

**IMPLEMENTATION OF THE FINAL ACT OF THE
CONFERENCE ON SECURITY AND COOPERATION
IN EUROPE: FINDINGS AND RECOMMENDATIONS
FIVE YEARS AFTER HELSINKI**

REPORT

SUBMITTED TO THE

CONGRESS OF THE UNITED STATES

BY THE

**COMMISSION ON SECURITY AND
COOPERATION IN EUROPE**



AUGUST 1, 1980

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LETTERS OF SUBMITTAL

Commission on Security and Cooperation in Europe,
Congress of the United States,
Washington, D.C., August 1, 1980.

Hon. Thomas P. O'Neill, Jr.
Speaker, U.S. House of Representatives
Washington, D.C.

Dear Mr. Speaker: Pursuant to Public Law 94-304, I am pleased to submit to you the report of the Commission on Security and Cooperation in Europe on implementation of the Final Act of the Conference on Security and Cooperation in Europe five years after the signing of the Helsinki Agreement.

The Commission hopes that the purposes of the agreement will be continued at the review meeting in Madrid in November of this year. This meeting will provide for a thorough exchange of views on the implementation of the provisions of the Final Act by the 35 participating states as well as deepening mutual relations, improving security and developing cooperation and detente.

In view of the high interest in the Congress in the CSCE process, especially the human rights component, I am confident that this report will be of unusual interest to Members of both the House and Senate.

Sincerely,

Dante B. Fascell, Chairman

* * * * *

The Honorable Walter F. Mondale
President, United States Senate
Washington, D.C.

Dear Mr. President: Pursuant to Public Law 94-304, I am pleased to submit to you the report of the Commission on Security and Cooperation in Europe entitled, "Implementation of the Final Act of the Conference on Security and Cooperation in Europe: Five Years After Helsinki."

The report is the result of the Commission's continuing efforts to monitor international compliance with the provisions of the Helsinki Final Act. We hope that the purposes of the agreement will be continued at the review meeting in Madrid in November of this year. This meeting will provide for a thorough exchange of views on the implementation of the provisions of the Final Act by the 35 participating states as well as deepening mutual relations, improving security and developing cooperation and detente.

In view of the high interest in the Congress in the CSCE process, especially the human rights component, I am confident that this report will be of mutual interest to Members of both the House and Senate.

Sincerely,

Dante B. Fascell, Chairman

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CHAPTER ONE - INTRODUCTION

BACKGROUND ON COMMISSION

THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE, AN INDEPENDENT ADVISORY AGENCY, WAS CREATED BY PUBLIC LAW 94-304, APPROVED JUNE 3, 1976. THE LEGISLATION, INTRODUCED BY REP. MILLICENT FENWICK AND SEN. CLIFFORD CASE, "AUTHORIZED AND DIRECTED THE COMMISSION TO MONITOR THE ACTS OF THE SIGNATORIES WHICH REFLECT COMPLIANCE WITH OR VIOLATION OF THE ARTICLES OF THE FINAL ACT OF THE CONFERENCE ON SECURITY AND COOPERATION IN EUROPE (CSCE), WITH PARTICULAR REGARD TO THE PROVISIONS RELATING TO COOPERATION IN HUMANITARIAN FIELDS."

CHAired BY REP. DANTE B. FASCELL AND CO-CHAired BY SEN. CLAIBORNE PELL, THE COMMISSION IS COMPOSED OF SIX MEMBERS OF THE HOUSE OF REPRESENTATIVES, SIX MEMBERS OF THE SENATE, AND ONE MEMBER EACH FROM THE DEPARTMENTS OF STATE, DEFENSE AND COMMERCE.

DUE TO THE FACT THAT THE MAJORITY OF THE COMMISSIONERS ARE ALSO MEMBERS OF CONGRESS, THE COMMISSION OFTEN ACTS AS A CONGRESSIONAL COMMITTEE -- HOLDING HEARINGS, PREPARING BRIEFING MATERIAL FOR CONGRESSIONAL DELEGATIONS, ISSUING REPORTS TO THE CONGRESS AND ACTING AS A CLEARINGHOUSE FOR CONGRESSIONAL HUMAN-RIGHTS ACTIVITIES. AT THE SAME TIME, SINCE THE COMMISSION IS AN INDEPENDENT AGENCY DEALING IN A SPECIFIC AREA OF FOREIGN POLICY, IT PLAYS AN IMPORTANT ROLE IN FORMULATING AND CARRYING OUT U.S. POLICY, PARTICIPATING IN OFFICIAL GOVERNMENT-TO-GOVERNMENT BILATERAL CONSULTATIONS WITH OTHER CSCE SIGNATORIES AND IN MULTILATERAL FORUMS, SUCH AS NATO EXPERTS MEETINGS AND THE BELGRADE AND MADRID CSCE REVIEW CONFERENCES.

SCOPE OF THE REPORT

THIS REPORT AND ITS FINDINGS AND RECOMMENDATIONS ARE DRAWN FROM MATERIAL COMPILED DURING THE COMMISSION'S CONTINUING STUDY

OF FINAL ACT IMPLEMENTATION -- WITH SPECIAL EMPHASIS ON THE PERIOD SINCE THE LAST REPORT IN AUGUST 1977. DIRECTED BY LAW TO GIVE "PARTICULAR REGARD" TO THE PROVISIONS OF THE FINAL ACT SECTION (BASKET III) ON COOPERATION IN HUMANITARIAN AND OTHER FIELDS, THE COMMISSION IS:

"FURTHER AUTHORIZED AND DIRECTED TO MONITOR AND ENCOURAGE THE DEVELOPMENT OF PROGRAMS AND ACTIVITIES OF THE UNITED STATES GOVERNMENT AND PRIVATE ORGANIZATIONS WITH A VIEW TOWARD TAKING ADVANTAGE OF THE PROVISIONS OF THE FINAL ACT TO EXPAND EAST-WEST ECONOMIC COOPERATION AND A GREATER INTERCHANGE OF PEOPLE AND IDEAS BETWEEN EAST AND WEST."

GUIDED BY ITS MANDATE, THE COMMISSION HAS CONCENTRATED ITS ATTENTION IN THIS REPORT PRIMARILY ON THE COMPLIANCE RECORDS OF THE SOVIET UNION AND ITS WARSAW PACT ALLIES WHERE, WITH RARE EXCEPTIONS, THE LEVEL OF IMPLEMENTATION IN MANY AREAS HAS REMAINED APPALLINGLY LOW AND, IN SOME CASES, HAS EVEN REGRESSED. BY COMPARISON, WESTERN CSCE STATES GENERALLY HAVE MAINTAINED RELATIVELY HIGH STANDARDS OF IMPLEMENTATION IN ALL AREAS OF THE FINAL ACT AND, IN PARTICULAR, IN THOSE AREAS SUCH AS HUMAN RIGHTS WHERE THE EASTERN RECORD HAS BEEN MOST DISMAL. THEREFORE, IN EXAMINING THE IMPACT OF THE FINAL ACT -- ACTIONS REFLECTING COMPLIANCE WITH OR VIOLATION OF ITS ARTICLES -- THE COMMISSION, IN THIS REPORT, HAS DIRECTED THE BULK OF ITS RESEARCH TO THOSE NATIONS WHOSE RECORDS UNDER THE HELSINKI ACCORDS STAND THE GREATEST NEED FOR IMPROVEMENT.

AT THE SAME TIME, THE COMMISSION CONTINUES TO BELIEVE THAT THE MOST EFFECTIVE SPUR TO IMPROVED IMPLEMENTATION IS A SERIOUS REVIEW BY EACH CSCE STATE OF ITS OWN RECORD. HOWEVER, TO BE CREDIBLE -- AND USEFUL -- SUCH A REVIEW SHOULD BE BASED NOT ONLY ON THE CITATION OF CERTAIN CAREFULLY SELECTED POSITIVE ACHIEVEMENTS, BUT ON AN HONEST EFFORT TO BE RESPONSIVE TO CRITICISM FROM OTHERS -- BOTH FROM OTHER HELSINKI COUNTRIES AS WELL AS FROM PRIVATE ORGANIZATIONS AND INDIVIDUALS. THE COMMISSION ADOPTED THIS APPROACH IN PREPARING ITS NOVEMBER 1979 REPORT, "FULFILLING OUR PROMISES: THE UNITED STATES AND THE HELSINKI FINAL ACT." THE SAME APPROACH CHARACTERIZES THE UPDATE OF THAT REPORT CONTAINED HEREIN.

IN PREPARING THIS REPORT, THE COMMISSION HAD THREE AUDIENCES IN MIND: FOR THE CSCE REVIEW CONFERENCE IN MADRID, THE REPORT WILL SERVE AS AN OVERVIEW OF COMPLIANCE FOR THE FIVE-

YEAR PERIOD SINCE HELSINKI, WITH PARTICULAR EMPHASIS ON THE PAST THREE YEARS; FOR THE U.S. GOVERNMENTAL AGENCIES RESPONSIBLE FOR IMPLEMENTING PROVISIONS OF THE FINAL ACT, THE REPORT WILL PROVIDE A BENCHMARK FOR IMPROVEMENT; AND FOR THE AMERICAN PUBLIC, WHOSE SUPPORT IS ESSENTIAL FOR CONTINUED U.S. PARTICIPATION IN THE CSCE PROCESS, THE REPORT PROVIDES A CURRENT PICTURE OF MAJOR IMPLEMENTATION ACHIEVEMENTS AND SHORTCOMINGS IN THE MOST CRITICAL AREAS -- THE SOVIET UNION AND EASTERN EUROPE.

THE REPORT IS DIVIDED INTO SEVEN CHAPTERS COVERING MAJOR AREAS OF THE FINAL ACT: INTRODUCTION, SECURITY IN EUROPE, HUMAN RIGHTS, ECONOMIC AND SCIENTIFIC COOPERATION, HUMAN CONTACTS, INFORMATION, AND CULTURAL AND EDUCATIONAL EXCHANGES, AS WELL AS APPENDICES ON U.S. COMPLIANCE AND HUMAN RIGHTS.

MATERIAL FOR THIS REPORT WAS GLEANED FROM SEVERAL SOURCES. OVER THE PAST THREE YEARS, THE COMMISSION HAS HELD PUBLIC HEARINGS ON EMIGRATION, EAST-WEST TRADE, FAMILY REUNIFICATION, RELIGIOUS LIBERTY, THE RIGHTS OF SCIENTISTS, THE SOVIET LEGAL SYSTEM AND ITS APPLICATION IN THE CASES OF IMPRISONED HELSINKI MONITORS, THE EXERCISE OF CIVIL AND POLITICAL RIGHTS IN EASTERN EUROPE, THE RIGHT TO CITIZENSHIP IN THE SOVIET UNION, THE CULTURAL AND SOCIAL RIGHTS OF ETHNIC AND NATIONAL GROUPS IN THE U.S.S.R. AND IMPLEMENTATION OF THE HELSINKI ACCORDS. IN ADDITION, COMMISSION STAFF MEMBERS HAVE CONSULTED WITH OFFICIAL AND NON-OFFICIAL GROUPS AND INDIVIDUALS IN A NUMBER OF EUROPEAN COUNTRIES. THE COMMISSION ALSO HAS DRAWN ON ITS CONTACTS WITH A BROAD RANGE OF ORGANIZATIONS AND INDIVIDUALS WITHIN THE UNITED STATES WHICH HAVE AN INTEREST IN MONITORING COMPLIANCE WITH THE FINAL ACT.

THIS REPORT IS NOT INTENDED TO BE A FULL REPORT OF COMPLIANCE, BUT TO INDICATE TRENDS AND NEW DEVELOPMENTS. HELSINKI IMPLEMENTATION IS A PROCESS REQUIRING CONTINUING AND SUSTAINED EFFORT BY ALL THE CSCE PARTICIPATING STATES AND THEIR PEOPLES. THIS REPORT SHOULD BE SEEN AS A PART OF THAT PROCESS.

CHALLENGES IN THE CSCE PROCESS

EVEN THOUGH THE HELSINKI SIGNATORIES REGARDED THE FINAL ACT AS AN IMPORTANT EXTENSION OF DETENTE, THE CSCE PROCESS HAS HAD MIXED RESULTS. MOST SIGNATORIES HAVE GENERALLY COMPLIED WITH CERTAIN PROVISIONS -- SUCH AS MILITARY CONFIDENCE-BUILDING MEASURES (CBMs) -- BUT SOME SIGNATORIES HAVE SIGNALLY FAILED TO LIVE UP TO OTHER COMMITMENTS -- PARTICULARLY HUMAN RIGHTS. THE EFFECT OF THE FINAL ACT CAN ONLY BE AS CONSTRUCTIVE AS THE PARTICIPATING STATES ARE WILLING TO MAKE IT.

IT SEEMS CLEAR THAT FROM THE OUTSET MOST EASTERN CSCE STATES INTENDED TO IGNORE THOSE SECTIONS OF THE FINAL ACT WHICH WERE INCONVENIENT OR EMBARRASSING TO THEM. WHAT THESE WARSAW PACT STATES DID NOT ANTICIPATE WAS THAT VARIOUS PRIVATE GROUPS AND INDIVIDUALS IN THEIR COUNTRIES WOULD COURAGEOUSLY CITE THE FINAL ACT AS A LEGITIMIZATION OF THEIR OWN HUMAN-RIGHTS CONCERNS. THESE PERSONS APPEALED TO THEIR GOVERNMENTS TO HONOR THEIR COMMITMENTS UNDER THE TERMS OF CSCE. THE OFFICIAL GOVERNMENT RESPONSE WAS CHARACTERIZED BY HARSH REPRESSION. IN MANY COUNTRIES, THAT REPRESSION HAS CONTINUED -- EVEN INTENSIFIED -- SINCE THE 1977 BELGRADE REVIEW CONFERENCE.

DURING THIS YEAR OF HEIGHTENED INTERNATIONAL TENSION -- USHERED IN BY THE BRUTAL SOVIET INVASION OF AFGHANISTAN -- THE COMMISSION CONTINUES TO BELIEVE THAT THE CSCE PROCESS IS A VALUABLE TOOL FOR ADVANCING RESPECT FOR HUMAN RIGHTS SO ESSENTIAL TO ESTABLISHING GENUINE AND LASTING SECURITY IN EUROPE. THE COMMISSION ENDORSES THE CONTINUATION OF THAT PROCESS. THE COMMISSION IS ENCOURAGED BY FORWARD MOVEMENT IN SOME AREAS, DISAPPOINTED BY THE LACK OF BALANCED PROGRESS IN MANY FIELDS, AND APPALLED BY SERIOUS VIOLATIONS IN OTHER AREAS. WHILE THE COMMISSION DOES NOT EXPECT DECADES-OLD HABITS TO BE BROKEN OVERNIGHT, FIVE YEARS IS AMPLE TIME FOR SIGNATORIES TO TAKE GRADUAL, BUT REAL, STEPS TOWARD FULL IMPLEMENTATION OF THE PLEDGES MADE AT HELSINKI.

AS THE SECOND CSCE REVIEW MEETING APPROACHES, THE COMMISSION URGES ALL SIGNATORIES TO UNDERTAKE EFFORTS TO IMPROVE THEIR RECORDS OF COMPLIANCE, PARTICULARLY IN REGARD TO HUMAN RIGHTS. AN IMPORTANT AND SYMBOLIC START WOULD BE THE IMMEDIATE AMNESTY OF ALL PERSONS IMPRISONED OR EXILED PRIMARILY AS A RESULT OF THEIR ADVOCACY OF PROMISES CONTAINED IN THE FINAL ACT -- THOSE INDIVIDUALS WHO DAILY PAY A HEAVY PRICE FOR THEIR ATTEMPTS TO BRING THE HELSINKI SPIRIT TO LIFE. BY DEMONSTRATING A WILLINGNESS TO ADHERE TO THE PRINCIPLE OF RESPECT FOR HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, THE SIGNATORIES WOULD TAKE A LONG STEP FORWARD IN ASSURING THAT THE CSCE PROCESS COULD BECOME A TRULY POTENT FORCE FOR SECURITY AND COOPERATION IN THE FUTURE.

TO A VERY LARGE EXTENT, THE ATMOSPHERE AT MADRID AND THE PROSPECTS FOR ACHIEVING PROGRESS IN SECURITY, TRADE, CULTURAL EXCHANGES AND OTHER AREAS WILL BE DETERMINED BY WHAT THE SOVIET UNION AND ITS EAST EUROPEAN ALLIES DO BETWEEN NOW AND MADRID. IF SOVIET TROOPS ARE STILL IN AFGHANISTAN, IF MEMBERS OF THE HELSINKI MONITORING GROUPS IN THE U.S.S.R. REMAIN IMPRISONED OR IN EXILE, IF SAKHAROV IS STILL BANISHED TO GORKY, IF THE CHARTER '77 ACTIVISTS ARE STILL LANGUISHING IN PRISON, IF RELIGIOUS

BELIEVERS CONTINUE TO BE THE VICTIMS OF DISCRIMINATION AND HARASSMENT, IF THE LEGITIMATE CULTURAL DEMANDS OF THOUSANDS WITHIN EASTERN EUROPE CONTINUE TO BE IGNORED, IF THE CIVIL RIGHTS OF THOSE INDIVIDUALS CONTINUE TO BE TRAMPLED, IF DISSIDENTS ARE STILL INCARCERATED IN PSYCHIATRIC HOSPITALS, IF FAMILY MEMBERS ARE STILL FORBIDDEN TO VISIT OR LIVE WITH THEIR RELATIVES ABROAD, IF WESTERN RADIO BROADCASTS ARE STILL JAMMED AND IF LITERATURE CONTINUES TO BE CENSORED, THEN THE UNITED STATES IS MORALLY AND POLITICALLY BOUND TO PROTEST AT MADRID THESE EGREGIOUS VIOLATIONS OF HUMAN LIBERTY IN THE STRONGEST TERMS. SOVIET DEEDS BEFORE THE MEETING, NOT AMERICAN WORDS AT THE MEETING, WILL BE THE MOST IMPORTANT FACTOR IN DETERMINING THE OUTCOME OF THE MADRID CONFERENCE.

RECOMMENDATIONS FOR MADRID

PERIODIC REVIEW MEETINGS SUCH AS THE ONE SCHEDULED TO BEGIN IN MADRID, SPAIN ON NOVEMBER 11, 1980, ARE THE PRINCIPAL MECHANISMS OF THE CSCE PROCESS BY WHICH EACH OF THE 35 PARTICIPANTS IS EVALUATED FOR ITS IMPLEMENTATION OF THE PROVISIONS OF THE HELSINKI FINAL ACT. AS SUCH, THE MADRID MEETING IS AN INVALUABLE AND UNIQUE FORM OF PRESSURE ON EACH OF THE SIGNATORIES TO IMPROVE ITS IMPLEMENTATION RECORD OR FACE PUBLIC CENSURE FOR CONTINUED SHORTCOMINGS. THE IMPACT OF THIS SANCTION ON THE NATIONAL BEHAVIOR OF THE CSCE PARTICIPANTS VARIES FROM COUNTRY TO COUNTRY, BUT ITS OVERALL EFFECT HAS BEEN MORE POSITIVE THAN NEGATIVE.

THE FIRST REVIEW MEETING WAS HELD IN BELGRADE, YUGOSLAVIA FROM OCTOBER 1977 TO MARCH 1978. BECAUSE NO NEW PROPOSALS WERE ADOPTED AT THE MEETING, IT WAS WIDELY REGARDED AS HAVING ENDED IN AN EAST-WEST STALEMATE OVER THE SENSITIVE ISSUE OF HUMAN RIGHTS. THIS ASSESSMENT IS AN OVERSIMPLIFICATION. NEAR THE END OF THE BELGRADE MEETING, IT BECAME CLEAR THAT THE SOVIET UNION AND ITS ALLIES DID NOT DESIRE ANY REAL PROGRESS, BUT INSTEAD WANTED A DISPLAY OF HARMONY AND THE APPEARANCE OF PROGRESS. THE WESTERN COUNTRIES -- AND MANY NEUTRAL AND NON-ALIGNED NATIONS -- WERE NOT PREPARED TO AGREE TO EMPTY CALLS FOR PEACE AND FRIENDSHIP WITHOUT RENEWED COMMITMENTS TO FULLY IMPLEMENT THE PROVISIONS OF THE FINAL ACT. SINCE THE BELGRADE CONFERENCE -- AS ALL CSCE MEETINGS -- OPERATED UNDER THE RULE OF CONSENSUS, THE END RESULT WAS A TERSE COMMUNIQUE WHICH MERELY NOTED THAT THE MEETING WAS HELD, THAT THE 35 COUNTRIES DISAGREED ON MANY ISSUES AND THAT THEY AGREED TO MEET AGAIN.

NEVERTHELESS, THE BELGRADE MEETING DID ACCOMPLISH SEVERAL SIGNIFICANT OBJECTIVES WHICH THE COMMISSION BELIEVES ARE ESSENTIAL TO THE LONG-RANGE VIABILITY AND UTILITY OF THE CSCE PROCESS. FIRST, THE MEETING CARRIED OUT A THOROUGH, CANDID AND OCCASIONALLY PRICKLY REVIEW OF IMPLEMENTATION, DESPITE THE THREAT OF A SOVIET FILIBUSTER OR WALKOUT. SECOND, IT ESTABLISHED -- OVER THE OBJECTIONS OF THE SOVIET UNION AND ITS ALLIES -- THAT HUMAN RIGHTS AND HUMANITARIAN ISSUES ARE AS IMPORTANT TO CSCE -- AND DETENTE -- AS ARE MILITARY SECURITY MATTERS OR OTHER AREAS OF THE FINAL ACT. THIRD, DESPITE EASTERN PROTESTS ABOUT INTERFERENCE IN INTERNAL AFFAIRS, THE PROCEEDINGS OF THE MEETING -- INCLUDING LAST-MINUTE, EXASPERATED SOVIET CRITICISMS OF THE UNITED STATES -- GAVE STRONG SUPPORT TO THE WESTERN CONTENTION THAT THE HUMAN-RIGHTS PRACTICES OF EACH OF THE 35 SIGNATORIES ARE A MATTER OF LEGITIMATE CONCERN TO EVERY OTHER SIGNATORY. FINALLY, THE BELGRADE PARTICIPANTS, BY SETTING THE TIME AND PLACE FOR A FURTHER REVIEW MEETING, HELPED TO ASSURE THAT THE DYNAMIC CHARACTER OF THE HELSINKI PROCESS -- THE VITAL IMPLEMENTATION REVIEW MECHANISM -- WOULD BECOME A PERMANENT FEATURE OF THIS EXCEPTIONAL INTERNATIONAL AGREEMENT.

BUILDING ON THE FUNDAMENTAL ACHIEVEMENTS OF BELGRADE, THE COMMISSION BELIEVES THAT THE MADRID MEETING MUST ACCOMPLISH CERTAIN MINIMUM OBJECTIVES IF THE CSCE PROCESS IS TO SURVIVE AND TO REMAIN IN THE INTEREST OF ALL ITS PARTICIPANTS. HAD NOT SOVIET ACTION AGAINST HUMAN-RIGHTS ACTIVISTS AT HOME AND AGAINST THE PEOPLE OF AFGHANISTAN ABROAD DRASTICALLY LOWERED EXPECTATIONS FOR MADRID, THE COMMISSION WOULD HAVE EXPANDED THE LIST TO INCLUDE ADDITIONAL, MORE FORWARD-LOOKING MEASURES. IN THE PRESENT CIRCUMSTANCES, THE COMMISSION BELIEVES THAT THE FOLLOWING ARE THE MINIMUM OBJECTIVES WHICH THE UNITED STATES SHOULD PURSUE AT MADRID AND ON WHICH IT SHOULD SEEK THE SUPPORT OF ITS ALLIES AND OTHER CSCE STATES:

-- WE SHOULD MAKE CLEAR THAT, IN THE U.S. VIEW, REVIEW OF IMPLEMENTATION -- A PROCESS SEEKING TO OBTAIN FULL COMPLIANCE BY ALL CSCE SIGNATORIES WITH THEIR EXISTING OBLIGATIONS -- REMAINS THE MOST IMPORTANT PURPOSE OF THE MADRID MEETING.

-- TO BE USEFUL, THE IMPLEMENTATION REVIEW MUST BE FRANK, THOROUGH AND SHOULD COVER ALL SECTIONS OF THE FINAL ACT. EXAMPLES OF IMPROVED COMPLIANCE AS WELL AS NEW OR CONTINUING VIOLATIONS SHOULD BE DISCUSSED IN A FIRM, FORTHRIGHT AND SPECIFIC MANNER.

-- AS A CENTRAL THEME OF U.S. FOREIGN POLICY AND AN INTEGRAL COMPONENT OF EAST-WEST SECURITY, HUMAN-RIGHTS CONCERNS MUST

BE GIVEN SERIOUS AND PROMINENT ATTENTION AND SHOULD NOT BE GLOSSED OVER.

-- THE SOVIET UNION MUST BE HELD ACCOUNTABLE FOR ITS INVASION OF AFGHANISTAN. BY THIS COLD AND CALCULATED ACTION, THE SOVIET UNION HAS VIOLATED AT LEAST FIVE OF THE 10 PRINCIPLES OF THE FINAL ACT AND HAS HEAVILY POISONED THE ATMOSPHERE FOR THE MADRID MEETING.

-- TO PRESERVE THE INTEGRITY OF THE CSCE PROCESS, ANY NEW MEASURES AGREED UPON AT MADRID, INCLUDING POST-MADRID EXPERTS' MEETINGS, MUST BE BALANCED AMONG THE VARIOUS SECTIONS OF THE FINAL ACT. IF, FOR EXAMPLE, THERE IS PROGRESS IN THE AREA OF MILITARY SECURITY, THERE SHOULD BE EQUIVALENT PROGRESS, BOTH SUBSTANTIVELY AND STRUCTURALLY, IN OTHER MAJOR AREAS INCLUDING HUMAN RIGHTS AND HUMANITARIAN CONCERNS.

-- THE MADRID MEETING SHOULD SET THE TIME AND PLACE FOR THE NEXT REVIEW MEETING -- PREFERABLY WITHIN TWO YEARS -- IN ORDER TO MAINTAIN THE MOMENTUM OF THE CSCE PROCESS AND TO KEEP UP THE PRESSURE FOR IMPROVED IMPLEMENTATION.

IMPLEMENTATION FINDINGS

HERE, IN CONDENSED FORM, ARE SECTION-BY-SECTION FINDINGS OF THE COMMISSION REPORT.

SECURITY IN EUROPE

IN THE PERIOD SINCE THE 1977 BELGRADE REVIEW CONFERENCE, MOST HELSINKI SIGNATORIES HAVE IMPLEMENTED THE DECLARATION OF PRINCIPLES AS INTEGRAL PARTS OF THEIR NORMAL DEALINGS IN THE INTERNATIONAL SPHERE. (PRINCIPLE VII IS A SPECIAL CASE AND IS DISCUSSED IN THE FOLLOWING SECTION.) ONLY THE SOVIET UNION -- ESPECIALLY BY ITS DECEMBER 1979 INVASION AND OCCUPATION OF AFGHANISTAN -- HAS FAILED TO LIVE UP TO THE BASKET I PROVISIONS IN THE FINAL ACT.

DISCOUNTING THE SOVIET CLAIM THAT ITS "ASSISTANCE" TO AFGHANISTAN IS BEING RENDERED UNDER THE TERMS OF A BILATERAL TREATY OF 1978, THE INVASION OF AFGHANISTAN (ALTHOUGH NOT A CSCE SIGNATORY STATE) IS A DIRECT VIOLATION OF AT LEAST FIVE OF THE 10 DECLARATION OF PRINCIPLES. ONLY BY A COMPLETE WITHDRAWAL OF ITS TROOPS FROM AFGHANISTAN CAN THE SOVIET UNION BEGIN TO RE-ESTABLISH THE FEELINGS OF TRUST AND SECURITY AMONG OTHER SIGNATORIES OF THE FINAL ACT WHICH ARE NECESSARY TO INVIGORATE AND REAFFIRM THE HELSINKI PROCESS.

THE CONTINUED ILLEGAL OCCUPATION OF LATVIA, LITHUANIA AND ESTONIA BY THE SOVIET UNION IS ANOTHER VIOLATION OF THE PRINCIPLE OF SELF-DETERMINATION. THE U.S.S.R., IN CONTRAVENTION OF PRINCIPLE X, ALSO CONTINUES TO SEIZE, OR TO RETURN AS UNDELIVERABLE, MAIL THAT SENDERS CLAIM IS NOT IN VIOLATION OF ANY KNOWN OR PUBLISHED PROHIBITION.

ALL CSCE STATES HAVE LIVED UP TO THEIR MINIMAL COMMITMENTS IN THE AREA OF CONFIDENCE-BUILDING MEASURES. THE NATO STATES, UNLIKE THE WARSAW PACT STATES, HAVE CONSISTENTLY VOLUNTEERED TO GO BEYOND THIS, AND HAVE UNDERTAKEN THE DISCRETIONARY STEPS ENCOURAGED BY THE FINAL ACT.

HUMAN RIGHTS

IN THE YEARS SINCE THE SIGNING OF THE HELSINKI ACCORDS, CITIZENS OF WARSAW PACT STATES INCREASINGLY HAVE ENGAGED IN NON-VIOLENT PROTEST AGAINST THE VIOLATION OF THEIR HUMAN RIGHTS GUARANTEED BY PRINCIPLE VII OF THE FINAL ACT. DISSENT HAS VARIED FROM INDIVIDUAL EXPRESSION OF DISCONTENT TO COLLECTIVE ACTIVITIES OF INTELLECTUALS, WORKERS, RELIGIOUS BELIEVERS AND MEMBERS OF ETHNIC MINORITIES. OFFICIAL RESPONSE TO DISSENT HAS DIFFERED FROM COUNTRY TO COUNTRY, REFLECTING DISPARATE HISTORICAL EXPERIENCES, GEOPOLITICAL IMPERATIVES AND LEADERSHIP STYLES.

