Basket Three: Implementation of the Helsinki Accords," Government Printing Office 91-710, Washington, D.C., 1977.

Other material relating to neo-Protestantism was made available to the Commission by Radio Free Europe.

The documents, including those published in The New York Times, on the situation of the Hungarian ethnic minority in Romania were translated by -- and can be obtained in full from -- The Committee for Human Rights in Romania, P.O. Box J, Gracie Station, New York, N.Y. 10028.

### "Paul Goma and Dissent in Romania" by Dumitru Tsepeneag, editor, Cahiers de l'Est

For once, dissidents in the East dared to act in unison. For once, in Romania, discontent was expressed in an open and more or less organized fashion. Groups of people began to gather around Paul Goma: artists and workers, economists and engineers -- all wanted to express their support for the principles of Charter '77 and their hope that the Helsinki accords would be honored. Why this seemingly unexpected change?

The Romanian government made special efforts to ensure that the Helsinki Conference conclude with the signing of the accords patiently negotiated for three years. They did not foresee the general outcry the agreement would create. For something very simple happened. The accords, which were published in all the signatory states, became a universal point of reference.

The famous "Third Basket" contained elementary rights which the governments of the East equally pledged themselves to respect. For the first time, a common language was established between the Romanian government and its citizens. Of course, civil rights are also guaranteed by the Romanian

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Constitution, but each article contains one small clause which has thus far facilitated judicial and administrative arbitrariness: the particular right guaranteed actually applies only to the extent it does not harm "the building of socialism."

Nothing could be more arbitrary than such a formula, particularly in a regime where no separation of powers exists. The Constitution alone, weighed down even further by decrees which often contradict each other, could not truly guarantee the rights of men. On the other hand, the Helsinki accords are unmistakably clear.

Romanians discovered, as did other citizens of Eastern countries, with astonishment and pleasure that, for once, they could demand their rights while remaining within their legal bounds. A person could claim that his demand had nothing to do with dissent. He was not challenging any regime. He was only referring with some conviction to rights guaranteed by his own government before world opinion. As such, this was not a challenge, but rather a logical step and a reasonable request: Honor your commitments! In addition, the international character of the accords has given the other signatory governments a right to demand global respect for an entente which could develop into a true detente only when treated as a whole. The poor third Basket cannot be forgotten somewhere in a corner.

(pp. 178-179, Cahiers de L'Est, vol. 9/10, May-August, 1977)



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Bucharest, January 26, 1977

To Pavel Kohout and His Comrades

I declare my full support of your actions. Your position is also mine; the state of Czechoslovakia is more or less that of Romania. We are living, we are surviving in the same Camp, in the same Biafra (capital, Moscow)...While you are occupied by Russians, we Romanians are occupied by other Romanians, which is, after all, more painful and effective than a foreign occupation. We are all living under the heel of the same boot...The same lack of basic rights, the same disdain for people, the same shameless lie - everywhere: poverty, economic chaos, demagoguery, uncertainty, terror...

I am with you - Czechs, Slovaks, Hungarians, Poles, Germans. Also with you, in spirit, are a number, a very large number, of Romanian intellectuals, even if they have not placed their signatures next to mine.

(signed by Paul Goma)

\* \* \* \* \*

February 8, 1977

Preface to an

Open Letter\* to the Participants of the Belgrade Conference

As 1977 has been declared Human Rights Year, we, the signers of this open letter addressed to the Belgrade Conference, attach great significance to the necessity of convening a high-level international gathering to defend the rights of man.

Whichever states have perpetrated the inhuman acts which brought about such a conference, we protest against all forms of oppression -- physical, moral, intellectual -- which destroy liberty and human dignity through violence and lies in political prisons, forced labor camps, psychiatric wards, old or new Gulags...rights guaranteed by internal laws and international conventions, though ratified by the governments of totalitarian states, are not respected. Such is the case with certain articles of the Romanian Constitution...

Throughout the world people speak of dignity and liberty, but how many people living in countries where dignity and liberty are genuinely respected know that there are states where human beings are forever bound to the country in which they were born? How many

\*The full text of the letter appears on page 389, CSCE Commission Hearings, "Basket Three: Implementation of the Helsinki Accords," Volume II, Washington, D.C., 1977, Government Printing Office, 91-710.

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people know that there are countries where work and not the laboring man is paramount? How many are aware of the fact that there are states where citizenship is turned against the citizen and where the principle of non-interference in internal affairs is used to deny the international community's right to concern itself with the non-observance of human rights and international freedoms?

We conclude by thanking the distinguished participants of the Belgrade Conference which is convening to defend human liberty and dignity.

(Signed by Adalbert Feher, Emilia Gesswein, Paul Goma, Maria and Sergiu Manoliu, Maria Navodaru, Serban Stefanescu.)

*What Paul Goma never dared hope for happened: he set out alone to confront the Romanian political authorities and police apparatus of whose strength and cruelty painful personal experience had made him well aware. Suddenly, he saw gather around him a group of men and women who not only viewed the Romanian situation in the same way...but also had the courage to speak out...*

*...He received from all over Romania, letters, memoirs, copies of official papers with which the authorities dispensed their preferential injustice to citizens. (Over 200 people signed the letter to the Belgrade participants--ed.) They address Paul Goma as another head of state - as the true head of state... for three months, the dawn of a real socialist revolution began in Romania with Paul Goma at its head.*

(Virgil Tanase, Dossier Paul Goma, pp. 98, 86-87)

### Excerpts of Letters to Goma

Bucharest, March 5, 1977

... I assure you, Mr. Writer, that I join in this noble struggle because today there is no more noble cause in the world than to fight with all our heart and soul for a full respect of these rights, so desired by all our people...

(Signed: Marin Nicolaescu)

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(undated)

... What is the point of speaking of democracy, liberty, human rights? They exist only on paper, in official statements. What really exists are people who tell us what to say at meetings, who distort the truth, who determine the length of our hair and our clothes... who keep our passports locked away in closed safes and demand, for their return, detailed reasons, moral and political guarantees, an abundance of recommendations, declarations, receipts, meetings, bureaucratic forms and months of demarches, as if the simple desire to see the Alps or the Atlantic had the import of a major international crisis. Why, as soon as we ask for a passport, are we considered political traitors? Who has the right to decide for us, as if we were mentally retarded and incapable of thinking for ourselves? We have studied for 16 to 20 years in socialist state schools, comrades of the Passport Office! ... We are well-educated. It is time that you trust us...

(signed: Victor Mavrodineanu)

\* \* \* \* \*

Bucharest, March 3, 1977

... What I see as the major problem today is the general state of Romanian literature... Symptomatic of the problem is the banning of your book just as it was about to be published... Symptomatic of the problem more generally, is increasing censorship, which is fatal for all literature... Whoever opens the pages of Romanian literary journals can only be shocked at the weakness of the prose and verse, at the artificial character, at the uselessness and inferiority of the critical discussions... What poetry, what prose worthy of that name could possibly be created out of that unnatural mother which our daily language has become?...

But I must also mention, with even greater pain, the internal exile within Romania's borders of so many valuable writers who have been discouraged from writing or, if they still write, have had their books rejected by publishing houses.

All these unfortunate developments are occurring because today in Romania more attention is paid to the administration of culture than to the stimulation of spiritual creation.

(signed: Ion Negoitsescu)

\* \* \* \* \*

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Bucharest, March 24, 1977

On Psychiatric Abuse

To the very esteemed writer, Paul Goma.

The present letter will serve as notice that I both associate myself with the signatories of Charter '77 and with the letter of support that you have addressed to them. If Paul Goma did not exist, it would be necessary to invent him.

The reasons for which -- after long reflection -- I have joined with you are the following:

1. I was arrested and interned in a psychiatric hospital from June 4 until July 13, 1976. While I was there, my doctors were ordered to report the following diagnosis: lacking any faculty of judgment; responsible for anti-social behavior; mental deficiency.
2. For a long time I was unemployed and -- completely contrary to the law -- was deprived of minimal financial resources.
3. I am the son of a poor peasant. I have no criminal record, and presently there is no legal action being taken against me. My civil and political rights were curtailed by order of the court, Sector 1, Bucharest, (case number 710/1977) simply because I dared to demand, in my own country, a bit more justice and respect for moral laws and the rights of the individual. Six certified psychiatrists have confirmed in writing that I am not afflicted by any neuro-psychiatric illness. Nevertheless, I have been ordered to present myself at the hospital (for treatment--ed.) on April 14, 1977....

If the human rights for which you fight with so much ardor and self-sacrifice were respected, there would be no need for me to write. But official acts prove that these rights are brutally trampled... Knowing that you are asking pertinent questions concerning the internment of sincere and completely sane patriots in mental hospitals, I would like to meet you so that you can see a living example of one of these cases....

(signed: Stefan Toia)

\* \* \* \* \*

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*The two documents excerpted below do not appear in the "Dossier Paul Goma," but were made available to the CSCE Commission by him and can be obtained, in full, through the Paris-based Committee for the Defense of Human Rights in Romania.*

### Facts Concerning the Psychiatric Hospital Petru Groza.

(by someone who wishes to remain anonymous)

There are three hundred men and 100 women in this hospital. Forty per cent are there for political reasons, five per cent for petty crimes (hooliganism, gold trafficking, "frontierism" -- attempting to cross the border illegally -- incurable sicknesses); 55% are criminals...

The food is miserable, with very little of substance and mixed with heavy doses of medication... The patients are poisoned with strong doses of Plegomazine, are beaten with rubber clubs, and are chained in metal handcuffs. Mail is censored; each letter is opened.

Those who try to escape (each window is tightly barred) are returned, beaten, placed in solitary confinement, and subjected to special "treatments." Those who "behave" have the right to physical therapy in special hospital rooms. There is a high number of deaths. In 1975, autopsies were performed on six people who died as a result of treatments they underwent (cerebral hemorrhages, infarcts, pneumonia, paralysis). Burials are makeshift, with no religious rites (no priests, no cross)...

### Political Cases...

IOAN TOROK, 49 Blajulu Street - Cluj, Technician in a textile plant, Three children

He had the courage to criticize, in front of 2,000 people in the "Textila-Cluj" factory, the so-called "democratic" elections of March 9, 1975, the "Stalinist" Bucharest regime, the poverty, low salaries and the "red bourgeoisie." He also spoke of the harmful influence of the USSR on Romanian politics. He was arrested and beaten by members of the "Securitate" in the office of the factory's director. Afterwards, he was interned at the Petru Groza hospital.

CALIN APOSTOLESCU, Turnu-Severin. Doctor of Mathematics

Condemned by the court in Timisoara to be interned in a psychiatric hospital because he distributed anti-Communist tracts and sent anonymous letters to responsible Communists of Turnu Severin, he was diagnosed as a "lunatic" ...

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The two following documents deal with other human rights and emigration problems in Romania. According to information supplied with the original documents by the Paris-based Committee for the Defense of Human Rights, the seven co-signers of the first letter -- a worker, four hotel porters and two others -- were all fired from their Bucharest jobs and sentenced to a year's forced labor at a construction site on the Black Sea Canal, the recently reopened site of the principal Stalin-era deportation camp. By their own account, the first six of the nine co-signers of the second letter -- all of them workers -- were fired on August 2, 1977, and condemned to a year's forced labor near Braila, in the "Insula Mare" swamps, after a perfunctory 30-minute trial during which they were not allowed to defend themselves. The other three authors were allegedly beaten by police.

Bucharest, 26 May 1977

### Appeal to Belgrade

In order to establish the liberties, rights and world peace desired by all people: We, citizens of the Socialist Republic of Romania, wishing to assure for ourselves as well as for generations to come a happy existence suited to the ideals of free human beings,

(1) Demand that the States participating in the Conference on Security and Cooperation in Europe -- Belgrade, 1977, analyze specifically the manner in which the Final Act has been applied in Romania, especially Principle VII of the Final Act concerning the obligation to respect human rights and fundamental liberties including freedom of thought, conscience, religion; as well as the chapter from the same Act which is concerned with human contacts.

(2) Demand an examination of Romania's application of article 55 of the Charter of the United Nations, dealing with the universal respect for human rights and fundamental liberties for all, without distinction as to race, sex, language or religion.

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(3) Demand that Romanian application of a fundamental human right inscribed in the Human Rights Declaration, namely Article 13, Paragraph two, be analyzed; this Article states that any person has the right to leave his country, or any country, and return to his own country.

(4) Demand respect for Article 38 of the Romanian Constitution, which states that "each citizen of the Romanian Socialist Republic has the duty to respect the Constitution and its laws" as well as for other articles in the Constitution which concern the inalienable rights of man, such as Article 17: "The State guarantees the equality of rights of all of its citizens" and Article 3: "Freedom of conscience is guaranteed to all citizens of the R.S.R." ....

(5) Demand that President Jimmy Carter and the American Congress make all possible efforts to examine how Romania respects the right to free emigration, a right which appears in the American trade law as a condition for obtaining most-favored-nation treatment.

(6) Demand that the United Nations Commission on Human Rights study how the Romanian Government interprets and respects the International Covenant on Civil and Political Rights, which it ratified by a decree of the Council of State on October 31, 1974....

We would add that the goal of this appeal is not to damage the political atmosphere in Romania, nor to undermine the socialist regime or weaken, in any sense, national unity or the sovereignty of the Romanian State. We only ask that the Constitution of this country as well as the international documents and accords which have been signed by the Romanian Government be respected.

In the hope that our appeal will contribute to the effort of the human race to establish true detente and peaceful co-existence,

(Signed -- with addresses -- by  
Ion Marinescu, 30; Iosif Nita,  
26; Radu Negrescu, 27; Raymond  
Paunescu, 26; Nicolai Windish, 28;  
and by Vasile Constantinescu, 33,  
an engineer; and Dragos Neamtu, 21,  
a technical designer.)

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(Isle of Brailae, after August 2, 1977)

To the President of the Republic

Given the critical period that we are now in, we should like to underline, at the beginning, that we find it absolutely necessary that you look upon our plea with understanding.

We are victims of an error, and we no longer expect any understanding or indulgence on the part of the Security organizations, which are answerable to you .... The practices of terror which are employed by these organs of the State certainly do not correspond to the humanistic theory of party policy ....

If here, in Romania, a request to emigrate is considered an antisocial act which will damage the party's interests, then, the Final Act of the CSCE -- an act which affirms the agreed views of the signatory States on the "right" to do just that -- is only a scrap of useless paper and is, in any case, of no concern to Romanian citizens. The right to emigrate -- a fundamental right on any list of human rights -- must be recognized for everyone, including those like us, who ask to benefit from it.

The authorities' conduct towards us after we asked to emigrate has been, and still is, scandalous and dishonorable. The authorities have made illegal arrests, without warrants. Having been condemned by virtue of law 25-1976 to one year of forced labor, we have not profited from the application of all articles of this law; we have, moreover, been deported to a forced labor colony on the Grande Isle of Braila where the hygiene, food and drinking water are extremely unhealthy ....

How could such practices still exist today, side by side with the spirit of democracy, humanity and progress when everyone is fighting to preserve mankind and human rights? Do you, as one who fights for the respect of rights, peace and progress in the world, do you, the man whom we would see as having the most understanding for us, do you find our situation normal? ... The Romanian Constitution guarantees the freedom of speech. We have spoken, and look at the result....

(Signed by Cristian Ionescu, Cornel Urdarianu, Cornel Munteanu, Adrian Mutica, Adrian Sinca, Constantin Hulduban -- those condemned -- and by Gherman Calin-Mihai, Lilieu Buretiu, and Cristian Onutu.)



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On August 1-3, 1977, 35,000 miners began a strike at the Lupeni mine in the Jiu Valley. According to the Paris-based Committee, the strike, "launched on the basis of economic demands, soon took on a broader character, notably by rallying the miners to the human rights movement in Romania. Despite the authorities' efforts to suppress all news of the strike (the coal basin in the Jiu Valley was declared a closed area), the miners succeeded in publicizing detailed information on their actions and on the repression which followed it. The principal elements of that repression were dismissing more than 4,000 strikers, displacing people, forbidding travel, third-degree questioning and other police extortions, and the arresting of elected representatives of the miners."

The following excerpts are from a letter sent to Radio Free Europe by 22 miners who participated in the strike and seem to link their protest with that of Paul Goma.

September 18, 1977

To Radio Free Europe

This letter is addressed to you on behalf of a large number of mine workers. As we write these lines, we are increasingly worried, and as a matter of fact we had already written to you on August 9 and 23 and September 1 and 10. Today, September 18, we have decided to write again.