LOOKING AT DEVELOPMENTS IN EASTERN EUROPE AND THE U.S.S.R. SINCE 1975, THE FINAL ACT CLEARLY HAS HAD AN ENERGIZING EFFECT ON THE CIVIC AWARENESS OF GROUPS OF CITIZENS IN THESE COUNTRIES WHICH, IN TURN, HAVE SET OFF GOVERNMENTAL RESPONSES. THE DIVERSITY AND COMPLEXITY OF THE ISSUES RAISED IN THE CURRENT MOVEMENTS FOR NATIONAL, RELIGIOUS, CIVIL, ETHNIC, POLITICAL AND CULTURAL RIGHTS IN WARSAW PACT COUNTRIES ARE TESTIMONY TO A YEARNING FOR INDIVIDUAL FREEDOM BEHIND THE OFFICIAL PARTY MONOLITHS. DESPITE THE CLAIMS OF WARSAW PACT STATES THAT ECONOMIC AND SOCIAL RIGHTS ARE GUARANTEED, CITIZENS' GROUPS IN CZECHOSLOVAKIA, POLAND, ROMANIA AND THE SOVIET UNION HAVE REPORTED WIDESPREAD VIOLATIONS OF THESE RIGHTS.

HUNGARY -- THIS WARSAW PACT COUNTRY HAS DISPLAYED RELATIVE TOLERANCE OF DIVERSE VIEWS AND HAS MADE SOME PROGRESS IN IMPLEMENTING THE HUMAN-RIGHTS PROVISIONS OF PRINCIPLE VII.

POLAND -- THE GOVERNMENT'S APPROACH TO WIDE-SPREAD MANIFESTATIONS OF POPULAR DISCONTENT HAS BEEN RELATIVELY RESTRAINED. POLAND HAS ACCEPTED THE EXISTENCE OF COMPETING PHILOSOPHICAL, SOCIAL AND RELIGIOUS ELEMENTS IN POLISH SOCIETY AND HAS ENDEAVORED TO FIND A MODUS VIVENDI WITH THEM. ALTHOUGH POLAND HAS NOT ACTED PARTICULARLY HARSHLY TOWARD DISSENT, AT TIMES MEASURES

SUCH AS SHORT-TERM DETENTIONS AND OTHER HARASSMENT HAVE BEEN EMPLOYED AGAINST PROMINENT HUMAN-RIGHTS ACTIVISTS. IN RARER INSTANCES, ACTIVISTS HAVE BEEN THE TARGET OF MORE REPRESSIVE MEASURES INVOLVING POLICE BRUTALITY AND THE IMPOSITION OF LONGER PRISON TERMS.

ROMANIA -- A TWO-SIDED APPROACH TO DISSENT CHARACTERIZES THIS COUNTRY. ON THE ONE HAND, IT PURSUES A POLICY OF INTERNAL REPRESSION OF HUMAN-RIGHTS ACTIVITIES. ON THE OTHER, IT MAKES LIMITED ACCOMMODATION TO THE HUMAN-RIGHTS CONCERNS RAISED BY WESTERN COUNTRIES. REPRESSIVE METHODS SUCH AS EXTRA-JUDICIAL HARASSMENT, REPEATED SHORT-TERM DETENTION, POLICE BRUTALITY, FORCED PSYCHIATRIC CONFINEMENT, FORCED LABOR AND IMPRISONMENT ARE APPLIED BY THE AUTHORITIES TO QUELL DISSENT. ACTIVISTS REGARDED BY THE AUTHORITIES AS RELATIVELY MINOR FIGURES ARE EITHER EXPELLED FROM THE COUNTRY OR PERMITTED TO EMIGRATE AFTER BEING SUBJECTED TO VARIOUS FORMS OF PERSECUTION, WHILE THE MAJOR ACTORS ARE OFTEN GIVEN LONG PRISON TERMS. AT THE SAME TIME, ROMANIA HAS BEEN WILLING TO ACCEPT DISCUSSION OF HUMAN-RIGHTS MATTERS WITH OTHER SIGNATORIES WITHIN THE HELSINKI CONTEXT AND WITH AMNESTY INTERNATIONAL.

BULGARIA -- ALTHOUGH DOCUMENTATION OF POLITICAL AND RELIGIOUS CONDITIONS IN BULGARIA IS SPARSE, IT CAN BE SAID THAT THE OFFICIAL REACTION TO ANY OPPOSITION TO THE STATE AND PARTY IS SEVERE, THE PRACTICE OF RELIGION BEYOND THE STRICT LIMITS SET BY THE AUTHORITIES IS PUNISHED AND STATE ATHEISM IS VIGOROUSLY PROMOTED.

GERMAN DEMOCRATIC REPUBLIC -- THE HUMAN-RIGHTS PICTURE FOR THE G.D.R. HAS DARKENED DURING THE LAST THREE YEARS. THE STATE CONTINUES TO APPLY A NUMBER OF LEGAL AND PSYCHOLOGICAL TACTICS TO SILENCE CRITICS, INCLUDING, AMONG OTHERS, HOUSE ARREST, DETENTION OR IMPRISONMENT, CENSORSHIP, DEMOTION AND DISMISSAL FROM PLACE OF WORK, PROHIBITION ON TRAVEL, DEPRIVATION OF PARENTAL RIGHTS, FORCED EMIGRATION AND EXILE. STRINGENT NEW LAWS PROMULGATED IN 1979 ARE DESIGNED TO BRING CRITICS TO HEEL BY INTERRUPTING AND SERIOUSLY LIMITING CONTACTS WITH FOREIGN JOURNALISTS AND SEVERELY CIRCUMSCRIBING THE CONDITIONS UNDER WHICH INFORMATION CAN BE DISSEMINATED INSIDE AND OUTSIDE THE G.D.R. THE NEW LAW RESTRICTS FREEDOM OF ASSEMBLY AND INCREASES POSSIBILITIES FOR THE POLICE AND SECURITY FORCES TO INTRUDE ON THE PRIVACY OF TELEPHONE CONVERSATIONS. THERE ARE AN ESTIMATED FIVE TO SEVEN THOUSAND POLITICAL PRISONERS IN THE G.D.R., MORE THAN ONE-HALF OF WHOM ARE BELIEVED TO HAVE BEEN IMPRISONED FOR ATTEMPTING TO EMIGRATE WITHOUT OFFICIAL PERMISSION. THE G.D.R., HOWEVER, DOES ALLOW THE RELIGIOUS COMMUNITY

A RELATIVELY HIGH DEGREE OF CONTROL OVER CHURCH AFFAIRS, AT LEAST IN COMPARISON TO MOST OTHER WARSAW PACT STATES.

CZECHOSLOVAKIA -- THIS COUNTRY'S COMPLIANCE RECORD IS DISMAL. THE CAMPAIGN OF REPRESSION AGAINST HUMAN-RIGHTS ACTIVISTS HAS BEEN UNRELENTING AND WAS DRAMATIZED BY THE OCTOBER 1979 SHOW TRIAL OF SIX PROMINENT CHARTER '77 MEMBERS. THE TRIAL GRAPHICALLY EVIDENCED THE CZECHOSLOVAK GOVERNMENT'S DISREGARD FOR ITS OWN LEGAL CODE AND FOR ITS PRINCIPLE VII PLEDGES REGARDING CIVIL AND POLITICAL RIGHTS. THE INTERNATIONAL LABOR ORGANIZATION (ILO) HAS ACCUSED THE CZECHOSLOVAK GOVERNMENT OF VIOLATING THE ILO CONVENTION, AN INDICATION THAT THE AUTHORITIES SHOW CONTEMPT FOR PRINCIPLE VII'S PROVISIONS ON ECONOMIC AND SOCIAL RIGHTS AS WELL. STATE CONTROL OVER INTERNAL CHURCH DECISION-MAKING IS TOTAL IN CZECHOSLOVAKIA. RELIGIOUS ACTIVISTS ARE FREQUENTLY HARASSED AND IMPRISONED.

SOVIET UNION -- SINCE 1977, THE SOVIET LEADERSHIP HAS REGRESSED -- IF NOT RENEGED -- ON ITS PRINCIPLE VII PLEDGES. SINCE THE INTERNATIONAL OUTCRY OVER THE 1978 TRIALS OF MOSCOW HELSINKI GROUP MEMBERS YURI ORLOV AND ANATOLY SHCHARANSKY, THE SOVIET AUTHORITIES HAVE IMPRISONED HUNDREDS OF HUMAN-RIGHTS ADVOCATES THROUGHOUT THE SOVIET UNION. WHILE THE WEST CONTINUES TO FOCUS ON MOSCOW, HUMAN-RIGHTS ACTIVISM EXTENDS FAR BEYOND THE CIVIL RIGHTS ADVOCACY OF MOSCOW INTELLECTUALS. ALTHOUGH MOST OF THE SOVIET UNION IS CLOSED, RELIABLE REPORTS DO REACH THE OUTSIDE WORLD ABOUT HUMAN-RIGHTS ACTIVITIES IN THE WORLD'S LARGEST COUNTRY. WHILE THE WORLD KNOWS THE NAMES OF A FEW IMPRISONED MOSCOW DISSIDENTS -- WIDELY SEEN AS THE HEROES OF THE SOVIET HUMAN RIGHTS SCENE -- THOUSANDS OF PEOPLE CONTINUE TO BE INVOLVED IN THE SOVIET HUMAN-RIGHTS MOVEMENT.

FREQUENTLY, THE DESIRE TO DOCUMENT THE FATES OF INDIVIDUALS IN THE SOVIET UNION HUMAN-RIGHTS MOVEMENT, OBSCURES THE NEED TO EXAMINE THE IMPORTANT ISSUES RAISED BY THESE BRAVE MEN AND WOMEN. THE HUMAN-RIGHTS MOVEMENT IN THE SOVIET UNION INCLUDES: THE CIVIL RIGHTS ADVOCACY OF ANDREI SAKHAROV; OVER 30 SOVIET SAMIZDAT PUBLICATIONS; THE CONTINUED ACTIVITY OF THE SOVIET HELSINKI GROUPS; THE FLEDGLING UNOFFICIAL LABOR UNION MOVEMENT; THE STRUGGLE OF ALL NON-RUSSIAN ETHNIC GROUPS -- RANGING FROM RIOTS IN CENTRAL ASIA TO SPEECHES IN UKRAINE AND THE BALTIC STATES -- AGAINST SOVIET OFFICIAL POLICIES OF RUSSIFICATION; THE JEWISH, GERMAN AND ARMENIAN EMIGRATION MOVEMENTS; THE CRIMEAN TATAR CAMPAIGN TO RETURN TO THE CRIMEA; THE STRUGGLE AGAINST AN ATHEIST STATE BY 40 MILLION RUSSIAN ORTHODOX, 40 MILLION SOVIET MUSLIMS, EVANGELICAL PROTESTANTS, JEWS AND CATHOLICS.

ANY ANALYSIS OF THE HUMAN-RIGHTS MOVEMENT IN THE SOVIET UNION IS INCOMPLETE WITHOUT A LOOK AT THE MASSIVE SOVIET STATE APPARATUS TO MAINTAIN THE PARTY MONOPOLY: THE SOVIET PRESS WHICH PORTRAYS ALL DISSENT AS SOCIAL ABERRATION OR TREASON; THE SLAVIC DOMINATION OF THE MULTI-NATIONAL SOVIET STATE; AND OFFICIAL SECRET REPORTS TO THE CENTRAL COMMITTEE WHICH REVEAL THE EXTENT OF STATE CONTROL OVER ORGANIZED RELIGION. THE INTERNAL PASSPORT SYSTEM ENFORCES RESTRICTIONS ON MOVEMENT INSIDE THE U.S.S.R., INCLUDING CONTROLS ON THE "PRIVILEGE" OF LIVING IN CAPITAL CITIES, AND THE VIRTUAL IMMOBILITY OF THE SOVIET RURAL POPULATION.

OFFICIAL DOCUMENTS FROM THE SOVIET UNION ATTEST TO LEGALIZED ETHNIC AND RELIGIOUS DISCRIMINATION: IN 1978, THE SUPREME SOVIETS OF THE U.S.S.R. AND UZBEKISTAN PASSED SECRET LAWS FORBIDDING THE RETURN OF 500,000 CRIMEAN TATARS TO THEIR HISTORIC HOMELAND IN CRIMEA; IN UKRAINE, FOUR MILLION UNIAE OR GREEK RITE CATHOLICS BELONG TO A CHURCH WHICH IS STILL BANNED AFTER ITS "DISSOLUTION" IN 1946. UNOFFICIAL DOCUMENTS COMPLAIN OF WIDESPREAD VIOLATIONS OF THE VAUNTED ECONOMIC RIGHTS OF SOVIET CITIZENS: ALTHOUGH PEOPLE CANNOT FIND WORK, THERE IS NO UNEMPLOYMENT COMPENSATION SINCE OFFICIALLY IT IS NOT RECOGNIZED; INVALIDS COMPLAIN OF GROSSLY INADEQUATE FACILITIES AND STATE PENSIONS; AND WORKERS WRITE OF UNSAFE WORKING CONDITIONS AND COMPULSORY UNPAID OVERTIME.

SINCE 1977, THERE HAS BEEN A TENDENCY TO CONVICT SOVIET HUMAN-RIGHTS ACTIVISTS UNDER VARIOUS NON-POLITICAL PROVISIONS OF THE CRIMINAL CODES, SUCH AS "HOOLIGANISM," "PARASITISM," "ILLEGAL PRIVATE ENTERPRISE," OR "VIOLATION OF PASSPORT REGULATIONS." DESPITE INTERNATIONAL PROTEST, THE OFFICIAL AND SYSTEMATIC ABUSE OF PSYCHIATRY CONTINUES. ALSO DISTURBING IS A NEW TREND TO FABRICATE CASES OF CRIMINAL ACTS, SUCH AS "RAPE," A CHARGE BROUGHT AGAINST TWO LEADING UKRAINIAN ACTIVISTS IN 1980. THE AIM OF SUCH ACTIONS IS TWO-FOLD: TO DISCREDIT DISSIDENTS IN THE EYES OF OTHER SOVIETS AND TO DEFLECT POTENTIAL WESTERN SUPPORT FOR THESE HUMAN-RIGHTS ACTIVISTS.

ECONOMIC AND SCIENTIFIC COOPERATION

PROGRESS BY THE EASTERN SIGNATORIES IN COMMERCIAL MATTERS HAS BEEN UNEVEN, ALTHOUGH THE SITUATION AS A WHOLE WITH THE EXCEPTION OF THE SOVIET UNION HAS CONTINUED TO IMPROVE SLOWLY. THE INVASION OF AFGHANISTAN HAS OBLIGED THE UNITED STATES TO IMPOSE REACTIVE SANCTIONS WHICH HAVE RESULTED IN A DECREASE OF COOPERATION. EXAMPLES OF PROGRESS IN OTHER COUNTRIES IN-

CLUDE THE SUCCESSFUL NEGOTIATION OF A BILATERAL TRADE AGREEMENT BETWEEN THE UNITED STATES AND HUNGARY IN 1978 AND THE NEGOTIATION OF A TRANSBOUNDARY AIR POLLUTION CONVENTION UNDER THE AUSPICES OF THE ECE. HOWEVER, ON THE NEGATIVE SIDE, THERE HAS BEEN LITTLE PROGRESS IN IMPROVING ACCESS TO END-USERS IN THE EASTERN COUNTRIES. PROVISION OF ECONOMIC AND COMMERCIAL INFORMATION BY THE EASTERN SIGNATORIES IS STILL INADEQUATE, WITH THE QUALITY OF SUCH INFORMATION MARKEDLY WORSE IN SOME COUNTRIES -- SUCH AS THE SOVIET UNION -- THAN IN OTHERS.

THE UNITED STATES TOOK A MAJOR STEP IN IMPLEMENTING BASKET II WHEN IT ADOPTED THE TRADE AGREEMENTS ACT OF 1979. THIS AGREEMENT WILL MOVE U.S. POLICY TOWARD GREATER PARTICIPATION IN A MORE LIBERAL WORLD TRADING SYSTEM. THE COMMISSION CONTINUES TO BELIEVE THAT CONGRESS SHOULD RE-EXAMINE THE RELEVANT PROVISIONS OF THE IMMIGRATION AND NATIONALITY ACT TO ALLOW CONSIDERATION OF ECONOMIC AND FOREIGN POLICY CONCERNS IN THE ISSUANCE OF BUSINESS VISAS.

TWO EVENTS OCCURRING IN LATE 1979 AND EARLY 1980 THREATENED SERIOUSLY TO UNDERMINE THE FRAMEWORK OF SCIENTIFIC EXCHANGES BETWEEN THE UNITED STATES AND THE SOVIET UNION. THE SOVIET INVASION OF AFGHANISTAN IN DECEMBER 1979 FORCED AN UNPRECEDENTED REDUCTION IN ACTIVITIES UNDER THE OFFICIAL BILATERAL SCIENTIFIC AGREEMENTS BETWEEN THE TWO COUNTRIES. THIS SLOW-DOWN WAS ACCENTUATED IN JANUARY WHEN AMERICAN SCIENTISTS RESPONDED TO THE EXILE OF ACADEMICIAN ANDREI SAKHAROV WITH EXCHANGE MORATORIA OR BOYCOTTS ON THEIR OWN INITIATIVE. AT THE SAME TIME, HOWEVER, SCIENTIFIC RELATIONS BETWEEN THE UNITED STATES AND SOME EAST EUROPEAN COUNTRIES -- MOST NOTABLY HUNGARY AND BULGARIA -- CONTINUED TO EXPAND SIGNIFICANTLY.

HUMAN CONTACTS

IN THE FIVE YEARS SINCE THE HELSINKI SUMMIT, THE SOVIET UNION AND ITS EAST EUROPEAN ALLIES HAVE MADE ONLY VERY GRADUAL AND LIMITED PROGRESS TOWARD IMPLEMENTATION OF THE HUMAN CONTACTS PROVISIONS OF THE HELSINKI ACCORDS. FOR THE MOST PART, THE EAST EUROPEAN NATIONS CONTINUE TO DISCOURAGE PRIVATE CONTACTS BETWEEN THEIR POPULACE AND WESTERNERS, FEARING THAT SUCH CONTACTS WILL RESULT IN IDEOLOGICAL CONTAMINATION OR WIDESPREAD DISCONTENT. LARGE AREAS OF THE SOVIET UNION AND SOME EASTERN COUNTRIES ARE OFF-LIMITS TO FOREIGNERS. TRAVEL OUTSIDE THESE COUNTRIES IS STRICTLY CONTROLLED BY GOVERNMENT AUTHORITIES AND, IN GENERAL, IS RESERVED FOR THE PARTY FAITHFUL TRAVELING IN GROUPS. FOR THOSE WHO ARE PERMITTED TO VISIT RELATIVES ABROAD, A FAMILY

MEMBER IS USUALLY REQUIRED TO REMAIN BEHIND AS A HOSTAGE TO ENSURE THE TRAVELER'S RETURN.

EMIGRATION IS STILL NOT CONSIDERED A BASIC HUMAN RIGHT, ALTHOUGH THE U.S.S.R. AND THE EAST EUROPEAN COUNTRIES ARE LEGALLY BOUND TO GUARANTEE THE RIGHT OF EMIGRATION TO THEIR CITIZENS BY THE TERMS OF THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS WHICH IS INCORPORATED IN THE FINAL ACT. IN ALMOST ALL COUNTRIES, THE WOULD-BE EMIGRANT ENCOUNTERS NUMEROUS OBSTACLES AND MAY BE SUBJECTED TO VARIOUS RETALIATORY MEASURES FOR TRYING TO LEAVE THE COUNTRY. IN ALL COUNTRIES OF THE WARSAW PACT, DEPARTING THE COUNTRY WITHOUT PERMISSION OF THE AUTHORITIES -- OR EVEN ATTEMPTING TO DO SO -- IS CONSIDERED A CRIME AGAINST THE STATE.

THE DEGREE TO WHICH THE HUMAN CONTACTS PROVISIONS OF THE FINAL ACT ARE IMPLEMENTED -- OR VIOLATED -- VARIES WIDELY FROM COUNTRY TO COUNTRY:

SOVIET UNION -- EMIGRATION IS PERMITTED ONLY FOR THE PURPOSE OF FAMILY REUNIFICATION AND -- IF A RECENT BUT SPORADICALLY IMPOSED REQUIREMENT IS APPLIED MORE WIDELY -- ONLY SOVIETS WITH PRIMARY RELATIVES ABROAD WILL BE ELIGIBLE FOR EMIGRATION. SIGNIFICANT NUMBERS OF JEWS, GERMANS, AND ARMENIANS HAVE BEEN ALLOWED TO EMIGRATE IN THE FIVE YEARS SINCE THE FINAL ACT WAS SIGNED. HOWEVER, EVEN FOR THOSE WITH RELATIVES ABROAD, EMIGRATION IS OFTEN DENIED. THE APPLICATION PROCESS IS BURDENSOME, COSTLY, AND THE DECISION-MAKING ARBITRARY. TRAVEL OUTSIDE THE U.S.S.R. IS TIGHTLY CONTROLLED AND TRAVEL BY FOREIGNERS WITHIN THE COUNTRY -- ALTHOUGH ENCOURAGED -- IS SUBJECT TO MANIFOLD RESTRICTIONS AND CONSTANT SUPERVISION.

BULGARIA -- RESTRICTIVE ATTITUDES GOVERN BOTH EMIGRATION AND TRAVEL OUTSIDE THE COUNTRY. THE RECENT RATE OF RESOLUTION OF BULGARIAN-AMERICAN DIVIDED FAMILY CASES -- ALTHOUGH FEW -- HAS BEEN POOR AND THE NUMBER OF BULGARIANS VISITING RELATIVES IN THE UNITED STATES HAS ALSO RECENTLY DECREASED. BULGARIA MAINTAINS A FAIRLY LIBERAL POLICY, HOWEVER, IN REGARD TO ARMENIANS WHO WISH TO VISIT THEIR RELATIVES IN BULGARIA.

CZECHOSLOVAKIA -- THE EMIGRATION PROCESS CONTINUES TO BE CUMBERSOME AND BUREAUCRATIC, CHARACTERIZED BY FREQUENT REFUSALS AND LENGTHY DELAYS. EMIGRANTS ARE REQUIRED TO REPAY THE STATE FOR THE COST OF THEIR EDUCATIONS, WHICH OFTEN RUNS INTO THE EQUIVALENT OF SEVERAL THOUSAND DOLLARS. SINCE THE BELGRADE CONFERENCE, A NUMBER OF OUTSTANDING U.S.-CZECHOSLOVAKIAN FAMILY REUNIFICATION CASES HAVE BEEN RESOLVED.

GERMAN DEMOCRATIC REPUBLIC -- THE BERLIN WALL AND THE LAND MINES, WATCH DOGS AND BORDER PATROLS ALONG THE G.D.R.-F.R.G.

BORDER VIVIDLY SYMBOLIZE THE G.D.R.'S ATTITUDES TOWARD THE MOVEMENT OF ITS CITIZENS. THE G.D.R. CONTINUES TO CURB TRAVEL AND EMIGRATION TO THE WEST. WHILE A MORE LENIENT ATTITUDE WAS PERCEPTIBLE DURING 1978, THE NUMBER OF EAST GERMANS PERMITTED TO TRAVEL OR EMIGRATE TO THE WEST DECLINED IN 1979.

HUNGARY -- ALREADY THE MOST LIBERAL OF THE WARSAW PACT IN REGARD TO TRAVEL AND EMIGRATION, HUNGARY HAS MADE SIGNIFICANT PROGRESS IN THE PAST THREE YEARS IN IMPLEMENTING THE HUMAN CONTACTS PROVISIONS. CLOSE TO TWO-FIFTHS OF THE POPULATION TRAVELS ABROAD EACH YEAR AND THE RECORD OF RESOLVING DIVIDED FAMILY CASES WITH THE UNITED STATES IS GOOD.

POLAND -- ALTHOUGH POLAND HAS A RELATIVELY LIBERAL POLICY OF ALLOWING ITS CITIZENS TO TRAVEL ABROAD, IT HAS THE WORST RECORD -- IN SHEER NUMBERS ALONE -- OF RESOLVING U.S.-POLISH FAMILY REUNIFICATION CASES. POLAND DOES ALLOW WESTERNERS TO VISIT RELATIVES IN POLAND AND, IN RECENT MONTHS, HAS RESOLVED MANY CASES INVOLVING AMERICANS WHO HAD PREVIOUSLY BEEN DENIED VISAS.

ROMANIA -- THE EMIGRATION PROCESS IN ROMANIA REMAINS EXTREMELY BURDENSOME, REFLECTING THE GOVERNMENT'S HOSTILITY TOWARD EMIGRATION. HOWEVER, THE ROMANIAN AUTHORITIES ARE RESPONSIVE TO THE CONCERNS OF FOREIGN GOVERNMENTS IN THIS REGARD AND HAVE DEMONSTRATED A WILLINGNESS TO RESOLVE MANY FAMILY REUNIFICATION CASES. WHILE EMIGRATION TO THE UNITED STATES HAS STEADILY INCREASED SINCE 1977, TRAVEL OPPORTUNITIES FOR ROMANIANS WISHING TO TRAVEL ABROAD HAVE NOT IMPROVED IN THE LAST THREE YEARS.

INFORMATION

EASTERN COMPLIANCE WITH THE INFORMATION PROVISIONS OF BASKET III HAS NOT IMPROVED TO ANY SIGNIFICANT DEGREE; IN SOME INSTANCES, NOTABLY IN PROVIDING AN ACCEPTABLE WORKING ENVIRONMENT FOR JOURNALISTS, IT DETERIORATED SERIOUSLY. THE RECORDS OF HUNGARY AND POLAND ARE SOMEWHAT BETTER THAN THOSE OF THE REST OF THE WARSAW PACT.

THE SOVIET UNION AND THE OTHER WARSAW PACT NATIONS, WITH THE EXCEPTION OF CZECHOSLOVAKIA, HAVE INCREASED THE NUMBER OF U.S. PERIODICALS THEY IMPORT, BUT THE ACCESS OF THE AVERAGE CITIZEN TO WESTERN PUBLICATIONS IS ACTUALLY NO BETTER THAN IT WAS BEFORE 1977. THE EAST HAS NOT SUBSTANTIALLY INCREASED THE NUMBER OF PLACES WHERE IMPORTED PUBLICATIONS ARE SOLD, HAS NOT PROVIDED EASIER ACCESS THROUGH PUBLIC LIBRARIES AND READING ROOMS, HAS NOT EXPANDED SUBSCRIPTION OPPORTUNITIES AND HAS NOT

ENCOURAGED THE USE OF INFORMATION AVAILABLE FROM DIPLOMATIC MISSIONS.

THE U.S.S.R. CONTINUES TO JAM RADIO LIBERTY. BULGARIA, CZECHOSLOVAKIA AND SOMETIMES POLAND CONTINUE TO JAM RADIO FREE EUROPE. THE G.D.R. HALTED ALL JAMMING OF RADIO IN THE AMERICAN SECTOR (RIAS) IN BERLIN IN 1978. WESTERN RADIO ORGANIZATIONS ARE PERIODICALLY DENOUNCED IN THE WARSAW PACT PRESS. EVEN MORE OMINOUSLY, CZECHOSLOVAKIA AND THE SOVIET UNION HAVE USED THE ACT OF LISTENING TO OR SERVING AS AN INVOLUNTARY SOURCE FOR FOREIGN STATIONS AS EVIDENCE AGAINST ACTIVISTS ACCUSED OF POLITICAL CRIMES.

IN THE LAST THREE YEARS, VIEWERS IN CERTAIN EASTERN STATES HAVE GAINED BROADER EXPOSURE TO U.S. TELEVISION, PRIMARILY THROUGH SEVERAL NOTEWORTHY JOINT PROJECTS SUCH AS THE SOVIET-U.S. PRODUCTION OF A TELEVISION SERIES ON SOVIET PARTICIPATION IN WORLD WAR II ENTITLED, "THE UNKNOWN WAR."

ALTHOUGH THE FINAL ACT ENJOINS THE PARTICIPATING STATES TO IMPROVE THE WORKING CONDITIONS OF JOURNALISTS BY FACILITATING THEIR FREER MOVEMENT AND PROTECTING THEM FROM GOVERNMENT INTERFERENCE, THE SOVIET UNION EMBARKED ON A CAMPAIGN OF INTENSIFIED HARASSMENT OF JOURNALISTS. AFTER THE BELGRADE CONFERENCE, SOVIET AUTHORITIES APPARENTLY HOPED TO DISCOURAGE CONTACT BETWEEN WESTERN CORRESPONDENTS AND SOVIET DISSIDENTS. WESTERN JOURNALISTS WERE EXPELLED, DEFAMED IN THE SOVIET PRESS, WARNED BY OFFICIALS AND EVEN PHYSICALLY ASSAULTED. THERE ALSO WERE INCIDENTS OF INTERFERENCE WITH THE TECHNICAL TRANSMISSION OF NEWS FROM THE SOVIET UNION TO THE UNITED STATES. AN ESPECIALLY ALARMING VIOLATION OF THE SPIRIT AND LETTER OF CSCE OCCURRED WHEN THE SOVIET GOVERNMENT INITIATED LEGAL PROCEEDINGS IN JUNE 1978 AGAINST TWO U.S. REPORTERS, HAROLD PIPER AND CRAIG WHITNEY.

CZECHOSLOVAKIA CONDUCTED A SIMILAR POST-BELGRADE CAMPAIGN TO PENALIZE JOURNALISTS WHO ACTIVELY SOUGHT OUT DISSIDENTS. THE G.D.R. PASSED NEW ORDINANCES RESTRICTING THE ACTIVITY OF THE FOREIGN PRESS IN APRIL 1979.

CULTURAL AND EDUCATIONAL EXCHANGES

U.S. CULTURAL AND EDUCATIONAL EXCHANGES WITH EASTERN EUROPE HAVE CONTINUED EXPANDING UNDER THE IMPETUS OF THE FINAL ACT BUT SOME EXCHANGES WITH THE SOVIET UNION HAVE BEEN CURTAILED FOLLOWING THE SOVIET INVASION OF AFGHANISTAN. U.S. INTERGOVERNMENTAL EXCHANGES HAVE BEEN EXPANDED WITH BULGARIA AND HUNGARY, AND A START HAS BEEN MADE WITH THE G.D.R. WITH THE SOVIET UNION, COOPERATIVE EFFORTS IN CULTURE AND EDUCATION HAVE BEEN BROADENED

BY THE PARTICIPATION OF THE PRIVATE SECTOR IN THE UNITED STATES IN EXCHANGES BETWEEN MUSEUMS, PUBLISHERS, WRITERS AND THEATERS. THERE HAS BEEN A SIGNIFICANT INCREASE IN THE NUMBER OF U.S. STUDENTS STUDYING RUSSIAN IN THE SOVIET UNION. IN GENERAL, THE UNITED STATES HAS A GOOD RECORD IN IMPLEMENTING THE CULTURAL AND EDUCATIONAL PROVISIONS OF THE FINAL ACT.