After our strike on August 1, 2, and 3, they began dismissing us in large numbers and sending us to other regions. This affects the miners who had participated in the demonstration and in the strike at Lupeni, where we presented our demands to Nicolae Ceausescu, who promised to grant them. In the end nothing was given us.

Since we do not know whether you received our letter of September 10, we will summarize what happened in the Jiu Valley at the Lupeni mine, a mine with old workers' movement traditions. On August 1, several of our comrades told us that a strike had

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broken out that same day at Lupeni. All the miners of the Jiu Valley -- 90,000 in all -- rushed there from the mines: Cazda, Uricani, Barbateni, Vulcan, Paroseni, Anicoasa, Livezeni, Dilj, Petrila. Wednesday, August 3, 1977, the date of President Ceausescu's arrival, was the third day of the strike and no less than 35,000 miners had been assembled at Lupeni, where we had serious confrontations with the Security force, the police, and party officials .... They did not get anywhere against the miners in their work clothes and helmets carrying their lamps, and pickaxes. Not only were they unable to disperse the strikers, despite the use of fire hoses from fire trucks, but the miners seized Ilie Verdets and Gheorghe Pana (Party officials--Ed.) and locked them up, vowing, "As long as President Ceausescu does not come, we will not release them." Finally he arrived, but ... no one would have wanted to be in his place: Ceausescu was booed, whistled at, called all sorts of names, and as he left, the general who accompanied him was obliged to hold him up....

As to measures, yes, some were taken: ... military units were brought in ... miners were discharged ... more than 4,000 of us miners are out in the street .... At all the mines, those who had been elected to negotiate with the Chief of State were arrested by the police during the night and transported to other provinces where they are watched by the Securitate...

We beg you from the bottom of our hearts to read this letter over the radio. Do not be afraid that they learn there was a strike in a socialist State! There will be others, and perhaps we will have no other choice but to go to obtain justice for ourselves with our pickaxes, our picks and the rest. Such are human rights in the Socialist Republic of Romania! ... At Lupeni, we had shouted: "Down with proletarian bourgeoisie!" because there are five officials for every two workers -- such is justice in Romania.

We will rally with Paul Goma, with collective signatures of miners for human rights ....

(Signed by Iosif Maris, Ion Vasiliu, Gheorghe Bejnaru, I. Dumitrescu, Adalbert Demeter, D. Miai, M. Jinga, S. Zirmionu, Virgil Coca, V. Dobroniste, S. Postoloei, Virgil Mitran, Gheorghe Stefanescu, Ion Paraschivescu, Lazar Bundruc, Aurel Rusu, C. Jitaru, J. Danets, C. Acrinuc, J. Sava, Titi Constantinescu, and B. Francisc.)

## ROMANIA-Religious

*Radio Free Europe, which has received many communications on diverse subjects from listeners in Romania, made available the documents on treatment of religious believers -- especially neo-Protestants -- from which the following three extracts are drawn. The first, originally signed by six Baptist activists, was printed in full beginning on page 419 of Volume II of the CSCE Commission Hearings, "Basket Three: Implementation of the Helsinki Accords," Washington, D. C., 1977; Government Printing Office, 91-710.*

February, 1977

### Neo-Protestant Denominations and the Rights of Man in Romania

The greatness of the era in which we live lies in the awakening of the whole of mankind to the need to affirm and uphold the dignity of man and his fundamental rights and freedoms.... This struggle has now become a vital factor in the international scene. Furthermore, respect for human rights is not only a matter for the internal forces of each country but has become a condition for normal relations between states.

This totally new movement within the world found its formula in the "Final Act" of the Helsinki Conference...The compilation and adoption of these international agreements aroused unbounded joy and bright hopes within the hearts of men throughout the whole world. Many were expecting their situation to change radically once the governments of their countries had ratified or signed these agreements, hoping that through this they would be obliged to accord to their own citizens rights and liberties of an exceptionally broad and wonderful nature. Alas, however, the hopes of many have been deeply and painfully shattered, for their lot has not improved but in certain places has of late worsened....

We regret to say that in our country such laws as there are which contravene these international agreements have not been annulled. Of late administrative measures have been adopted which flagrantly contradict the spirit and letter of these international documents and which transgress in a painfully visible way a whole series of citizen rights and fundamental freedoms of man . . . .

## ROMANIA-Religious

1. Decree No. 153/1970 and the Rights of Man: This decree was initially conceived to combat acts of hooliganism and juvenile delinquency . . . . Seven years later it represents one of the saddest aspects of the social life in our country . . . . The fines imposed on neo-Protestant believers, that is Baptists, Adventists, "Christians after Gospel" (Brethren), Pentecostals and the Lord's Army who together total over half a million members, based on the legal pretext of this decree constitutes today such a widespread phenomenon in this country that it has assumed the character of a social wound in the body of our country . . . . Innumerable tribunals and judges have passed judgement on groups of believers and even Baptist churches in the country, incorporating them under decree No. 153/1970, Article 1, paragraph d, as a "group of persons who through their behaviour express a parasitic and anarchic concept of life...." The thing which hurts us most is that we who are manual workers in the factories and on the land were declared hooligans, parasites and anarchists because we met together to worship our God . . . .

2. The Pressure on Neo-Protestant Believers in their Jobs: The Constitution of the Socialist Republic of Rumania unequivocally declares that the citizens of this country cannot be subjected to any kind of discrimination in regard to their employment or enjoyment of any other right .... In recent years in our country, there was launched a systematic campaign to hunt out sectarians (as members of the neo-Protestant denominations are abusively called) and either demote them from their positions or dismiss them altogether .... More difficult to grasp is the fact that this campaign has taken on greater proportions only after August 1975, thus immediately after the Helsinki Conference. For example, in August 1975 a chemical technician, Filip Dinca, of the Teleajen refinery in Ploiesti (at that time a member of the committee of the Baptist Church in Ploiesti) was called before the Director of the refinery. The Director said: "What am I to do with you? I have been ordered to demote you immediately because you are a sectarian." ....

The situation for Romanian believers is further complicated by the appearance of law No. 1/1975 through which all those in higher positions of responsibility were required to swear an oath of allegiance to the regime. This has also intensified the discrimination....

We ought to say that for tens of years during the time of the socialist regime in Romania there has not been any large scale discrimination in education on a religious basis. Indeed, there have been here and there abuses by certain local authorities who have oppressed children of evangelical believers. Also, children have been expelled from institutions of higher education because they belonged to an evangelical denomination, as happened in Cluj University in 1959, but these incidents were exceptions.

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In recent years, however, and in particular after Romania had signed these international pacts by which they swore not to discriminate on religious grounds, a general wave of oppression, threats, persecution and expulsion from schools has come upon the children of evangelical believers throughout the land ....

(Signed by Josif Ton, a Baptist pastor; Dr. Silvin Cioata, of "Christians after the Gospel;" Pavel Nicolescu, a laborer and Baptist lay pastor; Aurel Popescu, an engineer and Baptist lay preacher; Constantin Caraiman, a retired Pentecostal preacher; and Radu Dumitrescu, a dismissed teacher and Baptist.)

20 February, 1978

### Letter to Radio Free Europe

In previous years, several Orthodox Christians have been interned in psychiatric clinics. Among them were Orthodox priests Dimitrie Zamisnicu and Ioan Boboc. The former died in Iasi on 15 March 1974. According to information I have, the latter is still alive but insane.

In Bucharest I made the acquaintance of Mr. Gheorghe Brasoveanu, an economist and a good Orthodox Christian, who signed the Goma letter and who not only had the courage to criticize the hierarchy of the Orthodox Romanian Church, but also held an anti-atheistic lecture entitled "God and Life." He was interned four times in psychiatric clinics ....

In 1977, I myself, was a signatory of the document "Neo-Protestant cults and human rights in Romania" as a result of which an inquiry was set up and I was threatened with internment in a psychiatric clinic. At the same time, also in 1977, and by the same inquiry, Miss Genoveva Sfatcu was also threatened in this way. Miss Sfatcu is conductor of the children's choir of the Baptist Church of Iasi and also a signatory of the Neo-Protestant document....

## ROMANIA-Religious

There are signs here of a new wave of persecutions. One of the best students of the Baptist Theologic Seminary, Filip Dinca, was expelled. The circulars of the Romanian Baptist Union forbade Pastor Pavel Niculescu from preaching in any Baptist Church in the country, and engineer, Aurel Popescu, can only preach in the Church of Mihai Bravo, where he is Deacon ....

(according to Radio Free Europe, this letter is from "neo-Protestant sources")

1978, undated

### Report to Radio Free Europe

In Romania the situation amongst Christians of many denominations remains tense following the disclosure last year of the document engineered by Baptist Pastor Josif Ton on police persecution and violations of the Helsinki Accord. All of the pastors responsible have been forbidden ever to preach again, although they are in great demand by many congregations. While the open fining of Christians seems to have slowed somewhat (at least while the report was being read on RFE and at Belgrade), the Government continues to exclude believers from educational institutes and jobs.

Two 21 year-old girls who are in their third year of the industrial college in Iasi have been slandered by their teacher, Sub. Lt. Anecaitei, as mentally ill, because they attend Christian meetings. Rodica Simon said that she has not received her test grades and fears expulsion from school. Romanian President Ceausescu recently paid a visit to her school dormitory in the Tudor Vladimirescu district of Iasi. It is said by students that the school authorities placed telephones (not connected) in every room and also a TV set on every floor before the President arrived. This was to make a good impression on Mr. Ceausescu and it seems possible that the legislative bodies in Bucharest must be as fooled by an outward display of religious tolerance as Mr. Ceausescu was by the fake telephones.

One positive note is that Lidia Ababei, a Christian of Iasi, was released from Petru Groza psychiatric hospital as soon as her name was broadcast on RFE. She still lives in extreme fear and must go for "unwanted" medical treatment once a month. In Bucharest, Baptist seminary student, Filip Dinca, was expelled two weeks ago from the University because of his religious convictions. He refused to close the service in prayer after a police collaborator preached a sermon ....

(according to Radio Free Europe, this report comes from a foreign traveller in Romania.)

ROMANIA-Hungarian minority

From the New York Times, February 1, 1978:

"Europe's largest ethnic minority consists of the 2.5 million Hungarians in Romania, principally in the western province of Transylvania, east of Hungary. Károly Király, a Hungarian who is now vice president of the Hungarian Nationality Workers Council, the Communist Party-controlled organization representing the ethnic Hungarians, was an alternate member of the Romanian party's Politburo until he resigned in 1972, and a Central Committee member until 1975. In the first letter, which was smuggled out of Romania at his behest, (and excerpted by the New York Times), ...Mr. Király complains about what he says are Government policies of forced assimilation of the Hungarians. The letter, ...to Janos Vincze, a Central Committee member, was given to The Times by the Committee for Human Rights in Romania, based in New York City. It was translated from the Hungarian by one of its leaders, Laszlo Hamos."

Mr. Hamos also furnished the CSCE Commission with an earlier Király letter, excerpted below, and with excerpts we also reproduce from an interview Mr. Király gave to a correspondent of the Swedish newspaper, Dagens Nyheter, in February, 1978.

Marosvásárhely, September 10, 1978

Letter to Janos Vincze

My Dear Friend,

Anxiety and concern compel me to write to you about the manner in which the nationality question has been handled in our country of late...The chasm between theory and practice is vast. While one thing is said, entirely different things are done.

We were promised new secondary vocational and technical schools in which studies were to be conducted in the language of the nationalities, but we have witnessed a decline in the number of these schools. Children cannot study in their native tongue; compulsory instruction in the Romanian language has been introduced even at the kindergarten level. In 1976 a decision was made to eliminate Hungarian institutions of higher education.

## ROMANIA-Hungarian minority

It is no secret of course that the Hungarian State Theatre of Marosvásárhely has a Romanian director who does not speak Hungarian. In the same way, it is nothing new that in cities where the majority of the population is Hungarian -- such as Nagyvárad, Marosvásárhely, Szováta -- Romanians who speak no Hungarian are being appointed as mayors.

Use of the native tongue is severely restricted at meetings of the party, the Young Communists League, the trade unions, and in the various workers councils; indeed, use of the native tongue is prohibited even at meetings of the Nationality Workers Council.

Signs identifying institutions, localities and so on in the native tongue of the local inhabitants have almost completely disappeared. In 1971 when I was party First Secretary in Kovászna County, we posted bilingual Romanian and Hungarian signs, but their existence was short-lived. The signs were simply removed, and by 1975, not a single locality was identified in Hungarian.

Nationalities cannot use their native tongues even in state offices.

With regard to the question of personnel, the replacement of Hungarian officials (where there still are any) with Romanians is being carried out with incredible persistence ....

It is clear from only this much that a multitude of factual realities violate the Constitution, the founding charter of the party and the fundamental principles set down and provided for in party documents. What is occurring in practice is not in harmony with the principles in these documents -- indeed, it completely contradicts them -- and has nothing in common with Marxist-Leninism, fundamental human rights, humanism, or ethical behavior and human dignity -- that is, all that which is trumpeted far and wide in the most varied kinds of propaganda....

(Signed: Károly Király)

August, 1977

### Letter to Comrade Fazekas

... Many errors are committed in the practical handling of the nationality question:

a. This year again, opportunities are being constantly restricted for children of national minorities to study in their native tongue; this breeds anxiety and deep dissatisfaction;



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b. The concept of restrictive quotas ("valachus numericus") is utilized with respect to personnel problems; in fact, employment opportunities for nationalities are being restricted in certain institutions;

c. Unpardonably extreme methods of intimidation are employed against those who dare to ask for permission to speak in the interest of having the nationality question handled legally and in accordance with the Constitution ....

What is most distressing is the fact that local Party and State organs try to cover up, to gloss over the facts, as if they were completely lacking in sensitivity toward such thorny problems as the nationality question or the national sentiments of the coinhabiting nationalities ....

(Signed: Károly Király)

February, 1978

From the Dagens Nyheter Interview

I have written three letters to the party leadership, the third of which was published in the West. I wrote the first one on June the 2nd, 1977.

Earlier, in 1976, I had had a meeting with Ilie Verdet, secretary of the Central Committee and a member of the highest party organ, the Permanent Bureau. But somehow, nothing happened, not even after those countless discussions of the minority question problems which have been conducted. The thing was killed by persistent silence. I sent another letter in September (1977--Ed.) and after one week I was summoned to Bucharest for a long conversation with Ilie Verdet, among others. Then there was another meeting and a third one October 4, when we agreed on certain measures to ameliorate the situation of the minorities.

But this agreement was not kept. The problems were not solved. Instead, measures were taken against me and my family.... Then, my third letter was published in the West. For a week, nothing happened, but then, extraordinary security actions were started in Transylvania and a secret police force of one thousand men gathered in my hometown, Tirgu Mures.... My friends were harassed, searched

#### ROMANIA-Hungarian minority

and shadowed. Flats were searched. During a walk with my brother, some policemen followed us, with pistols in their pockets aimed at us.

The following day, I was told categorically that if I did not leave Tirgu Mures, they could not guarantee my security and that of my friends .... But nobody can take away my security except the secret police themselves. The secret police of Romania are very strong. There still are about 700 men belonging to it in Tirgu Mures. During the spring of 1977, they conducted a series of interrogations, police assaults and beatings, and searches among people belonging to the Hungarian minority.

After the publication of my letter in the West, certain improvements were made. TV and radio programs in Hungarian were aired more frequently; signposts in two languages were set up; certain authorities now allow the use of the client's own language. However, these are not substantial changes. Therefore, I will continue until all problems are solved.

Unrest among the minorities is an old problem in Romania. Its cause is the enormous abyss between theory and practice in the treatment of the minorities. Discontent was there. The letters did not produce it, they only confirmed something which has existed for a long time .... But we Hungarians in Romania do not represent a threat to the regime in Bucharest. We are loyal. We learn the Romanian language, and we work hard. But we want to be treated as the Romanians are treated, without discrimination. And we want to be able to go to our own schools, speak our own language and develop our own culture. That's all.

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On the Activity of the Helsinki Watch Groups in the USSR

by Valery Chalidze, editor, "Khronika Press"

This volume presents only a few of the nearly 200 documents produced by the Public Groups to Promote Observance of the Helsinki Agreement in the Soviet Union. This vast body of factual material compiled by the Groups reflects the extraordinarily wide scope of their activity. Group members have monitored and documented a broad array of human rights violations in their country -- ranging from official obstacles to emigration and information exchange to violations of civic, national and religious rights suffered by such groups as Pentecostalists, Jewish refuseniks, political prisoners and workers.