INEQUITIES IN THE MODALITIES OF THESE EXCHANGES PERSIST, PARTICULARLY IN THE SOVIET UNION WHERE IT IS STILL DIFFICULT FOR U.S. SCHOLARS AND STUDENTS TO TRAVEL WITHIN THE COUNTRY AND TO OBTAIN ACCESS TO ARCHIVES AND OTHER SOURCES REQUIRED FOR THEIR RESEARCH.

FOLLOWING THE SOVIET INVASION OF AFGHANISTAN, THE U.S.-U.S.S.R. CULTURAL AGREEMENT LAPSED ON DECEMBER 31, 1979, AND HAS NOT BEEN RENEWED. CULTURAL EXCHANGES BETWEEN THE TWO COUNTRIES HAVE BEEN SUSPENDED FOR THE MOST PART, BUT EDUCATIONAL EXCHANGES ARE CONTINUING. EXCHANGES WITH EASTERN EUROPE HAVE NOT BEEN AFFECTED.

IN THE BELIEF THAT COMMUNICATION BETWEEN THE TWO SUPER-POWERS IS IMPORTANT AT ALL LEVELS, THE COMMISSION HOPES THAT AN EARLY CHANGE IN SOVIET BEHAVIOR WILL PERMIT A RESUMPTION OF CULTURAL EXCHANGES, THUS CONTINUING THE DIALOGUE BETWEEN THE UNITED STATES AND THE SOVIET UNION WHICH HAS BECOME A PART OF THE HELSINKI PROCESS. IN THE MEANTIME, THE COMMISSION RECOMMENDS THAT U.S. CULTURAL EXCHANGES WITH THE SOVIET UNION BE REVIEWED AND REASSESSED TO DETERMINE WHETHER THEY ARE BEING CONDUCTED "ON THE BASIS OF EQUALITY, MUTUAL BENEFIT AND RECIPROCITY," AS SPECIFIED IN THE BILATERAL CULTURAL AGREEMENT. EXCHANGES WITH EASTERN EUROPE SHOULD BE EXPANDED WHEREVER POSSIBLE.

CHAPTER TWO - BASKET I (SECURITY IN EUROPE)

INTRODUCTION

THE FIRST SECTION OR "BASKET" OF THE HELSINKI FINAL ACT, INCLUDES A DECLARATION ON PRINCIPLES GUIDING RELATIONS BETWEEN PARTICIPATING STATES AND A DOCUMENT ON MILITARY CONFIDENCE-BUILDING MEASURES (CBMs).

PRINCIPLES

THE 10 PRINCIPLES IN THE DECLARATION EXPRESS BASIC PRECEPTS OF INTERNATIONAL BEHAVIOR TO WHICH THE EUROPEAN COMMUNITY HAS LONG THEORETICALLY SUBSCRIBED AND WHICH DERIVE LARGELY FROM PRINCIPLES PROPOUNDED IN THE UNITED NATIONS CHARTER. THE DECLARATION OF PRINCIPLES, THEREFORE, ESSENTIALLY CODIFIES ALREADY EXISTING PRINCIPLES OF INTERNATIONAL LAW AND MAKES CLEAR THE STANDARDS OF INTERNATIONAL BEHAVIOR TO WHICH ALL HELSINKI SIGNATORIES ARE PLEDGED. AS LARGELY STRAIGHTFORWARD REAFFIRMATIONS OF WHAT HAVE LONG BEEN ACCEPTED NORMS OF INTERNATIONAL RELATIONS, THE PRINCIPLES MOSTLY REQUIRE ONLY REFRAINING FROM CERTAIN ACTIONS FOR THEIR FULFILLMENT. THOSE IN THIS CATEGORY ARE: PRINCIPLE I, SOVEREIGN EQUALITY; PRINCIPLE II, REFRAINING FROM THE USE OF FORCE; PRINCIPLE III, INVIOABILITY OF FRONTIERS; PRINCIPLE IV, TERRITORIAL INTEGRITY OF STATES; PRINCIPLE V, PEACEFUL SETTLEMENT OF DISPUTES; PRINCIPLE VI, NON-INTERVENTION IN INTERNAL AFFAIRS; AND PRINCIPLE X, FULFILLMENT IN GOOD FAITH OF OBLIGATIONS UNDER INTERNATIONAL LAW. OTHER PRINCIPLES ARE MORE COMPLEX -- NOTABLY PRINCIPLE VII, HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS; PRINCIPLE VIII, EQUAL RIGHTS AND SELF-DETERMINATION OF PEOPLES; AND PRINCIPLE IX, COOPERATION AMONG STATES. UNLIKE THE OTHERS, THESE PRINCIPLES REQUIRE A COUNTRY TO TAKE POSITIVE, SPECIFIC ACTIONS TO BRING ABOUT THEIR IMPLEMENTATION.

SINCE MOST OF THE PRINCIPLES ARE IMPLEMENTED IN NORMAL DIPLOMATIC AND COMMERCIAL DEALINGS BETWEEN STATES, THE COMMISSION HAS FOUND THAT THE RECORD OF COMPLIANCE WITH THE DECLARATION OF PRINCIPLES -- EXCLUDING PRINCIPLES VII AND VIII -- GENERALLY HAS BEEN GOOD WITH SEVERAL NOTABLE EXCEPTIONS, PARTICULARLY THE SOVIET INVASION OF AFGHANISTAN ON DECEMBER 26, 1979.

SOVIET INVASION OF AFGHANISTAN

DISCOUNTING THE SOVIET CLAIM THAT ITS "ASSISTANCE" TO AFGHANISTAN IS BEING RENDERED UNDER THE TERMS OF A BILATERAL TREATY OF 1978, THE INVASION OF AFGHANISTAN (ALTHOUGH NOT A CSCE SIGNATORY STATE) IS A DIRECT VIOLATION OF AT LEAST FIVE PRINCIPLES OF THE DECLARATION OF PRINCIPLES: IT IS A VIOLATION OF PRINCIPLE I WHICH CALLS UPON THE PARTICIPATING STATES TO RESPECT THE RIGHT OF EVERY STATE TO "JURIDICAL EQUALITY, TO TERRITORIAL INTEGRITY AND TO FREEDOM AND INDEPENDENCE;" IT IS A VIOLATION OF PRINCIPLE II WHICH CALLS UPON THE PARTICIPATING STATES "TO REFRAIN FROM THE THREAT OR USE OF FORCE AGAINST THE TERRITORIAL INTEGRITY OR POLITICAL INDEPENDENCE OF ANY STATE;" IT VIOLATES PRINCIPLE VIII WHICH CALLS ON THE PARTICIPATING STATES TO "RESPECT THE EQUAL RIGHTS OF PEOPLES AND THEIR RIGHT TO SELF-DETERMINATION;" IT VIOLATES PRINCIPLE IX WHICH STIPULATES THAT THE SIGNATORIES "DEVELOP THEIR COOPERATION WITH ONE ANOTHER AND WITH ALL STATES IN ACCORDANCE WITH THE PURPOSE AND PRINCIPLES OF THE CHARTER OF THE U.N.; AND IT ALSO VIOLATES PRINCIPLE X, WHICH DECLARES THAT THE SIGNATORIES WILL "FULFILL IN GOOD FAITH THEIR OBLIGATIONS UNDER INTERNATIONAL LAW."

THE INVASION OF AFGHANISTAN DOES NOT VIOLATE DIRECTLY THE OTHER PRINCIPLES SINCE THEY REFER EXPLICITLY TO THE RELATIONS OF PARTICIPATING STATES WITH EACH OTHER. NEVERTHELESS, THE IMPLICATIONS OF THE SOVIET INVASION OF AN INDEPENDENT, SOVEREIGN AND NON-ALIGNED NATION ARE CLEAR. BY SENDING OVER 100,000 ARMED TROOPS ACROSS THE AFGHANISTAN BORDER, THE SOVIET UNION HAS DONE MUCH TO DESTROY THE KIND OF SECURITY AND COOPERATION WHICH HAS BEEN FOSTERED AND ENCOURAGED BY THE HELSINKI FINAL ACT. THE SPIRIT AND GOALS GENERATED BY THE FINAL ACT SINCE ITS SIGNING ON AUGUST 1, 1975, HAVE BEEN SERIOUSLY UNDERMINED. ONLY BY A COMPLETE WITHDRAWAL OF ITS TROOPS FROM AFGHANISTAN CAN THE SOVIET UNION BEGIN TO RE-ESTABLISH THE FEELINGS OF TRUST AND SECURITY AMONG OTHER SIGNATORIES OF THE FINAL ACT WHICH ARE NECESSARY TO INVIGORATE AND REAFFIRM THE HELSINKI PROCESS.

PEACEFUL SETTLEMENT OF DISPUTES

PRINCIPLE V DESERVES SEPARATE MENTION FOR IT WAS THE SUBJECT OF A SPECIAL MEETING OF EXPERTS, HELD IN MONTREUX, SWITZERLAND FROM OCTOBER 31 THROUGH DECEMBER 11, 1978. THE MEETING, MANDATED BY THE BELGRADE CONFERENCE AND THE FINAL ACT, WAS ORGANIZED TO PURSUE THE EXAMINATION AND ELABORATION OF A METHOD FOR THE PEACEFUL SETTLEMENT OF DISPUTES. THE MONTREUX MEETING MARKED THE CONTINUATION OF AN EFFORT BEGUN IN THE BASKET I COMMITTEE DURING THE GENEVA PHASE OF THE CSCE NEGOTIATIONS. WHILE NO SUBSTANTIVE PROGRESS TOWARDS A PEACEFUL SETTLEMENT SCHEME WAS MADE AT MONTREUX, THE PARTICIPATING STATES WERE ABLE TO AGREE TO A STATEMENT OF PRINCIPLES SETTING FORTH THE BASIS OF A COMMON APPROACH TO THE PROBLEM. NEGOTIATORS ALSO RECOMMENDED TO THEIR GOVERNMENTS THAT THEY CONSIDER AT THE MADRID REVIEW MEETING THE POSSIBILITY OF CONVENING ANOTHER MEETING OF EXPERTS TO CONTINUE WORK ON THE SUBJECT.

EQUAL RIGHTS AND SELF-DETERMINATION OF PEOPLES

PRINCIPLE VIII PLEDGES THE CSCE SIGNATORIES TO "RESPECT THE EQUAL RIGHTS OF PEOPLES AND THEIR RIGHT TO SELF-DETERMINATION" AND REAFFIRMS THAT "ALL PEOPLES ALWAYS HAVE THE RIGHT, IN FULL FREEDOM, TO DETERMINE, WHEN AND AS THEY WISH, THEIR EXTERNAL AND INTERNAL POLITICAL STATUS, WITHOUT EXTERNAL INTERFERENCE, AND TO PURSUE AS THEY WISH THEIR POLITICAL, ECONOMIC, SOCIAL, AND CULTURAL DEVELOPMENT." ALTHOUGH THE SOVIET CONSTITUTION ENDORSES THIS PROVISION AND, IN FACT, EVEN GRANTS EACH OF ITS 15 REPUBLICS THE RIGHT TO FREELY SECEDE FROM THE U.S.S.R., SELF-DETERMINATION IN PRACTICE DOES NOT EXIST. WHILE THE INVASION OF AFGHANISTAN IS THE MOST RECENT EXAMPLE OF SOVIET NON-COMPLIANCE WITH PRINCIPLE VIII OF THE FINAL ACT, THE ILLEGAL INCORPORATION AND CONTINUED DOMINATION OF LATVIA, LITHUANIA AND ESTONIA BY THE SOVIET UNION IS PROBABLY THE MOST LONG-STANDING VIOLATION OF THE PRINCIPLE OF SELF-DETERMINATION. THE U.S. GOVERNMENT MAINTAINS THE POLICY OF NON-RECOGNITION OF THE SOVIET ACTION AGAINST THESE THREE NATIONS AND THE COMMISSION ENDORSES THAT POSITION.

THERE IS RECENT EVIDENCE -- MANIFESTED BY A RESURGENCE OF APPEALS, OPEN LETTERS AND UNOFFICIAL DOCUMENTS -- THAT PUBLIC SENTIMENT IN THE BALTIC COUNTRIES CONTINUES TO SUPPORT THE STRUGGLE FOR SELF-DETERMINATION AND INDEPENDENCE. AT LEAST SIX DOCUMENTS CALLING FOR BALTIC SELF-DETERMINATION HAVE BEEN ISSUED SINCE AUGUST 1979. TWO WERE DOCUMENTS OF THE LITHUANIAN HELSINKI MONITORING GROUP, ONE WAS SIGNED BY THE LEAGUE OF FREE

LITHUANIANS, AND ANOTHER WAS ISSUED BY THE ACTION GROUP FOR THE DEFENSE OF THE LITHUANIAN LANGUAGE. NATIONALISTS IN LATVIA AND ESTONIA HAVE ALSO BEEN ACTIVE, AND COOPERATION AMONG DISSIDENTS IN THE THREE STATES HAS EXPANDED. TWO JOINT APPEALS SIGNED BY LATVIAN, LITHUANIAN AND ESTONIAN HUMAN-RIGHTS ACTIVISTS APPEARED IN 1979 AND EARLY 1980. ONE DOCUMENT, ENTITLED A "BALTIC CHARTER" AND RELEASED ON AUGUST 23, 1979, THE ANNIVERSARY OF THE INFAMOUS HITLER-STALIN PACT, WAS SIGNED BY 48 BALTIC DISSIDENTS. ANDREI SAKHAROV AND MEMBERS OF THE MOSCOW HELSINKI MONITORING GROUP ISSUED A SUPPORTING STATEMENT ON THAT DAY. IT WAS LATER REPORTED THAT NEARLY 30,000 LITHUANIANS HAD ALSO SIGNED THE BALTIC CHARTER.

SOVIET AUTHORITIES HAVE NOT TAKEN KINDLY TO THESE ATTEMPTS TO EXERCISE THE RIGHT OF SELF-DETERMINATION. THE AUTHORS AND SIGNERS OF THESE APPEALS HAVE SUFFERED A WIDE RANGE OF PUNITIVE MEASURES FOR THEIR ACTIVISM. MANY HAVE HAD THEIR HOMES SEARCHED, PERSONAL PAPERS CONFISCATED, SOME HAVE BEEN FIRED FROM THEIR JOB OR DEMOTED, AND MANY HAVE BEEN THREATENED WITH PROSECUTION OR ARRESTED. AMONG THOSE ARRESTED SINCE AUGUST 1979 AND PRESENTLY IMPRISONED ARE ESTONIANS MART NIKLUS AND JURI KUUK AND LITHUANIANS ANTANAS TERLECKAS, JULIUS SASNAUSKAS, VLADAS SAKALYS, ARVYDAS CECHANAVIVIVUS AND ALGIRDAS STATKEVICIUS. THE LAST TWO ARE REPORTEDLY BEING HELD IN PSYCHIATRIC HOSPITALS AND KUUK HAS BEEN SUBJECTED TO PSYCHIATRIC TESTING.

DENIAL OF THE RIGHT OF SELF-DETERMINATION IS ALSO OF PARAMOUNT CONCERN TO MEMBERS OF OTHER NATIONAL AND ETHNIC GROUPS. UKRAINIANS, ARMENIANS AND GEORGIANS ARE AMONG THOSE WHO ARE PREVENTED FROM EXERCISING THEIR POLITICAL RIGHTS AS WELL AS FROM PURSUING THEIR OWN SOCIAL AND CULTURAL DEVELOPMENT.

MUCH OF THE HUMAN-RIGHTS ACTIVITY IN UKRAINE RELATES TO NATIONAL RIGHTS AND THEIR REPRESSION. IN THE SUMMER OF 1979, 18 UKRAINIAN POLITICAL PRISONERS -- INCLUDING SIX FOUNDING MEMBERS OF THE UKRAINIAN HELSINKI MONITORING GROUP -- SENT A PETITION TO THE UNITED NATIONS CALLING FOR UKRAINE'S POLITICAL STATUS TO BE CONSIDERED BY THE GENERAL ASSEMBLY. MORE RECENTLY IN EARLY 1980 AN APPEAL FROM THE "UKRAINIAN PATRIOTIC FRONT" WAS RECEIVED IN THE WEST. THE DOCUMENT SUPPORTS THE HOLDING OF A POPULAR REFERENDUM IN UKRAINE ON THE QUESTION OF SECESSION FROM THE SOVIET UNION. THAT THE APPEAL WAS UNSIGNED IS EVIDENCE OF THE HARSHNESS WITH WHICH PROPONENTS OF SELF-DETERMINATION ARE DEALT BY SOVIET AUTHORITIES.

A SERIES OF RECENT ARRESTS POINT TO CONTINUED NATIONAL FERVOR IN ARMENIA. TWO MEMBERS OF THE NATIONAL UNITED PARTY (NUP) WHICH WAS FOUNDED IN 1966 AND CALLED FOR A U.N. REFERENDUM ON

ARMENIAN SELF-DETERMINATION, AIKAZ KHACHATRYAN AND RAZMIK MARKOSYAN, WERE ARRESTED IN DECEMBER 1979 AND MAY 1980, RESPECTIVELY.

THE INHABITANTS OF THE RUSSIAN REPUBLIC ARE ALSO UNABLE TO EXERCISE THEIR POLITICAL RIGHTS FREELY. DESPITE THE CONSTITUTIONAL GUARANTEE OF THE RIGHT TO "VOTE AND TO BE ELECTED TO SOVIETS OF PEOPLE'S DEPUTIES AND OTHER ELECTIVE STATE BODIES," EFFORTS TO EXERCISE THAT RIGHT ARE THWARTED. DURING THE MARCH 4, 1979 ELECTIONS OF THE SUPREME SOVIET, A MOSCOW VOTERS' GROUP -- CALLING ITSELF "ELECTION '79" -- ATTEMPTED TO CHALLENGE THE OFFICIAL COMMUNIST PARTY NOMINEES. HISTORIAN ROY MEDVEDEV AND LYUDMILLA AGAPOVA, THE WIFE OF A DEFECTOR WHO HAS BEEN TRYING TO JOIN HER HUSBAND IN SWEDEN SINCE 1974, WERE PROPOSED AS CANDIDATES BY THE GROUP. SOVIET AUTHORITIES, HOWEVER, REJECTED THEIR CANDIDACIES. A SIMILAR EFFORT REPORTEDLY WAS MADE IN THE LITHUANIAN CAPITAL OF VILNIUS BY A GROUP WHO ATTEMPTED UNSUCCESSFULLY TO NOMINATE EDMUND MESKAUSKAS, AN ORGAN TUNER, AS A CANDIDATE FOR ELECTION TO THE SUPREME SOVIET.

COOPERATION AMONG STATES

PRINCIPLE IX NOT ONLY CALLS UPON THE PARTICIPATING STATES TO PROMOTE MUTUAL UNDERSTANDING AND GOOD-NEIGHBORLY RELATIONS, BUT ALSO TO INCREASE MUTUAL KNOWLEDGE AND PROGRESS IN THE ECONOMIC, SCIENTIFIC, TECHNOLOGICAL, SOCIAL, CULTURAL AND HUMANITARIAN FIELDS. A SIGNIFICANT ACT CONSISTENT WITH THE SPIRIT OF PRINCIPLE IX TOOK PLACE IN JANUARY 1978 WHEN THE U.S. FORMALLY RETURNED TO HUNGARY THE HISTORIC CROWN OF ST. STEPHEN WHICH HAD BEEN PASSED TO THE U.S. FOR CUSTODY DURING THE CLOSING MONTHS OF WORLD WAR II. THE RETURN OF THIS CROWN, THE SYMBOL OF THE HUNGARIAN NATION FOR CENTURIES, UNDOUBTEDLY HELPED CONTRIBUTE TO THE DEVELOPMENT OF NORMAL AND FRIENDLY RELATIONS BETWEEN THE UNITED STATES AND HUNGARY.

MANY OTHER EXAMPLES OF CONCRETE COOPERATION AND EXCHANGE BETWEEN THE PARTICIPATING STATES IN SPECIFIC FIELDS SUCH AS SCIENCE, EDUCATION AND CULTURE, HAVE TAKEN PLACE IN THE YEARS SINCE THE END OF THE BELGRADE CONFERENCE. IN ADDITION, HIGH-LEVEL POLITICAL CONTACTS BETWEEN THE PARTICIPATING STATES HAVE CONTINUED AS A NORMAL ASPECT OF INTERNATIONAL DIPLOMACY, ALTHOUGH THE SOVIET ACTION IN AFGHANISTAN HAS PRODUCED SOME NEGATIVE EFFECTS IN THIS AREA.

FULFILLMENT IN GOOD FAITH OF OBLIGATIONS UNDER INTERNATIONAL LAW

WHILE NEARLY ALL SIGNATORIES HAVE ADHERED TO PRINCIPLE X AS A MATTER OF DUE COURSE IN THE CONDUCT OF THEIR FOREIGN POLICIES, THE SOVIET UNION HAS NOT. APART FROM THE INVASION OF AFGHANISTAN, THE U.S.S.R. HAS FAILED TO LIVE UP TO ITS OBLIGATIONS UNDER THE UNIVERSAL POSTAL UNION (UPU) CONVENTION AND THE CONSTITUTION OF THE UNIVERSAL POSTAL UNION BY INTERFERING WITH INCOMING MAIL FROM FOREIGN COUNTRIES, PARTICULARLY FROM THE UNITED STATES. SINCE THE BELGRADE MEETING, SOVIET PERFORMANCE IN DELIVERING INTERNATIONAL MAIL HAS IMPROVED IN SOME WAYS, BUT PROBLEMS STILL EXIST. THE U.S.S.R. CONTINUES TO SEIZE, OR TO RETURN AS UNDELIVERABLE, MAIL THAT SENDERS CLAIM IS NOT IN VIOLATION OF ANY KNOWN OR PUBLISHED PROHIBITION. THIS IS DONE WITHOUT ADEQUATE EXPLANATION AND WITHOUT NOTIFYING THE U.S. POSTAL SERVICE. WHILE U.S. POSTAL SERVICE STATISTICS SHOW THAT COMPLAINTS ABOUT SOVIET MAIL DELIVERY COME PRIMARILY FROM THOSE SENDING MAIL TO SOVIET JEWS, MEMBERS OF THE U.S. SCIENTIFIC COMMUNITY HAVE ALSO CLAIMED THAT JOURNALS AND OTHER TECHNICAL INFORMATION ARE NOT DELIVERED TO THEIR SOVIET COUNTERPARTS. AMERICANS ALSO HAVE EXPERIENCED DIFFICULTIES CORRESPONDING WITH THEIR RELATIVES AND FRIENDS IN THE BALTIC STATES AND UKRAINE. IN EFFORTS TO REMEDY THIS SITUATION, THE U.S. POSTAL SERVICE HAS MET PERIODICALLY WITH SOVIET POSTAL OFFICIALS AND FORWARDED COMPLAINTS TO THEM. DEPARTMENT OF STATE OFFICIALS MET IN JULY 1979 WITH MEMBERS OF THE SOVIET EMBASSY TO PRESENT SPECIFIC CASES OF NON-DELIVERY OF MAIL.

MILITARY SECURITY

THE SECOND HALF OF BASKET I OF THE FINAL ACT DEALS WITH THE MILITARY ASPECTS OF SECURITY, INCLUDING SPECIFIC BUT LIMITED PROVISIONS DESIGNED TO GIVE PRACTICAL MEANING TO THE BROAD GOAL OF SECURITY IN EUROPE. THE SECTION CONSISTS OF TWO MAIN PARTS: ONE LABELED CONFIDENCE-BUILDING MEASURES (CBMs), WHICH COMMITS CSCE STATES TO CERTAIN SPECIFIC MILITARY-RELATED ACTIONS IN EUROPE, AND THE OTHER IS A GENERAL PLEDGE TO FURTHER DISARMAMENT GOALS.

WHILE NO PART OF THE FINAL ACT IS LEGALLY BINDING AND CBMs ARE EXPLICITLY "VOLUNTARY," ALL NATIONS ARE ENCOURAGED TO ADHERE TO THESE MEASURES. WESTERN COUNTRIES, INCLUDING THE UNITED STATES, HAVE BELIEVED FROM THE OUTSET OF CSCE THAT PRECISE, IF LIMITED, CONFIDENCE-BUILDING MEASURES MAY CREATE AN IMPROVED CLIMATE OF COOPERATION IN EUROPE. FOR THIS REASON, IT HAS BEEN

A FUNDAMENTAL POLICY OF ALL NATO COUNTRIES TO FULFILL BOTH THE LETTER AND THE SPIRIT OF THE FINAL ACT'S CBM PROVISIONS. WHILE ALL CSCE STATES HAVE LIVED UP TO THEIR MINIMAL COMMITMENTS IN THIS AREA, THE NATO COUNTRIES HAVE VOLUNTEERED IN MANY INSTANCES TO GO BEYOND THIS, AND HAVE MADE MUCH MORE OF AN EFFORT THAN WARSAW PACT NATIONS TO TAKE THE DISCRETIONARY STEPS ENCOURAGED BY THE FINAL ACT.

PRIOR NOTIFICATION OF MAJOR MANEUVERS

SINCE THE SIGNING OF THE FINAL ACT, ALL CSCE PARTICIPANTS HAVE GIVEN PRIOR NOTIFICATION OF THEIR MILITARY ACTIVITIES IN CONFORMITY WITH THE FINAL ACT -- THAT IS, AT LEAST 21 DAYS IN ADVANCE OF THE MANUEVER. THE FOLLOWING MAJOR MANEUVERS HAVE BEEN DULY NOTIFIED SINCE THE CONCLUSION OF THE BELGRADE CONFERENCE:

NATO STATES

-- "STANDHAFTE SCHATTEN," NOTIFIED AUGUST 22, 1978, BY THE F.R.G. A 38,000-MAN MANUEVER HELD FROM SEPTEMBER 12-17, 1978, IN HESSE IN CONJUNCTION WITH U.S. TROOPS.

-- "BLAUE DONAN," NOTIFIED AUGUST 24, 1978, BY THE F.R.G. A 46,000-MAN MANUEVER WITH THE PARTICIPATION OF THE UNITED STATES, HELD SEPTEMBER 17-21, 1978, IN THE SOUTHERN PART OF THE F.R.G.

-- "CERTAIN SHIELD," NOTIFIED AUGUST 25, 1978 BY THE UNITED STATES. A 56,000-MAN MANUEVER WITH PARTICIPATION OF FOUR OTHER ALLIES, HELD SEPTEMBER 18-28, 1978, IN THE CENTRAL PART OF THE F.R.G.

-- "SASON DRIVE," NOTIFIED BY THE NETHERLANDS ON AUGUST 25, 1978. A 32,500-MAN MANUEVER WITH THE PARTICIPATION OF THE UNITED STATES, HELD SEPTEMBER 18-29, 1978, IN HANNOVER AND BREMEN IN THE F.R.G.

-- "BOLD GUARD," NOTIFIED BY THE FRG AUGUST 20, 1978. A 65,000-MAN MANUEVER WITH THE PARTICIPATION OF THE UNITED STATES AND TWO OTHER ALLIES, HELD SEPTEMBER 19-22, 1978, IN THE NORTHERN PART OF THE F.R.G.

-- "CONSTANT ENFORCER," NOTIFIED AUGUST 20, 1979 BY THE F.R.G. AND THE UNITED STATES. A 29,000-MAN MANUEVER WITH THE PARTICIPATION OF THREE OTHER ALLIES, HELD SEPTEMBER 10-21, 1979, IN THE F.R.G.

-- "HARTE FAUST," NOTIFIED AUGUST 27, 1979 BY THE F.R.G. A 60,000-MAN MANUEVER WITH THE PARTICIPATION OF THE UNITED STATES AND THE NETHERLANDS, HELD SEPTEMBER 17-21, 1979, IN THE F.R.G.

WARSAW PACT STATES

-- "BEREZINA," NOTIFIED JANUARY 13, 1978 BY THE U.S.S.R. A 25,000-MAN AIR/GROUND MANEUVER, HELD FEBRUARY 6-10, 1978, IN THE BYELORUSSIAN MILITARY DISTRICT.

-- "TARCZA," NOTIFIED BY THE U.S.S.R. JUNE 12, 1978. A 30,000 -MAN MANEUVER, HELD JULY 3-8, 1978, IN THE G.D.R.

-- THE U.S.S.R. NOTIFIED AN UNNAMED MANEUVER AUGUST 15, 1978. A 25,000-MAN EXERCISE HELD SEPTEMBER 5-12, 1978, IN THE CAUCASUS AREA.

-- "DRUZHBA-78," NOTIFIED JANUARY 12, 1979. A 26,000-MAN MANEUVER WITH THE PARTICIPATION OF CZECHOSLOVAKIA, HELD FEBRUARY 2-7, 1979, IN CZECHOSLOVAKIA.

-- THE U.S.S.R. NOTIFIED AN UNNAMED MANEUVER MARCH 12, 1979. A 25,000-MAN EXERCISE WITH GROUND AND AIR FORCES, HELD APRIL 2-7, 1979, IN THE U.S.S.R.

-- "NEMAN," NOTIFIED JULY 2, 1979, BY THE U.S.S.R. A 25,000-MAN MANEUVER HELD JULY 23-27, 1979, IN LITHUANIA.

NEUTRAL AND NON-ALIGNED STATES

-- "NUTCRACKER," NOTIFIED FEBRUARY 5, 1979, BY SWITZERLAND. A MOBILIZATION MANEUVER WITH 47,000 MEN AND CIVIL DEFENSE OFFICIALS, HELD MARCH 5-9, 1979, IN SWITZERLAND.

-- "FORTE," NOTIFIED AUGUST 30, 1979 BY SWITZERLAND. A MOBILIZATION MANEUVER WITH 27,000 MEN, HELD OCTOBER 1-6, 1979, IN SOUTHWESTERN AND CENTRAL SWITZERLAND.

-- "AREA-DEFENSE EXERCISE-79," NOTIFIED BY AUSTRIA OCTOBER 5, 1979. A TRAINING MANEUVER OF 27,500 MEN, HELD NOVEMBER 19-22, 1979, IN LOWER AUSTRIA.

PRIOR NOTIFICATION OF SMALLER SCALE MANEUVERS

SINCE BELGRADE, THE NATO STATES HAVE CONTINUED TO SUPPORT IMPLEMENTATION OF MANY OF THE DISCRETIONARY CBMs BY GIVING NOTICE OF CERTAIN SMALLER SCALE MANEUVERS WHICH INVOLVE FEWER THAN 25,000 MEN. THE ONLY WARSAW PACT STATE TO GIVE NOTIFICATION OF A SMALLER SCALE MANEUVER WAS HUNGARY, WHICH DID SO TWICE IN 1976 AND AGAIN IN 1979. NEUTRAL AND NON-ALIGNED STATES HAVE NOT NOTIFIED ANY SMALLER SCALE MANEUVER SINCE AUSTRIA DID SO IN OCTOBER 1978.