The Groups have also released a number of summary "Memoranda" which offer an overview of the human rights problem in the Soviet Union and occasional discussions of the philosophy underlying the Helsinki movement in the Soviet Union. Unfortunately, less than a year after the formation of the first Helsinki Watch Group in Moscow, a new theme appeared in Group documents -- announcements of the arrests of Helsinki Group members themselves.

The first Helsinki Watch Group was organized in Moscow on May 12, 1976, by Yuri Orlov and ten other well-known activists in the long-standing movement for the defense of human rights in the Soviet Union; the Ukrainian, Lithuanian, Armenian and Georgian Helsinki Watch Groups appeared soon afterward. The statement announcing the creation of the Moscow Group reported that the Group would promote observance of the Helsinki Final Act with the intention to inform governments and public opinion of faulty compliance in their country. The Group declared its readiness to accept written complaints on violations of specific provisions from Soviet citizens, in addition to any other pertinent information they could provide.

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The Group's very first documents established that the individuals involved in this civic activity were capable and qualified to evaluate information, in accordance with internationally-established human rights principles, presented them by fellow citizens. The documents -- devoid of emotionalism, exaggeration or propaganda -- clearly illustrate the Group's meticulous adherence to verified facts. These serious, impassive -- and therefore deeply tragic -- documents also give testimony to what goes on behind the backs of Soviet propagandists who diligently try to convince the world that the Soviet Union strictly implements the Helsinki Accords.

The reader unfamiliar with the activity of the human rights movement in the Soviet Union may be surprised at the Group's ability to evaluate information on legal cases and to compile sober discussions of official legal practices, given the virtual absence of lawyers among their ranks. We must recall, however, that the Helsinki Groups are composed for the most part of faithful and experienced veterans of the movement in defense of human rights in the Soviet Union. Ten years of avid concern for human rights issues established a tradition of dispassionate objectivity in evaluating individual cases, Soviet law, and international human rights norms in general. It is precisely this quality of professionalism which led public opinion to trust Group documents -- a trust that had evolved gradually on the basis of documents from the early stages of the human rights movement.

Although I have described the activity of the Soviet Helsinki Watch Groups as an extension of a tradition established by the human rights movement ten years ago, it is nevertheless interesting to note one distinctive feature of their activity. In early years, human rights activists addressed their grievances and appeals to Soviet governmental authorities in an attempt to stress the principle of official accountability for human rights violations and the right of citizens to air their complaints. Although most of us never had much confidence in the good will of the officials themselves, we nevertheless appealed to them on the basis of the positions they held, on the basis of their responsibility before the law.

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*With time, we began to address our documents and appeals to international public opinion, Communist parties abroad, international organizations and even foreign governments. In doing so, we acted on the basis of what I consider to be one of the most important political philosophies today -- the responsibility of a government for its human rights violations before the international community of nations -- a philosophy which has been fixed into the fabric of international relations by a network of international human rights agreements.*

*The Soviet Union has countered this principle of international responsibility with the assertion that another government's interest in human rights issues within Soviet borders constitutes interference in its internal affairs. This thesis contradicts not only the spirit and letter of the Final Act, but of other agreements as well. The Helsinki Watch Groups limited their activity to discussions of human rights and to informing participating CSCE states of violations of the Final Act in the USSR -- without any intention of provoking actual foreign intervention.*

*They based their activity simply on the Final Act's recognition of human rights as an issue of international concern. With this in mind, they worked toward providing participating states those documents which would serve to promote an objective evaluation of how each country, including the Soviet Union, is observing these agreements.*

*Beyond their basic activity of informing participating states of the Soviet record of compliance, many members of the Group have illustrated -- through their self sacrifice and dedication -- precisely how the Soviet Union perceives the concept of noninterference in internal affairs. The arrests and cruel sentences imposed on many Group members demonstrate how the USSR is fulfilling its human rights obligations -- their major efforts thus far have been directed toward punishing those who try to present the world with the truth.*

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*The valuable contribution of the Helsinki Watch Groups in their study of human rights has served as the basis for the persecution of such extraordinary individuals as Yuri Orlov, Aleksandr Ginzburg, Mykola Rudenko, Zviad Gamsakhurdia, Viktoras Petkus, Oleksei Tykhy, Mykola Matusevych, Myroslav Marynovych, Pyotr Vins, Levko Lukyanenko, Malva Landa, Merab Kostava, Shagen Arutyunian, Robert Nazarian, Ambartsum Khlagatian, Viktor Riskhiladze, Anatoly Shcharansky.*

*If we fail to save these people, can we have any hope that Western states will be able to make the Soviet Union live up to its obligations? We can be certain of one thing: the Helsinki Watch Groups will continue their invaluable and -- as we can see -- hazardous activity.*

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Moscow, November 21, 1977

TO THE BELGRADE CONFERENCE

We have been following developments at the Belgrade Conference with intense interest. The discussion which the Conference has begun of the humanitarian articles of the Helsinki Final Act is of primary importance. But although the world press is handling events at Belgrade with animation, the most contradictory evaluations are emerging, apparently because of the extraordinary nature of the original document -- the Helsinki Final Act.

The call for the inviolability of post-war borders and a series of other provisions of the Act constitute considerable concessions by the West to the Soviets. On the other hand, the humanitarian provisions -- in particular Principle VII of the first section -- present the West with definite opportunities to work toward a greater openness and observance of human rights in the socialist countries and represent the prerequisites for a stable peace based on mutual understanding and trust. The Final Act's affirmation of the universal significance of human rights and fundamental freedoms as an essential factor of peace, justice and security is of primary importance.

The potential of the humanitarian provisions of the Act has, in our opinion, been further reinforced since the Helsinki Conference.

One new factor relevant to this potential has been the position of President Carter -- a decisive one which merits whole-hearted support -- in proclaiming the issue of human rights in the world as the moral foundation of U.S. policy. The second factor is the development of human rights movements in the countries of Eastern Europe, with new forms of this movement appearing in Czechoslovakia, Poland and the USSR. The third factor is the shifts in public opinion in the Western countries themselves. We value highly the support of human rights by the parliaments, trade unions and scientific and cultural organizations in Western countries.

The great significance of the Belgrade meeting lies in the unique opportunity it offers Western political leaders to utilize the Final Act's humanitarian potential. It should already be possible to determine whether or not they have succeeded in doing so. In this document we state our opinions on issues we believe to be germane to the Belgrade Conference.

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We especially underscore the fact that Principle VII of the first section of the Final Act makes direct reference to the Universal Declaration of Human Rights and the International Covenants on Human Rights. This reference gives the Belgrade Conference not only the right but the duty to examine violations of the rights set forth in the Declaration and the Covenants, even though certain of their provisions are not repeated in other parts of the Act. We further emphasize that it would be tantamount to denying the international character of the Final Act to negate the Belgrade Conference's right to review human rights violations in signatory states by invoking the pretext of "interference in internal affairs of other countries."

Are we satisfied with the position of the Western countries as it has been expressed up until now? Unfortunately, only with definite reservations. The U.S. and certain small European countries -- in particular the Netherlands, Denmark, Norway, Sweden and others -- have acted with sufficient consistency. The major European countries, however, have not as yet put forward any consistent position; in consequence, they are hampering the work of those countries which do insist on the full implementation of the humanitarian articles of the Final Act.

We consider it important that the Belgrade discussion of human rights issues not be limited simply to general formulations or to human rights violations which have fallen more or less haphazardly into the field of vision of Western delegations. These are sometimes very important, sometimes secondary. A principled evaluation of the situation as a whole is of vital importance -- using the entire mass of information available to the delegations, in particular the 23 documents issued by the Group to Promote Implementation of the Helsinki Agreement in the USSR. It is of crucial importance to stipulate extensive measures to correct inadequacies of a general nature as well as all concrete factual violations.

The discussion should not take the form of mutual recriminations and demagoguery, but the position of Western delegations should be absolutely firm and decisive. The Soviet Union may threaten to break off the Belgrade Conference under the pretext of interference in internal affairs, a threat which has already been used in a veiled form. We think the chances of the Soviet Union actually doing so are slim, since its own interests would be strongly affected. If the Conference were indeed to break down, it would, of course, be a great misfortune -- a lengthy but nonetheless temporary setback on the historically inevitable path of detente. But we are wholeheartedly convinced that it would be



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an even greater misfortune -- a catastrophe with almost irreparable consequences for the future of mankind -- to capitulate to and vacillate in the face of this sort of blackmail or analogous threats.

In our opinion, three groups of human rights problems should be reviewed at the Belgrade Conference.

I. Those affecting and having vital importance for wide groups of the population. These are:

1. Violations of religious freedoms, including the freedom of churches from state control and the freedom of religious education. The persecution of religious groups which refuse to condone such violations is well known. The most widespread forms of such persecution are discrimination against believers in education and employment, judicial and psychiatric repressions of believers, and the seizure of children from their religious parents.
2. The violation of the right to choose one's country of residence. This particular right is a decisive one in the USSR in that its implementation frees citizens from the bonds of arbitrary government control and promotes mutual understanding among peoples. We have extensive documentation on its violation, but we will only note a few aspects here:

Soviet agencies which deal with emigration act in deliberate bad faith to limit the "Basket III" provision on family reunification to that area alone. The broader right to choose one's country of residence -- stipulated in the U.N. Universal Declaration of Human Rights; in the International Covenants on Civil and Political Rights, also ratified by the USSR; and in Principle VII of the first section of the Final Act -- is ignored, since applications to emigrate from the USSR are processed only if the applicant presents an invitation sent by relatives. This practice is in total contradiction with the above-mentioned documents. Moreover, OVIR (the visa agency) has taken on itself the right to define kinship ties. In certain cases, OVIR employees use the phrase "denied on the basis of Helsinki" to signify that kinship ties are insufficiently close (in the opinion of OVIR).

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This practice creates insurmountable difficulties for many who wish to emigrate. Indeed, these individuals are not even counted among the numbers of applicants for emigration, since their cases are not reflected in any documents. Groundless visa denials even for those with invitations ('vzovs'), denials falsely based on access to state secrets, continual cases of non-delivery of invitations by the mail (especially in the provinces), repression of those wishing to emigrate -- these are all aspects of the same problem.

3. The Universal Declaration of Human Rights and the International Human Rights Covenants prohibit forced labor. The widespread use of forced labor in places of detention in the USSR is a violation of these agreements and, accordingly, under Principle VII, requires examination at the Belgrade Conference. The system of forced labor both for prisoners and for those living in conditions of provisional liberty is practiced particularly widely in distant regions of the North and the East where hardship is compounded by the difficult climatic conditions and the arbitrariness of the authorities.
  4. Violation of human rights in the area of nationality problems. One example of this is the right of the Crimean Tatar people to live in the Crimea -- a right which has been cruelly and illegally flouted by the authorities for over 30 years. Discrimination against Jews in the areas of education and employment is another widely known example.
- II. Another group of violations of the Final Act relates to those articles of Basket Three which are meant to ease contacts among people and to widen the exchange of information.
1. There is no improvement at all in the expansion and facilitation of tourist and other foreign travel as envisaged in the Final Act. In particular there is not doubt that the Helsinki spirit is flouted by the persistent attempts of the authorities to limit foreign tourists in the USSR and Soviets abroad in their contacts with the local population. For example, by allowing

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foreign tourists to live only in hotels and not with families, the authorities set artificially narrow limits on the possible volume of tourism and its usefulness as a source of knowledge of the way of life and the aspirations of the population.

2. The severe obstacles to contacts with relatives who have emigrated to other countries constitute a very serious violation of the Final Act.
3. The Final Act envisages the expansion and facilitation of access to printed periodicals, informational publications, movies and television films, taped information, and a broader exchange of radio information. The situation in this area remains completely unsatisfactory.

III. A third group of problems is connected with political repressions which represent an especially dangerous violation of human rights -- a direct violation of Principle VII of the Final Act. Political prisoners in the USSR are prisoners of conscience who reject the use of force and yet are punished simply for non-violent actions expressing their beliefs.

1. Recently, the special attention of world public opinion has been drawn to the repressions against 13 members of the Soviet Public Groups to Promote Observance of the Helsinki Agreements: in Moscow, in the Ukraine, in Georgia and Lithuania -- against Orlov, Ginzburg, Shcharansky, Landa, Serebrov, Tykhy, Rudenko, Marynovych, Matushevych, Gamsakhurdia, Kostava, Pailodze, Petkus, and Gajauskas. Landa, Serebrov, Rudenko and Tykhy have already been put on trial and, we are convinced, given completely unjust sentences.

Rudenko and Tykhy got particularly severe sentences -- 12 and 15 years, respectively. The others await trial in complete isolation from the world, in pre-trial detention prisons. These repressions against the members of the Helsinki Groups is a direct challenge to those Western countries which signed the Final Act -- it is an acid test of their determination to defend these proclaimed principles. It is a matter of honor for these countries to obtain the release of all those arrested and sentenced. It is crucial that none of these individuals

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be abandoned, that the authorities be blocked in their obvious intent to split the dissidents into separate groups which are determined according to which receive greater or lesser outside support. We must also stress that the repressions against the members of the Helsinki Groups is only a small part of the overall political repression in the USSR. To a considerable degree, the Helsinki Group was itself formed to defend political prisoners. It is at least conceivable that the repressions against the Helsinki Groups were set in motion by the authorities as a diversionary tactic, meant to put the West in a difficult position. The idea could be to use the revived problem (of well-known political prisoners--ed.) to paralyze Western efforts in other fields -- a well-worn trick from the past. This danger must be averted.

2. Many political prisoners in the USSR and in the countries of Eastern Europe as well as political prisoners in psychiatric hospitals are widely known to the international human rights organizations, to Amnesty International, among others. Probably, it would be advisable for the Belgrade Conference to ask that authoritative international organization for an official report on political repressions in all the countries which signed the Final Act. Such a report should include a list of all political prisoners and prisoners of special psychiatric hospitals, with a description of their cases and the conditions in their place of confinement.
3. Another violation of Principle VII of the Final Act occurs when those who defend human rights and distribute information on human rights violations are persecuted. Among those who are in exile or in camps and prisons under extremely difficult conditions which should not exist in our times are such leading figures in the human rights movement in the USSR as Sergei Kovalev, Semen Gluzman, Anatoly Marchenko, Malva Landa, Andrei Tverdokhlebov, and dozens of other people who are no less deserving of the deepest admiration.

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4. Repression for religious activity violates the Final Act. Among those who are thus imprisoned are Georgi Vins, Vasili Romanyuk and many others.
5. Violations of the Final Act also occur in repressing various expressions of criticism as well as the non-violent defense of peoples' national interests. Such violations are the most numerous along with those involving religion, political prisoners and prisoners in psychiatric hospitals.
6. Significant violations of human rights take place against individuals who are punished for their attempts to exercise their legal right to leave the country. Among them are the participants in the so-called "Leningrad Hijacking Case," who were sentenced to long terms of imprisonment on the unlawful charge of betraying their native country -- Altman, Butman, the Zalmanson brothers, Kuznetsov, Dymshits, Mendelevich, Murzhenko, Fedorov, Khnokh. The same charge has been imposed on many others, including Fedorenko and Zosimov. Of those who desire to leave the country, very many are held in psychiatric hospitals.
7. Petr Ruban is imprisoned for having made a souvenir gift for the American people (a wood carving of the Statue of Liberty--ed.).
8. We call on the Belgrade Conference to speak out separately in defense of these political prisoners who are in particularly difficult circumstances. Among them are Mykola Rudenko, an invalid of the Second World War; Merab Kostava and Zviad Gamsakhurdia, who are threatened with psychiatric prison; and many political prisoners who are extremely ill -- we will name Sergeenko, Ginzburg, Shumuk and Shakhverdyan. Plakhotnyuk, in a psychiatric hospital, is very ill -- he was sentenced for distributing "The Ukrainian Herald."

We ask the Belgrade Conference to examine with the utmost seriousness the questions -- the number of which we have limited as much as we could -- raised in this appeal.

Members of the Group to Promote Observance of the Helsinki Agreement in the USSR: Elena Bonner, Petr Grigorenko, Naum Meiman, Tatiana Osipova, Viktor Nikipelov, Vladimir Slepak

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(The following people are in complete agreement with the text of this appeal: Andrei Sakharov, Tatiana Velikanova, Aleksandr Lavut, Vladimir Borisov;

(Members of the Christian Committee to Defend the Rights of Believers in the USSR: Father Gleb Yakunin, Archdeacon Varsonofili Khaibulin, Viktor Kapitanchuk;

(Members of the Working Commission to Investigate the Abuse of Psychiatry for Political Purposes: Vyacheslav Bakhmin, Aleksandr Podrabinek; and

(Representatives of the Free Adventists: Rostislav Galetsky, V. A. Shelkov.)