NATO STATES

-- "ARCTIC EXPRESS," NOTIFIED JANUARY 30, 1978, BY NORWAY. A MANEUVER INVOLVING 15,300 MEN WITH AIR AND NAVAL SUPPORT, IN CONJUNCTION WITH FIVE OTHER ALLIES, HELD MARCH 1-6, 1978, IN THE TROMS REGION OF NORTHERN NORWAY.

-- "BLACK BEAR," NOTIFIED AUGUST 23, 1978, BY NORWAY. A MANEUVER INVOLVING 8,200 MEN IN CONJUNCTION WITH THE UNITED STATES AND TWO OTHER ALLIES, HELD SEPTEMBER 22-26, 1978, IN THE EAST EGDER REGION OF NORWAY.

-- "COLD WINTER," NOTIFIED FEBRUARY 15, 1979, BY NORWAY. A MANEUVER INVOLVING 10,000 MEN IN CONJUNCTION WITH THE UNITED STATES AND THREE OTHER ALLIES, HELD MARCH 17-22, 1979, IN NORWAY.

-- "DISPLAY DETERMINATION," NOTIFIED BY TURKEY SEPTEMBER 6, 1979. A 18,000-MAN MANEUVER WITH THE PARTICIPATION OF THE UNITED KINGDOM, THE UNITED STATES AND ITALY, HELD SEPTEMBER 28-OCTOBER 14, 1979, IN THE AEGEAN SEA AND TURKISH TRAECE.

-- "KEYSTONE," NOTIFIED BY THE UNITED KINGDOM SEPTEMBER 24, 1979. A 18,000-MAN MANEUVER WITH THE PARTICIPATION OF THE F.R.G., HELD OCTOBER 15-27, 1979, IN THE F.R.G.

-- "SOANE-79," NOTIFIED SEPTEMBER 10, 1979, BY FRANCE. A 16-18,000-MAN MANEUVER, HELD IN EARLY OCTOBER 1979, IN FRANCE.

WARSAW PACT STATES

-- "SHIELD-79", NOTIFIED MAY 3, 1979, BY HUNGARY. A MANEUVER INVOLVING FEWER THAN 25,000 MEN FROM WARSAW PACT COUNTRIES, HELD IN MID-MAY 1979, IN HUNGARY.

NEUTRAL AND NON-ALIGNED STATES

-- AN UNNAMED MANEUVER, NOTIFIED OCTOBER 25, 1978, BY AUSTRIA. A MANEUVER OF THE FIRST MECHANIZED DIVISION INVOLVING ABOUT 5,000 MEN, HELD NOVEMBER 13-17, 1978, IN LOWER AUSTRIA.

EXCHANGE OF OBSERVERS

ALTHOUGH THE FINAL ACT DOES NOT REQUIRE THAT OBSERVERS BE INVITED TO EVERY MANEUVER FOR WHICH NOTIFICATION IS GIVEN, THE NATO STATES HAVE PURSUED A LIBERAL POLICY BY INVITING OBSERVERS TO SEVEN OF THE EIGHT MAJOR NATO MANEUVERS HELD SINCE BELGRADE AND TO 11 OF THE 15 WHICH HAVE BEEN HELD SINCE THE SIGNING OF THE FINAL ACT. THE NEUTRAL AND NON-ALIGNED (NNA) STATES HAVE

ALSO PURSUED A LIBERAL POLICY IN INVITING OBSERVERS TO THEIR INDIVIDUAL MANEUVERS. WARSAW PACT STATES HAVE INVITED OBSERVERS TO ONLY TWO OF THE SIX MAJOR MANEUVERS HELD SINCE BELGRADE, AND TO ONLY SIX OF THE 11 WHICH HAVE BEEN HELD SINCE AUGUST 1975.

UNTIL 1977, WARSAW PACT STATES ONLY INVITED OBSERVERS FROM A LIMITED NUMBER OF STATES IN THE GEOGRAPHIC PROXIMITY OF THE MANEUVER. MORE RECENTLY, HOWEVER, THE GEOGRAPHIC DISTRIBUTION OF INVITATIONS HAS BEEN BROADENED. WESTERN OBSERVERS, INCLUDING THOSE FROM THE UNITED STATES, WERE INVITED TO THE LAST TWO MAJOR U.S.S.R. MANEUVERS. IN GENERAL, OPPORTUNITIES PROVIDED TO OBSERVERS AT MANEUVERS OF WARSAW PACT STATES REMAIN SEVERELY RESTRICTED IN COMPARISON WITH OPPORTUNITIES AVAILABLE AT BOTH NATO AND NNA MANEUVERS. GRAPHIC PROOF OF THIS WAS EVIDENT AT THE MOST RECENT NOTIFIED SOVIET MANEUVERS, CALLED "NEMAN", HELD IN JULY 1979, IN LITHUANIA. THE UNITED STATES DECLINED THE INVITATION TO OBSERVE THE EXERCISE, BUT OTHER OBSERVERS WHO ATTENDED WERE SHOWN DEMONSTRATION RATHER THAN ACTUAL EXERCISE ACTIVITY.

PRIOR NOTIFICATION OF MAJOR MILITARY MOVEMENTS

NO SIGNATORY STATE HAS GIVEN NOTIFICATION OF A MAJOR MILITARY MOVEMENT NOT ASSOCIATED WITH AN EXERCISE. THE UNITED STATES AND OTHER NATO ALLIES, AS WELL AS SOME NNA STATES, HAVE PROVIDED INFORMATION ON MOVEMENTS IN THE CONTEXT OF CERTAIN MANEUVER NOTIFICATIONS. THE UNITED KINGDOM NOTIFICATION FOR "KEYSTONE," IN SEPTEMBER 1979, AND THE NORWEGIAN NOTIFICATIONS FOR "COLD WINTER," IN FEBRUARY 1979 AND "ARCTIC EXPRESS," IN JANUARY 1978, MENTIONED THE DEPLOYMENT PLANS OF THE UNITS INVOLVED BEFORE AND AFTER THE EXERCISE. AUSTRIA, IN ITS OCTOBER 1979 MANEUVER NOTIFICATION, INCLUDED INFORMATION ON THE ABSENCE FROM GARRISON OF EXERCISE UNITS.

EXCHANGE OF MILITARY VISITS

SIGNATORY STATES ARE ENCOURAGED BY THE FINAL ACT TO PROMOTE EXCHANGES AMONG THEIR MILITARY PERSONNEL. ALL CSCE SIGNATORIES HAVE MADE EFFORTS TO IMPLEMENT THIS PROVISION IN THE PERIOD SINCE THE BELGRADE MEETING. SOME MORE RECENT EXAMPLES INVOLVING THE UNITED STATES INCLUDE: THE VISIT OF TWO U.S. NAVY SHIPS TO CONSTANTA, ROMANIA, JUNE 22-25, 1979; THE VISIT OF TWO U.S. ARMY WAR COLLEGE STUDENTS TO POLAND, HUNGARY AND ROMANIA DURING SEPTEMBER AND OCTOBER 1979; AND THE VISIT OF A GROUP OF 20 STUDENTS FROM THE U.S. ARMY RUSSIAN INSTITUTE TO THE G.D.R. AND POLAND DURING APRIL AND MAY 1979.

AT THE JUNE 1979 VIENNA SUMMIT MEETING, HIGH-LEVEL DEFENSE OFFICIALS OF THE UNITED STATES AND THE U.S.S.R. HELD BILATERAL MEETINGS FOR THE FIRST TIME. SECRETARY OF DEFENSE BROWN, ALONG WITH CHAIRMAN OF THE JOINT CHIEFS OF STAFF GENERAL JONES, MET WITH SOVIET MINISTER OF DEFENSE USTINOV AND ADMIRAL OF THE NAVY MARSHALL OGARKOV TO DISCUSS FURTHER POSSIBILITIES OF HIGH-LEVEL MILITARY CONTACTS.

QUESTIONS RELATING TO DISARMAMENT

THE FINAL ACT MAKES NO PROVISION FOR ARMS CONTROL NEGOTIATIONS, BUT DOES EXPRESS THE BELIEF OF THE SIGNATORIES IN THE NECESSITY FOR EFFECTIVE ARMS CONTROL. A MAJOR STEP IN THIS DIRECTION WAS TAKEN WHEN PRESIDENTS CARTER AND BREZHNEV SIGNED THE SALT II TREATY AT THE VIENNA SUMMIT JUNE 18, 1979. RATIFICATION OF THE TREATY BY THE SENATE, HOWEVER, HAS BEEN DELAYED BY A NUMBER OF FACTORS, INCLUDING THE SOVIET INVASION OF AFGHANISTAN.

THE UNITED STATES AND OTHER NATO ALLIES CONTINUE TO WORK WITH THE WARSAW PACT STATES IN THE MUTUAL AND BALANCED FORCE REDUCTION (MBFR) NEGOTIATIONS IN AN EFFORT TO REDUCE FORCE LEVELS WITHOUT DIMINISHING THE MILITARY SECURITY OF EITHER SIDE.

THE UNITED STATES AND OTHER SIGNATORY STATES ARE ALSO INVOLVED IN NEGOTIATIONS AND DISCUSSIONS ON A COMPREHENSIVE NUCLEAR TEST BAN, A PROHIBITION OF CHEMICAL WEAPONS, ANTI-SATELLITE SYSTEMS, LIMITATION OF CONVENTIONAL ARMS TRANSFERS AND OTHER ARMS CONTROL ISSUES.

IN ADDITION, THESE COUNTRIES ARE PARTICIPATING ACTIVELY IN THE WORK OF OTHER MULTILATERAL FORUMS, SUCH AS THE U.N. FIRST COMMITTEE AND THE U.N. DISARMAMENT COMMISSION.

CONCLUSION

IN THE PERIOD SINCE THE BELGRADE MEETING, MOST HELSINKI SIGNATORY STATES HAVE IMPLEMENTED THE DECLARATION OF PRINCIPLES AS INTEGRAL ASPECTS OF THEIR NORMAL DEALINGS IN THE INTERNATIONAL SPHERE. ON THE OTHER HAND, THE SOVIET UNION -- BY ITS INVASION AND OCCUPATION OF AFGHANISTAN, ITS ILLEGAL OCCUPATION OF LATVIA, LITHUANIA AND ESTONIA, AND ITS CONTINUING DISRUPTION OF INTERNATIONAL MAIL -- HAS FAILED TO LIVE UP TO THE BASKET I PROVISIONS IN THE FINAL ACT.

ALL CSCE STATES HAVE ABIDED BY THEIR MINIMAL COMMITMENTS IN THE AREA OF CONFIDENCE-BUILDING MEASURES. THE NATO STATES, UNLIKE THE WARSAW PACT STATES, HAVE VOLUNTEERED TO GO BEYOND THIS, AND HAVE UNDERTAKEN SOME OF THE DISCRETIONARY STEPS ENCOURAGED BY THE FINAL ACT.

CHAPTER THREE - BASKET I (PRINCIPLE VII: HUMAN RIGHTS)

INTRODUCTION

PRINCIPLE VII -- THE BROADEST EXPRESSION OF INDIVIDUAL HUMAN RIGHTS -- IS A UNIQUE COMPONENT OF THE HELSINKI FINAL ACT. FOR HELSINKI SIGNATORIES, PRINCIPLE VII REPRESENTS A GOVERNMENTAL COMMITMENT TO THE CONCEPT THAT ALL CITIZENS -- REGARDLESS OF IDEOLOGY -- SHOULD BE FREE TO EXERCISE THEIR CIVIL, POLITICAL, SOCIAL, RELIGIOUS, CULTURAL AND ETHNIC RIGHTS.

FURTHERMORE, PRINCIPLE VII ALSO COMMITS HELSINKI SIGNATORIES TO THE NOTION THAT AN INDIVIDUAL HAS AS MUCH CLAIM TO KNOW AND ACT ON HUMAN RIGHTS AS DOES THE STATE. IN THIS WAY, PRINCIPLE VII ADDRESSES A CENTRAL ISSUE: THE PROPER RELATIONSHIP OF GOVERNMENT TO THE GOVERNED. THIS ISSUE ALSO IS THE HEART OF OPPOSING EAST-WEST CONCEPTS OF HUMAN RIGHTS. FOR WARSAW PACT COUNTRIES, THE STATE IS THE ULTIMATE ARBITER OF HUMAN RIGHTS; FOR THE WEST, THE INDIVIDUAL HAS INALIENABLE CIVIL LIBERTIES.

SINCE PRINCIPLE VII IS ONE OF THE PRINCIPLES GUIDING RELATIONS BETWEEN HELSINKI SIGNATORIES, IT HAS BECOME RECOGNIZED AS AN ESSENTIAL ELEMENT IN WHAT HAS COME TO BE CALLED THE HELSINKI PROCESS. THE 1977 BELGRADE CONFERENCE, THE FIRST SCHEDULED CSCE REVIEW MEETING, FURTHER ESTABLISHED HUMAN RIGHTS AS A LEGITIMATE -- ALTHOUGH CONTROVERSIAL -- ISSUE FOR DISCUSSION AMONG HELSINKI SIGNATORIES.

AN INTEGRAL ELEMENT IN SUCH PERIODIC REVIEWS OF IMPLEMENTATION IS A DETAILED CASE-BY-CASE REVIEW. SUCH A REVIEW, TO BE FAITHFUL TO THE SPIRIT AND OBJECTIVES OF THE FINAL ACT, MUST INVOLVE SPECIFIC COUNTRIES, GROUPS AND INDIVIDUALS AS A MEANS OF ILLUMINATING LARGER PROBLEM AREAS. ALTHOUGH POLEMICAL EXCHANGES CERTAINLY ARE NOT THE AIM OF SUCH EXAMINATIONS, ANY SERIOUS REVIEW OF HUMAN-RIGHTS IMPLEMENTATION MUST DEAL WITH SPECIFICS IF THERE IS TO BE ANY REAL HOPE FOR IMPROVING THE SITUATION OF THE THOUSANDS OF INDIVIDUALS WHOSE RIGHTS ARE BEING VIOLATED

SYSTEMATICALLY. ANY EXAMINATION OF HUMAN RIGHTS IN THE WARSAW PACT COUNTRIES SHOULD NOT IGNORE THE SEVERE POLITICAL RESTRICTIONS ON THE CIVIL LIBERTIES OF ALL CITIZENS IN THESE COUNTRIES. THE FOLLOWING STUDY, HOWEVER, FOCUSES ON THOSE INDIVIDUALS WHO KNEW THEIR HELSINKI RIGHTS AND DECIDED TO ACT ON THEM.

PRINCIPLE VII HAS BECOME IN EFFECT -- IF NOT IN PRACTICE -- AN INTERNATIONAL CODE OF HUMAN-RIGHTS CONDUCT FOR ALL HELSINKI STATES. AS DEFINED UNDER THIS CODE OF CONDUCT, HUMAN-RIGHTS PRACTICES IN WARSAW PACT COUNTRIES VARY IN SCOPE AND DEGREE FROM THE RELATIVE TOLERANCE OF HUNGARY TO THE INCREASINGLY REPRESSIVE ATMOSPHERE OF THE SOVIET UNION. HUMAN-RIGHTS PRACTICES IN OTHER CSCE SIGNATORY STATES ARE MANIFESTLY MUCH CLOSER TO THE PRECEPTS OF THE HELSINKI FINAL ACT, ALTHOUGH THERE IS STILL ROOM FOR IMPROVEMENT, IN VARYING DEGREES, IN MANY OF THESE COUNTRIES AS WELL. THE U.S. RECORD ON HUMAN RIGHTS, INCLUDING AREAS FOR IMPROVEMENT, HAS BEEN DETAILED IN THE COMMISSION'S 1979 REPORT: "FULFILLING OUR PROMISES: THE UNITED STATES AND THE HELSINKI FINAL ACT."

HUNGARY

HUNGARY CONTINUES TO HAVE A CREDIBLE RECORD IN THE IMPLEMENTATION OF PRINCIPLE VII OF THE FINAL ACT. THE KADAR REGIME GENERALLY HAS FOLLOWED A POLICY OF "LIVE AND LET LIVE" ACCORDING TO TESTIMONY OF PROFESSOR RUDOLF TOKES BEFORE THE COMMISSION IN MARCH 1980, AND HAS CONCENTRATED ON IMPROVING THE STANDARD OF LIVING IN HUNGARY.

AS IN OTHER SOCIALIST COUNTRIES, CITIZENS' RIGHTS, INCLUDING POLITICAL AND CIVIL RIGHTS, ARE PROCLAIMED IN THE CONSTITUTION OF THE HUNGARIAN PEOPLE'S REPUBLIC, BUT QUALIFIED BY THE INTERESTS OF "SOCIALIST SOCIETY." ACCORDING TO THE DEPARTMENT OF STATE, EXPRESSION OF POLITICAL VIEWS IS STILL TIGHTLY CONTROLLED AND SIGNIFICANT PARTICIPATION IN THE POLITICAL PROCESS IS IMPOSSIBLE WITHOUT APPROVAL OF THE COMMUNIST PARTY. THE SECRET POLICE -- ITS PROSECUTORIAL POWERS AND METHODS -- IS HELD IN RELATIVE CHECK BY THE REGIME. CITIZENS MAY SUE THE POLICE FOR BRUTALITY AND IN 1979 ONCE SUED SUCCESSFULLY. GENERALLY, HOWEVER, CITIZENS ARE FREE FROM ARBITRARY ARREST AND ARE PROTECTED FROM ILLEGAL HOUSE SEARCHES AND ARRESTS.

CIVIL AND POLITICAL RIGHTS

AFTER 1956, TWO OPPOSITION GROUPS EMERGED: ONE GROUP OF "NEW LEFT" MARXIST INTELLECTUALS PRIMARILY CONCERNED WITH POLIT-

ICAL AND SOCIAL RIGHTS, SUCH AS THE DIFFICULTIES OF HUNGARIAN WORKERS AND POLITICAL REPRESSION IN CZECHOSLOVAKIA. THE OTHER MAIN GROUP, COMPOSED LARGELY OF INTELLECTUALS CONCERNED WITH THE COLLECTIVE INTERESTS OF THE INTELLIGENTSIA, IS MORE INVOLVED WITH QUESTIONS SUCH AS FREEDOM OF EXPRESSION IN HUNGARY OR THE ETHNIC RIGHTS OF THE 500,000 HUNGARIAN MINORITY IN NEIGHBORING SLOVAKIA. SO HEATED ARE THE POLEMICS BETWEEN THESE TWO GROUPS, HOWEVER, THAT THE GOVERNMENT HAS NOT BEEN OVERLY CONCERNED WITH DOMESTIC DISSENT AND HAS CONCENTRATED ON TRYING TO IMPROVE THE HUNGARIAN STANDARD OF LIVING.

ON JULY 1, 1979, A NEW PENAL CODE WAS ADOPTED WHICH FURTHER LIMITS THE POLITICAL ACTS DEFINED AS CRIMES AND REDUCES PENALTIES IN SOME CASES. HOWEVER, THE NEW CODE DOES RETAIN AN ARTICLE ON "INCITEMENT" PERMITTING PROSECUTION ON A WIDE RANGE OF STATEMENTS. ACCORDING TO THE DEPARTMENT OF STATE, THERE WERE 230 CASES OF INCITEMENT IN 1977; IN 1978, THERE WERE 214 SUCH CASES.

AMNESTY INTERNATIONAL, IN ITS 1979 ANNUAL REPORT ON HUNGARY, INDICATED THAT HUNGARIAN AUTHORITIES ADMIT THAT THERE ARE POLITICAL "INCITEMENT" CASES, BUT STRESS THAT 96 PERCENT OF THE STATEMENTS MADE, WHICH RESULTED IN CONVICTION, OCCUR WHILE THE INDIVIDUAL WAS UNDER THE INFLUENCE OF ALCOHOL. IN ITS 1978 REPORT ON HUNGARY, AMNESTY REPORTED THAT HUNGARIAN OFFICIAL STATEMENTS REFLECT A POSITIVE TREND SINCE "MANY OF THOSE CONVICTED OF INCITEMENT RECEIVE SUSPENDED SENTENCES." SOME REPORTS REVEAL THAT SIX MONTHS IS THE AVERAGE TERM FOR INCITEMENT. AN ARTICLE BY THE SOCIALIST DISSIDENT WRITER MIKLOS HARASZTI IN IRODALMI UJSAG (PARIS) GIVES A FIGURE OF 140 POLITICAL PRISONERS IN HUNGARY IN MID-1979.

IN 1977, THREE HUNGARIANS, LED BY 25-YEAR-OLD GYORGY HAJAS, WERE SENTENCED FOR ATTEMPTING, INTER ALIA, TO FORM A HELSINKI MONITORING GROUP IN HUNGARY. EVA SZIJJ, HAJAS' DIVORCED WIFE AND BELA HAJAS, GYORGY'S HALF-BROTHER, RECEIVED LIGHTER SENTENCES OF FIVE AND SEVEN MONTHS RESPECTIVELY. EVA SZIJJ WAS SENTENCED FOR TYPING A SHORT STATEMENT WRITTEN BY GYORGY WHICH DOCUMENTED ALLEGED OFFICIAL VIOLATIONS OF FREEDOM OF EXPRESSION AND MOVEMENT. BELA WAS CONVICTED OF COMPLICITY WITH GYORGY.

ACCORDING TO AMNESTY, WHO ADOPTED ALL THREE AS PRISONERS OF CONSCIENCE, GYORGY HAJAS WAS CONVICTED ON CHARGES OF INCITEMENT: FOR WRITING THE STATEMENT MENTIONED EARLIER; ATTEMPTING TO DISTRIBUTE THIS STATEMENT TO THE HUNGARIAN AUTHORITIES AND TO DOMESTIC AND FOREIGN NEWSPAPERS; TRYING TO FORM A HELSINKI MONITORING GROUP; QUESTIONING THE EFFECTS OF THE SOVIET ARMY'S 1956 ACTION AGAINST HUNGARY; STORING IN HIS APARTMENT EIGHT

ISSUES OF "COUNTER-REVOLUTIONARY" PAPERS PRINTED AT THE TIME OF THE SOVIET INVASION IN 1956; AND FINALLY FOR KEEPING IN HIS APARTMENT, A MINIATURE STATUE OF STALIN HANGING FROM A ROPE. GYORGY HAJAS SERVED HIS 18-MONTH TERM AND WAS RELEASED IN OCTOBER 1978 UPON COMPLETION OF HIS SENTENCE.

IN RESPONSE TO THE CONVICTION OF FIVE MEMBERS OF THE CZECHOSLOVAK COMMITTEE FOR THE DEFENSE OF THE UNJUSTLY PERSECUTED (VONS), A TOTAL OF 252 HUNGARIAN INTELLECTUALS, IN THE FALL OF 1979, ISSUED FOUR DOCUMENTS PROTESTING THESE CONVICTIONS AND DEMANDING THE RELEASE OF THE CZECHOSLOVAK ACTIVISTS. THE APPEALS WERE SENT TO THE PRESIDENTIAL COUNCIL OF THE HUNGARIAN PEOPLES' REPUBLIC, AS WELL AS TO JANOS KADAR, THE FIRST SECRETARY OF THE HUNGARIAN SOCIALIST WORKERS PARTY, AND REQUESTED KADAR'S PERSONAL INTERCESSION ON BEHALF OF THE CZECHOSLOVAK ACTIVISTS.

ACCORDING TO THE JUNE 1980 DEPARTMENT OF STATE'S EIGHTH SEMIANNUAL REPORT TO THE COMMISSION, SOME OF THE SIGNERS OF THE FOUR DOCUMENTS HAVE BEEN GIVEN WARNINGS IN THE PAST MONTHS AND URGED TO RECANIT THEIR VIEWS. A FEW OF THE SIGNERS HAVE HAD THEIR RIGHTS TO TRAVEL AND PUBLISH TEMPORARILY RESTRICTED. ADDITIONALLY, VARIOUS WESTERN PRESS ACCOUNTS HAVE REFERRED TO THE POSSIBLE LOSS OF EMPLOYMENT FOR THOSE WHO SIGNED THE DOCUMENTS.

PROFESSOR TOKES CHARACTERIZES THE REGIME'S REACTION TO SUCH DISSENT AS "REPRESSIVE TOLERANCE." INSTEAD OF IMPRISONMENT, PUBLIC TRIALS AND MARTYRDOM, LEADING DISSIDENTS WERE ENCOURAGED TO APPLY FOR LONG-TERM WESTERN TRAVEL PERMITS, WHILE OTHERS SUFFERED DEMOTION IN POSITION AND SALARY, TEMPORARY UNEMPLOYMENT, BUT NONE WERE JAILED FOR THEIR POLITICAL BELIEFS.

ANOTHER ASPECT OF THE NEW LEGAL CODE -- THE DEFINITION OF TREASON -- IF BROADLY INTERPRETED, COULD BE USED IN POLITICAL CASES. ACCORDING TO THE DEPARTMENT OF STATE, THE SECTION ON "ESPIONAGE" PROVIDES FOR PUNISHING:

"A PERSON WHO OBTAINS, COLLECTS OR GIVES OUT DATA WHICH CAN BE USED AGAINST THE HUNGARIAN PEOPLE'S REPUBLIC WITH THE PURPOSE TO FORWARD THEM TO A FOREIGN GOVERNMENT OR ORGANIZATION."

GENERALLY, HOWEVER, THE JUDICIAL SYSTEM IS AN INVESTIGATORY PROCESS ENTITLING DEFENDANTS TO COUNSEL. WHILE THE LAW IS GENERALLY APPLIED IN AN EQUITABLE FASHION, POLITICAL PRESSURE CAN BE EXERTED BY THE COMMUNIST PARTY IN CASES OF SPECIAL CONCERN TO THE REGIME.

DR. MARIA DOMBOVARI-LORINCZ, A MEDICAL DOCTOR FROM BUDAPEST, WAS CONVICTED OF "INCITEMENT" IN 1977 AFTER SHE DRAFTED AND ATTEMPTED TO DISTRIBUTE PAMPHLETS URGING THAT SOVIET TROOPS BE WITHDRAWN FROM HUNGARY AND THAT ROMAN CATHOLIC NUNS BE ALLOWED TO WORK IN VARIOUS HOSPITALS. ALTHOUGH AMNESTY INTERNATIONAL ADOPTED DR. DOMBOVARI-LORINCZ AS A PRISONER OF CONSCIENCE, THEY HAVE RECEIVED NO INFORMATION THAT SHE WAS ILL-TREATED WHILE IN THE ROBERT KORHAZ HOSPITAL, NOR HAS THE ORGANIZATION RECEIVED ANY OTHER REPORTS OF PSYCHIATRIC ABUSE IN HUNGARY. DR. DOMBOVARI-LORINCZ ALLEGEDLY HAS BEEN RELEASED AFTER BEING HELD INVOLUNTARILY SINCE HER TRIAL.

RELIGIOUS RIGHTS

OVER THE LAST THREE YEARS, THE HUNGARIAN REGIME HAS ADOPTED A MORE LIBERAL POLICY TOWARDS INDIVIDUAL RELIGIOUS RIGHTS. INCREASED COOPERATION BETWEEN THE CHURCH HIERARCHIES AND THE STATE HAS LED TO AN EXPANSION OF PERMISSIBLE RELIGIOUS ACTIVITIES. HOWEVER, ACCORDING TO THE DEPARTMENT OF STATE, THE REGIME NEITHER ENCOURAGES NOR VIGOROUSLY IMPEDES THE PRACTICE OF RELIGION, ALTHOUGH RELIGIOUS BELIEFS CAN LIMIT ADVANCEMENT IN THE PARTY AND THE GOVERNMENT APPARATUS.

THERE ARE APPROXIMATELY 8.5 MILLION HUNGARIANS CLAIMING RELIGIOUS ADHERENCE OUT OF A POPULATION OF UNDER 11 MILLION. RELIGIOUS GROUPS IN HUNGARY INCLUDE 5.25 MILLION ROMAN CATHOLICS, 2 MILLION CALVINISTS, .5 MILLION EVANGELICAL LUTHERANS AND 80,000 JEWS. HUNGARIAN LAW RECOGNIZES 19 RELIGIOUS DENOMINATIONS, PLUS SEVERAL OTHER SECTS, INCLUDING JEHOVAH'S WITNESSES. ADDITIONALLY, ONE OF THE LARGEST RABBINICAL SEMINARIES IN THE WORLD IS LOCATED IN BUDAPEST, WHICH SERVES EASTERN EUROPE.

OVER THE LAST TWO YEARS, HUNGARIAN OFFICIALS HAVE BEEN EXPRESSING PUBLICLY THAT THE RELATIONSHIP BETWEEN CHURCH OFFICIALS AND THE STATE HAS IMPROVED. SINCE 1977, ACCORDING TO RADIO FREE EUROPE, HUNGARIAN CATHOLIC BISHOPS HAVE HAD A GREATER FREEDOM TO TRAVEL, EITHER TO PERFORM THEIR DUTIES IN ROME OR TO PARTICIPATE IN INTERNATIONAL CHURCH EVENTS ABROAD. EXTENSION COURSES HAVE BEEN ORGANIZED FOR CHURCH EMPLOYEES AND CATHOLIC LAITY AT THE BUDAPEST THEOLOGICAL ACADEMY. THE CHURCH HAS BEEN PERMITTED TO ESTABLISH A NURSING HOME FOR AGED CATHOLICS AND A CENTER FOR SPIRITUAL RETREAT, ALL IMPOSSIBLE PRIOR TO 1977.

IN POINTING OUT THE POSITIVE CHANGES MADE RECENTLY, IMRE MIKLOS, HUNGARIAN STATE SECRETARY AND PRESIDENT OF THE STATE OFFICE OF CHURCH AFFAIRS, PROVIDED THE FOLLOWING EXAMPLES OF STATE CONCESSIONS TO THE CHURCH:

- (A) THE STATE, HE ALLEGED, HAD RENOUNCED A SERIES OF PREROGATIVES ENTRUSTED TO IT BY LAW AND MUTUAL AGREEMENT, FOR EXAMPLE, THE RIGHT TO APPROVE THE APPOINTMENT OF PARISH PRIESTS.
- (B) THAT STATE HAD ALSO SHOWN RESTRAINT IN THE APPOINTMENT OF OFFICIALS TO THE HIGHER RANKS OF THE CHURCH HIERARCHY.
- (C) FINALLY, THE STATE HAD REPORTEDLY DELEGATED TO HUNGARY'S CATHOLIC BISHOPS THE AUTHORITY TO SUPERVISE CHURCH CONFORMITY WITH THE PROVISIONS OF THE VARIOUS AGREEMENTS IT HAD SIGNED WITH THE STATE, ABOVE ALL, IN THE MATTER OF RELIGIOUS INSTRUCTION OF THE YOUNG.

RADIO FREE EUROPE POINTS OUT THAT WHILE IT IS TRUE THAT THE STATE HAS RELINQUISHED THE EXERCISE OF THESE LEGAL RIGHTS, ITS PLACE HAS BEEN TAKEN BY THE PARTY. THE PARTY IS KNOWN TO SUPERVISE NOT ONLY CATECHISM LESSONS, BUT ALSO THE APPOINTMENT, TRANSFER AND DISMISSAL OF PARISH PRIESTS, ESPECIALLY POPULAR PRIESTS. FOR THE FIRST TIME, HOWEVER, HUNGARIAN OFFICIALS ARE ADMITTING PUBLICLY THAT "FRICTION IN THE RELATIONSHIP BETWEEN CHURCH AND STATE" EXISTS AND HAVE PROVIDED SOME INSIGHT INTO THE ISSUE.

ACCORDING TO THE COORDINATING COMMITTEE OF HUNGARIAN ORGANIZATIONS IN NORTH AMERICA, RELIGIOUS TOLERANCE EXISTS AS LONG AS THERE IS NO PUBLIC PROTEST. FOR EXAMPLE, IN 1978, A GROUP OF METHODIST MINISTERS PROTESTED THE STATE SELECTION OF THE LEADER OF THEIR CHURCH. THEIR RESISTANCE LED TO THE CLOSING OF THEIR CHURCHES. AFTER THEY HELD A PRAYER MEETING IN FRONT OF THE CLOSED CHURCHES, THEY WERE ARRESTED, TRIED AND SENTENCED TO TWO TO FOUR YEARS FOR TRESPASSING AND UNLAWFUL ASSEMBLY. ALTHOUGH ALL THOSE CONVICTED HAVE BEEN RELEASED, THEIR GRIEVANCE AGAINST THE STATE STILL REMAINS UNRESOLVED.

SOME HUNGARIAN CATHOLICS LACKING TRUST IN THE STATE-CHURCH HIERARCHY, HAVE FORMED SMALL INDEPENDENT RELIGIOUS COMMUNITIES (BASE COMMUNITIES) WHICH SELECT THEIR OWN PRIESTS. IN AN ARTICLE PUBLISHED IN THE DECEMBER 1979 ISSUE OF "ALLAM ES DGAZGATAS," ISTVAN STRAUB, VICE-CHAIRMAN OF THE OFFICE OF CHURCH AFFAIRS, WARNED PRIESTS THAT RELIGIOUS ACTIVITIES OUTSIDE THE OFFICIAL CHURCH ARE ILLEGAL AND WILL BE PUNISHED.

THERE IS SOME QUESTION WHETHER THE POSITIVE OVERTURES BY THE HUNGARIAN OFFICE OF CHURCH AFFAIRS TO THE CATHOLIC CHURCH REFLECT A CHANGE OF ATTITUDE, OR ARE SIMPLY A PUBLIC RELATIONS TECHNIQUE. WHILE PARTY OFFICIAL MIKLOS EMPHASIZED THAT THERE IS NO DISCRIMINATION AGAINST BELIEVERS IN EMPLOYMENT OR AGAINST PAROCHIAL SCHOOL STUDENTS APPLYING FOR ADMISSION TO UNIVERSITIES, THE CATHOLIC WEEKLY, UJ EMBER IN A FEBRUARY 20, 1977 ISSUE, STRONGLY CRITICIZED THE REGIME FOR THESE VERY SAME PRACTICES. ONLY TIME WILL TELL WHETHER THE REGIME IS SERIOUS IN PROVIDING GREATER FLEXIBILITY AND AUTONOMY TO THE CHURCH LEADERS.

ETHNIC RIGHTS

GOVERNMENT POLICIES TOWARD ETHNIC MINORITIES IN HUNGARY ARE THE MOST EQUITABLE IN EASTERN EUROPE. IN TESTIMONY BEFORE THE COMMISSION, PROFESSOR TOKES STATES THAT ETHNIC MINORITIES RECEIVE PREFERENTIAL TREATMENT FOR EDUCATIONAL OPPORTUNITIES, PUBLISHING, RELIGIOUS AUTONOMY AND FREEDOM TO USE THEIR NATIVE TONGUES. IN THIS WAY, THE KADAR REGIME MAY BE SETTING A MODEL FOR ROMANIAN AND CZECHOSLOVAKIAN TREATMENT OF THEIR LARGE HUNGARIAN ETHNIC MINORITIES.

POLAND

THE EXERCISE OF MOST CIVIL AND POLITICAL RIGHTS WHICH ARE GUARANTEED IN THE POLISH CONSTITUTION HAS REMAINED SIGNIFICANTLY LIMITED. HOWEVER, UNLIKE SOME OF ITS WARSAW PACT NEIGHBORS, POLAND HAS RELAXED INTERNAL CONTROLS AND ADOPTED A RELATIVELY TOLERANT ATTITUDE TOWARD INTERNAL DISSENT. WHILE THE COMMUNIST PARTY CONTINUES TO DOMINATE POLITICAL LIFE IN POLAND AND PLACE LIMITS ON FREEDOM OF EXPRESSION AND BELIEF, IT HAS SOUGHT A MODUS VIVENDI WITH IMPORTANT PHILOSOPHICAL, SOCIAL AND RELIGIOUS ELEMENTS IN POLISH SOCIETY. THIS HAS RESULTED IN TOLERANCE FOR DIVERSE INTELLECTUAL VIEWS, GREATER RESPECT FOR LAW, AND A FRAGILE YET WORKING RELATIONSHIP WITH THE POWERFUL AND SOCIALLY ACTIVE CATHOLIC CHURCH.

CIVIL AND POLITICAL RIGHTS

POLISH AUTHORITIES HAVE ADOPTED A RESTRAINED ATTITUDE TOWARDS THE VARIED AND WIDE-SPREAD HUMAN-RIGHTS ACTIVITY WHICH HAS DEVELOPED IN POLAND SINCE THE BELGRADE REVIEW CONFERENCE. THE DISSIDENT MOVEMENT IN POLAND HAS DEVELOPED EFFECTIVE PATTERNS OF ACTIVITY AND ESTABLISHED ITSELF AS AN INTEGRAL PART

OF NATIONAL POLITICS. WHILE THE REGIME APPEARS TO ALTERNATE BETWEEN PERIODS OF TOLERANCE AND OF REPRESSION, THE OVERALL PICTURE WHICH EMERGES IS ONE OF CONTINUED INTELLECTUAL, SOCIAL AND ECONOMIC FERMENT.

TWO WELL-ESTABLISHED DISSIDENT GROUPS IN POLAND CONTINUE TO FUNCTION WITH ONLY COMPARATIVELY MILD HARASSMENT FROM THE REGIME. THE COMMITTEE FOR SOCIAL SELF-DEFENSE (KSS-KOR), AN OUTGROWTH OF THE WORKER'S DEFENSE COMMITTEE FOUNDED IN 1976 TO DEFEND STRIKING WORKERS IMPRISONED BY THE REGIME, CONTINUES TO BE CONCERNED WITH THE ECONOMIC AND SOCIAL ISSUES FACING POLAND TODAY. AS PART OF ITS WORK, KOR ISSUED A "CHARTER ON WORKERS' RIGHTS" ON SEPTEMBER 5, 1979, WHICH CALLED FOR THE RIGHT TO STRIKE, AN END TO COMPULSORY OVERTIME, AND A 40-HOUR WORK WEEK. MEMBERS OF KOR HAVE ESTABLISHED LINKS WITH CHARTER '77 IN CZECHOSLOVAKIA AND HAVE ATTEMPTED UNSUCCESSFULLY TO HOLD JOINT MEETINGS NEAR THE POLISH-CZECH BORDER. SEVERAL PROMINENT DISSIDENTS CONDUCTED A HUNGER STRIKE FROM OCTOBER 3-10, 1979 TO SHOW THEIR SYMPATHY FOR THOSE CHARTER '77 MEMBERS ABOUT TO GO ON TRIAL IN CZECHOSLOVAKIA. AS AN OUTGROWTH OF THE COMMITTEE FOR SOCIAL SELF-DEFENSE, A SERIES OF FARMERS' SELF-DEFENSE COMMITTEES HAVE BEEN ESTABLISHED IN THE RURAL AREAS OF POLAND TO PROTECT THE RIGHTS OF FARMERS AND OTHER RURAL WORKERS.

THE MOVEMENT FOR THE DEFENSE OF HUMAN AND CIVIL RIGHTS (ROPCO), MORE NATIONALIST THAN KOR, HAS BEEN THE PRIMARY ORGANIZER OF SEVERAL DEMONSTRATIONS TO COMMEMORATE SOLEMN PATRIOTIC EVENTS IN POLISH HISTORY, WHICH WERE DIRECTLY JUXTAPOSED TO OFFICIAL CELEBRATIONS. SIGNIFICANTLY, THESE DEMONSTRATIONS WERE PERMITTED TO PROCEED WITHOUT INTERVENTION BY THE SECURITY POLICE. THE FIRST WAS HELD ON NOVEMBER 11, 1978 TO COMMEMORATE POLAND'S 60TH ANNIVERSARY AS AN INDEPENDENT, MODERN STATE. THE SECOND WAS HELD ON JULY 31, 1978 TO MARK THE 35TH ANNIVERSARY OF THE POPULAR UPRISING IN WARSAW AGAINST THE GERMANS. THE THIRD WAS HELD IN SEPTEMBER 1979 TO COMMEMORATE THE 40TH ANNIVERSARY OF THE GERMAN INVASION OF POLAND IN 1939.

A THIRD MAJOR DISSIDENT GROUP -- THE CONFEDERATION OF INDEPENDENT POLAND (KPN) -- WAS FOUNDED IN SEPTEMBER 1979 AT THE UNAUTHORIZED PROCESSION TO COMMEMORATE THE GERMAN INVASION OF POLAND IN 1939. LED BY FORMER ROPCO LEADER LESZEK MOCZULSKI, IT IS THE MOST OVERTLY NATIONALISTIC AND ANTI-SOVIET OF POLISH DISSIDENT GROUPS, AND IS COMMITTED TO PROMOTING FULL FREEDOM AND INDEPENDENCE FOR POLAND. KPN SPONSORED A DEMONSTRATION IN APRIL 1980 TO COMMEMORATE THE 40TH ANNIVERSARY OF THE KATYN MASSACRE OF POLISH ARMY OFFICERS DURING WORLD WAR II. THE WREATH-LAYING CEREMONY WAS ATTENDED BY MORE THAN 900 PEOPLE, BUT THE POLICE

TEMPORARILY HELD NUMEROUS PEOPLE AND REMOVED THE FLOWERS AFTER THE CEREMONY.¹

DISSIDENT POLITICAL ACTIVITY IN POLAND EXTENDS BEYOND THE ACTIVITIES OF THESE THREE OPPOSITIONIST GROUPS. THE FLYING UNIVERSITY, WHOSE FORMAL NAME IS THE SOCIETY FOR EDUCATIONAL COURSES, IS A SPECIFIC POLISH FEATURE OF DISSSENT WHICH BEGAN NATIONWIDE IN THE FALL OF 1977. IT OFFERS PUBLIC LECTURES BY WELL-KNOWN SCHOLARS AND INTELLECTUALS -- MANY OF WHOM ARE ASSOCIATED WITH THE ABOVE-MENTIONED DISSIDENT GROUPS -- ON VARIOUS TOPICS IN HISTORY, SOCIOLOGY, LITERATURE AND PHILOSOPHY WHICH ARE NOT TREATED IN THE STATE UNIVERSITIES. ALTHOUGH THE FLYING UNIVERSITY HAS DELIBERATELY AVOIDED DIRECT INVOLVEMENT IN POLITICAL QUESTIONS, AT LEAST THREE OF ITS MEMBERS -- PROFESSOR EDWARD LIPINSKI, JACEK KURON AND ADAM MICHNIK -- ARE WELL-KNOWN ACTIVISTS ASSOCIATED WITH KSS-KOR. A SUBSTANTIAL AMOUNT OF UNOFFICIAL LITERATURE IS PUBLISHED IN POLAND WITH MORE THAN 20 UNDERGROUND PUBLICATIONS APPEARING REGULARLY, ALONG WITH FREQUENT APPEALS, PROCLAMATIONS AND STATEMENTS. FOREMOST AMONG THESE IS THE JOURNAL ROBOTNIK (WORKER) WHICH HAS CLOSE LINKS WITH THE KSS-KOR GROUP. THE CHARTER ON WORKER'S RIGHTS IN SEPTEMBER 1979, WAS FIRST PUBLISHED IN ROBOTNIK AND WAS SIGNED BY 26 WORKERS, INCLUDING JACEK KURON. A SMALL INDEPENDENT TRADE UNION MOVEMENT HAS EMERGED, BASED AROUND ROBOTNIK.

DESPITE THE RELATIVELY TOLERANT ATTITUDE THE REGIME HAS ADOPTED TOWARDS MUCH OF THIS DISSIDENT ACTIVITY, INCIDENTS OF REPRESSION INCREASED DURING 1979, MOST LIKELY IN CONNECTION WITH THE EIGHTH CONGRESS OF THE POLISH WORKER'S PARTY HELD IN FEBRUARY 1980. A LAW UNDER WHICH AN INDIVIDUAL MAY BE DETAINED AND QUESTIONED FOR UP TO 48 HOURS WITHOUT BEING CHARGED WAS FREQUENTLY INVOKED AGAINST OPPOSITIONIST ACTIVISTS DURING MASS DEMONSTRATIONS OR AS A RESULT OF ATTENDANCE AT FLYING UNIVERSITY COURSES. IN DECEMBER 1979, THE POLICE DETAINED NEARLY ONE HUNDRED PEOPLE IN WARSAW AND OTHER POLISH CITIES IN AN UNSUCCESSFUL EFFORT TO HEAD OFF MASS DEMONSTRATIONS TO MARK THE ANNIVERSARY OF WORKERS RIOTS IN GDANSK AND OTHER COASTAL CITIES IN DECEMBER 1970.² THE CRACKDOWN WAS THE MOST SEVERE IN THREE YEARS. DESPITE THESE ACTIONS, A CROWD ESTIMATED AT 1,000 ATTENDED A MASS IN THE CHURCH OF THE CAPUCHINS IN WARSAW TO COMMEMORATE THE 1970 PROTESTS, BUT WAS PREVENTED FROM MAKING A PUBLIC MARCH. IN GDANSK, A STREET DEMONSTRATION DID TAKE PLACE DURING WHICH 16 DISSIDENTS WERE INDICTED UNDER ARTICLE 276 OF THE PENAL CODE WHICH FORBIDS MEMBERSHIP IN ILLEGAL ORGANIZATIONS AND DISTRIBUTION OF UNCENSORED LITERATURE. THE 16 MEN WERE LATER RELEASED, THOUGH THEY ARE STILL UNDER INDICTMENT.

FOUR DISSIDENTS, INCLUDING WOJCIECH ZIEMBINSKI OF ROPCO, FACED CHARGES FOR UNAUTHORIZED SPEECHES THEY MADE DURING A NOVEMBER 11, 1979 MARCH ON THE 61ST ANNIVERSARY OF POLAND'S REUNIFICATION AND INDEPENDENCE.³

REPRESSIVE ACTIONS ALSO WERE STEPPED UP AGAINST THE FLYING UNIVERSITY IN 1979, WITH MEETINGS OFTEN DISRUPTED OR HALTED BY THE POLICE. A GROUP OF YOUTHS INVADDED THE APARTMENT OF JACEK KURON, A PROFESSOR OF THE FLYING UNIVERSITY, AND STARTED A FIGHT WITH THOSE WHO HAD GATHERED FOR AN UNOFFICIAL FLYING UNIVERSITY LECTURE. THIS INCIDENT WAS THE CULMINATION OF A SERIES OF DISRUPTIVE APPEARANCES BY HECKLERS SEEKING TO SHOUT DOWN THE SPEAKERS AT FLYING UNIVERSITY LECTURES. IN THE FALL OF 1979, THE REGIME ESCALATED ITS EFFORTS TO HALT THE FLYING UNIVERSITY. ALL THREE SEMINARS SCHEDULED FOR THE START OF THE ACADEMIC YEAR WERE BROKEN UP BY THE SECURITY POLICE. DESPITE THESE REPRESSIVE MEASURES, THE FLYING UNIVERSITY CONTINUES TO FUNCTION. IN WARSAW ALONE IT IS ESTIMATED THAT ENROLLMENT IN FLYING UNIVERSITY COURSES WAS AROUND 180 STUDENTS DURING 1979, WITH THOUSANDS ATTENDING INDIVIDUAL LECTURES.⁴ PROFESSOR WLADYSLAW BARTOSZEWSKI, A MEMBER OF THE FACULTY OF THE CATHOLIC UNIVERSITY OF LUBLIN, WAS FINED 5,000 ZLOTY FOR A FLYING UNIVERSITY LECTURE HE GAVE NOVEMBER 12, 1979 ON THE ACTIVITIES OF THE POLISH UNDERGROUND DURING THE GERMAN OCCUPATION. THE OWNER OF THE APARTMENT WHERE THE LECTURE TOOK PLACE ALSO WAS FINED.

WHILE INCIDENTS OF VIOLENCE AND REPRESSION AGAINST INDIVIDUAL DISSIDENTS ARE COMPARATIVELY FEW, CERTAIN ACTIVISTS HAVE FOUND THEMSELVES THE TARGET OF HARSH REPRESSIVE ACTIONS. KAZIMIERZ SWITON, A CIVIL RIGHTS AND FREE LABOR ADVOCATE FROM THE CITY OF KATOWICE, WAS BEATEN BY PLAINCLOTHES POLICE IN OCTOBER 1978, WHEN LEAVING CHURCH WITH HIS FAMILY. HE WAS JAILED AND CHARGED WITH ASSAULTING A POLICE OFFICER, AN OFFENSE PUNISHABLE BY EIGHT YEARS OF IMPRISONMENT. WHEN TRIED IN MARCH 1979, HE WAS CONVICTED OF A LESSER OFFENSE AND SENTENCED TO ONE YEAR IN PRISON. PENDING AN APPEAL DECISION, SWITON WAS RELEASED AND IS STILL AT LIBERTY. SEVERAL MEMBERS OF KSS-KOR WERE PREVENTED FROM ATTENDING SWITON'S TRIAL BY POLICE WHO DETAINED THEM WITHOUT CHARGES FOR SEVERAL HOURS.

ADAM WOJCIECHOWSKI, A CHARTER MEMBER OF POLAND'S AMNESTY INTERNATIONAL CHAPTER, WAS JAILED FOR TWO MONTHS IN 1979 FOR DISTURBING THE PEACE DURING A 1979 POLICE SEARCH OF HIS FATHER'S APARTMENT. IN GDYNIA, A MILITARY COURT SENTENCED A JUNIOR NAVAL OFFICER, HENRYK JAGIELLO TO ONE YEAR⁹ IN PRISON FOR POSSESSION OF TWO UNOFFICIAL PUBLICATIONS. HE WAS CHARGED WITH "DISSEMINATING FALSE INFORMATION WHICH COULD CAUSE SIGNIFICANT DAMAGE TO

THE INTERESTS OF THE POLISH PEOPLE'S REPUBLIC." UNDER THE 48-HOUR DETENTION LAW, ABOUT 12 PROMINENT DISSIDENTS WERE DETAINED BEFORE THE FEBRUARY 11, 1980 OPENING OF THE POLISH PEOPLE'S WORKERS PARTY. EIGHTEEN DISSIDENTS, INCLUDING JACEK KURON, WERE TAKEN INTO CUSTODY BEFORE THE MARCH 23, 1980 PARLIAMENTARY ELECTIONS.

ON MARCH 12, 1980, EDMUND ZADROZYNSKI, A FREE TRADE UNION ACTIVIST AND EDITOR OF ROBOTNIK WAS CONVICTED OF STEALING PRIVATE AND PUBLIC PROPERTY AND WAS GIVEN A THREE-YEAR JAIL TERM AND A FINE OF 70,000 ZLOTYS. HIS SONS, MIROSLAW AND ANDRZEJ, AND FOUR OTHER DEFENDANTS WERE ALSO CONVICTED. EARLIER, ZADROZYNSKI HAD BEEN PLACED UNDER "INVESTIGATIVE DETENTION" BY THE PROSECUTOR IN THE NORTHERN CITY OF TORUN BETWEEN JULY 1 AND OCTOBER 1, 1979, KEPT INCOMMUNICADO AND DENIED THE RIGHT OF APPEAL. ON OCTOBER 1, HE WAS ORDERED CONFINED FOR ANOTHER THREE MONTHS IN A WORK CAMP.

ANOTHER DISSIDENT, MIROSLAW CHOJECKI, WAS ARRESTED IN MARCH 1980 FOR RUNNING AN UNLICENSED PUBLISHING COLLECTIVE THAT HAD ISSUED SEVERAL BOOKS DISLIKED BY THE AUTHORITIES. HE WAS CHARGED WITH INVOLVEMENT IN THE THEFT OF "GOVERNMENT PROPERTY" -- REMOVING A DUPLICATING MACHINE FROM A STATE PRINTING SHOP. CHOJECKI'S ARREST DREW CONDEMNATION BOTH IN POLAND AND ABROAD. FIVE PROMINENT WRITERS PUBLICLY PROTESTED THE ARREST OF CHOJECKI, CHALLENGING STATE CENSORSHIP AND THE AUTHORITIES' EXCLUSIVE CONTROL OF THE PUBLISHING AND PRINTING INDUSTRY.⁵ APPARENTLY, SUCH CONDEMNATION INFLUENCED POLISH AUTHORITIES SINCE THEY QUIETLY RELEASED CHOJECKI A FEW WEEKS LATER.

RELIGIOUS RIGHTS

CHURCH-STATE RELATIONS IN POST-WAR POLAND HAVE BEEN A VERY SIGNIFICANT AND SENSITIVE AREA OF THE COUNTRY'S POLITICAL AND INTELLECTUAL LIFE. NINETY-FIVE PERCENT OF THE POLISH POPULATION BELONGS TO THE ROMAN CATHOLIC CHURCH WHICH IS CLOSELY IDENTIFIED WITH THE POLISH NATIONAL CAUSE AND IS DEEPLY ROOTED IN THE NATIONAL CULTURE AND TRADITIONS. FOR THESE REASONS, RELATIONS BETWEEN THE CATHOLIC CHURCH AND THE COMMUNIST PARTY HIERARCHY HAVE BEEN CHARACTERIZED BY TENSION AND COMPETITION AS BOTH CLAIM TO REPRESENT THE LEGITIMATE ASPIRATIONS AND TRADITIONS OF THE POLISH PEOPLE. IN THE YEARS SINCE THE SIGNING OF THE HELSINKI FINAL ACT, THESE COMPETING CLAIMS HAVE CONTINUED, BUT HAVE BEEN INFUSED WITH A DEGREE OF MUTUAL TOLERANCE, IF NOT RESPECT.

THE IMPORTANT ROLE OF THE CATHOLIC CHURCH IN POLISH LIFE IS REFLECTED IN THE COMPARATIVELY WIDE RANGE OF RELIGIOUS ACTIVITY PERMITTED IN POLAND, IN COMPARISON WITH ITS WARSAW PACT NEIGHBORS. THE STATE FINANCES TWO RELIGIOUS ACADEMIES, CATHOLIC AND NON-CATHOLIC, WHILE THE CATHOLIC CHURCH MAINTAINS ITS OWN NETWORK OF SEMINARIES. WHILE THE GOVERNMENT HAS VETO POWER OVER CANDIDATES FOR ECCLESIASTICAL POSITIONS, IT IS RARELY EXERCISED. WHEN CHURCH-STATE DISAGREEMENTS ARISE OVER SUCH MATTERS, A FINAL DECISION IS REACHED THROUGH NEGOTIATION BETWEEN THE EPISCOPATE AND GOVERNMENT REPRESENTATIVES.⁶ THE CHURCH IS PERMITTED TO PUBLISH ITS OWN JOURNALS, ALBEIT WITH SEVERELY RESTRICTED CIRCULATION. ADDITIONALLY, SEVERAL DEPUTIES BELONGING TO CATHOLIC-ORIENTED PARTIES ARE PERMITTED TO PARTICIPATE IN THE POLISH SEJM (PARLIAMENT).

UNDOUBTEDLY, THE PIVOTAL EVENT IN POLISH RELIGIOUS LIFE DURING THE LAST THREE YEARS, WAS THE ELECTION IN 1978 OF KAROL CARDINAL WOJTYLA OF KRAKOW AS POPE JOHN PAUL II -- A SELECTION WHICH EVOKED AN OUTPOURING OF NATIONAL PRIDE IN POLAND. FOR THE FIRST TIME, POLISH AUTHORITIES ALLOWED COMPLETE LIVE TELEVISION AND RADIO COVERAGE OF THE INSTALLATION OF A NEW POPE. THEY ALSO EXPEDITED VISA APPLICATIONS AND ARRANGED SPECIAL FLIGHTS FOR THOUSANDS OF POLES TO ATTEND THE CEREMONIES IN ROME.

THE POPE'S VISIT TO HIS HOMELAND, JUNE 2-10, 1979, PROVIDED ANOTHER OCCASION TO DEMONSTRATE THE STRENGTH OF THE CATHOLIC CHURCH IN THE NATIONAL LIFE OF POLAND. AN ESTIMATED SIX MILLION POLES SAW THE POPE IN PERSON, AND MANY MORE FOLLOWED HIS VISIT THROUGH THE MEDIA. THE PONTIFF'S SPEECHES COMBINED APPEALS FOR LOYALTY TO THE VALUES OF THE CATHOLIC CHURCH AND POLISH NATION WITH CALLS FOR OBSERVANCE OF HUMAN RIGHTS AND RELIGIOUS FREEDOM. FOR THEIR PART, POLISH AUTHORITIES COOPERATED WITH THE CATHOLIC CHURCH IN PLANNING THE POPE'S VISIT, BUT LATER CENSORED THE POPE'S CHRISTMAS MESSAGE TO HIS FORMER ARCHDIOCESE, EVIDENTLY BECAUSE OF A REFERENCE TO SAINT STANISLAW, A SYMBOL OF RESISTANCE TO STATE AUTHORITY.

PRIOR TO THE POPE'S VISIT, CHURCH-STATE RELATIONS HAD BEEN SHAKEN BY A SEPTEMBER 1978 PASTORAL LETTER SENT BY THE EPISCOPATE OF THE CHURCH WHICH REITERATED COMPLAINTS ABOUT OFFICIAL CENSORSHIP OF THE MEDIA AND THE SHORTAGE OF RELIGIOUS BOOKS AND CATECHISMS. THE LETTER STATED THAT IN 1977, THE AUTHORITIES HAD GRANTED PERMISSION FOR THE PUBLICATION OF ONLY 300,000 CATECHISMS FOR NEARLY EIGHT MILLION CHILDREN RECEIVING RELIGIOUS EDUCATION. THE EPISCOPATE ALSO COMPLAINED THAT THE GOVERNMENT PERMITTED THE PRINTING OF ONLY 190,000 COPIES OF THREE INDEPENDENT CATHOLIC PAPERS.

AFTER THE POPE'S VISIT, THERE WERE NO DRAMATIC DEVELOPMENTS IN CHURCH-STATE RELATIONS. NO OFFICIAL STATEMENTS WERE MADE BY THE GOVERNMENT, AND CHURCH ACTIVITY WAS CHARACTERIZED BY CAUTION AND RESTRAINT. WHILE CHURCH LEADERS CONTINUED TO EXPRESS CONCERN ABOUT ATHEISTIC VALUES BEING PROPAGATED IN THE STATE-CONTROLLED MEDIA AND EDUCATIONAL SYSTEMS, THEY ALSO EXPRESSED A WILLINGNESS TO COOPERATE WITH THE GOVERNMENT IN COMBATING SOCIAL ILLS, SUCH AS ALCOHOLISM AND ABSENTEEISM. IN A CONCILIATORY GESTURE, THE GOVERNMENT ISSUED PERMITS FOR THE CONSTRUCTION OF 14 NEW CHURCHES IN WARSAW.

THIS MODUS VIVENDI BETWEEN THE CATHOLIC CHURCH AND GOVERNMENT WAS GIVEN FURTHER IMPETUS IN SEPTEMBER 1979 BY A DECLARATION OF PRINCIPLES ISSUED BY THE 170TH PLENARY CONFERENCE OF THE POLISH EPISCOPATE ON THE FUTURE OF CHURCH-STATE RELATIONS. THE DECLARATION EXPRESSED THE EPISCOPATE'S WILLINGNESS TO WORK WITH THE GOVERNMENT TOWARDS A POSSIBLE NORMALIZATION OF THE CATHOLIC CHURCH'S ROLE WITHIN THE EXISTING POLITICAL SYSTEM. IT ALSO NOTED CERTAIN CONTINUING DIFFICULTIES, PRIMARILY THE SHORTAGE OF AVAILABLE CHURCH FACILITIES AND THE LIMITATIONS ON FREE CIRCULATIONS OF CATHOLIC CHURCH PUBLICATIONS.⁷

DEVELOPMENTS IN 1980 REFLECT THE UPWARD TREND IN CHURCH-STATE RELATIONS. THROUGH THE EFFORTS OF A JOINT CHURCH-STATE COMMISSION, A COMPROMISE WAS REACHED OVER THE HOTLY DEBATED ISSUE OF A PROPOSED HIGHWAY SITE NEAR THE HISTORIC CATHOLIC JASNA GORA SHRINE. THE HEAD OF THE STATE OFFICE FOR RELIGIOUS DENOMINATIONS DECLARED THAT JEHOVAH'S WITNESSES WOULD BE ABLE TO CHOOSE ALTERNATIVE MILITARY SERVICE, RATHER THAN COMPULSORY MILITARY SERVICE. IN MAY 1980, IT WAS ANNOUNCED THAT YOUNG MEN STUDYING FOR THE PRIESTHOOD WOULD NO LONGER BE DRAFTED INTO THE ARMY.⁸ IN ADDITION, THE AUTHORITIES RESOLVED CERTAIN PROBLEMS OF THE STATUS OF CATHOLIC CHURCH OFFICIALS VISITING FROM ABROAD.