Moscow, November 10, 1976

On the Flagrant Violations of the Right of National  
Minorities to Equality Before the Law  
(Document Number 10)

- I. Persecution of the Crimean Tatars for Attempts to Settle in the Crimea (This document was prepared by Aleksandr Lavut, a member of the Public Group, and Tatyana Velikanova and Tatyana Khodorovich, members of the Initiative Group for the Protection of Human Rights in the USSR)

The attitude of Soviet authorities to the problem of the Crimean Tatars is in glaring contradiction to the unequivocal commitments undertaken in Helsinki:

"The participating states on whose territory national minorities exist, will respect the right of persons belonging to such minorities to equality before the law, will afford them the full opportunity for the actual enjoyment of human rights and fundamental freedoms and will, in this manner, protect their legitimate interests in this sphere." (Principle VII, Section 1-a)

The actual policy on the Crimean Tatar peoples is oriented toward their gradual assimilation and liquidation as a historical national culture.

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The majority of the Crimean Tatars, who were forcibly and unjustly evicted from their land in 1944, live in Central Asia. They were in fact removed from the list of Soviet nationalities. They do not have one native language school, although there were several hundred in the Autonomous Crimean Soviet Socialist Republic before the deportation. They do not have one national magazine. The institution conducting research on the Crimean Tatar language and literature was liquidated in 1944. From 1944 to 1973 two textbooks on the Crimean Tatar language were published (as opposed to 58 in nine months of 1939). Out of seven newspapers published before the war, only one (a non-daily) is left.

It is obvious that the authorities are counting on the assimilation of the Crimean Tatars into the population of the Central Asian republics. But inasmuch as the policy of assimilation meets with the resistance of the Crimean Tatars, it is a violation "of human rights and fundamental freedoms, respect for which is an essential factor for the peace, justice and well-being. . ." (Principle VII, Section I-a).

The Crimean Tatars have made peaceful and legal efforts to preserve their nation and culture. For this, and only for this, they are subjected to persecution by the authorities. The cruelest persecution has been directed against those, who try to return to their historical homeland -- the Crimean steppes -- to work on collective farms in familiar surroundings. Authorities destroy with bulldozers houses bought by Crimean Tatar peasants; family providers are not given work. Even families with many children are driven from their homes and left without a roof over their heads: they are evicted and the most stubborn of "returnees" are arrested and sentenced to exile or prison. This means that Crimean Tatars, like several other national and religious minorities and dissenters, are in a special position with respect to the law. The regulations on registration in the Crimea do not prohibit immigration on national grounds. That is, there is no formal ban on Crimean Tatars, who were fully rehabilitated in 1967, settling in the Crimea. In reality, however, the Tatars are placed outside the law. In the Crimean steppes, where a continuous shortage of workers is experienced, and where local authorities are forced to invite settlers from Russia and the Ukraine, the Crimean Tatars encounter extraordinary obstacles in notarizing the purchase of homes, in registering residency, and in obtaining work.

In the nine years since the Rehabilitation Order was issued, only 5,000 Crimean Tatars (less than 1% of the population) have been able to legalize their residency in the Crimea. The majority of these underwent an extensive period of every imaginable persecution and discrimination. Presently nearly 2,000 Crimean Tatars, including large families, live in the Crimea under the constant threat of deportation and prosecution "for violation of passport regulations", that is, for the lack of residence permits, which the authorities illegally refuse them.

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II. Recent Instances of Persecution of Crimean Tatars,  
Attempting to Settle in the Crimea

During the summer and fall of 1976, reports from the Crimea repeatedly attest to illegal obstacles placed by authorities in the way of Crimean Tatars returning from their former exile. We will enumerate those instances known to us.

EVICCTIONS

1. On the night of May 12, police and volunteers attempted to evict the Shaver Chakalova family and their four children from their home. During this attempt, members of the family and neighbors coming to the aid of the evictees were severely beaten. The eviction operation was broken off due to the neighbors' intervention. In the fall, Chakalova was charged with violating passport regulations.

Chakalova's trial will be on November 10. She is threatened, at the least, with the forcible resettlement of her whole family.

2. On May 13 the families of R. Yunusova and M. Setveliev (with their sick child) were removed from their home in the village of Gorlinko in the Belogorsky district of the Crimean Region and into the steppes. The Setveliev's house was destroyed. According to information from the end of October, the family lives in a tent. In July, the Setvelievs tried to rebuild their house, but it was again destroyed.

3. On June 18, the family of the war veteran and participant in the siege of Sevastopol, V. Faizullaev, was driven from its home into the steppes.

4. On June 18, the family of Lavrish Asanov was driven from the village of Podgornoe and into the steppe. The action was accompanied by looting and the beating of several family members.

5. On July 21, a squadron of policemen was brought into the village of Voinka where they evicted the M. Akmollaev family. Several Crimean Tartar neighbors were arrested for 15 days for trying to help the evicted family.

6. On the night of August 9, the M. Abulev (of Bogatove) and the E. Ametov (of Kurskoe) families were evicted. During the eviction, the children were mistreated, things were broken, and money was stolen.

7. On August 25, Ya. Kenzhametov and his wife and child were thrown out of the village of Zolotoye Pole. Their house was torn down by a tractor.



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8. R. Zenabapdinov was evicted from his home on May 4.

9. On May 11, a house which had been bought by E. Ametov in Melekhov was destroyed.

10. On May 13, volunteers evicted the S. Memet family which consisted of 5 members. The family was forced to spend the night on the street. Memet's little daughter was taken ill and had to be hospitalized in the morning.

These attempts at evictions by force have often failed thanks to the protests of not only Crimean Tartar, but also Russian and Ukrainian neighbors.

ARRESTS AND TRIALS

According to the information which we have, 9 people were prosecuted for "breaking passport regulations" in the summer of 1976. (This does not include people who were evicted.)

1. On June 9, Lemur Bekirov got two years at forced labor under the direction of the Ministry of Internal Affairs. His wife, Gulnara Bekirova, and their daughter Shefika Bekirova, got two years on probation.

2. On May 13, Musa Mamut got two years at a general regimen camp. His wife, Z. Abdullaeva got two years on probation. They have three children. At Mamut's sentencing, it was openly stated that he had been convicted because he had moved to the Crimea and bought a house.

3. On June 9, Enver Reshitov, the father of a four-month-old child, was sentenced to a six month term of imprisonment.

4. On September 1, Shevket Arnautov got two years in a "strict regimen" camp.

5. On August 25, Abibulla Khalikhov got 2 years on probation.

6. On September 2, Ridvan Useinov got 2 years at forced labor under the direction of the Ministry of Internal Affairs. In the same incident, R. Shabanov and A. Yagi-(illegible) were sentenced to 2 years of exile.

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7. On October 17, E. Ametov got 2 years in exile. Before his conviction, Eiver Ametov was warned by the KGB for talking to a foreign correspondent. Such a warning is in itself a flagrant violation of the Helsinki agreements.

8. Murat Voenny, a Crimean Tatar activist, was sentenced to 2 years of exile in October.

(Signed by the three authors  
and Public Group members  
Yuri Orlov, Lyudmila  
Alekseeva, and Malva Landa.)

Moscow, January 14, 1977

On the Situation of the Meskhetians  
(Document Number 18)

The Meskhetians are an ancient Georgian tribe which has lived in Meskhetia (the southern part of Georgia bordering on Turkey) for centuries.

At present, part of the Meskhetians consider themselves Georgians, part consider themselves Turks, and the majority are hard put to answer such a question.

In 1944, the Meskhetians were deported from Meskhetia to Central Asia. This was an act analogous to the deportation of the Crimean Tatars. After 1956, a large portion of the Meskhetians were allowed to resettle in the Caucasus -- in Azerbaidzhan, Dagestan and Kabardino-Balkaria. But they were not permitted to return to Meskhetia, or even to any other part of Georgia.

Formally, the right of Soviet citizens to choose their place of residence is not legally restricted on national or religious grounds. Actually, there is a policy of national, as well as religious apartheid, which is adopted in regard to the Meskhetians as well as in regard to the Crimean Tatars, the Germans, part of the Koreans, Western Ukrainians and Lithuanians, members of many religious sects, former political prisoners, and others.

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By order of the Procurator General of the USSR, (No. 54, November 9, 1972) Meskhetians and other national groups which lived in this region are guaranteed the right to equality before the law. However, this order (obviously on the instructions of higher, that is, party organs) is not implemented, and it conforms so little to the actual political situation, that it was confiscated in the search of Yuri Orlov's apartment on January 1, 1977. (See Public Group Document No. 16, the supplement, Protocol of the Search of Yu. F. Orlov's apartment, point #132.)\*

The Public Group has been given a whole list of documents confirming that the Meskhetians are not satisfied with their position as deportees and are actively seeking their return to their historic homeland. The Meskhetian-Georgians and the Meskhetian-Turks are following different paths to achieve this. The former are collecting -- with the help of the Initiative Group for the Defense of Human Rights -- the signatures of heads of families on petitions and appeals to the authorities, in which they insist on their ancient right to carry Georgian nationality. The Public Group has received lists with the signatures of more than 1,100 family heads, representing nearly 7,500 people. These lists were confiscated in the search of Yu. Orlov's apartment. (See the above mentioned Protocol of the search, Point 134.)\* Also confiscated was the appeal by the Georgian-Meskhetians and members of the Initiative Group requesting the Public Group's participation in returning the Meskhetians, if not to Meskhetia, then at least to Georgia. They are prepared to settle in any district, if necessary, in small groups and in various villages. These are no more than modest, loyal and legal demands.

The Turk-Meskhetians did not appeal to the Public Group, but presented it, in the way of information, with the resolutions of its eleventh and twelfth congresses (the last of which took place in the summer of 1976). These resolutions were also confiscated in the search of Yu. Orlov's apartment. The Turk-Meskhetians demand their return to Meskhetia, agreeing to extend this repatriation over several years. The authorities, however, completely ignore their requests and suggestions.

It is well known that as a result, the Turkish Meskhetians have turned for support to the Turkish government, but to no avail. Despairing, many of them now demand resettlement in Turkey. Those who are more extreme even say that if the problem of repatriation is not decided, they will begin to call for the annexation of Meskhetia to Turkey. (Yuri Orlov explained to them

\*Document 16, without the supplement, appears on page 6 of the CSCE Commission publication, Reports of Helsinki-Accord Monitors in the Soviet Union, Volume II, June 3, 1977. The supplement is in the Commission files.

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that such a demand contradicts the Final Act of the Conference on Security and Cooperation in Europe which Turkey signed.)

We assert that in relation to the Georgian and Turkish Meskhethians, the Soviet government is grossly violating its obligations to national minorities as stated in the Final Act: "The participating States on whose territory national minorities exist will respect the right of persons belonging to such minorities to equality before the law . . . ."

(Signed by Public Group members  
Lyudmila Alekseeva, Elena Bonner,  
Aleksandr Ginzburg, Pyotr Grigorenko,  
Aleksandr Korchak, Malva Landa,  
Yuri Orlov, Vladimir Slepak, and  
Anatoli Shcharansky.)

Moscow, February 2, 1978

Obstruction of Postal and Telephone Communications  
(Document Number 25)

Back in May 1976, the Group to Promote Observance of the Helsinki Accords in the USSR informed world public opinion of the obstruction of international postal and telephone contacts (Document No. 2)\*. Because the situation in this sphere has deteriorated since that time, we are forced to return to the problem once again.

Authorities in the USSR continue to violate international obligations and domestic law related to contacts between peoples and the free flow of information. In this document (as in Document No. 2), we will touch upon only a small range of problems, specifically, those involving postal, telegraph and telephone communications.

A significant number of messages sent to Soviet citizens from abroad, or by Soviet citizens to correspondents abroad via the post, telephone and telegraph, fail to reach their destination. Practice shows that letters -- the most informative manner of communication -- are the first to "disappear," a fact which

\*See CSCE Commission Hearings, Basket III: Implementation of the Helsinki Accords, Volume IV, p. 61. Washington, D. C. Government Printing Office, 92-302; 1977.

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leads us to believe that a certain number undergo inspection -- in flagrant violation of Article 56 of the Constitution of the USSR.

This practice is employed most widely toward the correspondence of dissenters: human rights activists, Jewish and German refuseniks, representatives of "unofficial religious groups" and so on.

We can cite a host of examples. For instance, when the Public Group to Promote Observance of the Helsinki Agreement in the USSR dispatched copies of its documents (by registered mail--Ed.) to embassies of participating states of the Helsinki Conference, it did not receive a single delivery receipt. In the USSR, correspondence mailed to and from foreign embassies qualifies as foreign correspondence and passes through the International Post Office in Moscow.

In Tbilisi, the Goldshtein brothers, Isai and Grigori, tried to bring action against the postal service for refusing to reimburse them -- in accordance with the International Postal Convention --- for dozens of undelivered letters. Action was denied; no explanations were given.

Since May, 1977, Evgeni Pashnin has petitioned unsuccessfully to the Vorkutsk Municipal Court for review of his case concerning the recovery of 108 rubles for 3 undelivered and allegedly lost letters to Israel and one to the U.S.

Nearly 5000 telegrams were dispatched from the U.S. alone during the hunger strike by Vladimir Slepak's family in April and May of 1975. The family received . . . one. More than 300 letters sent to Nijole Sadunaite were returned to their senders in England. Of the more than 1000 letters Amnesty International sent to Galina Salovaya, and the hundreds to Kronid Lyubarsky, not one was received.

Facts on undelivered invitations (vyzovs) from Israel deserve special notice. Many await vyzovs a year and more in spite of repeated mailings from relatives. Apart from undelivered letters, telegraph offices have been known to refuse telegrams.

A Christian Pentecostalist believer from Nakhodka in Primorski Krai informed us that he dispatched a telegram at the local post office to President Carter on December 20, 1977, with the following contents:

We wish you a Merry Christmas. Glory to God  
in the Highest, peace on earth, good will to  
men. We wish you good health and success  
in your efforts in defense of Human Rights.  
We ask you and the American people to raise

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your voices in prayer on Christmas Day for  
those without freedom of religion.

The Church of Christian  
Pentecostalists in the  
city of Nakhodka.

On December 21, Perchatkin was summoned to the Post Office where a man introducing himself as a postal employee returned his money, stating that the telegram could not be accepted because it discredited the Soviet regime.

Authorities began their practice of disconnecting phones in May 1972, on the eve of President Nixon's first visit to the USSR. At that time, 12 activists in the struggle for the right of Jews to repatriation to Israel had their telephones disconnected. In response to inquiries, the authorities responded with "evasive" verbal explanations such as: "damaged cable", "defective power lines" and so on. On August 31 of the same year, the Soviet of Ministers of the USSR passed a resolution for an addendum to Article 74 of the Communications Code of the USSR in an attempt to give this practice a semblance of legality. The new paragraph prohibited "the use of telephones for purposes at variance with state interests and social order."

This resolution stands in glaring contradiction to Article 56 of the Constitution of the USSR, for how is it possible to determine whether a telephone is being used "for purposes at variance with state interests and social order" and still guarantee the privacy of telephone conversations? Moreover, this alteration of Article 74 of the Communications Code of the USSR is a direct and official admission of the practice of telephone monitoring in the Soviet Union.

Nor does the law specify which governmental agency holds the right to decide the question of whether a telephone conversation contravenes "state interests". Local Communications offices -- clearly incompetent to decide such questions -- disconnect the telephones. After the addendum to Article 74 of the Communications Code of the USSR, a literal "telephone hunt" began. One or two conversations with someone abroad and a mention of a violation of rights or of an illegal act by Soviet organs was enough to have a telephone disconnected. Telephones would also be disconnected in cases where someone from out of town discussed arbitrary acts committed by local authorities, even if the call was made within city limits. Recently, it has reached the point where telephones are disconnected not "for conversations" but on the basis of who owns the phone or who dials the number.

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Authorities do not even stop at disconnecting general-use phones in communal apartments. Inquiries produce the stereotypical verbal explanation (by telephone): "Your telephone has been disconnected in accordance with Article 74 of the Communications Code of the USSR."\*\*

Written explanations of, or formal complaints against, such actions are impossible. For example, Irina Zholkovskaya-Ginzburg sent 10 letters to various agencies: the local telephone office, the Municipal Telephone Office, the Presidium of the Supreme Soviet of the USSR. All her letters, judging from delivery notices, reached their addresses, but she has not received a single response. All attempts to be granted judicial permission to contest such actions by the local telephone offices have been in vain -- the courts will not accept such cases for review.

In instances where an individual active in human rights, emigration or religious rights is summoned for a phone call to a public telephone station, the notification is usually delivered late -- after the appointed time of the call. If the notification is delivered in time, as a rule the call is not put through. The person placing the call is then informed that the party being called has not shown up. If the call is put through, the muffling signal is turned on after the first few "seditious" phrases. All of the above serves to illustrate the extent to which Soviet authorities obstruct the exchange of information with the West, the extent of their efforts to preserve the crumbling remains of the Iron Curtain by violating international agreements.

Soviet authorities also apply all their illegal, yet available, means to obstruct the flow of information on human rights violations in the provinces which is sent to the Public Groups to Promote Observance of the Helsinki Agreement, the local chapter of Amnesty International and to activists involved in the movement for Jewish repatriation to Israel.

We appeal to the participants of the Belgrade Conference to prevent this practice of strangling the free exchange of information from triumphing in the Soviet Union -- no matter how heatedly the Soviet delegation tries to argue that this is an "internal affair" of the Soviet Union which does not permit external interference.

\*\*A list of 40 individuals in seven cities with disconnected telephones is in a Supplement held in CSCE Commission files.

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Supplements (held in CSCE Commission files):

1. A List of individuals with disconnected telephones;
2. Article 56 of the Constitution of the USSR; and
3. Resolution of the Soviet of Ministers of the USSR of August 31, 1972.

(Signed by Public Group members  
Elena Bonner, Sofia Kalistratova,  
Naum Meiman, Viktor Nekipelov,  
Tatiana Osipova, and Vladimir  
Slepak.)

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Kiev, December, 1977

On Discrimination Against Ukrainians  
Who Wish to Emigrate from the U.S.S.R.  
(Memorandum Number 18 of the Ukrainian Public Group)

The question of emigration from the U.S.S.R. has always been a sensitive one for the leadership of the Soviet Communist Party. It portrayed the Bolshevik Revolution to all the world as an event toward which the working classes of all countries of the world have striven since ancient times and which was finally realized in what was once the Russian Empire.

According to such claims, the Bolshevik Revolution -- for the first time in the history of mankind -- brought to life the brightest ideas of the philosophers, economists and social reformers of yesterday and destroyed an evil that went back to time immemorial -- the exploitation of man by man -- ended social antagonism, ensured the highest possible rate of economic development, created the conditions for the all-around development of the individual, and so on and so forth. In a word, the revolution created on our sinful Earth that which, until then, had existed only in dreams.



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Inasmuch as the Bolsheviks saw themselves as the ideological heirs of the Communist Manifesto, the Paris Commune and the First International, they viewed their victory and their order as the paradigm for all other countries of the world and -- in accordance with the idea of proletarian internationalism -- yearned to bestow this fortune upon others. To this end, immediately after the revolution, they turned to a systematic, persistent and ever-widening campaign of glorifying their actions aimed at restructuring all aspects of social and family life and the Soviet order. Communist parties, formed in dozens of developed countries, helped to create in their countries the myth of the ideal nature of Soviet society. And the fact that people did not emigrate from the Soviet Union served to support the idea of the perfect Soviet order.

Indeed, no one flees from paradise. People leave places where things are bad. "Emigration," according to the dictionary of foreign words, "is 1) a mass migration from one country to another, caused by various reasons (economic, political, religious and others); an unavoidable companion of an exploitative society" (State Publishing House of Political Literature, Kiev, 1955).

Because the Soviet Union is not an exploitative society, emigration is uncharacteristic of it. There is also no reason for emigration for national reasons, because the national issue has been decided in the most just manner once and for all. This is how matters looked in the language of communist propaganda. And so that living witnesses would not refute it, the borders were sealed tight.

For half a century, the West listened to odes to the great achievements of the free Soviet peoples and citizens, while within the Soviet Union brave fugitives, caught in border traps and on barbed wire fences, went silently into the GULAG "archipelago" for 10-15 years.

The situation changed in the 70's. As a result of widening international contacts, it became impossible to lock people secretly away in prisons. In dictionaries there appeared a definition of the word "emigration" as "the departure to another country for permanent or temporary residence" (Political Dictionary, Kiev, 1976), a definition which no longer contradicts the right, declared in international law, of a citizen to leave his country freely and return to it again.

The present leadership no longer labels as treason a person's desire to emigrate and no longer puts people on trial for merely

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expressing such wishes, but it does employ many means to lessen emigration and to destroy the inclination towards emigration. In addition, we discern a different approach on the part of the government to three different categories of citizens who are potential emigrants -- Jews, Russian dissidents and non-Russian freethinkers.

For Jews who have expressed the wish to go to their historic homeland, the government creates many varied unpleasant experiences and sometimes completely unbearable living conditions, but in the end lets the stubborn ones go. It expels the "incorrigible" Russian dissidents from the Soviet Union. And it puts non-Russian dissidents behind bars.

The Soviet state signed the Universal Declaration of Human Rights and the Final Act of the Helsinki Conference. Both of these celebrated documents declare the right of citizens to emigrate, regardless of nationality, but the leadership of the U.S.S.R. takes a plainly discriminatory approach to applications for emigration, basing its decisions on national identities.

We are outraged that the government transforms the natural yearnings of Jews for the homeland of their ancestors into an ordeal of difficult, testing experiences. We are outraged that it attempts to depict to Soviet citizens the banishment of Russian dissenters from the Soviet Union as the expulsion of unworthy persons. But we are most outraged by the discrimination on the basis of national identity, manifest in the total denial of the right of non-Russian freethinkers to emigrate from the Soviet Union.

Leaving aside the question of discrimination against us Ukrainians in other areas of life, we point out that in terms of emigration, this discrimination is revealed in that, so far, not one Ukrainian freethinker has received permission to emigrate for permanent residence abroad.\* Even in those cases where an individual has completed a sentence for an attempt to leave the Soviet Union and following release, continues to seek to leave, the government does not give him that possibility.

Here are a few examples:

Vitaly Vasylovych Kalynychenko tried to cross illegally the Soviet-Finnish border. He was captured and sentenced to ten years' deprivation of freedom. While imprisoned, he consistently and officially declared his intention to leave the U.S.S.R. after completing his term. Released in the spring of 1976, he immediately renewed

\*Leonid Plyushch, a Ukrainian political prisoner, was exiled to the West -- straight from confinement -- in January, 1976--Ed.

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his efforts -- he renounced his Soviet citizenship, wrote appeals, conducted a hunger strike from October 17 to October 26 -- but so far has not received permission to leave.

Yevhen Hrytsyak and the prominent Ukrainian writer, Oles Berdnyk, have sought permission to leave for nearly four years now. Also demanding permission to leave -- so far, with no success -- are Nadia Svitlychna, Nina Strokatova, Ivan Kandyba, Levko Lukyanenko, Volodymyr Zatvarsky, Hryhoriy Prokopovych, Pavlo Kampov, Mykhaylo Lutsyk, Yosyp Terelya, Vasyl Ovsienko, Vadym Smohytel.

The unlawful refusal by the government to allow the opportunity of going abroad has pushed many onto the road of illegal border crossings; Ukrainians Apoloniya Bernichuk, Oleksa Murzhenko and Vasyl Fedorenko are now doing time in prison for this. Yuriy Dzyuba is now serving a four-year sentence of imprisonment for seeking to leave the U.S.S.R. for religious reasons.

Because of gross violations of the Universal Declaration of Human Rights in the U.S.S.R., and the creation of living conditions for freethinkers so difficult as to make even minimal productive activity impossible -- in community, national, literary, religious or other public areas -- a number of Ukrainian political prisoners, while incarcerated, declared their intention to emigrate following the completion of their terms of imprisonment. Specifically, they are Yuriy Romanovych Shukhevych, Ivan Oleksiyovych Svitlychny, Vasyl Omelyanovych Romanyuk, Dmytro Basarab, Dmytro Verkhovlyak, Oleksander Fedorovych Serhiyenko, Hryhoriy Herchak, Volodymyr Vasylyovych Vasylyk, Zinoviy Mykhaylovych Krasivsky, Ivan Shovkovy, Andriy Markovych Turyk.

Consider: after the arrest of three members of the Moscow Public Group -- Orlov, Ginzburg, Shcharansky -- and two of the Ukrainian/Group -- Rudenko and Tykhy -- two more members of the Group, Marynovych and Matusevych,\*\*\* were arrested in the Ukraine. Then the authorities sentenced Ukrainians Rudenko and Tykhy to 12 and 15 years' imprisonment, respectively; sentenced Barladyanu and arrested Terelya, but allowed Moscow Group members, V. Turchin and T. Khodorovich, and K. Lyubarsky, a human rights activist, to emigrate.\*\* Furthermore, they arrested the Ukrainian Snehirov, but suggested that Moscow resident, Podrabinek, leave the U.S.S.R.

\*\* (Turchin, Khodorovich and Lyubarsky, while active dissenters, were not Public Group members, but Lyudmila Alekseeva, Vitali Rubin and Mikhail Bernshtam -- all Moscow Group members -- have been either allowed or compelled to emigrate.--Ed.)

\*\*\* (On March 29, 1978 Mykola Matusevych and Myroslav Marynovych were each condemned to seven years in labor camps and five years of internal exile for "anti-Soviet agitation." --Ed.)

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Twelve and fifteen years of imprisonment and emigration are obviously totally different punishments. This enormous difference is a function of the peculiar differences between the human rights movement in Russia on the one hand, and in Ukraine on the other. In Russia it is directed against illegal restrictions of the democratic rights of citizens, while in Ukraine, it has these goals plus our own national problems. This plus makes the Ukrainian movement in defense of rights so especially dangerous in the eyes of powerful ruling bureaucrats with chauvinist Great-Russian dispositions, because it threatens to destroy the old propagandistic myth about all nationality problems having been perfectly resolved (for all future time) and to renew this discussion by a new generation of Ukrainians under new historical conditions.

Because the "sovereign" Ukr.S.S.R. has not established diplomatic relations even with the major European countries and the Ministry of Foreign Affairs of the Ukr.S.S.R. does not conduct normal business abroad, the emigration of a few dozen Ukrainian freethinkers would promote the familiarization of Western society with Ukrainian problems. The government of the U.S.S.R. knows this, and as we can see, does not wish to allow such familiarization. But inasmuch as the highest criterion of good and justice for the people of European civilization is not the well-being of the state but that of each individual, we demand that in the resolution of a conflict between the state and the individual, preference be given to the good of the individual and not the state. We believe, therefore, that no considerations of a propagandistic (prestige-oriented) order can provide satisfactory justification for the forced detention of an individual within a state.

Peace in Europe cannot be built on lies and the secret designs of the rulers of individual countries. Peace cannot be built on the oppression of peoples, for such a peace does not mean happiness for the oppressed and disenfranchised and they will strive to destroy it.

A strong and lasting peace is possible only with a just approach to the individual, including respect for his right to emigrate. The latter can serve as a means of resolving a conflict between society and the individual, where the individual cannot reconcile himself with the existing order and society does not want to change to satisfy the individual's demands. Society has the right to remain as it is, but the individual likewise has the right to his own outlook on life and the right to broaden this outlook. A situation in which an individual is forbidden either to broaden his outlook or to leave the country is the height

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of injustice, for it completely deprives the person of his or her individuality and sentences him or her to spiritual death. Sadly, many Ukrainian freethinkers have found themselves in such a predicament. This is what forced us to appeal to the Belgrade Conference reviewing the implementation of the Helsinki Accords with the request that it discuss the issue of discrimination against Ukrainians with respect to the right to emigrate, in order to promote its just resolution by the government of the U.S.S.R.

(Signed by Ukrainian Public Group  
members Oles Berdnyk, Ivan Kandyba,  
Vitaly Kalynychenko, Levko  
Lukyanenko, Oksana Meshko, Vasyl  
Striltsiv, and Nina Strokata.)

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USSR-Lithuania

Vilnius, July 17, 1977

Statement to the Belgrade Conference  
on the Present Situation in Lithuania

The present status quo in Lithuania is the result of an ultimatum, submitted at 11:00 PM on June 14, 1940, in Moscow, by Molotov, the Chairman of the Council of the People's Commissars of the Soviet Union and Commisar of Foreign Affairs, to Urbsys, Lithuanian Minister of Foreign Affairs. The army of the Soviet Union, on these grounds, crossed the frontier of Lithuania already on the following day, June 15, at 2:00 PM, and occupied the main Lithuanian cities . . . .

Molotov's deputy, Dekanozov, was dispatched to Lithuania and tried to standardize the country's life in accordance with the Soviet pattern. The results were terrible: not only were all the political parties closed down, the private press liquidated, social organizations oppressed but, beyond that, over forty thousand people were imprisoned or deported to Siberia, sparing nobody, neither infants nor old people.

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It is no wonder, then, that at the outbreak of the German-Soviet war, the four largest Lithuanian political parties tried to restore Lithuanian state sovereignty -- but the Nazis swiftly paralyzed their efforts.

When in 1944 the Red Army once more entered Lithuania, as early as November 11th a special bureau, attached to the Central Committee of the Communist (Bolshevik) party was formed in Moscow under the leadership of Suslov. In the following year alone, more than four thousand employees were purged from various agencies in Lithuania. By April 1947, 1350 more people were discharged because, in April 1945, 6116 officials who could not speak Lithuanian were sent to Lithuania. According to KGB Colonel Mikhailov, who was stationed in Vilnius, fifty thousand Lithuanians perished with weapons in their hands, three times more were sent to prisons and camps where the casualties were as high as in the forests -- and how many were deported to Siberia!

After Stalin's death, some of the deportees were allowed to return, and some of the political prisoners were released from camps. But, alas, to this very day, many are not allowed to return to Lithuania, their fatherland, and are kept in indefinite exile without trial. We publish at least some of their names:

Stepas Bubulas, Kostas Buknys, Antanas Deksnys, Alfonsas Gaidys, Algirdas Gasiunas, Robertas Indrikas, Antanas Jankauskas, Jonas Karalius, Leonas Lebeda, Kostas Leksas, Juozas Mikailionis, Aleksas Mosteika, Petras Paltarokas, Povilas Peciulaitis, Vytautas Petrusaitis, Albinas Rasytinis, Vincas Saliokas, Vytautas Slapsinskas, Jonas Sarkunas, Benius Trakimas, Vladas Vaitiekunas, et al.

The situation of the Lithuanian language is difficult. Five times as many Russians are living in Lithuania today as before World War II, especially in Vilnius and Klaipeda. Therefore, in some offices it is impossible to make oneself understood in Lithuanian, for instance, in the Vilnius railway station, in some post offices, on the street with the policemen on duty, etc. In Latvia, where on the eve of the war there were eighteen Latvian schools, all have been closed.

Many lands, recognized as part of Lithuania by the peace treaty between Lithuania and the Soviet Union signed on July 12, 1920, today are under the Belorussian administration. Lithuanians are autochthonous in those lands. They have no Lithuanian schools, while in Apsas and Vydziai the churches have been closed; the church of Pelesa, built by Lithuanians after World War I, has been transformed into a warehouse, its towers have been razed, while Rector Vienazindis was imprisoned in 1950. Consequently, Lithuanians in Belorussia have no schools, no churches, and Lithuanian priests are not allowed to take up residence there.

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The census data indicates that the number of Russians and of Poles in Lithuania is about equal, but various advertisements, slogans posters, booklets, etc. in Vilnius are only in two languages -- Lithuanian and Russian. There is a Russian dramatic theatre in Vilnius, Russian-language groups are understudied in Lithuanian establishments of higher education, while the Polish language is allowed only in the Vilnius Pedagogical Institute.

The smaller national minorities are faring even worse. During the war, the Jews suffered more than any other inhabitants in Lithuania. Prior to World War Two, they had 122 primary schools, three grammar schools, and 14 high schools. At present, the Jews do not have a single school, or a press of their own, although, according to the 1970 census data there were 16,000 of them in Vilnius alone and 4,000 in Kaunas.

Twenty-four thousand declared themselves as Belorussians in Vilnius, but they do not have their own school, and Belorussian religious services were also abolished in churches in the postwar years. When private schools were forbidden after the war, the Karaites suffered a special loss, because the Kenese (Karaite place of worship--Ed.) of Trakai had a parochial school attached to it; the Tatars also suffered a wrong with the closing of their mosques and schools.