THE POLISH GOVERNMENT HAS SHOWN INCREASED SENSITIVITY TO THE RELIGIOUS RIGHTS OF THE 8,000 REMAINING JEWS IN POLAND. IN 1979, A RABBI RETURNED TO THE CITY OF LODZ, THE FIRST TIME IN OVER 10 YEARS THAT AN ORDAINED RABBI HAD LIVED AND FUNCTIONED IN POLAND. IN JULY 1979, THE PRESIDENT'S COMMISSION ON THE HOLOCAUST VISITED POLAND WITH THE COOPERATION OF POLISH AUTHORITIES.

BULGARIA

WHILE BULGARIA MAY NO LONGER BE THE TERRA INCOGNITA IT WAS FOR THE COMMISSION AT THE TIME OF THE 1977 IMPLEMENTATION REPORT, DOCUMENTATIONS OF POLITICAL AND RELIGIOUS CONDITIONS ARE FEW AND SKETCHY. THE BULGARIAN CONSTITUTION OF 1971 GUARAN-

TEES A NUMBER OF BASIC RIGHTS, INCLUDING FREEDOM OF SPEECH, PRESS, ASSOCIATION, WORSHIP AND COMMUNICATION. IN PRACTICE -- AT LEAST IN THE WESTERN SENSE -- MANY OF THESE FREEDOMS DO NOT EXIST. THE STATE CONTROLS THE PRESS, DECIDES WHICH ORGANIZATIONS MAY EXIST AND PERMITS NO INTERNAL POLITICAL OPPOSITION TO EITHER THE STATE OR THE PARTY. LAWS SEVERELY PUNISH ANYONE ACCUSED OF SLANDERING THE STATE. INTERNAL OPPOSITION -- SUCH AS IT IS -- IS DEALT WITH SEVERELY.

POLITICAL RIGHTS

UNLIKE OTHER COUNTRIES IN EASTERN EUROPE, BULGARIA HAS EXPERIENCED NO KNOWN ORGANIZED DISSIDENT MOVEMENT. WHILE INTERNAL DISSENT AND CRITICISM UNDOUBTEDLY EXISTS, THERE HAVE BEEN FEW PUBLICIZED OR DOCUMENTED ARRESTS OR TRIALS OF INDIVIDUALS FOR POLITICAL ACTIVITY DIRECTLY RELATED TO THE FINAL ACT.

IT IS REPORTED THAT AMNESTY INTERNATIONAL IS INVESTIGATING THE CASE OF 23 BULGARIANS ALLEGED TO BE POLITICAL PRISONERS.⁹ OTHER PRIVATE SOURCES CLAIM THE TOTAL NUMBER OF POLITICAL PRISONERS IN BULGARIA MAY BE AS HIGH AS SEVERAL HUNDRED. YET, NO VERIFIABLE OR SUBSTANTIAL EVIDENCE HAS EMERGED TO SUPPORT THESE CLAIMS. THE BULGARIAN GOVERNMENT DOES NOT RECOGNIZE THE EXISTENCE OF POLITICAL PRISONERS. INSTEAD, SEVERAL ARTICLES OF THE CRIMINAL CODE PROVIDE FOR THE PUNISHMENT OF VARIOUS SPECIFIC POLITICAL ACTS INCLUDING ANTI-STATE AGITATION, DOCUMENTING OF "UNTRUTHFUL REMARKS", AND MEMBERSHIP IN OPPOSITIONIST ORGANIZATIONS.

AMNESTY INTERNATIONAL AND FREEDOM HOUSE HAVE REPORTED INSTANCES OF THE CONFINEMENT OF POLITICAL PRISONERS IN PSYCHIATRIC HOSPITALS. HOWEVER, THE DEPARTMENT OF STATE'S COUNTRY REPORTS FOR 1979 FOUND NO FIRM SUPPORTING EVIDENCE THAT PSYCHIATRIC ABUSE IS BEING USED SYSTEMATICALLY TO CONTROL DISSENT.

RELIGIOUS RIGHTS

ARTICLE 53 OF THE BULGARIAN CONSTITUTION GUARANTEES FREEDOM OF CONSCIENCE AND RELIGION. IN PRACTICE, RELIGION MAY BE PRACTICED BY BELIEVERS IN DENOMINATIONS RECOGNIZED BY THE GOVERNMENT, MOST NOTABLY THE BULGARIAN ORTHODOX CHURCH. THE GOVERNMENT CLOSELY MONITORS AND CIRCUMSCRIBES ORGANIZED RELIGION THROUGH RESTRICTIONS ON THE IMPORTATION OF BIBLES AND ON THE DISTRIBUTION OF RELIGIOUS PUBLICATIONS OTHER THAN THOSE OF THE BULGARIAN ORTHODOX CHURCH. THE INADEQUATE SUPPLY OF BIBLES AND THE PROHIBITION ON THEIR IMPORTATION HAVE BEEN A CAUSE OF CON-

FLICT BETWEEN THE GOVERNMENT AND BELIEVERS WHO HAVE ATTEMPTED TO BRING RELIGIOUS MATERIALS INTO THE COUNTRY.

IN THIS CONNECTION, SIX BULGARIAN PENTECOSTAL PASTORS WERE SENTENCED IN NOVEMBER 1979 TO IMPRISONMENT FROM THREE TO FIVE YEARS ON CHARGES BELIEVED TO STEM FROM THE ILLEGAL IMPORTATION OF FOREIGN AND BULGARIAN CURRENCY AND RELIGIOUS MATERIALS, INCLUDING BIBLES. SENTENCED WERE NATHANIEL TSACHEV, A MEMBER OF THE CLERICAL COUNCIL OF THE EVANGELICAL PENTECOSTAL CHURCH; GEORGI GENCHEV, AN EVANGELICAL PASTOR AND MEMBER OF THE CENTRAL LEADERSHIP OF THE COUNCIL OF CHURCHES; DIMITRI DIMITROV; PETER YANEV; DIMITRI ZHEKOV; AND BANCHO BANCHEV.

THERE IS SOME UNCERTAINTY AS TO THE EXACT NATURE OF THESE PASTORS' TRANSGRESSIONS. WHILE REPORTS FROM VARIOUS RELIGIOUS COMMUNITIES IN THE WEST CLAIM THE SIX WERE ARRESTED AND TRIED FOR THEIR RELIGIOUS ACTIVITY, OTHER REPORTS REACHING THE AMERICAN EMBASSY IN SOFIA CLAIM THAT ILLEGAL IMPORTATION OF FOREIGN CURRENCY AND OTHER NON-RELIGIOUS MATERIAL WAS INVOLVED AS WELL. THE BULGARIAN AUTHORITIES HAVE DENIED THAT PROSECUTION OF THESE PASTORS IS RELATED TO THEIR RELIGIOUS BELIEFS.

ON THE POSITIVE SIDE, THE STATE HAS ALLOWED THE BULGARIAN ORTHODOX CHURCH TO OPERATE A SEMINARY, DISTRIBUTE PUBLICATIONS AND SELL RELIGIOUS ARTIFACTS. THE STATE ALSO HAS TAKEN MEASURES TO PRESERVE THE FAST-DWINDLING REMNANTS OF THE JEWISH COMMUNITY AND CULTURE IN BULGARIA. JEWISH CULTURAL, SOCIAL AND RELIGIOUS INSTITUTIONS RECEIVE FINANCIAL SUPPORT FROM THE STATE, ALTHOUGH AT PRESENT THERE ARE NO FUNCTIONING JEWISH SCHOOLS OR RABBIS.

ETHNIC RIGHTS

AMNESTY INTERNATIONAL HAS REPORTED THAT MEMBERS OF THE TURKISH MINORITY (MORE THAN 700,000) AND POMAKS (ETHNIC BULGARIANS OF MOSLEM FAITH) HAVE BEEN SUBJECTED TO HARASSMENT AND HAVE BEEN IMPRISONED ON RELIGIOUS GROUNDS.¹⁰ EFFORTS BY THE REGIME HAVE ALLEGEDLY BEEN MADE TO FORCE POMAKS TO CHANGE THEIR NAMES, ABANDON THEIR RELIGION AND JOIN THE COMMUNIST PARTY.

ANOTHER PERSISTENT PROBLEM HAS BEEN THE REPATRIATION OF ETHNIC TURKS. THE 1968 REPATRIATION AGREEMENT BETWEEN BULGARIA AND TURKEY EXPIRED ON NOVEMBER 30, 1978. IT HAS NOT BEEN RENEWED. UNDER THE OLD AGREEMENT, A TOTAL OF 81,299 ETHNIC TURKS HAD OBTAINED BULGARIAN EXIST PERMITS AND 52,392 HAD LEFT FOR TURKEY BY SEPTEMBER 1977.¹¹ THE DELAYS APPEAR TO HAVE RESULTED PRIMARILY FROM TURKISH RELUCTANCE TO ISSUE ENTRY PERMITS. NO FINAL FIGURES HAVE BEEN ISSUED ON THE TOTAL NUMBER OF ETHNIC

TURKS WHO WERE ABLE TO EMIGRATE BEFORE THE EXPIRATION OF THE AGREEMENT.

GERMAN DEMOCRATIC REPUBLIC

THE CONSTITUTION OF THE GERMAN DEMOCRATIC REPUBLIC (G.D.R.) GUARANTEES FUNDAMENTAL CIVIL AND POLITICAL RIGHTS -- TO RESPECT AND PROTECT THE DIGNITY AND FREEDOM OF THE INDIVIDUAL, TO GRANT EQUAL RIGHTS TO ALL CITIZENS REGARDLESS OF NATIONALITY, SEX, OR RACE, AND TO ENSURE FREEDOM OF BELIEF. ALTHOUGH THESE GUARANTEES APPEAR SIMILAR TO THOSE IN PRINCIPLE VII, THEY ARE MORE FORMALISTIC THAN ACTUAL. IN PRACTICE, THE G.D.R. DOES NOT CONSIDER HUMAN RIGHTS INHERENT IN INDIVIDUAL LIBERTY, AS CONCEIVED IN THE WESTERN LIBERAL TRADITION, OR AS EXPRESSED IN PRINCIPLE VII. RATHER, SUCH LIBERTIES MAY BE EXERCISED ONLY WHEN MEANS, ENDS AND CONSEQUENCES SERVE THE SOCIALIST GOALS OF THE STATE; THUS, VITIATING THE MEANING OF BASIC, UNIVERSAL HUMAN RIGHTS. CONSEQUENTLY, THE GERMAN DEMOCRATIC REPUBLIC HAS A POOR RECORD OF COMPLIANCE WITH THESE PROVISIONS OF THE FINAL ACT.

CIVIL AND POLITICAL RIGHTS

OVERT POLITICAL DISSENT IS EXPRESSED WITHIN A FAIRLY SMALL GROUP OF INTELLECTUALS IN THE G.D.R., PRIMARILY WRITERS AND ACADEMICS. THIS GROUP IS CONSPICUOUS AND VOCAL AND ENJOYS AN APPRECIATIVE AUDIENCE IN BOTH GERMANIES. HOWEVER, IT LACKS FREEDOM, INFLUENCE AND POLITICAL POWER. NOT ONLY IS DISSENT SUBJECT TO CONSIDERABLE STATE CONTROL, BUT ACTIVE POPULAR SUPPORT FOR THE MOVEMENT IS DRAINED BY EMIGRATION (AND BY THE SILENCE OF THOSE WHO HOPE TO EMIGRATE). THE GEOGRAPHIC AND CULTURAL PROXIMITY OF THE FEDERAL REPUBLIC OF GERMANY INDUCE MANY DISSENSERS TO SEEK EMIGRATION, RATHER THAN BRAVE THE RISKS OF INTERNAL CRITICISM OF THE G.D.R.

DURING MOST OF ITS 30-YEAR HISTORY, THE STATE HAS REPRESSED FREEDOM OF EXPRESSION WITH VARYING DEGREES OF RIGOR. A PERIOD OF ESPECIALLY HARSH CONTROL ENDED IN LATE 1971 WHEN SED PARTY LEADER ERICH HONECKER PROCLAIMED A NEW CULTURAL POLICY. AS LONG AS THE ARTIST OR WRITER'S STARTING POINT WAS BASICALLY SOCIALIST, HONECKER PROMISED, THE GOVERNMENT WOULD PLACE NO TABOOS ON ART OR LITERATURE.¹² THE RESULT OF THE NEW KULTUR-POLITIK WAS A BLOSSOMING OF INNOVATIVE -- AND OFTEN CRITICAL -- LITERATURE IN THE G.D.R. WRITERS SOON LEARNED THAT THE GOVERNMENT REACTED LENIENTLY TO PUBLISHING ABROAD THOSE WORKS THAT FAILED TO PASS G.D.R. CENSORSHIP. WITHIN FIVE YEARS, THOUGH, SUCH CRITICISM

UNNERVED THE STATE, LEADING IT TO TERMINATE THE EXPERIMENT IN FREER EXPRESSION. IN LATE 1976, THE REVOCATION OF BALLADEER WOLF BIERMANN'S CITIZENSHIP AND THE EJECTION OF REINER KUNZE FROM THE WRITER'S UNION MARKED THE BEGINNING OF A MORE REPRESSIVE ERA.

THE MOST PUBLICIZED HUMAN-RIGHTS CASES DURING THE PAST THREE YEARS ARE THOSE OF RUDOLF BAHRO AND NICO HUEBNER. BAHRO, AUTHOR OF DIE ALTERNATIVE, A WORK CRITICAL OF SOCIALISM IN THE G.D.R., ALLOWED PORTIONS OF HIS BOOK TO BE PUBLISHED IN THE WEST GERMAN WEEKLY DER SPIEGEL IN AUGUST 1977. THE FOLLOWING YEAR, HE WAS SENTENCED TO EIGHT YEARS IN JAIL. RELEASED DURING THE PRISONER AMNESTY IN LATE 1979, BAHRO WAS "INVITED" TO EMIGRATE TO THE F.R.G. HUEBNER REFUSED CONSCRIPTION INTO THE G.D.R. ARMY IN MARCH 1978 ON THE GROUNDS THAT BERLIN, HIS HOMETOWN, WAS A DEMILITARIZED ZONE WHOSE CITIZENS WERE NOT SUBJECT TO THE DRAFT. SENTENCED IN JULY 1979 TO FIVE YEARS IN PRISON, HE WAS RELEASED IN OCTOBER AND PERMITTED TO LEAVE THE COUNTRY.

SINCE THE BIERMANN INCIDENT, THE GOVERNMENT HAS DEVELOPED A TACTIC OF DEALING WITH INTERNAL CRITICS -- ESPECIALLY THE PROMINENT ONES -- BY INDUCING OR EVEN FORCING THEM OUT OF THE G.D.R. G.D.R. AUTHORITIES FEEL THAT HARASSED CRITICS SPEAKING FROM INSIDE THE COUNTRY ARE LIONIZED BY THE WESTERN PRESS, AND THEREFORE, SERVE AS A SOURCE OF LOCAL IRRITATION. ONCE OUT OF THE COUNTRY, THE IMPACT AND THE IMMEDIACY OF THEIR PRONOUNCEMENTS ARE MUTED. THE G.D.R. HAS NOT ONLY INVITED SOME CRITICS TO CONSIDER EMIGRATION TO THE FEDERAL REPUBLIC OF GERMANY, BUT HAS ON OCCASION USED THREATS OF BANNING PROFESSIONAL ACTIVITY OR PROSECUTION IN THE COURTS TO PROMPT DISSENTERS TO FILE EMIGRATION REQUESTS. TO CITE JUST ONE WRITER, FRANK SCHOENE CHOSE DEPORTATION IN DECEMBER 1978 RATHER THAN FACE A TWO AND ONE-HALF YEAR SENTENCE FOR "ANTI-STATE ACTIVITY." HOWEVER, WHAT WAS A VIRTUAL HEMORRHAGE OF DISSIDENT EXPATRIOTS (BETWEEN NOVEMBER 1976 AND MARCH 1978, THE G.D.R. LOST VIA EMIGRATION OR EXPULSION THOMAS BRASCH, REINER KUNZE, KLAUS FUCHS, BERNDT JENZSCH, SARAH KIRSCH, HANS JOACHIM SCHAEDELICH, JUERGEN FUCHS AND OTHERS) HAS SLOWED TO A RELATIVE TRICKLE SINCE THE BELGRADE REVIEW CONFERENCE (GUENTHER KUNERT, RUDOLF BAHRO, WOLFGANG HARICH).¹³ ALTHOUGH THE G.D.R. IS CONTINUING ITS EFFORT TO EXPELL DISSIDENTS, -- IN SEPTEMBER 1979, NINE AUTHORS WHO HAD BEEN EXPELLED FROM THE WRITER'S UNION IN JUNE FOR PROTESTING THE GOVERNMENT'S CULTURAL POLICY WERE TOLD OFFICIALLY THAT THE STATE WOULD APPROVE ANY APPLICATIONS FOR EMIGRATION -- MANY ARE DETERMINED TO STAY DESPITE GOVERNMENTAL PRESSURE.¹⁴

IN PRACTICE, G.D.R. POLICY TOWARD DISSIDENTS VARIES FROM INDIVIDUAL TO INDIVIDUAL. THE OVERALL OBJECT IS TO OBTAIN CONFORMITY TO OFFICIAL POLICIES, AND FAILING THAT, EITHER VOLUNTARY OR IMPOSED SILENCE. IF THE DISSIDENT IS A PERSON WITH AN INTERNATIONAL REPUTATION, OSTRACISM BY EXILE IS OFTEN THE STATE'S SIMPLEST AND LEAST CONTROVERSIAL SOLUTION. IMPRISONMENT AND PROFESSIONAL OR ECONOMIC DEMOTION ARE THE MORE USUAL MEANS OF PUNISHING AND MUFFLING INTERNAL CRITICS OF LESSER STATURE. SUCH G.D.R. CITIZENS FREQUENTLY ARE DENIED PERMISSION TO EMIGRATE.

NONETHELESS, THE STATE HAS USED A NUMBER OF LEGAL AND PSYCHOLOGICAL WEAPONS AGAINST ITS CRITICS -- BOTH THE FAMOUS AND THE NOT SO FAMOUS. PUNISHMENTS INCLUDE HOUSE ARREST, JAIL OR PRISON, BANS ON PUBLICATIONS AND PUBLIC APPEARANCES, JOB DEMOTIONS, DISMISSAL FROM THE WRITER'S UNION (CRIPPLING A WRITER'S ABILITY TO EARN A LIVING), PROHIBITIONS ON TRAVEL, AND REMOVAL OF CHILDREN FROM PARENTAL CUSTODY. SOME DISSIDENTS, RAINER KUNZE FOR EXAMPLE, HAVE BEEN LED TO BELIEVE THAT PHYSICAL VIOLENCE WOULD BE USED AGAINST THEM.¹⁵

IN THE SPRING OF 1979, THE STATE TOOK MEASURES TO BRING INTERNAL CRITICS UNDER STRICTER LEGAL AND EXECUTIVE CONTROL. PROFESSIONAL CONTACTS WITH THE WEST WERE INTERRUPTED: ROLF SCHNEIDER, STEFAN HEYM, KLAUS POCHE AND ERICH LOEST WERE TOLD TO DROP PLANS TO TRAVEL TO THE WEST. IN APRIL 1979, NEW ORDINANCES RESTRICTING THE ACTIVITIES OF JOURNALISTS WENT INTO EFFECT WHICH BARRED REPORTERS FROM INTERVIEWING G.D.R. NATIONALS WITHOUT SPECIFIC AUTHORIZATION OF THE G.D.R. MINISTRY OF FOREIGN AFFAIRS IN EFFECT QUARANTINING DISSIDENTS. THAT SAME MONTH, THE GOVERNMENT BEGAN PROSECUTING STEFAN HEYM, PROBABLY THE G.D.R.'S BEST-KNOWN AUTHOR, AND PROFESSOR ROBERT HAVEMANN, A LEADING POLITICAL THEORIST AND COMMENTATOR, FOR ALLEGED CURRENCY VIOLATIONS. HAVEMANN HAD JUST BEEN RELEASED FROM TWO YEARS OF HOUSE ARREST FOR HIS CRITICISM OF SOCIALISM. TO BRING CHARGES AGAINST THESE WRITERS, THE GOVERNMENT REACTIVATED AN OLD LAW FINING WRITERS FOR RECEIVING ROYALTIES FOR BOOKS PUBLISHED ABROAD IF THE BOOKS HAD NOT FIRST BEEN REGISTERED (AND APPROVED BY) THE BUREAU FOR AUTHORS' WORKS. IN MAY 1979, HAVEMANN WAS FOUND GUILTY AND FINED 10,000 MARKS, WHILE HEYM WAS FINED 9,000 MARKS. AFTER EIGHT AUTHORS SENT ERICH HONECKER A LETTER OF PROTEST, FIVE OF THEM, PLUS HEYM HIMSELF AND FOUR OTHERS, WERE EXPELLED FROM THE WRITERS' UNION.

THE GENERAL CRACKDOWN ON DISSENT WAS BROADENED TO THE GENERAL G.D.R. POPULATION IN AUGUST 1979, WHEN THE THIRD AMENDMENT TO THE CRIMINAL CODE WENT INTO EFFECT. THIS LEGISLATION VASTLY EXPANDED THE RANGE OF ACTIVITIES THE STATE WOULD IN THE

FUTURE CONSIDER TREASONOUS AND IS A CLEAR INFRINGEMENT OF THE RANGE OF CIVIL LIBERTIES DESCRIBED IN PRINCIPLE VII.

FORMERLY, ONLY DISSEMINATION OF CLASSIFIED MATERIAL AND INFORMATION WAS JUDGED TREASONOUS; THE NEW LAW STIPULATED THAT THE PROMULGATION OF ANY NEWS AND INFORMATION DEEMED DETRIMENTAL TO THE INTERESTS, REPUTATION AND DIGNITY OF THE STATE AND/OR SOCIALIST SOCIETY COULD BE SO CONSIDERED. TREASONOUS ACTIVITIES NOW INCLUDE THE TRANSFER OF NOTES, MANUSCRIPTS, AND RECORDINGS TO THE WEST; INTERFERENCE WITH THE ACTIVITIES OF STATE ORGANS OR SOCIAL ORGANIZATIONS; AND IMPUGNING THE MOTIVES AND ACTS OF THE REGIME. SO VAGUE IS THE DEFINITION OF "DETRIMENTAL" ACTIVITY THAT THE GOVERNMENT CAN INTERPRET THE AMENDMENT AS IT PLEASES. CONCEIVABLY, "TREASON" COULD BE CONSIDERED CASUAL VERBAL EXCHANGES WITH FOREIGNERS OR COMPLAINTS ADDRESSED TO LOCAL FUNCTIONARIES. EXTREMELY HARSH PUNISHMENTS ARE MANDATED BY THIS NEW LEGISLATION. THE AMENDMENT ALSO RESTRICTS THE FREEDOM TO ASSEMBLE, RAISES THE PENALTY FOR ORGANIZING AND TAKING PART IN ANTI-GOVERNMENT DEMONSTRATIONS, AND PERMITS POLICE AND SECURITY FORCES TO TAP ANY PHONE AT THEIR DISCRETION.

POLITICAL PRISONERS

WESTERN HUMAN-RIGHTS ORGANIZATIONS, SUCH AS AMNESTY INTERNATIONAL AND THE GESELLSCHAFT FUER MENSCHENRECHTE ESTIMATE THAT BEFORE THE AMNESTY OF LATE 1979 THERE WERE FIVE TO SEVEN THOUSAND POLITICAL PRISONERS IN THE G.D.R. MORE THAN HALF SUCH PRISONERS ARE THOUGHT TO HAVE BEEN IMPRISONED FOR ATTEMPTING TO EMIGRATE WITHOUT GOVERNMENTAL PERMISSION, AN ACT THE G.D.R. JUDGES A SERIOUS CRIME.

TRIALS FOR POLITICAL CRIMES ARE GENERALLY CLOSED TO THE PUBLIC. OFTEN THE CHARGES ARE NOT SPECIFIED UNTIL TOO NEAR THE TRIAL DATE FOR THE DEFENSE TO PREPARE AN ADEQUATE CASE, AND DETAINEES ARE FREQUENTLY BARRED FROM ACCESS TO THEIR LAWYERS. THERE HAS BEEN NO SIGN OF IMPROVEMENT IN THIS AREA DURING THE PAST THREE YEARS.

CONDITIONS IN G.D.R. PRISONS HAVE ALSO CHANGED LITTLE, IF ANY, SINCE 1977. FORMER PRISONERS CONTINUE TO DESCRIBE MISTREATMENT, INCLUDING CHRONIC INSUFFICIENCY OF FOOD, HEAT, MEDICAL CARE AND BRUTAL TREATMENT BY PRISON PERSONNEL. BEFORE THE AMNESTY IN 1979, PRISONS WERE OFTEN OVERCROWDED. POLITICAL PRISONERS ALSO COMPLAIN THAT THEY ARE OFTEN SUBJECT TO LONG PERIODS IN ISOLATION CELLS AND LACK ACCESS TO VISITORS. ALTHOUGH REFORMS WERE PASSED IN MAY 1977 WHICH WERE SUPPOSED TO ALLEVIATE

THE WORST ABUSES, THEY DO NOT SEEM TO HAVE HAD MUCH EFFECT ON THE GENERAL SITUATION.

TO CELEBRATE THE 30TH ANNIVERSARY OF THE REPUBLIC, THE G.D.R. PERMITTED AN AMNESTY OF PRISONERS IN THE FALL OF 1979. DURING A TWO-MONTH PERIOD, ABOUT 22,000 OF THE ESTIMATED 30,000 PRISONERS IN THE G.D.R. WERE RELEASED. ALTHOUGH THIS AMNESTY COMPARES FAVORABLY WITH PREVIOUS ONES IN TERMS OF TOTAL NUMBER OF PRISONERS RELEASED, ONLY ABOUT 1,500 POLITICAL PRISONERS WERE AMNESTIED AND ALMOST NONE OF THESE HAVE BEEN PERMITTED TO EMIGRATE. FORMER POLITICAL PRISONERS WHO MUST CONTINUE TO RESIDE IN THE G.D.R. LIVE UNDER RIGID CONTROLS ON MOVEMENT, INCLUDING CURFEW HOURS AND LIMITED ACCESS TO PEOPLE AND PLACES, AND WITH CIRCUMSCRIBED CHOICE OF JOBS. SEVERAL POLITICAL PRISONERS PARDONED DURING THE AMNESTY HAVE SINCE BEEN REARRESTED WITH LITTLE CAUSE.

IN 1979, THE FEDERAL REPUBLIC OF GERMANY STATED THAT SINCE 1962, ABOUT 16,000 PRISONERS HAVE BEEN "BOUGHT" FROM THE G.D.R. FOR AN UNOFFICIAL ESTIMATED PRICE OF \$500 MILLION IN CASH AND GOODS. THE 1,500 PRISONERS WHO ARE BOUGHT FREE IN THIS ANNUAL TRAFFIC VARY IN PRICE ACCORDING TO SCHOOLING, PROFESSION, AND OTHER INVESTMENT COSTS OF THE G.D.R. ALTHOUGH RUMORS CIRCULATED DURING LATE 1979 AND EARLY 1980 THAT THE PUBLICITY GIVEN TO THESE TRANSACTIONS WOULD INDUCE THE G.D.R. TO HALT THEM, PRESENT AVAILABLE EVIDENCE INDICATES THAT THE EXCHANGES ARE STILL BEING MADE AS BEFORE. THE CONTINUATION OF THIS "PRISONER RELEASE PROGRAM" SPEAKS VOLUMES ABOUT THE ACTUAL STATE OF CIVIL AND POLITICAL RIGHTS IN THE G.D.R.

RELIGIOUS RIGHTS

IN TESTIMONY BEFORE THE COMMISSION ON MAY 21, 1980, PROFESSOR BOHDAN BOCIURKIW MADE THE FOLLOWING COMMENTS ON THE RELATIVELY FAVORABLE STATUS OF RELIGION IN THE G.D.R. HE SAID THAT THE G.D.R. GOVERNMENT ALLOWS A RELATIVELY HIGH DEGREE OF INTERNAL INDEPENDENCE TO ITS RELIGIOUS COMMUNITY. RELIGIOUS DENOMINATIONS, MOSTLY PROTESTANT (82 PERCENT), ARE PERMITTED TO OWN THEIR HOUSES OF PRAYER, ARE NOT DENIED THE RIGHTS OF THE JURIDICAL PERSON (PROVIDED THEY ARE LICENSED BY THE STATE), RETAIN CONSIDERABLE LAND HOLDINGS AND ARE GIVEN SUBSIDIES BY THE G.D.R. -- ANOTHER VEHICLE FOR STATE CONTROL. ALTHOUGH PAROCHIAL SCHOOLS WERE PROHIBITED UNTIL 1968, OPTIONAL AFTER-HOURS RELIGIOUS INSTRUCTION WAS PERMITTED IN THE SCHOOLS. UNDER PRESENT G.D.R. LAW, RELIGIOUS TEACHING OF CHILDREN MUST TAKE PLACE IN CHURCHES.

THERE ARE SCHOOLS FOR THE TRAINING OF CLERGY IN THE G.D.R. AND CHURCHES HAVE A MEASURE OF LEGAL INDEPENDENCE IN CHURCH APPOINTMENTS. THE BISHOP OF A G.D.R. DIOCESE, DR. JOACHIM MEISNER, WAS INSTALLED AS THE NEW ROMAN CATHOLIC BISHOP OF BERLIN, AN UNDIVIDED BISHOPRIC THAT INCLUDES BOTH EAST AND WEST, ON MAY 17, 1980. IN ADDITION, SIX TRADITIONAL G.D.R. UNIVERSITIES HAVE STATE-MAINTAINED THEOLOGICAL FACULTIES. THE G.D.R. GOVERNMENT ALSO PERMITS REGULAR RELIGIOUS BROADCASTS OVER THE STATE RADIO. ECCLESIASTICAL PUBLICATIONS, HOWEVER, ARE SUBJECT TO GENERAL G.D.R. CENSORSHIP REGULATIONS.

ROMANIA

THE ROMANIAN GOVERNMENT CONTINUES TO SEVERELY CIRCUMSCRIBE THE INDIVIDUAL AND COLLECTIVE LIBERTIES OF CITIZENS IN CONTRADICTION OF PRINCIPLE VII OF THE HELSINKI FINAL ACT. AT THE SAME TIME, ROMANIA RESERVES THE RIGHT TO ASSUME AN INDEPENDENT POSITION FROM THAT TAKEN BY THE SOVIET UNION AND OTHER WARSAW PACT STATES ON CERTAIN FOREIGN POLICY ISSUES.