The Lithuanians in Latvia are told, if they want to study in Lithuanian, they must go to Lithuania, but the Russians are not told that their children should go to Russia to learn Russian. The Ministry of Education has specified that the curriculum of the senior class in Lithuanian high schools contain only four weekly hours of the Lithuanian language and five hours of the Russian language. The same Ministry manages to demand and obtain a fluency in Russian from all Lithuanian graduates, but the same Ministry is helpless to make the same Russian graduates learn at least a little Lithuanian.

The publishing houses have gone even further: in some Lithuanian books, Russian texts are now being printed without a Lithuanian translation. Various administrative officials and the press have begun talking about the bilingualism of Lithuanians -- the Lithuanians are alleged to like Lenin's language. But what is to be done if in Lithuania itself it is impossible to communicate in Lithuanian?

In schools, the history of Lithuania and the world are taught in a special manner -- it is not a history of states, or nations, or kings, or dukes, but the history of economic relationships and

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of the so-called "class struggle," elucidated by the party line. Therefore, not a single textbook of Lithuanian or world history, or any publication on the subject published prior to 1940, is allowed into the schools. Not only those, but all books published prior to the above-mentioned events have been removed from all school libraries, and most of them have been destroyed. An exception has been made only for certain institutes of higher learning and scientific institutions, where such publications have been placed in the so-called special funds, which are accessible only by special permission.

It is especially strange that even certain books by individuals who occupied various important posts after the events of June 1940, and published prior to those events, have also ended up in the special fund, e.g., the book SSSR -- musu akimis (USSR Through Our Eyes) by Justas Paleckis who for three decades was in name the country's top administrative official. Even such classics of Lithuanian literature as Algimantas by Vincas Pietaris, and others have ended up among the forbidden books.

The history of Lithuanian literature has been arranged in such a way that several writers who had retreated to the USSR during the war years are being recognized as great Lithuanian classics, while there is either silence about the mass of Lithuanian writers who had fled to the West, or some are mentioned only after their death. The writers who have returned from the camps or from Siberia also have a difficult time.

To this very day, KGB agents keep seizing prewar books or periodicals, whenever they are engaged in a house search. Where are they deposited? Only the KGB could answer this question.

The Soviet press explains the matter as follows: "It was necessary to re-evaluate the cultural heritage of the Lithuanian nation from the Marxist-Leninist point of view: by taking over its democratic and socialist tendencies, to criticize the bourgeois-nationalist conceptions, especially in the areas of history, literature and other social sciences. It was also necessary to broadly propagate scientific atheism, a helper in the struggle against the religious views disseminated by the church." (Algirdas Rakunas, Klasu kova Lietuvoje 1940-1951 metais -- The Class Struggle in Lithuania, 1940-1951, Vilnius, 1976, p. 178).

The propagation of so-called scientific atheism continues today, and the means to propagate it have not improved. Let the official press speak for itself:



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"When we were healing the war-inflicted wounds, developing education, culture, improving health care, there was an unusual space shortage in our republic. Therefore, it was completely natural for the local government organs to use the nationalized spacious rectory buildings for these vitally important matters." (Article by J. Anicas, in Uz socializmo sukurima Lietuvoje - For the Creation of Socialism in Lithuania, Vilnius, 1969, p. 306.) We would like to add that not only rectories, but also parish halls, their libraries, and even the buildings housing church servants were used for that purpose. Many libraries were destroyed in this manner, e.g., the Marian library in Marijampole (now Kapsukas), which contained over 50,000 books. One might add that the old archives of the dioceses were seized by force for the same purposes.

The Soviet press continues as follows: "The use of selected former cult buildings, most for culture, education and health care, in the process of improving social services for the population, was a profoundly humane affair, and the substantial majority of the working people gave its support to it" (Ibid., p. 306). Let us express our doubts that the "substantial majority of the working people" did approve, for instance, the transformation for a decade of the St. Casimir Church in Vilnius, built in 1604, into a warehouse for alcoholic beverages.

And is not the period of the "healing of the wounds" and of "postwar humanism" lasting a bit too long? Perhaps it is time to begin to return to the communities of religious believers at least their surviving possessions? After all, three-quarters of the churches in Vilnius, including the Cathedral-Basilica itself, remain closed.

Much is written and spoken about caring for architectural and artistic monuments. The Church of the Sisters of the Visitation in Vilnius (built in 1729) also bears the inscription that it is an architectural monument, but that did not prevent the destruction of its interior in 1965 and its transformation into a prison. That status also did not prevent the removal of the bells on September 8, 1966, from the All Saints Church (built in 1620, also in Vilnius) after it had been closed. A two story chapel in Antakalnis, Vilnius, erected 300 years ago, was destroyed in the same year, although it was in nobody's way -- even today the site remains empty and the trees that used to surround the chapel are still there. And only a couple of years ago, the popularly venerated Hill of Crosses near Siauliai was devastated again.

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This sad list could be continued endlessly. Let us also add that all Catholic monasteries in Lithuania remain closed, while of the former four theological seminaries only one is allowed to continue. Even that seminary could take in only five new seminarians three years ago, while the average mortality of priests per annum is four times as high. The Jews and Tatars of Lithuania, meanwhile, have been left without any clergy.

The Constitution of the USSR guarantees to atheists the right to anti-religious propaganda, yet believers are only allowed to worship, and not to engage in religious propaganda. How, then, is the equality of all citizens to be understood? Because the freedom to worship so far remains limited to the paper of the Constitution -- believers are not allowed to celebrate even their major holidays, which is part of the concept of religious worship.

Religious believers continue to be fired from their jobs for celebrating their holidays. When children stay away from school on such holidays, their parents are summoned to appear and receive a scolding. Television and radio are permeated with atheism, and meanwhile both these organizations are maintained with the money of the believers, too.

The believers of all religious denominations in Lithuania are without their own press. And if that were not enough, not only the laity but even the clergy are forbidden to teach prayers to the children, although such teaching is their direct duty and an inseparable component of the very concept of the cult. Priests who dared to do that have been incarcerated, imprisoned in camps, or otherwise punished. Here are several victims of the last decade: the Revs. Antanas Aleksandravicius (Slavikai), Prosperas Bubnys (Girkalnis), Albinas Deltuva (Veisiejai), Antanas Jakubauskas (Pociuneliai), Antanas Seskevicius (Dubingiai), Juozas Zdebskis (Gudeliai and Prienai). Therefore, the equality of believers and non-believers exists on paper only.

There is one more painful wound. Our entire older generation in Lithuania remembers how, before the war, one could freely purchase in Lithuania such Soviet Russian dailies as Izvestia or Pravda, while at the Mokslas bookstore in Kaunas (under the patronage of the Soviet embassy) and later in a similar bookstore in Vilnius, one could purchase the writings of Marx, Engels, Lenin and Stalin in Russian.

We do not even dare to dream that we shall live to see the day when the central dailies of Paris, London and New York would be freely sold here. But we do not forget for an instant that a

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considerable portion of our nation, especially its intellectuals, have emigrated or retreated to the West. There they have created a sizeable press, a prolific literature; they have published a huge Lithuanian Encyclopedia.

Yet all the efforts to have the above-mentioned press reach us, too, have been in vain. Whenever a few samples of those publications reach our libraries, they are kept there behind nine locks, or again are available only with a special permit. Meanwhile, Communist literature published in Lithuania reaches the West without any obstruction. Our officials regard us as small children and strictly determine what we are, and are not to read.

In our statement, we have touched upon only a portion of the instances where the agreement signed on August 1, 1975, in Helsinki has been violated. We could also submit materials on how the reunion of families and a series of other questions are being evaded. The purpose of this memorandum is to draw the attention of the states-signatories of the Helsinki agreements to the fact that no agreement in the world is valid if it is observed only by a single party who has signed it.

(Signed by Lithuanian Public Group members Rev. Karolis Garuckas, Eithan Finkelshtein, Ona Lukauskaite-Poskiene and for Viktoras Petkus -- imprisoned since April, 1977 -- and Tomas Venclova -- allowed to leave for the U.S. in January, 1977, and subsequently stripped of his Soviet citizenship.)

Vilnius, April 30, 1977

Statement of Eithan Finkelshtein,  
Member of the Lithuanian Social Group  
to Support the Observance of Helsinki Agreements

On April 27, 1977, I was summoned to the KGB department at the Ministers' Council of the Lithuanian SSR, where Major Rimkus, head of the interrogation section, in the presence of an official of the central apparatus of the KGB at the USSR Ministers' Council, accused me of collecting and transmitting to foreign intelligence

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centers and anti-Soviet propaganda organs slanderous fabrications and information, blackening the Soviet social and state system. He had in mind my activity in the Lithuanian Public Group to Promote the Observance of the Helsinki Agreement, as well as the publication of my articles and statements in the foreign press, and broadcasts of them by the foreign radio, including Radio Liberty.

I was officially warned that if I don't immediately cease such activity, I will be taken to court according to the appropriate paragraphs of the Penal Code.

All this compels me to make the following statement:

My activity in the Lithuanian Helsinki Group consists mainly of advising citizens on questions of emigration, as well as explaining their rights and related possibilities in connection with the Helsinki Agreements. Whenever the Helsinki Agreements are violated in the case of some citizens, I try, together with the other members of the group, to help them in their striving for justice and attempt to convince the governmental authorities to redress such violations.

My appeals and statements -- individual or collective -- deal mainly with the demand to free prisoners of conscience, with protests against the use of trials to persecute people because of their political convictions or because of their desire to emigrate, and with the defence of the right to emigration. In addition, I have signed appeals and statements, protesting against the violations of human rights and against acts of terrorism and radicalism in the countries where they occur.

My articles published in the foreign press deal with the problems of emigration to Israel, the situation and the specific problems of the Jews in the USSR, as well as with life in Lithuania today. In my articles, I have expressed my own views only and did not intend at all to distort reality or to slander the Soviet Union, its people, or its political system.

My entire social activity is far from being inimical to the USSR, its people, or individual citizens. I never had any contacts of any kind with foreign intelligence agencies and have not transmitted any information to them.

As for the warning I have received from the KGB, I consider it an attempt to intimidate me and to force me to renounce my social activity, linked with the struggle for human rights and with the Helsinki Movement.

E. Finkelshtein  
Physicist

USSR-Georgia

Tblisi, March, 1977

On the Persecution of V. RTSKHILADZE (Press release)

Historian V. RTSKHILADZE, Georgian human rights activist and member of the Georgian Group to Promote Observance of the Helsinki Agreement, was fired from his job on March 9, 1977, in Tbilisi. V. Rtskhiladze was employed at the Ministry of Culture of the Georgian SSR where he served as director of the division dealing with the preservation of historical monuments of Georgian culture. Working in this capacity, he continuously exposed the criminal neglect of authorities in his field -- a neglect which reduced the majority of the cultural monuments to a deplorable state. In September 1976, V. Rtskhiladze, along with the director of the David-Garedzha Museum, V. Batsatsashvili, wrote to the Procurator General of the USSR, Rudenko, lodging a complaint against the use of the grounds of the David-Garedzha Monastery as a firing range for the artillerymen of the Transcaucasus Military Region, who were barbarically destroying this unique monument to Early Christian culture. The appeal contained a demand that the artillerymen be punished on the basis of the Criminal Code.

V. Rtskhiladze has also played a leading role in the struggle of the Meskhis to be returned to their rightful homeland. Among the materials confiscated at the search of the apartment of Yuri Orlov on January 4, were included documents on the Meskhis that Rtskhiladze himself had given to Orlov. Included was Rtskhiladze's letter to the Chronicle and the signatures of 8,000 Meskhis demanding the restoration of their Georgian nationality and the right to return to their homeland. These materials served as the basis for the well-known Moscow Helsinki Group document, "On the Situation of the Meskhians."

At the beginning of January, edition No. 2 of the Georgian Samizdat journal The Georgian Herald contained a lengthy article (approximately 100 pages) by Rtskhiladze entitled "Crimes Inflicted on the Georgian People (The Tragedy of the Meskhis)".

Barely 10 days had passed since the search of Yuri Orlov's apartment before Rtskhiladze was subjected to harassments at work. In particular, administrative director U. Bakradze began to find fault with all sort of trivial matters, insulted Rtskhiladze in coarse language and tried to provoke a counter attack. Rtskhiladze was then reprimanded for "violation of discipline"

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which was later revoked by the Ministry directorate itself, since the reprimand had clearly been groundless.

Nonetheless, the directorate (specifically, Deputy Minister N. Gurabanidze, V. Kurava and V. Yakashvili) itself then fired Rtskhiladze for "violation of discipline." This firing is a gross violation even of Soviet labor legislation. The same day, Rtskhiladze was summoned to the MVD (by Investigator Aslanishvili) where he was compelled to write an explanation as to why he "verbally abused and threatened director Bakradze". Prior to the firing, the KGB had sent some "hooligans" who attempted to incite a brawl with Rtskhiladze. (The KGB has used a similar ploy against another member of the Georgian Helsinki Group, Z. Gamsakhurdia). Today it is possible that Rtskhiladze is under threat of arrest for "parasitism."\* Here we must add that Rtskhiladze recently suffered a critical heart ailment -- angina pectoris.

We appeal to worldwide public opinion with a request to defend this active struggler for human rights in Georgia -- Viktor Rtskhiladze. We also ask that voices be raised for the return of the Meskhis to their rightful homeland.

(Signed by Georgian Public Group members Beglar Bezhuashvili, Zviad Gamsakhurdia, Grigori Goldshtein, Isai Goldshtein, and Teymuraz Dzhanelidze, as well as by members of the Initiative Group to Defend Human Rights in Georgia, Merab Kostava, G. Magulariya, and Nikoloz Samkharadze.)

\*(Viktor Rtskhiladze was arrested April 23, 1977 at the same time as Zviad Gamsakhurdia and Merab Kostava, but released under orders not to leave Tbilisi. He was re-arrested January 25, 1978.)

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Yerevan, June, 1977

Announcement to the Belgrade Conference

Since we have no means of gathering or receiving any sort of information on implementation of the other provisions of the Final Act, members of Helsinki Watch Groups active within the borders of the USSR have focused their attention on the Final Act's humanitarian provisions. This does not mean, however, that the Groups have ready access to data in this sphere. The mass media in the Soviet Union do not perform the function their name suggests; the meager quantity of information which succeeds in filtering through to the press, radio and so on, appears in completely distorted form. This is true both of extra-political as well as political reporting.

With respect to the undertakings the Soviet government has made in the area of humanitarian concerns, the Armenian Group to Promote Observance of the Helsinki Agreement notes the following:

A. Civil rights violations in Armenia have not ceased since the signing of the Final Act. We understand the concept of "civil rights" to include national, political, religious, economic, cultural and other freedoms. The free and unhampered activity of Armenian citizens in any of the above-named areas is not guaranteed. The very fact that members of the Armenian Group to Promote have been persecuted speaks most eloquently for itself.

B. The signing of the Final Act found no reflection in the treatment of political prisoners sentenced for their beliefs and "activities" (the dissemination of their beliefs) to various terms of punishment prior to the Helsinki Conference. Those isolated incidents when Armenian political prisoners have been released are simply a hypocritical demonstration of an "eased" regime -- a regime which is in fact on the verge of inflicting new outrages upon citizens seriously concerned with the fate of their country. For instance, far ahead of the end of their terms, two political prisoners -- Ashot Tsolakovich NAVASARDIAN and Asat Levikovich ARSHAKIAN -- were released. They were not, however, acquitted, but, following their policy of human degradation, the authorities induced them to ask for clemency, to produce additional testimony, to renounce their convictions in written form and to pledge to refrain from any sort of activity in the future. Political prisoners continue to be detained in inhuman conditions.

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C. Radio broadcasts continue to be jammed, the receipt of publications still obstructed. The Soviet government destroys publications even of Soviet authors who, for one reason or another, have left the country, or who have expressed opinions which do not reiterate the official viewpoint. Persons wishing to leave the country are harassed.

D. The rights of the Armenian people as a national minority are grossly violated. The Armenian nation stands in danger of losing its national identity through assimilation. The following data attest to this:

The USSR -- being a union of nations enjoying equal rights -- is obligated to preserve the national dignity and national rights of all peoples entering into its union. However, the government of the USSR itself acts as the prime violator of these rights. Adhering to a superpower policy with anti-nationalist aims, the USSR not only does nothing to resolve the Armenian question -- based on the just demands of a nation deprived of the major portion of its historical homeland and a people sacrificed to the first genocide of the twentieth century -- it uses all possible means to block its resolution.

The dictatorship of the CPSU, which managed to wreck the country's economy, proceeds in its suppression of national cultures and the cynical violation of its citizens' rights. The Communist Party, while monopolizing all the power in the Armenian republic, neither reflects nor protects the interests of the Armenian people; moreover, it functions as the primary instrument in violating the national rights of Armenian citizens bold enough to express criticism of the anti-nationality policies of the central and republic governments, and subjects them to persecution and long-term deprivation of freedom.

Ancient national customs and language are being distorted and stand on the verge of destruction. A Russian replaces an Armenian school on the average of once a year. Russian preschools and elementary schools are maintained in better condition than their Armenian counterparts; highly qualified specialists fill their staffs and the government provides them with more extensive funding.

Russian is the language of all correspondents in governmental, cultural and economic bodies, as well as in scientific research institutes. This is practiced in spite of Article 119 of the Constitution of the Armenian SSR which establishes Armenian as the republic's official language. All documentation -- ranging from financial statements to scientific papers -- is in Russian.



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Russian is the language most often heard on radio broadcasts and television programming. The single means of contact with world culture is through the Russian language -- translations into Armenian are discouraged and obstructed.

The republic's intelligentsia is deprived of all means of self-assertion, in the true sense of the word, and it is deprived of the possibility of real contact -- free of hypocrisy and falsehood -- with the people. The intelligentsia and the working people both are deprived even of a consultative role in the resolution of national, political, economic, cultural, social and moral issues.

The rights of citizens living in the Karabakh region -- once part of the Armenian republic -- continue to be violated. Citizens of the Karabakh wish to rejoin the Armenian republic, as 80% of its population is Armenian.

E. The new Draft Constitution offers us the possibility to assume that no changes in this sphere can be expected; if anything, further limitations on these rights might be imposed. This assumption is based in particular on the contents of Article 39 which begins Chapter 7 called "The Basic Rights, Freedoms and Duties of Citizens of the USSR." Article 39 states: "Exercise by citizens of rights and freedoms must not harm the interests of society and the state, and the rights of other citizens." There is only one way this can be interpreted. All civil rights delineated in the Draft Constitution are clouded by amorphous stipulations: "In accordance with the aims of strengthening the socialist system....", "In conformity with the aims of Communist construction ...." (Art. 47, 50, 51). Citizens of the USSR are acknowledged to possess the right "to profess any religion and to carry on atheistic propaganda," but there is not stipulation for religious propaganda (Art. 52).

The indicated "freedoms" geared toward strengthening the "might and prestige" of the Soviet government, Soviet ideology and an atheistic world view, have never been limited by the Soviet government, even when these have been founded on false information. Moreover, in reality these "freedoms" have been and continue to be not rights but obligations of Soviet citizens, to which Article 62 attests: "The citizens of the USSR shall be obliged to safeguard the interests of the Soviet state, to contribute to the strengthening of its might and prestige."

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The Armenian Group to Promote Observance of the Helsinki Agreement was organized on April 1, 1977, and has been in operation for only two months. Decades of pervasive suspicion, intimidation and fear inherited from the past, hamper Group activity. Citizens wishing to join or work with the Group in the data-gathering process on human rights violations refrain from doing so for fear of direct reprisals and from their sense that the struggle for basic human rights and freedoms in the Soviet Union is hopeless and cannot produce any positive results.

Nevertheless, Armenian Helsinki Group members have at their disposal a number of reliable facts which demonstrate that the Soviet Union has not been observing the international conventions it has signed in the area of equal rights of peoples and their inherent rights to determine their own fate, as well as in the area of fundamental human rights and freedoms.

The following facts are presented in accordance with the points made above:

A. (1) Persecution and loss of freedom for those whose views are incompatible with the official ideology. This relates especially to citizens and workers in the fields of education and culture.

a) Sarkis ARUTYUNIAN, Yerevan State University, instructor of philosophy (reinstated).

b) Kamo PETROSIAN, Yerevan Polytechnic Institute, instructor of philosophy.

c) Aleksandr Rubenovich MALKHASIAN, physics teacher.

d) Edik MELKONIAN, physics teacher.

e) Eduard Bagratovich ARUTYUNIAN, Candidate of Economic Sciences.

(2) Known cases of isolation in psychiatric hospitals for political and religious convictions:

a) Eduard Bagratovich ARUTYUNIAN -- for entering the Embassy of Great Britain;

b) Aleksandr Rubenovich MALKHASIAN -- for issuing critical statements to higher governmental agencies;

c) Gerasim STEPANIAN -- for a religious gathering in his apartment.

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(3) Immediately following the announcement of the formation of the Armenian Helsinki Group, members of the Group and their families fell victim to reprisals and threats. The newspaper of the Central Committee of the Armenian SSR, Sovetakan Hyastan, published a feuilleton aimed at manipulating public opinion, entitled "The False Prophet" which used distorted facts and filthy attacks on Group member Deacon Robert Khachikovich NAZARIAN.

Another Group member, Samuel OSIAN, student at the polytechnic institute, was summoned for a talk with his dean who hinted at the possibility that his thesis would not be accepted. OSIAN's parents were summoned to KGB headquarters for an "interview" where allusions were made to physical reprisals in store for their son.

B. (1) The rights of political prisoners are being violated, in particular the right to correspondence, medical assistance, receipt of parcels, monthly purchases and visits with relatives. Political prisoners are subjected to humiliation, including discrimination on the basis of nationality. According to our data, the following political prisoners are being held under inhuman conditions:

- a) Razmik Artavazdovich ZOGRABIAN; b. 1950, sentenced to 10 years;
- b) Paruir Arshavirovich AIRIKIAN; b. 1949, sentenced to 10 years;
- c) Razmik Grigorievich MARKOSIAN; b. 1950, sentenced to 6 years;
- d) Bagrat Levonovich SHAKHVERDIAN; b. 1940, sentenced to 7 years;
- e) Sergei PARADZHANIAN -- we have no information on this talented film director. (Also known as Paradzhanov, he was reported to have been released from prison camp in late 1977--Ed.)

(2) On the other hand, pervasive corruption and bribery have penetrated government agencies, including those dealing with security and health, a situation which obstructs the solution of serious crimes.

Daniel Ambartsumovich IRADIAN was killed in a pre-detention cell; appropriate government agencies have not ordered an investigation of the murder, and authorities are clearly evading his parents' inquiries.

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C. (1) According to incomplete data, the following library books were burned over the last two months:

Ye. Etkind, Poetry and Translation, L. 1965; Ye. Etkind, A Discussion of Verse, L., 1971; Ye. Etkind, Poet-Translators from Trediakovsky through Pushkin, L., 1973; Ye. Etkind, Bertoldt Brecht; A. Galich, On Seven Winds; A. Galich, K. Isayev, On the Raft; A. Belinkov, Yuri Tynyanov, M., 1965; S. Grachev, Assistance of the USSR to the Peoples of Czechoslovakia in their Struggle for Freedom and Independence, Gospolitizdat, 1953; M. Demin, Facing the East; M. Demin, Parallels and Meridians; V. Nekrasov, In the Trenches of Stalingrad (and all other books by this author); Ye. Yevseyev, Zionism: Ideology and Policy; Yu. Krotkov, John - Soldier of the World; A. Solzhenitsyn, One Day in the Life of Ivan Denisovich (a miraculously preserved copy).

We know that the director of the Main Administration for the Maintenance of Government Secrets of the Council of Ministers of the Armenian SSR issued orders (No. 1-.02) on February 8, 1977, for the confiscation and destruction of books by Armenian writer and translator, Paruir MIKAELIAN, who had previously renounced his Soviet citizenship (7 titles).

(2) The government violates the rights of citizens who wish to leave the country for permanent residence.

a) Tatos ARTIN has been denied permission to emigrate and has been without citizenship for 8 years;

b) Aleksandr Rubenovich MALKHASIAN renounced his citizenship, yet his request to leave the country has stood unresolved for five years;

c) Edik BEGLARIAN renounced his Soviet citizenship after governmental agencies violated his civil rights; nevertheless, the appropriate agencies have not examined his request to emigrate.

D. (1) The political prisoners named in B. above were also accused of nationalist activity which Soviet law equates with anti-Soviet activity.

(2) The government bars citizens from commemorating the National Day of Mourning, April 24, the date of the Armenian Genocide in Turkey in 1915.

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a) Gatherings and memorial dinners dedicated to the memory of the victims are prohibited;

b) Groups of more than 3-4 persons on the streets of Yerevan are dispersed;

c) The preparation of bulletin board displays on this theme is prohibited in official establishments and educational institutions (Yerevan State University).

(3) It is illegal to write dissertations in the Armenian language. ("Regulations on the granting of academic degrees and titles", Bull. VAK No. 2, March 1976, Pub. "Vyshaya shkola", 1976).

The Armenian Group to Promote Observance of the Helsinki Agreement stresses that this report contains only a selection of verified facts on the violation of civil rights and fundamental freedoms in the republic of Armenia. Additional data are still being checked.

The Armenian Helsinki Group appeals to the good will of the heads of participating states and to the peoples of the world who hold dear the concept of the defense of human rights and fundamental freedoms, and requests them to mobilize public opinion in compelling the Soviet government to:

1. Strictly observe its international obligations toward its citizens in the area of civil rights;

2. Officially recognize our Group along with the other Groups to Promote Observance of the Helsinki Agreement and other humanitarian civic organizations active within the Soviet Union.

The Armenian Group turns to the Belgrade Meeting with an appeal to:

1. Examine the issues of centralization and effectiveness of the Soviet Groups to Promote Observance of the Final Act;

2. Examine the question of granting the Soviet Helsinki Groups official recognition and giving them the force of a legal body;

3. And, as a natural consequence, to organize future conferences on human rights and basic freedoms at which the Soviet Helsinki Watch Groups could present world public opinion with the true situation with regard to human rights in the USSR.

(Signed by Armenian Public Group members Eduard Arutyunian, Robert Nazarian and Samuel Osian.)

## USSR-Psychiatric

In addition to the formation of Public Groups in the Ukraine, Lithuania, Georgia and Armenia, the existence of the Moscow Helsinki Watch stimulated the creation of two other monitoring bodies, focusing on special Principle VII concerns, in the Soviet capital, itself. Three Russian Orthodox activists announced in December, 1976, the establishment of the Christian Committee for the Defense of Believers' Rights in the USSR, to report on violations of religious liberty affecting Christian and non-Christian Soviet citizens. A month later, and directly linked to the Moscow Helsinki Watch through Group member General Pyotr Grigorenko, the Working Commission for the Investigation of the Use of Psychiatry for Political Purposes was formed with four members and a legal adviser, Sofia Kalistratova.

On the following pages, two Psychiatric Working Commission documents and extracts from three Christian Committee statements are reproduced. Little of their material has been systematically translated for publication in the West, but various Working Commission reports can be found in the Munich Arkhiv Samizdat, and a collection of 155 Christian Committee documents from 1977 has been reproduced by the Washington Street Research Center, 3101 Washington Street, San Francisco, California, 94115. The collection of Russian-language originals was edited by H. S. Dakin of the Research Center.

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Moscow, June 1, 1977

### APPEAL

We want to bring to the attention of world public opinion the tragic case of the prisoner of conscience, Iosif Terelya.

Born in 1943 in the Transcarpathian Ukraine, at an early age he reacted strongly against any instances of unequal treatment of Ukrainians. The results: expulsion from school, the attention of the militia and, finally in 1962, four years of prison camp on charges of stealing weapons.

## USSR-Psychiatric

For Terelya life in camp was unbearable, and he escaped. He was caught and his sentence increased. He escaped again, and again was taken back to camp. The ridicule and tortures to which he was subjected are so monstrous as to be almost beyond belief. But neither camp nor prison could break his spirit or his belief in God. (Terelya is an Uniate Catholic.)

Then punitive medicine entered the scene. In 1972, Iosif Terelya was accused again, this time under article 70 (anti-Soviet agitation--Ed.) and transferred from Vladimir prison to the Serbsky Institute. There, Terelya was declared not responsible for his actions and sent to Sychovka psychiatric hospital where he spent four terrible years.

In 1976, a court revoked the order of forcible treatment. But even in freedom, humiliation did not stop. His wife was deprived of her residence permit and of her job; Terelya, unable to find a job anywhere, was forced to wander. Driven to despair, in December 1976, he wrote to the Chairman of the KGB, Yu. V. Andropov, an accusation that exposed the terrible facts and gave evidence of his amazing stability and bravery in the face of senseless evil and cruelty.

It was impossible to let such a letter go unanswered. And the authorities responded. On April 28, 1977, Terelya was called into the militia -- ostensibly about his residence permit. There it was announced to him that the court decision rescinding forcible psychiatric treatment had been reversed -- a year after it had been delivered. (One must call attention to this new device in the arsenal of methods of punitive medicine.)

And so, Iosif Terelya, having spent 14 of his 33 years in prisons, camps and special psychiatric hospitals, is once again in a psychiatric hospital. This time he is in the oblast psychiatric hospital in the city of Beregovo, Zakarpathian (Transcarpathian) oblast.

In response to her inquiry as to the reason for his hospitalization, Terelya's wife was told that everything had been done according to the law and that he needs forcible treatment. The diagnosis -- "paranoid schizophrenic"; the treatment -- triftazin (trifluoperazine, known in the West as Stelazine--Ed.); the sentence -- as always, unknown. The doctors frankly have let Terelya's relatives know that it is not they who determine the length of time in confinement.

USSR-Psychiatric

The Working Commission appeals to psychiatrists of the world, and to world public opinion to come to the defense of Iosif TERELYA.

The address of his relatives is Zakarpatskaya oblast/g. Svalyava/ul. Chapaeva #8/TERELYA. (UKSSR - Ed.)

(Signed by Working Commission members  
Vyacheslav Bakhmin, Irina Kaplun,  
Aleksandr Podrabinek, and Feliks  
Serebrov.)

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Moscow, June 8, 1977

INFORMATION

Valery Safonovich TIMOKHIN, 30, is a Christian. He was arrested on November 7, 1975 (during the November Revolution holidays) in the city of Strunino. He was put into the Vladimir prison. The incriminating evidence against him included 10 leaflets in defense of Solzhenitsyn, a letter charging the Patriarch with being in league with the authorities (it is not known whether he wrote or circulated it) and a call for freedom of religion.

On December 12, 1975, a commission composed of 4 people, including the psychiatrist Rogov in the Vladimir oblast psychiatric hospital, declared him not responsible for his actions. In January, 1976, this diagnosis was confirmed by the Serbsky Institute. Thereupon, Timokhin was transferred to Vladimir prison and then to the Vladimir psychiatric hospital. Since May or June, 1976, he has been in the Sychovka special psychiatric hospital (Smolensk oblast, institution Ya0 100/5, Section #7). Neuroleptic "treatment" is being conducted.

Aleksandr TSELYKH, 34 years old. Engineer in geophysics. He was arrested in 1972 in Krasnoyarsk. He is charged with writing (or copying--Ed.) seditious manuscripts. A commission of psychiatric doctors has declared him to be incompetent. He is held in the Sychovka special psychiatric hospital.



## USSR-Psychiatric

Viktor Ivanovich BOROVSKOY, 22. Arrested in Kharkov on May 12, 1977 as he was boarding a plane to go to Kiev. At the beginning of May -- before his planned departure -- he telephoned Raisa (Rudenko), the wife of the arrested member of the Ukrainian Group to Promote Observance of the Helsinki Agreement, in Kiev. He told her over the telephone that in Kiev he would go to the Supreme Court of the Ukraine with a letter in defense of Rudenko and a poster calling for the liberation of Rudenko. After this telephone conversation with Raisa, Borovskoy was tailed constantly. On the street, people in civilian clothes threatened him with reprisal.

Earlier, Borovskoy had been expelled from an institute because he had attempted to ask a foreigner in Moscow about the possibilities of going abroad. He was arrested. He was diagnosed as psychopathic and was in a psychiatric hospital in the city of Slavyansk for two months.

Borovskoy was arrested on May 12, 1977 and put in the Kharkov psychiatric hospital by orders of the head of the UVD (Administration of Internal Affairs) of the city of Lozovaya, the head of the City Health Department of the city of Lozovaya, and Dr. En, a psychiatrist of the Lozovaya city psychiatric clinic -- sight unseen. They immediately began to give him injections of haloperidol, but after the protest of Borovskoy's mother, this was discontinued until the commission had met.

The brothers Sergei and Ivan PRUTOV have already spent six years in special psychiatric hospitals. They were arrested in the spring of 1971 in the city of Leningrad after the formation of a human rights group. All six members of this group were examined in the Serbsky Institute and were pronounced psychologically ill.