ROMANIA'S WILLINGNESS TO ACCEPT DISCUSSION OF HUMAN RIGHTS IMPLEMENTATION AS AN APPROPRIATE AND LEGITIMATE PART OF THE HELSINKI PROCESS IS A MANIFESTATION OF ROMANIA'S INDEPENDENT POLICIES. ROMANIA IS THE ONLY WARSAW PACT STATE TO HAVE PERMITTED AN AMNESTY INTERNATIONAL DELEGATION ONTO ITS SOIL. IN FEBRUARY 1979, AMNESTY REPRESENTATIVES ACQUAINTED ROMANIAN GOVERNMENT OFFICIALS, RELIGIOUS LEADERS AND PROFESSIONAL PEOPLE WITH THE ORGANIZATION'S WORK, METHODS AND CONCERNS. A YEAR LATER, IN FEBRUARY 1980, A U.S. DELEGATION OF HUMAN-RIGHTS SPECIALISTS FROM THE DEPARTMENT OF STATE, THE COMMISSION AND THE PRIVATE NEW YORK-BASED HELSINKI WATCH COMMITTEE WAS INVITED TO BUCHAREST FOR HUMAN-RIGHTS ROUNDTABLE DISCUSSIONS WITH REPRESENTATIVES FROM ROMANIA'S FOREIGN MINISTRY, THE GRAND NATIONAL ASSEMBLY AND SCHOLARLY INSTITUTIONS. NOTABLY, THIS FORUM AROSE FROM A ROMANIAN PROPOSAL MADE IN MAY 1979 DURING CSCE BILATERAL CONSULTATIONS WITH THE UNITED STATES IN BUCHAREST. THE ROUNDTABLE -- A NEW AND USEFUL HELSINKI FORUM -- MARKED THE FIRST OCCASION THAT IN-DEPTH AND EXTENSIVE HUMAN-RIGHTS TALKS HAVE BEEN HELD BETWEEN THE UNITED STATES AND AN EAST EUROPEAN COUNTRY.

UNDENIABLY, THE ROMANIAN GOVERNMENT DESERVES CREDIT FOR SHOWING RECEPTIVITY TO DISCUSSION OF SENSITIVE HUMAN RIGHTS CONCERNS. HOWEVER, DISTURBING EVIDENCE OF HUMAN-RIGHTS VIOLATIONS COMMITTED BY ROMANIAN AUTHORITIES HAS DONE MUCH TO OFFSET THE POSITIVE IMPRESSION OF SUCH RECEPTIVITY. NOTWITHSTANDING

AMNESTY'S TRIP TO ROMANIA IN FEBRUARY 1979, THE ORGANIZATION SAID IN APRIL 1980, "SINCE FEBRUARY 1979, IN PARTICULAR, CONDITIONS HAVE DETERIORATED AND A WAVE OF ARRESTS HAS BEEN REPORTED IN BUCHAREST AND OTHER MAJOR TOWNS, INVOLVING WORKERS, INTELLECTUALS AND RELIGIOUS DISSENTERS.¹⁶

RELIABLE REPORTS ATTESTING TO THE HARASSMENT OF CHRISTIAN ACTIVISTS IN TIMISOARA, CLUJ AND CARANSEBES AT THE VERY TIME THAT THE HUMAN-RIGHTS ROUNDTABLE DISCUSSIONS WERE UNDERWAY IN BUCHAREST DID MUCH TO DISCREDIT THE POSITIVE IMPACT OF THE ROUNDTABLE. NEVERTHELESS, THE OPPORTUNITIES PROVIDED BY ROMANIA FOR FRANK AND DETAILED EXCHANGES ON HUMAN RIGHTS ARE WELCOME NEW STEPS IN THE RIGHT DIRECTION.

CIVIL AND POLITICAL RIGHTS

WRITER PAUL GOMA'S FEBRUARY 1977 OPEN LETTER TO THE BELGRADE REVIEW CONFERENCE -- IN WHICH HE WAS INITIALLY JOINED BY SEVEN PERSONS AND LATER BY MORE THAN 200 SIGNATORIES -- REPRESENTS THE FIRST INSTANCE OF PUBLICLY ARTICULATED DISSENT ON ISSUES OTHER THAN MINORITY RIGHTS AND EMIGRATION IN CONTEMPORARY ROMANIA. BASING HIS CRITICISM ON ROMANIAN LAW, GOMA ACCUSED THE ROMANIAN GOVERNMENT OF VIOLATING ITS OWN CONSTITUTIONAL GUARANTEES.¹⁷ THE CIVIL RIGHTS-RELATED ACTIVITY CENTERED IN GOMA'S SMALL GROUP WAS KNOWN AS THE "GOMA MOVEMENT". THIS TERM IS SOMEWHAT MISLEADING, HOWEVER, IN THAT IT IMPUTES A LEVEL OF ORGANIZATIONAL AND POPULAR SUPPORT SIMILAR TO THAT FOUND IN POLAND, CZECHOSLOVAKIA AND THE SOVIET UNION. GOMA AND HIS ASSOCIATES WERE SUBJECTED TO CONSIDERABLE HARASSMENT BY THE AUTHORITIES, ATTACKS IN THE MEDIA, ARREST, PHYSICAL ABUSE AND IMPRISONMENT. BY THE END OF 1977, HOWEVER, THEY HAD BEEN ALLOWED TO EMIGRATE TO THE WEST.¹⁸ WITH GOMA'S DEPARTURE, THE MOVEMENT LOST ITS FOCUS AND FORCE. SUCH HAS BEEN THE PATTERN OF DISSENT AND REGIME RESPONSE TO IT IN ROMANIA EVER SINCE.

IN THE YEARS FOLLOWING GOMA'S DEPARTURE, OTHER FORMS OF PROTEST HAVE BEEN TRIED AND NEW DISSIDENT GROUPS HAVE ARISEN. SUCH DISSIDENT AFFILIATIONS ARE NOT SO MUCH "GROUPS" IN THE WESTERN SENSE OF THE WORD, BUT ARE LOOSELY FORMED COALITIONS OF INDIVIDUALS LINKED BY COMMON CONCERNS. BECAUSE THE MORE ACTIVE AFFILIATES ARE CONSTANTLY HARASSED, ARRESTED, IMPRISONED AND FREQUENTLY FORCED OUT OF THE COUNTRY, IT IS EXTREMELY DIFFICULT FOR THE GROUPS TO FUNCTION IN A CONTINUOUS MANNER. SUCH GROUPS RECENTLY HAVE SURFACED IN THE INTELLIGENTSIA, THE RELIGIOUS COMMUNITY, WORKERS' AND MINORITY CIRCLES.

RELIGIOUS RIGHTS

FREEDOM OF RELIGIOUS BELIEF IS GUARANTEED UNDER ROMANIAN LAW, BUT ITS PRACTICE IS CONFINED BY THE ROMANIAN GOVERNMENT, WHICH ACTIVELY PROMOTES ATHEISM. THERE ARE 14 RELIGIOUS GROUPS OFFICIALLY REGISTERED IN ROMANIA, INCLUDING THE ROMANIAN ORTHODOX CHURCH (THE MAJORITY RELIGION IN THE COUNTRY), THE ROMAN CATHOLIC CHURCH, THE JEWISH AND ISLAMIC RELIGIONS, BAPTIST, UNITARIAN, LUTHERAN, AS WELL AS OTHER CHURCHES. THE OFFICIALLY RECOGNIZED GROUPS RECEIVE FROM THE STATE: FINANCIAL SUPPORT, PERMISSION FOR PRIESTS AND PASTORS TO BUILD NEW CHURCH BUILDINGS, THEOLOGICAL TRAINING AND PERMISSION TO MAINTAIN CONTACTS WITH CO-RELIGIONISTS ABROAD. THESE ALLOWANCES ARE GIVEN IN RETURN FOR THE GROUPS' ACCEPTANCE OF TIGHT GOVERNMENT SUPERVISION OVER THEIR INSTITUTIONAL AFFAIRS, INCLUDING CONTROL OVER THE ELECTION OR APPOINTMENT OF THE CHURCH LEADERSHIP, DIRECTION OF CHURCH FINANCES AND THE REGULATION OF INTER-AND-INTRA-DENOMINATIONAL RELATIONS.

RECOGNIZED RELIGIOUS GROUPS HAVE BEEN GIVEN A GREATER DEGREE OF FREEDOM IN RECENT YEARS THAN THEY HAVE AT ANY TIME SINCE 1947; PARTICULARLY THE SMALLER RECOGNIZED DENOMINATIONS HAVE MADE GAINS SINCE THE PRE-1947 PERIOD WHEN ROMANIAN ORTHODOXY WAS THE STATE RELIGION. ON THE OTHER HAND, THE ROMANIAN GOVERNMENT HAS BEEN CONSISTENTLY REPRESSIVE IN ITS TREATMENT OF UNREGISTERED DENOMINATIONS -- SUCH AS NEO-PROTESTANT NAZRENES AND JEHOVAH'S WITNESSES -- AND INDEPENDENT FACTIONS WITHIN THE REGISTERED CHURCHES WHICH RESIST STATE CONTROL OVER CHURCH AFFAIRS AND OPPOSE THE CHURCH LEADERSHIP FOR COOPERATING WITH THE AUTHORITIES. THE EASTERN-RITE CATHOLIC CHURCH, OFFICIALLY DISBANDED IN 1948, IS NOT RECOGNIZED BY THE GOVERNMENT, ALTHOUGH ITS EXISTENCE AND MEMBERSHIP TEND TO BE IGNORED BY THE STATE.

STATE FAVORITISM TOWARDS REGISTERED RELIGIOUS GROUPS IN CONTRAST TO THE HARSH TREATMENT OF UNREGISTERED DENOMINATIONS -- AS WELL AS THE INTERNAL CHURCH DISPUTES OVER THE PROPER COURSE OF CHURCH-STATE RELATIONS -- HAS GENERATED RELIGIOUS DISSENT IN ROMANIA.¹⁹ IN FACT, DISSIDENT ACTIVITY SINCE GOMA'S DEPARTURE MAINLY HAS REVOLVED AROUND TWO GROUPS: ONE, A CHRISTIAN COMMITTEE DEDICATED TO THE PROMOTION OF RELIGIOUS LIBERTY IN ROMANIA; THE OTHER, A LABOR UNION, MANY OF WHOSE ADHERENTS ARE SYMPATHETIC TO THE AIMS OF THE CHRISTIAN COMMITTEE. THE ROMANIAN GOVERNMENT HAS MOVED TO SUPPRESS RELIGIOUS DISSENT BY FOSTERING SPLITS AMONG ACTIVIST BELIEVERS AND BY SUBJECTING THEM TO THE USUAL PATTERN OF HARASSMENT, ARREST, IMPRISONMENT AND FORCED EMIGRATION.

THE COMMISSION RECEIVED A DETAILED DESCRIPTION OF RELIGIOUS REPRESSION IN ROMANIA IN THE SPRING OF 1977. DATED FEBRUARY OF THAT YEAR, IT WAS A PUBLIC APPEAL TO THE FINAL ACT SIGNATORIES BY SIX ROMANIAN PASTORS WHO HAD JUST ATTENDED THE 17TH CONGRESS OF THE BAPTIST CHURCHES IN BUCHAREST. THE PASTORS -- THE MOST PROMINENT OF WHOM WERE IOSIF TON, A BAPTIST WHO WAS VOCAL AT THE CONGRESS IN HIS OPPOSITION TO STATE INTERFERENCE IN CHURCH AFFAIRS; PAVEL NICOLESCU AND AUREL POPESCU -- DETAILED INCIDENTS OF DISCRIMINATION AGAINST BELIEVERS IN THE AREAS OF EDUCATION, EMPLOYMENT AND THE RIGHT OF FREE ASSOCIATION. ARRESTED THE SAME DAY AS GOMA, THE SIX PASTORS WERE TREATED ROUGHLY. NICOLESCU AND POPESCU WERE PUNISHED FOR THEIR INDEPENDENT VIEWS BY THE BAPTIST UNION AND PROHIBITED FROM PREACHING; TON WAS ALLOWED TO RETAIN HIS PASTORAL DUTIES, ALBEIT UNDER DIFFICULT CONDITIONS. BUT, SEVERAL EVENTUALLY LEFT THE COUNTRY.

IN APRIL 1978, NICOLESCU AND EVANGELICAL ACTIVIST DIMITRIE IANCULOVICI ESTABLISHED THE CHRISTIAN COMMITTEE FOR THE DEFENSE OF RELIGION AND CONSCIENCE (ALRC). THE COMMITTEE DREW UP A PROGRAM OF 24 DEMANDS INCLUDING, AMONG OTHERS, INSTITUTIONAL INDEPENDENCE FOR RELIGIOUS GROUPS, THE RIGHT TO FREE PUBLIC EXPRESSION OF RELIGIOUS OPINIONS, THE PRINTING AND DISTRIBUTION OF RELIGIOUS LITERATURE AND THE ELIMINATION OF DISCRIMINATION AGAINST BELIEVERS IN EMPLOYMENT AND EDUCATION. THE ALRC ALSO COMMITTED ITSELF TO THE DEFENSE OF BELIEVERS OF ALL FAITHS WHO ARE UNJUSTLY IMPRISONED OR CONFINED TO PSYCHIATRIC INSTITUTIONS. ALRC AFFILIATES (NUMBERED AT TWO TO THREE DOZEN AND ALLEGEDLY SUPPORTED BY MANY MORE SYMPATHIZERS) ARE MOSTLY BAPTISTS, BUT SINCE ITS FORMATION SEVERAL BELIEVERS FROM OTHER FAITHS HAVE JOINED. POPESCU AND TON EXPRESSED THEIR MORAL SUPPORT OF THE ALRC'S PROGRAM. HOWEVER, THEY DID NOT JOIN BECAUSE THEY CHOSE TO CONCENTRATE ON THEIR EVANGELICAL WORK AND FELT THEY WOULD BE MORE EFFECTIVE IF THEY ESCHewed ORGANIZATIONAL TIES.

THE WIDENING TACTICAL DIVERGENCIES AMONG THE CHRISTIAN ACTIVISTS HAVE BEEN EXPLOITED BY THE AUTHORITIES. NICOLESCU WAS EXPELLED FROM THE BAPTIST UNION, ALONG WITH ALL OTHER MEMBERS ASSOCIATED WITH ALRC, BUT TON AGAIN ESCAPED PUNISHMENT. THE ALRC CRITICIZED TON FOR REMAINING SILENT WHEN, AS THE CONSEQUENCE OF A MELEE BETWEEN BAPTIST LOYALISTS AND INDEPENDENTS OVER CONTROL OF A CONGREGATION IN CARANSEBES, THREE OF THE INDEPENDENTS WERE ARRESTED. THIS PRECIPITATED TON'S FINAL BREAK WITH THE ALRC. NEVERTHELESS TON, WHO HAS DISASSOCIATED HIMSELF FROM THE ALRC AND MADE HIS PEACE WITH THE BAPTIST UNION, WAS THE ORIGINAL INSPIRATION FOR THE RELIGIOUS RIGHTS MOVEMENT IN ROMANIA.

A KEY SUPPORTER OF THE ALRC AND A PROMINENT FIGURE IN THE ROMANIAN HUMAN-RIGHTS MOVEMENT IS FATHER GHEORGHE CALCIU-DUMITREASA, A LEADER OF THE DISSIDENT ORTHODOX EVANGELICAL MOVEMENT CALLED THE LORD'S ARMY AND A FORMER POLITICAL PRISONER. CALCIU'S VOCAL OPPOSITION TO THE DEMOLITION OF ENEI CHURCH IN BUCHAREST IN THE FALL OF 1977 AND HIS STATEMENTS WHICH CHARACTERIZED ATHEISM AS A PHILOSOPHY OF DESPAIR, LED TO HIS DISMISSAL IN 1978 FROM THE FACULTY OF THE ORTHODOX SEMINARY. A DEFENSE COMMITTEE WAS FORMED FOR CALCIU AND THE DISMISSAL WAS PROTESTED BY THE ALRC. CALCIU RETURNED ALRC'S GESTURE OF SUPPORT LATER THAT YEAR; WHEN HE APPEALED IN BEHALF OF THE THREE IMPRISONED BAPTISTS. CALCIU INITIATED A SERIES OF OPEN SEMINARS ON RELIGIOUS SUBJECTS, SUCH AS THE RELIGIOUS PRACTICES OF THE GERMAN AND HUNGARIAN NATIONAL MINORITIES IN ROMANIA. ACTIVE PARTICIPANTS IN THE SEMINARS INCLUDED FOUNDING MEMBERS AND SUPPORTERS OF THE ROMANIAN FREE TRADE UNION. CALCIU WAS ARRESTED ON MARCH 10, 1979, WHEN THE AUTHORITIES WERE ROUNDING UP THE FREE TRADE UNIONISTS. HE WAS TRIED SOMETIME IN JULY AND REPORTEDLY SENTENCED TO 10 YEARS OF IMPRISONMENT. THE PRECISE NATURE OF THE CHARGES BROUGHT AGAINST CALCIU ARE NOT KNOWN, BUT THE ROMANIAN AUTHORITIES PUBLICLY HAVE ACCUSED HIM OF NEO-FASCIST ACTIVITY.

THE ROMANIAN GOVERNMENT'S EFFORTS TO SQUELCH RELIGIOUS DISSENT BY "DIVIDE AND CONQUER METHODS" AND REPRESSIVE MEASURES SHOW NO SIGNS OF ABATING. CHRISTIAN ACTIVISTS ARE SUBJECTED TO HARASSMENT AND THEIR LEADERSHIP IS WEAKENED BY ARRESTS AND FORCED EMIGRATIONS. THE ORIGINAL LEADER OF ALRC, PAVEL NICOLESCU, HAVING WITHSTOOD NUMEROUS INTERROGATIONS, PERIODS OF HOUSE ARREST AND SEVERAL BEATINGS SINCE 1974, FINALLY WAS DRIVEN OUT OF ROMANIA IN JULY 1979. AUREL POPESCU ALSO LEFT THAT YEAR. PASTOR IOSIF TON, WHO ADOPTED A MIDDLE COURSE BETWEEN THE OFFICIAL BAPTIST LEADERSHIP AND THE ALRC, HAS RECENTLY BEEN TRAVELING ABROAD. IN FEBRUARY 1980, ALRC ACTIVISTS WERE HARASSED, PHYSICALLY ABUSED AND DETAINED AT THE TIME OF THE U.S.-ROMANIA HUMAN RIGHTS ROUNDTABLE BECAUSE ROMANIAN AUTHORITIES THOUGHT THEY WISHED TO CONTACT THE U.S. DELEGATION. ONE MEMBER, IOAN TIRZIU, WAS BEATEN AND SENTENCED TO FIVE MONTHS IN PRISON. THERE IS STRONG EVIDENCE TO SUGGEST THAT SINCE APRIL 1980, THE ROMANIAN GOVERNMENT HAS BEEN CONDUCTING A CONCERTED CAMPAIGN AGAINST THE MOST ACTIVIST ELEMENTS OF THE NEO-PROTESTANT CHURCHES. DIMITRIE IANCULOVICI, NICOLESCU'S SUCCESSOR AS ALRC LEADER, UNDER EXTREME PRESSURE FROM THE AUTHORITIES TO EMIGRATE, HAS DECIDED THAT HE HAS NO VIABLE ALTERNATIVE BUT TO DO SO, AS HAVE MOST OF THE ALRC MEMBERS WHO WERE SUBJECTED TO INTERROGA-

TION IN FEBRUARY. SEVERAL OF THOSE WHO WERE INVOLVED IN THE CARANSEBES SCUFFLE IN 1978 AND OTHERS SYMPATHETIC TO THE CHRISTIAN COMMITTEE'S WORK ARE ALSO ATTEMPTING TO LEAVE ROMANIA.

ECONOMIC AND SOCIAL RIGHTS

THERE IS LITTLE PROTECTION FOR WORKERS WHO ACT IN DEFENSE OF THEIR BASIC RIGHTS IN SOCIALIST ROMANIA. ARTICLE 27 OF THE CONSTITUTION PROVIDES THAT "CITIZENS OF THE SOCIALIST REPUBLIC OF ROMANIA HAVE THE RIGHT OF ASSOCIATION FOR THE PURPOSE OF FORMING TRADE UNION...ORGANIZATIONS...", AND ACT NO. 52/1945 PROVIDES THAT MEMBERSHIP IN A TRADE UNION MAY BE FEWER THAN 15 PERSONS, AND PERSONS BELONGING TO A PARTICULAR OCCUPATION HAVE THE RIGHT FREELY TO FORM A UNION WITHOUT PRIOR AUTHORIZATION. HOWEVER, WORKERS IN ROMANIA HAVE NEITHER THE RIGHT TO STRIKE NOR TO COLLECTIVE BARGAINING WITH THE GOVERNMENT, THEIR COMMON EMPLOYER. THE LOW STANDARD OF LIVING IN ROMANIA AND THE LACK OF ANY INSTITUTIONALIZED OPPORTUNITY FOR LABOR TO PLAY A DIRECT ROLE IN DECIDING WAGE LEVELS AND WORKING CONDITIONS, HAVE DRIVEN SOME WORKERS TO EXPRESS THEIR DISCONTENT OVERTLY.

THE MOST SIGNIFICANT MANIFESTATIONS OF WORKER DISSATISFACTION HAVE INCLUDED THE STRIKE OF MORE THAN 35,000 COAL MINERS IN THE JIU VALLEY REGION IN AUGUST 1977, AND THE CREATION OF A FREE TRADE UNION BY 20 ACTIVISTS IN BUCHAREST IN FEBRUARY 1979. THESE DEVELOPMENTS, REFLECTING BASIC PROBLEMS OF ALL WORKERS IN ROMANIA, HAVE GREATER POTENTIAL FOR WIDESPREAD POPULAR SUPPORT THAN DO THE CIVIL RIGHTS PROTESTS OF INTELLECTUALS OR BELIEVERS WHOSE ISSUES ARE LIMITED TO THEIR OWN RELIGIOUS GROUP. IN ADDITION, DEMONSTRATIONS OF LABOR DISCONTENT ARE HIGHLY EMBARRASSING TO A GOVERNMENT PROFESSING TO DERIVE ITS LEGITIMACY FROM THE MANDATE OF THE ROMANIAN WORKING PEOPLE.²⁰ THE ROMANIAN GOVERNMENT MOVED EFFECTIVELY TO SUPPRESS THESE DEVELOPMENTS -- THE FORMER THROUGH BOTH CONCESSIONARY AND REPRESSIVE METHODS AND THE LATTER BY IMPRISONMENT AND FORCED EMIGRATION OF PRINCIPAL FREE TRADE UNION MEMBERS.

THE JIU VALLEY STRIKE, FROM AUGUST 1-3, 1977, INVOLVED OVER ONE-THIRD OF THE 90,000 MINERS IN THE REGION. THE ADOPTION OF A NEW AND UNPOPULAR GOVERNMENT PENSION POLICY CATALYZED PENTUP RESENTMENTS OVER UNPAID OVERTIME SINCE THE MARCH EARTHQUAKE AND SUCH PERENNIAL GRIEVANCES AS MISMANAGEMENT AND INADEQUATE HOUSING, FOOD AND EQUIPMENT.²¹ THE GOVERNMENT STABILIZED THE SITUATION BY A COMBINATION OF CONCESSION AND TOUGHNESS. AMELIORATIVE STOP-GAP MEASURES TAKEN BY THE GOVERNMENT INCLUDED SENDING HIGH-LEVEL OFFICIAL SPOKESMEN, INCLUDING PRESIDENT CEAUSESCU,

TO THE STRIKE AREA TO LISTEN TO WORKER COMPLAINTS. THE GOVERNMENT OFFICIALS PROMISED MODIFICATION OF THE PENSION LAW AND IMPROVEMENTS IN GENERAL LIVING AND WORKING CONDITIONS; PUBLICATION OF CRITICISM OF OFFICIALS; AND ASSURANCES THAT STRIKERS WOULD NOT BE PUNISHED. REPRESSIVE MEASURES APPLIED BY THE AUTHORITIES CONSISTED OF HARASSMENT, IMPRISONMENT, PSYCHIATRIC ABUSE, FORCED RESETTLEMENT OF LARGE NUMBERS OF THE STRIKERS, AND THE IMPOSITION OF MARTIAL LAW IN THE JIU VALLEY AREA FOR MANY MONTHS. ²²

AN OUTGROWTH OF THE JIU VALLEY EXPERIENCE WAS THE FORMATION BY 20 INTELLECTUALS AND WORKERS FROM BUCHAREST AND TURNU-SEVERIN IN FEBRUARY 1979 OF THE FREE LABOR UNION OF THE WORKING PEOPLE OF ROMANIA (SLOMR). THIS ACTION MADE ROMANIA THE THIRD EAST-BLOC NATION IN WHICH A FREE UNION WAS ESTABLISHED. SLOMR IS DEDICATED TO THE ADVANCEMENT OF HUMAN RIGHTS IN ROMANIA, WITH PARTICULAR EMPHASIS ON LABOR RELATIONS. IN ADDITION TO TRADITIONAL SORTS OF LABOR DEMANDS (SUCH AS REVISING THE JUNE 1979 PENSION LAW THAT SET OFF THE JIU VALLEY STRIKE, REDUCING THE NUMBER OF WORKING HOURS PER WEEK, DISCONTINUING UNPAID OBLIGATORY OVERTIME), SLOMR ALSO IS COMMITTED TO THE DEFENSE OF PSYCHIATRIC PRISONERS, ABOLISHING TORTURE, THE RIGHT OF WORKERS TO SELL FREELY THE PRODUCE OF THEIR OWN LAND, AND CURTAILING SPECIAL PRIVILEGES FOR PARTY MEMBERS. SLOMR MEMBERS MAINTAIN, HOWEVER, THAT THE ORGANIZATION IS NOT POLITICAL IN ITS AIMS AND PRACTICE. AFTER THE READING OF ITS CHARTER ON RADIO FREE EUROPE (RFE) ON MARCH 3, 1979, OTHER FREE UNIONS REPORTEDLY WERE SET UP IN SEVERAL CITIES THROUGHOUT THE COUNTRY. ROMANIAN AUTHORITIES MOVED SWIFTLY TO CRUSH THE UNION. BY MARCH 25, RFE REPORTED THAT ALL 20 FOUNDING MEMBERS OF SLOMR HAD EITHER BEEN ARRESTED OR THREATENED WITH PSYCHIATRIC CONFINEMENT. THE TWO MOST PROMINENT SLOMR LEADERS ARE NOW SERVING OUT LONG PRISON SENTENCES: DR. IONEL CANA, A FORMER ASSOCIATE OF GOMA AND GENERAL PRACTITIONER, AND HIS DEPUTY GHEORGHE BRASOVEANU, AN ECONOMIST AND ALRC MEMBER, WERE ARRESTED BETWEEN MARCH 8 AND 10, 1979 FOR THEIR LEADERSHIP ROLES IN THE FREE TRADE UNION. CANA REPORTEDLY HAS BEEN CONVICTED OF ANTI-STATE PLOTTING AND WAS SENTENCED TO SEVEN YEAR'S IMPRISONMENT, LATER REDUCED TO FIVE AND ONE-HALF ON APPEAL. BRASOVEANU PRESUMABLY FACES A SIMILAR FATE. GHEORGHE CALCIU DUMITREASA, A ROMANIAN ORTHODOX PRIEST, WAS ARRESTED ON MARCH 10 AND REPORTEDLY WAS GIVEN A 10-YEAR SENTENCE. CALCIU, ACCORDING TO ROMANIAN AUTHORITIES, PURPORTEDLY URGED BRASOVEANU TO ORGANIZE SLOMR.

IN RESPONSE TO THIS REPRESSION, 10 PERSONS SYMPATHETIC TO THE FREE TRADE UNION ORGANIZED A GROUP TO MONITOR THE OFFICIAL

RESPONSE TO SLOMR AND TO DEFEND ITS IMPRISONED LEADERS. IN TURN, THIS SMALL GROUP WAS SUBJECTED TO HARASSMENT, ARREST AND TERMS OF IMPRISONMENT. SEVERAL MEMBERS OF THIS GROUP HAVE SINCE LEFT THE COUNTRY OR ARE EXPECTED TO DO SO IN THE NEAR FUTURE.

ETHNIC RIGHTS

THE ISSUE OF ETHNIC MINORITY RIGHTS IN ROMANIA IS A COMPLEX ONE. ETHNIC HOSTILITIES ARE CENTURIES OLD IN THE BALKANS AND, THROUGHOUT HISTORY, THE EXISTENCE IN A NATION STATE OF LARGE MINORITY POPULATIONS HAVING ETHNIC TIES TO OTHER NATIONAL HOMELANDS HAS ENGENDERED ENDEMIC POLITICAL INSTABILITY. ROMANIA, A DEVELOPING COUNTRY PURSUING A POLICY OF INTERNAL ORTHODOXY AND A PROGRAM OF RAPID INDUSTRIALIZATION, DEMANDS THAT ITS CITIZENS PARTICIPATE IN ECONOMIC CONSTRUCTION AND MAKE MATERIAL SACRIFICES. YET, ROMANIA'S SUBSTANTIAL MINORITY POPULATIONS OF ETHNIC GERMANS, JEWS, AND HUNGARIANS²³ OUT OF A TOTAL POPULATION OF ROUGHLY 22 MILLION (APPROXIMATELY 88 PERCENT OF WHOM ARE ETHNIC ROMANIAN) ARE TEMPTED NATURALLY TO COMPARE THEIR CIRCUMSTANCES TO THOSE DIFFERING CONDITIONS UNDER WHICH THEIR ETHNIC BRETHREN LIVE OUTSIDE ROMANIA'S BORDERS. ALSO, THE ATTITUDES OF BOTH ROMANIAN OFFICIALS AND PEOPLE WHO BELONG TO ETHNIC MINORITIES ARE CONDITIONED BY THE BALKAN HISTORICAL EXPERIENCE. ALL THESE FACTORS ACCOUNT FOR THE ROMANIAN GOVERNMENT'S EXTREME SENSITIVITY TO THE ISSUE OF MINORITY RIGHTS AND FOR THE DISCONTENT FELT BY SOME MINORITY GROUP MEMBERS.