Sergei Prutov was sent first to the special psychiatric hospital in Leningrad and then to the special psychiatric hospital in Smolensk and finally to Alma-Ata. In 1974 the doctors recommended that he be released, pronouncing him healthy. However, the experts in the Serbsky Institute again declared him to be ill. And so Sergei Prutov is again in the Alma-Ata special psychiatric hospital. In 1975 his brother had an analogous history: the doctors of the Tashkent special psychiatric hospital recommended that he be released. However, a court decided to continue treatment. They are still both in hospital-prisons. One is in Alma-Ata, and the other in Tashkent.

(Signed by Vyacheslav Bakhmin, Irina Kaplun, Aleksandr Podrabinek, and Feliks Serebrov.)

USSR-Religious

Moscow, December 30, 1976

To the Moscow Helsinki Watch, Professor Orlov

On November 21, 1976 the Pan-Orthodox Congress opened in Chambesy, Switzerland. Delegates from the Russian and Georgian Orthodox Churches in the Soviet Union were slated to attend.

While the Russian delegation managed to depart for the Congress, Georgian Church delegates were informed that their required exit visas had not been processed in time.

The pretext was obviously trumped-up. Clearly, certain official organs felt it undesirable for information on the real situation in the Georgian Church to be made public.

The obstacles placed in the way of the Georgian Church delegation constitute not only flagrant interference in the affairs of the Church, but a violation of Basket III -- "Cooperation in Humanitarian and Other Fields" -- of the Helsinki Agreements.

(Signed by Christian Committee members Fr. Gleb Yakunin, Archdeacon Varsonofy Khaibulin, and Viktor Kapitanchuk.)

Moscow, June 3, 1977

To Participants in the World Conference of Religious Leaders for  
Lasting Peace, Disarmament and Equitable Relations Among Nations

Respected Conference Participants!

On May 21 we issued an appeal calling for your support in defense of religious prisoners of conscience. We directed particular attention to Jewish believer IOSIF BEGUN, whose trial was due to coincide with your plenary sessions. His trial, however, was rescheduled for June 1, and was hastily concluded that same day in the Prolyetarsky district court in Moscow.

USSR-Religious

The court sentenced Begun to two years of exile (in Siberia--Ed.). What was his crime?

In 1971 Iosif Begun, an engineer, was denied permission to work in his profession after he had applied to OVIR to emigrate to Israel. Since that time, he has supported himself by giving private Hebrew lessons.

It is common knowledge that Soviet law permits private lessons -- except religious instruction -- and that private tutoring, especially in foreign languages, is quite popular.

Begun, in due course and according to standard regulations, applied to the appropriate fiscal agencies to pay the state tax on his earnings. The agencies, however, refused to acknowledge the legitimacy of his employment.

And now the court has judged his teaching illegal.

Hebrew is more than the foundation of Jewish culture and the religious language of Judaism. It is also the language of the Bible and one of the three sacred languages of Christianity.

For a believer, Hebrew is a fundamental component of religious life. We consider official prohibitions banning the teaching of this language -- as applied in the case of Iosif Begun -- a manifestation of religious discrimination.

Begun is still in prison. On March 28, he began a hunger strike and we know nothing of the state of his health.

His case soon will be up for review before the Moscow Municipal Court.

Once again we appeal to you to press for the repeal of Iosif Begun's sentence.

(Signed as above.)

Moscow, December 29, 1977

Statement (Excerpts)

On December 16, 1977, the KGB summoned Fr. Gleb Yakunin and Viktor Kapitanchuk, founders of the Christian Committee for the Defense of Believers' Rights in the USSR, to inform them officially that Christian Committee activities "damage state security interests" and that its documents "discredit the Soviet state and society." They were also told that continued activity by Christian Committee members would subject them to criminal proceedings . . . .

**USSR-Religious**

We categorically protest the characterization of Christian Committee activity as slanderous and damaging to the security of the Soviet state.

Despite the ever-expanding worldwide movement in defense of human rights, there have been new arrests of Helsinki Group members in our country over the past month. In the Ukraine: Levko Lykhanenko and Pyotr Vins; in Armenia: Robert Nazarian and Shagen Arutyunian. Under these circumstances, we see a real possibility that the threat to end Christian Committee activity will be enforced. Because of this possibility and of the desire expressed by many believers to join the Christian Committee, its members have resolved the following:

1. To recognize Russian Orthodox Church member Vadim Shcheglov as a member of the Christian Committee;
2. In case of the arrest of the founders of the Christian Committee, to empower Vadim Shcheglov to announce new Christian members under conditions determined by Committee resolution;
3. To state that the arrest of any member of the Christian Committee does not affect his membership in the Committee . . . .

(Signed as above.)

Bulgaria, East Germany and Hungary

Because original documents on Helsinki-related issues in Bulgaria, East Germany and Hungary are rare in the West, reports from those three countries have been combined in a single section. It is clear from the materials themselves that the human rights concerns in the three nations are similar to those voiced by their neighbors. Moreover, the paucity of documentation does not necessarily reflect the actual level of human rights activity.

In East Germany, for example, it has been estimated that over 200,000 citizens have applied for emigration citing the Helsinki Final Act and other documents. In Bulgaria and Hungary, on the other hand, activity had been thought to be so low as to be nearly non-existent. The occasional appearance in the West of materials such as those included in this volume suggests that such assumptions remain open to question.

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BULGARIA

*The publication in the Western press of a "Declaration 1978" marks the first time that evidence has surfaced of human rights discontent in Bulgaria. The six point appeal published in the April 3, 1978 edition of Die Presse of Vienna is unsigned and is addressed "to everyone" on behalf of a group using the otherwise unexplained name, "ABD." Citing the Die Presse article, the Bulgarian press has suggested that "Declaration 1978" is a forgery, possibly concocted by Die Presse. Sofia observers, however, have attested to its authenticity.*

Sofia, March 2, 1978

Declaration 1978

We make the following demands:

(1) Discontinuation of human and civil rights violations, non-interference in private affairs, a free press, freedom of the arts, free elections and freedom of criticism, freedom of religion and the abolition of censorship.

(2) Free exchange of information and of persons, the right of emigration, opening of the borders for everyone, international passports for all Bulgarian citizens, abolition of paragraphs 280 and 281 of the penal code (providing for imprisonment in cases of failure to return to Bulgaria from abroad).

(3) Improvement of social insurance benefits, increase in pensions, establishment of an "acceptable relationship" between prices and wages, and, in this connection, a genuine increase of the standard of living.

(4) Replacement of existing trade unions with unions which will defend the genuine interests of the workers.

(5) Abolition of privileges in all spheres of public life.

(6) The publication of this declaration in all daily papers.

(excerpted from Die Presse,  
April 3, 1978)

EAST GERMANY

*The following two letters from citizens of East Germany have been excerpted from the White Paper on the Human Rights Situation in Germany and of the Germans in Eastern Europe published by the CDU/CSU Group in the German Bundestag (Bonn, October, 1977). Both letters were written to high government officials outside East Germany -- the first to the West German Minister for Intra-German Relations and the second to President Carter. As a result of their actions, the author of the first letter was arrested with his wife in August, 1977, while the second writer was permitted to emigrate a month later. Further information on human rights conditions in East Germany, the Soviet Union and the countries of Eastern Europe can be found under the appropriate headings in the White Paper.*

Dresden, June 10, 1977

Letter to Herr Egon Franke

Mr. Minister,

We turn to you full of confidence and hope. Since December 1975 we have made 15 applications to be allowed to give up our GDR citizenship and join my brother, Fritz Otte, in the Federal Republic of Germany. In addition, we, my mother Frau Erna Otte and my mother-in-law Frau Hilde Zschuttig, have each sent petitions to Erich Honecker, Chairman of the Council of State. Our mothers' petitions have to this day not been answered. On 17 November 1976, our ninth application was rejected. Since then we have received no other official refusals. The authorities react with silence.

My wife, Dr. Margit Otte, a general practitioner, I, Dr. Gustave Otte, gynecologist and obstetrician, and our ten-year-old son Jens, wish to go to live with my brother Fritz Otte, 5060 Bergisch-Gladbach, Hauptstr. 153.

We find ourselves in an insuperable ideological conflict with the GDR. The deceptions to which we have been exposed for many years have been defended by the authorities as something entirely legal, and they are becoming increasingly unbearable. For months we were

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constantly shadowed by members of the State Security Service. The fact that I come from a middle class family, and have three brothers and sisters in the Federal Republic of Germany, has always been held against me. Under these circumstances, it has been impossible for me to rise in my profession. In August 1976, my wife was dismissed (on libelous charges) from her post as senior factory doctor within the health service works. At the same time, I was relieved of my part-time post in the public health service, without any reason being given. The ever-increasing mental strain and the attacks on my family have induced me to give up my post as ward physician in the St. Joseph-Stift hospital, Dresden, as an expression of my uncompromising opposition to the regime and of my solidarity with my wife. Only three weeks after leaving this post, I was summoned to the Internal Affairs Department and warned that if my wife and I maintained our attitude, we would be liable to prosecution under section 249 of the GDR Penal Code. We protested strongly against being put on a par in this preposterous manner with criminals, society drop-outs, prostitutes and persons who constitute a threat to the security of the GDR.

On April 19 and 27, 1977 we were separately questioned for hours on end by the police and interrogating judges of the State Security Service. And for the past six months, they have gone so far as to make life hard for our boy at school. In order to escape the injustice of the authorities here I have been working as a cemetery worker since June 1, 1977 in the Alter Ahnenfriedhof, Dresden.

Mr. Minister, we hope that this brief description of our problem will help you appreciate our situation. We request you to use all means at your disposal to help us out of this unbearable and hopeless situation. We urgently request you to include our problem when human rights are discussed within the framework of German-German negotiations and to raise the matter at the Belgrade follow-up meeting. It is absolutely impossible for us to continue to live in the GDR. We want to be able to exercise our profession again in peace.

Nearly all of our documents have been sent to your Ministry by my brother. Your in-depth and realistic survey of German-German negotiations in the debate on Intra-German relations in the Bundestag before Whitsun gives us strength, courage and confidence.

Nineteen months under the strain of living behind the wall and years of incessant conflict with the GDR are now beginning to leave their mark. Please help us so that we as a family will not perish in this unequal struggle with the authorities here.

(Signed: Gustav Otte)



EAST GERMANY

March, 1977

Letter to President Carter

The number of persons who have applied to be relieved of GDR citizenship, invoking the Constitution, the United Nations Charter, the Declaration of Human Rights, and not least the Final Act of Helsinki, is estimated at over 200,000. The Government of the GDR cannot cope with this flood of applications. It therefore reacts with dismissals without notice, shameless defamation, interrogation, and other reprisals. Only a tiny minority of the applications have been approved. The great majority of applicants have been deprived of their livelihood and attempts are made to 'starve' them -- in other words, to force them to work as labourers for the communist regime by continually rejecting their applications without reason, or simply not dealing with them any more ....

... The GDR's policy of walling itself off from the Federal Republic of Germany has been pushed to the extreme. The communist rulers consider it a political crime for someone even to speak of the unity of the German nation. Anyone in the GDR who has the courage to express his own opinion (as 'guaranteed' in the Constitution), anyone who invokes human rights or the Helsinki Final Act, is dismissed without notice. Applications to be relieved of GDR citizenship are refused without any reason being given, or they are simply no longer processed; they disappear in the bureaucratic apparatus of this State. In fact, even people who merely apply to be reunited with their families are forcibly deprived of their livelihood, irrespective of whether they are scholars, artists, or taxi drivers. Slander, outlawing and 'starving' of applicants, these are the methods used by the GDR government for the past six months and more to stifle the demand by its people for the exercise of human rights ....

(Signed: Dr. Hellmuth Nitsche)

HUNGARY

*According to the Western press, a group of Hungarian intellectuals sent the following message of support to Czechoslovak dissident leader and Charter '77 signer, Pavel Kohout. The Hungarian signatories reportedly included ten philosophers, two sociologists, two economists, four scientists, ten writers, four critics, a painter and a musician.*

Budapest, January 9, 1977

Letter to Pavel Kohout

We declare our solidarity with the signers of Charter '77, and we condemn the repressive measures used against them. We are convinced that the defense of human and civil rights is a common concern of all Eastern Europe.

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*The following excerpts of an interview with Hungarian scholar Agnes Heller (one of the 35 signatories) was reported in the February 9, 1978 edition of the Italian Communist daily, L'Unita. The article accompanying the interview also contained comments by Hungarian Minister of Culture, Imre Pozsgay, concerning the decision of Heller and other Hungarian intellectuals to live and work abroad. Pozsgay called their departure a loss and expressed the hope that they will return after having had time to reflect.*

February 9, 1978

Interview with Agnes Heller (excerpts)

(Question) Is it a normal occurrence for the foremost representatives of the "Budapest school," the best-known pupils of Gyorgy Lukacs, to be working outside Hungary?

HUNGARY

(Answer) I am going because since 1973 I have been subjected to a kind of ban on work in my profession. I and my friends were dismissed from our jobs because our ideology differs from official doctrine. An Academy of Sciences document states that we cannot pursue scientific activities.

(Question) During that period were you also a university teacher?

(Answer) Personally, I have not taught at the university since 1948, that is, since I was dismissed because I belonged to the Lukacs group and to his "revisionism." Since then, I have been unable to return because they said that my viewpoint was poison to the young. Some 5 years later, I received a post as a scientific researcher at the academy.

(Question) But did you not get any offers to work after your dismissal from the academy?

(Answer) Yes, but not for scientific jobs. In fact, one was relatively scientific: preparing a literary lexicon. But I am not an expert in that field. They offered Vaida a transfer to working with a group, and Markus a job at the Institute of Chemistry. Naturally, we refused. During the past 5 years, I am the only one of our group who has been able to continue serious research and study work after receiving aid from abroad: the Heine Foundation gave me a grant and the money was shared among the three families, but it was not enough. So, to make a living, Vaida, Markus and my husband had to busy themselves with translations. I also received royalties on the books published in Italy and other countries during that period.

(Question) So you were able to write a number of books and also have them published in the West, after the decision to dismiss you from the Academy of Sciences. How did the Hungarian authorities react to this?

(Answer) When my book "The Theory of Needs in Marx" was published in Italy by Feltrinelli, my husband was held by the police for 3 days. And more or less at the same time, following that episode, a compromise was established between the government and our group. The authorities would not interfere in publications abroad, as long as we wrote nothing about the Hungarian state, Hungary's allies -- in other words, nothing which questioned the socialism of Eastern bloc countries. And this was a real compromise because we had a great deal to say on those topics.

## HUNGARY

(Question) Is your departure nothing more than a retreat from a struggle which has just begun?

(Answer) Yes, I too asked myself this question. However, it seems to me that in Eastern Europe the struggle is long -- 3 years is nothing -- and furthermore, I respect the decision of those who want to remain. But the battle for a better Eastern Europe has various forms. Theoreticians are emigres, whether inside the country or outside. I am a philosopher and my work represents a kind of pluralism which is unacceptable in terms of official Hungarian culture. Furthermore, for us it is not a matter of emigrating in the usual sense: after 3 years we want to return, even if we then experience a kind of internal emigration.

(Question) Are you, therefore, leaving without hope? After all, there has been a compromise in recent years and, bearing in mind that you are not departing by splitting with the Hungarian authorities, is there not a chance for you to start a new dialogue?

(Answer) I do not rule out the possibility of compromises, but they must be real, that is, they must provide precise guarantees. I am not criticizing the leaders in this country; what I am criticizing is the system itself. I do not want to deny that the Hungarian authorities intend to respect the norms of the Helsinki Final Act. I wish to respect the authorities' good sense. In my opinion, they have gone almost as far as they can within a system structured in the way this one is. As far as I am concerned, there is only one Europe, so that if in the West it is said -- as the Italian communists, with whom I agree, say -- that political pluralism and pluralistic democracy are an integral part of socialism, then this can also be true in Eastern Europe. The change must therefore be in this direction.

(Question) Ultimately, however, the situation could be this: Once you are in Australia you do not resolve the problem of joining the political and theoretical debate in Hungary and at the same time Hungary loses something which could enrich it.

(Answer) In my homeland my influence is based mainly on books published in Western countries. For instance, I presented one of my books -- the one on the theory of needs in Marx -- 6 months ago and publication was refused 2 weeks ago. Naturally, I am leaving Hungary physically, but I am not leaving its problems and those of the Eastern Bloc countries behind. Indeed, I will be able to discuss these problems more than before.