THIS DOES NOT, HOWEVER, LESSEN THE ROMANIAN GOVERNMENT'S OBLIGATIONS TO FULFILL PRINCIPLE VII COMMITMENTS, NOR DOES IT MINIMIZE THE LEGITIMACY OF REQUESTS FOR VISITS AND REUNIFICATION WITH RELATIVES LIVING ABROAD, AND FOR INCREASED OPPORTUNITIES FOR HUMAN AND CULTURAL CONTACT WITH ETHNIC KIN IN OTHER COUNTRIES. HOWEVER, THESE FACTORS HELP TO EXPLAIN ROMANIA'S TREATMENT OF ITS ETHNIC MINORITIES. AMNESTY INTERNATIONAL, THE INTERNATIONAL HUMAN RIGHTS LAW GROUP, AND ETHNIC CONSTITUENCIES IN WESTERN SIGNATORY STATES ASSERT THAT THE ROMANIAN GOVERNMENT DISCRIMINATES AGAINST MINORITIES AS A MATTER OF ACTIVE POLICY. OTHERS ARE WILLING TO BELIEVE THAT THERE IS NO NATIONAL POLICY OF DISCRIMINATION BUT FEEL THERE IS PROBABLE CAUSE TO SUSPECT THAT INDIVIDUAL ROMANIAN OFFICIALS WITH ETHNIC PREJUDICES FREQUENTLY TAKE THE GOVERNMENT'S EMPHASIS ON NATIONAL UNITY AND SOCIETAL CHANGE AS A LICENSE TO ENFORCE THEIR PERSONAL BIASES. CRITICS POINT OUT THAT THERE ARE NO REALISTIC OPPORTUNITIES FOR REDRESS IN SUCH SITUATIONS. STILL OTHERS CONCLUDE THAT MEMBERS OF ETHNIC MINORITY GROUPS RECEIVE, GENERALLY SPEAK-

ING, EVENHANDED TREATMENT FROM THE GOVERNMENT INSOFAR AS ROMANIA UNIFORMLY PLACES STRICT LIMITS ON THE EXERCISE OF CIVIL AND POLITICAL RIGHTS, MAINTAINS RESTRICTIVE CONTROLS ON THE FREEDOM OF TRAVEL AND EMIGRATION ABROAD, ACTIVELY PROMOTES ATHEISM, AND MAINTAINS TIGHT CONTROL OVER THE FLOW OF ALL FORMS OF INFORMATION TO ITS CITIZENS NO MATTER WHAT THE LANGUAGE OF ITS COMMUNICATION, BE IT FROM A DOMESTIC SOURCE OR IMPORTED FROM FOREIGN COUNTRIES.

THANKS TO THE OPERATION OF BILATERAL MECHANISMS ESTABLISHED BETWEEN THE GOVERNMENTS OF WEST GERMANY AND ROMANIA, SOME 10,000 TO 12,000 ETHNIC GERMANS EMIGRATE TO THE F.R.G. EACH YEAR. HOWEVER, THE ROMANIAN GOVERNMENT ALSO CONDUCTS A PROPAGANDA CAMPAIGN TO DISCOURAGE ETHNIC GERMANS FROM LEAVING THE COUNTRY. THE CONTINUED DEVELOPMENT OF GOOD RELATIONS BETWEEN BONN AND BUCHAREST²⁴ HAS RESULTED IN THE OPENING OF AN F.R.G. CULTURAL INSTITUTE IN BUCHAREST ON NOVEMBER 26, 1979 -- MAKING THE FEDERAL REPUBLIC THE FOURTH WESTERN STATE (FOLLOWING FRANCE, ITALY AND THE UNITED STATES) TO DO SO. THIS IS THE FIRST SUCH INSTITUTE BONN HAS BEEN PERMITTED TO ESTABLISH IN A WARSAW PACT COUNTRY. A RECIPROCAL ROMANIAN INSTITUTE IS SCHEDULED TO OPEN SHORTLY IN MUNICH. THIS WELCOME DEVELOPMENT WILL FACILITATE CULTURAL EXCHANGES AND CONTACTS BETWEEN ETHNIC GERMANS IN ROMANIA AND ABROAD.²⁵

THE PRESENT JEWISH COMMUNITY OF ROMANIA IS THE REMNANT OF THE APPROXIMATELY 400,000 HOLOCAUST SURVIVORS, MOST OF WHOM EMIGRATED TO ISRAEL IN THE IMMEDIATE POST-WAR YEARS. ESTIMATES OF THE SIZE OF THE JEWISH POPULATION HAVE RANGED FROM 35,000 TO 70,000 AND THE MATTER REMAINS CONTROVERSIAL. THE JEWISH COMMUNITY OF BUCHAREST HAS ITS OWN COMMUNITY CENTER, SCHOOLS, NEWSPAPER AND A KOSHER RESTAURANT.²⁶

THE DIFFICULTIES THAT ROMANIAN JEWS HAVE ENCOUNTERED IN THEIR EFFORTS TO EMIGRATE TO ISRAEL HAVE BEEN A FOCUS OF CONCERN FOR JEWS FROM OTHER COUNTRIES FOR MANY YEARS. SERIOUS PROBLEMS STILL EXIST IN THIS REGARD, ALTHOUGH NEW COOPERATIVE METHODS ARE BEING TRIED INVOLVING THE ROMANIAN FEDERATION OF JEWISH COMMUNITIES, U.S. JEWISH ORGANIZATIONS, AND THEIR RESPECTIVE GOVERNMENTS, TO ALLAY SOME OF THE REMAINING CONCERNS. ROMANIA IS THE ONLY EASTERN EUROPEAN COUNTRY TO MAINTAIN DIPLOMATIC RELATIONS WITH ISRAEL SINCE THE 1967 WAR AND HAS PLAYED A CONSTRUCTIVE ROLE IN THE ISRAELI-EGYPTIAN PEACE PROCESS.

FOR ROMANIAN CITIZENS OF HUNGARIAN DESCENT, PRESERVATION OF ETHNIC IDENTITY -- NOT EMIGRATION -- IS THEIR GOAL. THE COMMISSION HAS HEARD PERSISTENT COMPLAINTS FROM WESTERN SOURCES -- INCLUDING ETHNIC HUNGARIANS AND AMNESTY INTERNATIONAL -- THAT

THE ROMANIAN GOVERNMENT DISCRIMINATES AGAINST ITS HUNGARIAN MINORITY IN THE AREAS OF EDUCATION AND LANGUAGE. ALLEGATIONS ARE MADE THAT THE GOVERNMENT PURSUES A POLICY OF SYSTEMATIC ELIMINATION OF HUNGARIAN SCHOOLS AND LIMITS ADMISSIONS OF HUNGARIANS TO INSTITUTES OF HIGHER LEARNING. REGARDING CULTURE, THE GOVERNMENT ALLEGEDLY CURTAILS AUTONOMOUS CULTURAL GROUPS, PERIODICALS AND BOOKS, NEGLECTS AND DENIES PUBLIC ACCESS TO IMPORTANT PLACES OF MAGYAR HISTORICAL INTEREST. AS TO RELIGION, GRIEVANCES FOCUS ON THE LIMITATION OF CHURCH ACTIVITY AND THE CONFISCATION OF CHURCH ARCHIVES. THE GOVERNMENT ALLEGEDLY DISPERSES HUNGARIAN PROFESSIONALS THROUGHOUT ROMANIA AND OBSTRUCTS CONTACTS WITH RELATIVES LIVING ABROAD. THE MOST VOCAL SPOKESMAN IN ROMANIA FOR HUNGARIAN MINORITY RIGHTS AND AGAINST THE FORCED ASSIMILATION OF HUNGARIANS IS THE HUNGARIAN INTELLECTUAL AND FORMER HIGH OFFICIAL IN THE ROMANIAN COMMUNIST PARTY, KAROLY KIRALY, WHO IS FORCED TO LIVE UNDER CONSTANT SURVEILLANCE BY ROMANIAN AUTHORITIES.

THE U.S. DEPARTMENT OF STATE CAN FIND NO CONCLUSIVE EVIDENCE OF A NATIONAL POLICY OF DISCRIMINATION AGAINST HUNGARIANS. HOWEVER, IN ITS 1979 COUNTRY REPORT ON ROMANIA'S HUMAN RIGHTS PRACTICES, IT ACKNOWLEDGES THAT "THERE ARE SUBSTANTIAL DIFFICULTIES FOR LINGUISTIC AND ETHNIC MINORITIES IN THE CENTRALIZED ROMANIAN STATE, IN WHICH THE VAST MAJORITY OF THE POPULATION BELONGS TO THE ROMANIAN NATIONALITY."²⁷ THE STATE REPORT POINTS OUT THAT THERE ARE CONSTITUTIONAL (ARTICLES 17 AND 22 RESPECTIVELY) PROHIBITIONS ON DISCRIMINATION AGAINST ETHNIC MINORITIES AND CONSTITUTIONAL GUARANTEES FOR THE USE OF MINORITY LANGUAGES IN BOOKS, PAPERS, MAGAZINES, THEATERS AND EDUCATION, AND, IF A MINORITY GROUP IS REPRESENTED IN SUBSTANTIAL NUMBERS, THE USE OF ITS LANGUAGE IN GOVERNMENTAL AND ECONOMIC INSTITUTIONS AND IN COURTS. FURTHERMORE, THE REPORT NOTES THAT IT IS POSSIBLE TO STUDY IN HUNGARIAN (AS WELL AS GERMAN) UP THROUGH THE UNIVERSITY LEVEL IN PARTS OF ROMANIA. THE REPORT MAKES IT CLEAR, HOWEVER, THAT IN SOME FIELDS, EDUCATIONAL AND CAREER OPPORTUNITIES ARE LIMITED FOR THOSE WHO DO NOT SPEAK ROMANIAN.

THE TREATMENT OF THE HUNGARIAN MINORITY IN ROMANIA HAS BEEN THE SUBJECT OF BILATERAL DISCUSSIONS BETWEEN THE ROMANIAN AND HUNGARIAN GOVERNMENTS. IT HAS BEEN THE TOPIC OF HEATED EXCHANGES BETWEEN PROMINENT CITIZENS OF BOTH COUNTRIES IN RECENT YEARS. GYULA ILLYES, HUNGARY'S GREATEST LIVING POET, HAS SPOKEN OUT ON NUMEROUS OCCASIONS ON THE ALLEGED MISTREATMENT OF THE HUNGARIAN POPULATION IN ROMANIA.

ROMANIAN PRESIDENT CEAUESCU AND HUNGARIAN FIRST SECRETARY KADAR MET TWICE AT THE COMMON FRONTIER IN JUNE 1977 AND AGREED

TO APPROACH THE ISSUE OF MINORITY RIGHTS IN THE SPIRIT OF DEVELOPING FRIENDLY RELATIONS BETWEEN TWO SOCIALIST STATES. AS PART OF THE CEAUSESCU-KADAR AGREEMENTS IN THE SUMMER OF 1977, A CONSULATE-GENERAL OF HUNGARY WAS OPENED ON APRIL 11, 1980, IN CLUJ-NAPOCA (ROMANIA).²⁸ RECIPROCALLY, A ROMANIAN CONSULATE-GENERAL IS TO BEGIN OPERATION AT AN UNKNOWN DATE IN DEBRECEN (HUNGARY). THE ESTABLISHMENT OF THESE CONSULATES IS AN IMPORTANT SYMBOLIC BILATERAL GESTURE, OPENING THE DOOR TO POSSIBLE FUTURE IMPROVEMENT IN CONTACTS BETWEEN THE HUNGARIANS IN ROMANIA AND HUNGARY.

TESTIFYING BEFORE THE COMMISSION ON MARCH 25, 1980, PROFESSOR VLAD GEORGESCU, A ROMANIAN HISTORIAN AND EXPERT ON NATIONALISM IN EASTERN EUROPE, GAVE A VALUABLE OVERVIEW ON THE CONTROVERSIAL SUBJECT OF MINORITY RIGHTS IN HIS HOMELAND. HE SAID:

"...SOME ORGANIZATIONS OF EMIGRES, WHOSE HUMAN-RIGHTS RECORDS WERE NOT MUCH BETTER THAN TODAY'S RECORD, EXPLOIT HUMAN RIGHTS TO REVIVE NATIONALISTIC DREAMS.

"THE WEST'S EFFORTS SHOULD NOT BE LIMITED TO ACHIEVING LIMITED GOALS SUCH AS INCREASING THE NUMBER OF, SAY, ETHNIC GERMANS ALLOWED TO EMIGRATE TO THE FEDERAL REPUBLIC EACH YEAR, OR SEEING TO IT THAT 10 MORE HUNGARIAN-LANGUAGE JOURNALS ARE MADE AVAILABLE TO THE HUNGARIAN CITIZENS OF ROMANIA. ABOVE AND BEYOND THESE HALF-MEASURES, THE WEST SHOULD ENDEAVOR TO USE THE CONSIDERABLE LEVERAGE IT HAS IN ORDER TO DISCOURAGE ROMANIA'S RULING ELITE FROM COMMITTING EXCESSES OF DICTATORIAL RULE."²⁹

PENALTIES FOR HUMAN-RIGHTS ACTIVISM

AT THE END OF JUNE 1980, AMNESTY INTERNATIONAL PUBLISHED A BRIEFING PAPER DESCRIBING THE HUMAN-RIGHTS ABUSES COMMITTED BY ROMANIAN AUTHORITIES SINCE EARLY 1977, BEGINNING WITH THE OFFICIAL RESPONSE TO PAUL GOMA'S LETTER OF SOLIDARITY TO CHARTER '77 SIGNATORIES AND HIS OPEN LETTER TO THE BELGRADE REVIEW CONFERENCE. AMNESTY HAS DESCRIBED A PATTERN OF REPRESSION THAT THE ROMANIAN AUTHORITIES HAVE CONSISTENTLY USED AGAINST CITIZENS WHO ATTEMPT TO EXERCISE THEIR RIGHTS NONVIOLENTLY IN MANNERS NOT APPROVED OF BY THE STATE: EXTRAJUDICIAL HARASSMENT (OFTEN OF FAMILY MEMBERS AS WELL) -- SOCIAL OPPROBRIUM, EXTENSIVE SURVEILLANCE, INTIMIDATION AND VILIFICATION, DEMOTION AND EXPULSION FROM PLACE OF WORK OR STUDY, FORCED RETIREMENT, LOSS OF PENSION,

ETC.; JURIDICAL MEASURES -- REPEATED SHORT-TERM DETENTION WHEN THE DETAINEE MAY BE INTERROGATED AND BEATEN BY POLICE, SHORT-TERM FORCED CONFINEMENT TO A PSYCHIATRIC INSTITUTION, FORCED RESETTLEMENT, FORCED LABOR (CONSIDERED IN ROMANIA TO BE A MORE LENIENT FORM OF PUNISHMENT THAN IMPRISONMENT), IMPRISONMENT AND EXILE OR EMIGRATION UNDER PRESSURE.

OFTEN A COMBINATION OF THE ABOVE METHODS IS APPLIED, BASED ON FACTORS AS THE SOURCE OF THE DISSENT, THE MOTIVATION OF THE DISSENTER, THE POTENTIAL SUPPORT BOTH WITHIN OR WITHOUT ROMANIA, AND THE POSSIBLE IMPACT ON INTERNATIONAL PUBLIC OPINION AND HENCE ON ROMANIA'S FOREIGN POLICY INTERESTS. IN GENERAL, ACTIVISTS CONSIDERED TO BE RELATIVELY MINOR ARE EITHER EXPELLED OR PERMITTED TO LEAVE THE COUNTRY. BUT, THOSE CONSIDERED MAJOR FIGURES ARE OFTEN GIVEN LONG TERMS OF IMPRISONMENT. GOMA, THE FIRST PROMINENT ROMANIAN DISSIDENT IN RECENT YEARS, APPEARS TO BE THE EXCEPTION TO THIS RULE.

AMNESTY EXPRESSED CONCERN ABOUT "THE EXISTENCE OF LAWS WHICH SPECIFICALLY PRESCRIBE IMPRISONMENT AND PENALTIES FOR THE NON-VIOLENT EXERCISE OF CERTAIN HUMAN RIGHTS" AND POINTED OUT THE ROMANIAN CITIZENS WHO ATTEMPT TO ACT ON THEIR RIGHTS ARE FREQUENTLY PROSECUTED ON TRUMPED-UP CRIMINAL CHARGES OF PARASITISM, DISTURBANCE OF PUBLIC ORDER, HOMOSEXUAL RELATIONS AND EMBEZZLEMENT. THE ORGANIZATION ALSO EXPRESSED CONCERN ABOUT THE "INADEQUACY OF LEGAL SAFEGUARDS FOR THOSE ARRESTED AND THE ABUSE OF LEGAL PROVISIONS CONCERNING HOUSE SEARCHES, PRE-TRIAL DETENTION, AND TRIAL PROCEDURE" AND SAYS IT HAS RECEIVED EVIDENCE OF "CRUEL, INHUMANE AND DEGRADING CONDITIONS OF IMPRISONMENT."

AN AMNESTY INTERNATIONAL DELEGATION WAS INVITED TO VISIT ROMANIA IN FEBRUARY 1979 BY THE ROMANIAN ASSOCIATION FOR INTERNATIONAL LAW AND INTERNATIONAL RELATIONS TO DISCUSS HUMAN RIGHTS CONCERNS. DELEGATION MEMBERS MET WITH THE PRESIDENT OF THE ASSOCIATION, THE DEPUTY MINISTER OF JUSTICE, THE DEPUTY PROCURATOR GENERAL, AND OTHER HIGH-RANKING OFFICIALS IN THE MINISTRIES OF JUSTICE, HEALTH AND THE INTERIOR AND TALKED WITH RELIGIOUS LEADERS, TRADE UNION REPRESENTATIVES AND MINORITY GROUP SPOKESMEN. THE MEMORANDUM THE ORGANIZATION SENT TO THE ROMANIAN GOVERNMENT UPON THE DELEGATION'S RETURN, IN WHICH THE SUBSTANCE OF THE RECENT TALKS WAS SUMMARIZED, ADDITIONAL CASES OF PRISONERS OF CONSCIENCE WERE CITED, AND A REQUEST TO INVESTIGATE FURTHER THE ISSUE OF PSYCHIATRIC ABUSE WITHIN ROMANIA MADE, HAS ELICITED NO OFFICIAL RESPONSE ACCORDING TO AMNESTY.

THE ROMANIAN GOVERNMENT'S ACCEPTANCE ON PRINCIPLE OF THE DISCUSSION OF HUMAN RIGHTS AS AN INTEGRAL PART OF THE CSCE PROCESS AS WELL AS ITS WILLINGNESS TO PERMIT INQUIRY BY AMNESTY

INTERNATIONAL ARE, FOR AN EASTERN EUROPEAN STATE, UNIQUE STEPS FORWARD. HOWEVER, IT IS CLEAR THAT THE ROMANIAN GOVERNMENT'S REPRESSIVE PRACTICES HAVE NOT CHANGED SIGNIFICANTLY SINCE THE SIGNING OF THE HELSINKI ACCORDS IN 1975 AND THAT ROMANIA MUST MAKE VAST IMPROVEMENTS IN ITS IMPLEMENTATION RECORD BEFORE IT WILL STAND IN SUBSTANTIAL COMPLIANCE WITH THE HUMAN-RIGHTS PROVISIONS OF PRINCIPLE VII.

CZECHOSLOVAKIA

CZECHOSLOVAKIA HAS A POOR HUMAN RIGHTS RECORD IN EASTERN EUROPE. FOUR YEARS AFTER THE SIGNING OF THE HELSINKI ACCORDS, THE PRAGUE REGIME "CELEBRATED" ITS COMMITMENT TO THIS AGREEMENT BY STAGING A MAJOR TRIAL OF CITIZENS WHO CALLED UPON THEIR GOVERNMENT TO ABIDE BY ITS OWN CONSTITUTION AND THE HELSINKI FINAL ACT.

THE CZECHOSLOVAK GOVERNMENT HAS SYSTEMATICALLY IGNORED ITS OBLIGATIONS UNDER PRINCIPLE VII OF THE FINAL ACT. THE OCTOBER 1979 TRIAL OF THE SIX CHARTER '77 SIGNATORIES IS ONLY ONE EXAMPLE OF THE GOVERNMENT'S CONTINUED VIOLATIONS OF INTERNATIONAL OBLIGATIONS AND ACCEPTED STANDARDS OF JUSTICE. OTHER HUMAN-RIGHTS ACTIVISTS HAVE BEEN CHARGED WITH SUBVERSION AND SENTENCED TO VARIOUS PRISON TERMS; THE ONLY "CRIME" THEY COMMITTED WAS TO DUPLICATE AND DISTRIBUTE VARIOUS DOCUMENTS OF CHARTER '77 AND UNOFFICIAL LITERATURE. RELIGIOUS ACTIVITIES HAVE BEEN REPRESSED BY THE PRAGUE REGIME: OVER THE LAST THREE YEARS, SOME 400 CATHOLIC PRIESTS AND LAYMEN HAVE BEEN ARRESTED, INTERROGATED OR SUBJECTED TO HOUSE SEARCHES. THE RIGHT TO EDUCATION AND THE RIGHT TO WORK SEEMS TO BE DETERMINED BY POLITICAL CONFORMITY AS DEFINED BY THE CZECHOSLOVAK AUTHORITIES.

CIVIL AND POLITICAL RIGHTS

CHARTER '77 AND VONS

THE CHARTER '77 MOVEMENT IS COMPOSED OF 1,000 INTELLECTUALS, STUDENTS AND WORKERS WHO HAVE BEEN TRYING SINCE 1977 TO PERSUADE THE CZECHOSLOVAK GOVERNMENT TO HONOR ITS COMMITMENTS UNDER THE HELSINKI FINAL ACT. CHARTER '77 CLEARLY STATES THAT IT IS NOT AIMED AT CHANGING THE EXISTING SOCIAL SYSTEM, BUT EMPHASIZES THE NEED "FOR THE OBSERVANCE OF LAWS GUARANTEED TO ITS CITIZENS BY THE CONSTITUTION OF THE REPUBLIC AND SUPPLEMENTED BY INTERNATIONAL PACTS ON HUMAN AND POLITICAL RIGHTS."

THE CZECHOSLOVAK GOVERNMENT, UNWILLING TO ACCEPT THE LEGITIMACY AND INFLUENCE OF THIS HUMAN-RIGHTS GROUP, HAS SYSTEMATICALLY REPRESSED, HARASSED, DETAINED AND IMPRISONED MANY OF THE GROUP'S MOST VOCAL MEMBERS IN AN EFFORT TO DISSUADE FURTHER PUBLIC CRITICISM OF THE GOVERNMENT'S COMPLIANCE WITH INTERNATIONAL AND DOMESTIC LAWS.

IN REACTION TO UNJUSTIFIED TRIALS, ACCUSATIONS AND IMPRISONMENT, AN ADDITIONAL ALLIED GROUP WAS FORMED IN LATE 1977 WHICH IS CALLED THE COMMITTEE FOR THE DEFENSE OF THE UNJUSTLY PERSECUTED (VONS). THIS GROUP IS DEDICATED TO EXPOSING THE ILLEGAL ACTIONS OF THE CZECHOSLOVAK GOVERNMENT AGAINST HUMAN-RIGHTS ACTIVISTS. MEMBERS DISSEMINATE THEIR INFORMATION BOTH WITHIN CZECHOSLOVAKIA AND THROUGHOUT THE WORLD ON A PERIODIC BASIS. AS OF APRIL 1980 AS MANY AS 176 STATEMENTS HAD BEEN ISSUED BY VONS DOCUMENTING THE SITUATION IN CZECHOSLOVAKIA.

SINCE 1977, THERE HAS BEEN LITTLE CHANGE IN THE RELATIONSHIP OF CHARTER '77 WITH THE CZECHOSLOVAK GOVERNMENT. AS STATED IN JANUARY 1980 BY MILOS REJCHRT, A CHARTER '77 SPOKESPERSON:

"THE GOAL OF CHARTER '77 WAS TO ENTER INTO A DIALOGUE WITH THE STATE POWER ABOUT HUMAN RIGHTS AND CIVIL RIGHTS, WHOSE IMPLEMENTATION OUR REPRESENTATIVES PLEDGED TO FULFILL. THESE RIGHTS HAVE BEEN ACCEPTED INTO OUR LEGAL SYSTEM AS PUBLIC LAW NO. 120/76/Sb. THE DIALOGUE NEVER TOOK PLACE AND THE CHARTER WAS LEFT AT THE MERCY OF THE STB (SECRET POLICE)."

OVER 1,000 DOCUMENTS HAVE BEEN CIRCULATED BY CHARTER '77 AND VONS DURING THE PAST THREE YEARS. INFORMATION CIRCULARS HAVE DOCUMENTED AN INTENSIFICATION OF REPRESSION AGAINST CHARTER '77 MEMBERS. MILOS REJCHRT NOTES THAT:

"CHARTER '77 SIGNATORIES AND SUPPORTERS HAVE DIFFICULTIES FINDING EMPLOYMENT, SUFFER GREATER RESTRICTIONS AS FAR AS THEIR RIGHTS ARE CONCERNED, ARE SUBJECT TO APARTMENT SEARCHES, INTERROGATIONS, TERROR AND AT THE SAME TIME OF BEING ACCUSED OF TERRORISM, 'TREATMENT' IN PSYCHIATRIC INSTITUTIONS AND COURT ACTION."

SINCE APRIL 1978, THE COMMISSION HAS RECEIVED A STEADY STREAM OF ACCOUNTS OF ARRESTS, SHOW TRIALS AND BEATINGS OF CZECHOSLOVAK CITIZENS WHOSE ONLY CRIME WAS EXERCISING THEIR HUMAN RIGHTS OR TRYING TO GENERATE A DIALOGUE WITH CZECHOSLOVAK OFFICIALS. A VIVID EXAMPLE OF THE CRACKDOWN WAS THE 1978 ARREST OF JAROSLAV SABATA, A CHARTER '77 SPOKESPERSON, WHO WAS LATER SENTENCED TO NINE MONTHS IN PRISON. IN JANUARY 1979, SABATA WAS FORCED TO SERVE AN ADDITIONAL 18 MONTHS UNDER A FORMERLY SUSPENDED SENTENCE.

IN 1979, THE CRACKDOWN INTENSIFIED. ALBERT CERNY, A CHARTER '77 SIGNATORY AND MEMBER OF VONS WAS ARRESTED AND SENTENCED TO THREE AND ONE-HALF YEARS IN NOVEMBER 1979 FOR SUBVERSION OF THE REPUBLIC. THE CHARGES WERE BASED ON THE FACT THAT HE KEPT MATERIALS IN HIS APARTMENT WHICH WERE DEEMED OF AN ANTI-STATE NATURE AND ON THE FACT THAT HE DUPLICATED AND DISTRIBUTED THESE DOCUMENTS AND, FINALLY, BECAUSE AT THE END OF 1978 HE HAD BECOME A MEMBER OF AN ILLEGAL ORGANIZATION -- THE COMMITTEE FOR THE DEFENSE OF THE UNJUSTLY PERSECUTED. FIFTEEN CHARTISTS INCLUDING JIRI DIENSTBIER, VACLAV BENDA, AND VACLAV HAVEL WERE DETAINED AND ARRESTED ON MAY 29, 1979, AND HELD WITHOUT TRIAL FOR FIVE MONTHS. FIVE OF THESE, RUDOLF BATTEK, DR. LUDVIK PACOVSKY, JIRI RUMIL, DR. GERTRUDA SEKANINOVA-CAKRTOVA AND DR. JAN TESAR SUBSEQUENTLY WERE RELEASED. ALL REMAINING 10 WERE CHARGED WITH SUBVERSION AND/OR LESS SERIOUS VIOLATIONS OF CZECHOSLOVAK LAW.

ZDENA TOMINOVA, A CHARTER '77 SPOKESPERSON, WAS BRUTALLY ATTACKED ON JUNE 5, 1979, AND SUFFERED A SEVERE CONCUSSION. JOSEF DANISZ, SABATA'S LAWYER, WAS DISBARRED FOR HIS DEFENSE OF CHARTISTS AND RECEIVED A 10-MONTH SENTENCE ON JANUARY 24, 1980. TWELVE MEMBERS OF VONS WERE SUMMONED TO RUZYNE PRISON IN PRAGUE TO RECEIVE WARNINGS OF "ANTI-STATE" ACTIVITY ON JULY 5 AND 6, 1979. RUDOLF BATTEK WAS ARRESTED AND CHARGED WITH SUBVERSION ON OCTOBER 1, 1979. JIRI GANZ WAS SENTENCED TO 15 YEARS IMPRISONMENT IN NOVEMBER 1979 FOR LISTENING TO VOA AND FOR STARTING A "CLUB OF FRIENDS OF AMERICAN MUSIC." ALL OF THESE REPRESSIVE ACTIONS CULMINATED WITH THE SHOW TRIAL OF SIX CHARTISTS ON OCTOBER 22-23, 1979.

ALTHOUGH THIS TRIAL WAS WIDELY CONDEMNED BY WESTERN GOVERNMENTS AND THE COMMUNIST PARTIES OF FRANCE, SPAIN AND ITALY, SEVERE SENTENCES WERE HANDED DOWN: PETER UHL RECEIVED FIVE YEARS; VACLAV HAVEL RECEIVED FOUR AND ONE-HALF YEARS; VACLAV BENDA RECEIVED FOUR YEARS; JIRI DIENSTBIER RECEIVED THREE YEARS; OTTA BEDNAROVA RECEIVED THREE YEARS; AND DANA NEMCOVA RECEIVED A TWO-YEAR SUSPENDED SENTENCE.

IN TESTIMONY BEFORE THE COMMISSION ON MARCH 25, 1980, PROFESSOR GORDON SKILLING, EXPERT ON CZECHOSLOVAK DISSSENT, COMMENTED ON THE MISCARRIAGE OF JUSTICE AT THE OCTOBER 1979 TRIAL:

"THE ACTUAL COURSE OF THE PROCEEDINGS, WAS A GROSS TRAVESTY OF JUSTICE, VIOLATING THE STANDARDS OF CZECHOSLOVAKIA'S OWN LEGAL CODE. THE ACCUSED WERE ALREADY PRONOUNCED GUILTY IN THE INDICTMENT, WHICH MERELY RELATED THEIR ACTIONS AND DESCRIBED THEM AS SUBVERSIVE WITHOUT PROOF OR ARGUMENT. NO ATTEMPT WAS MADE TO PROVE "INTENT" ON THE PART OF THE ACCUSED, ALTHOUGH THIS WAS REQUIRED UNDER ARTICLE 98 OF THE CRIMINAL CODE. THERE WAS NO ATTEMPT TO PROVE THAT VONS REPORTS ON INJUSTICES WERE INACCURATE. THERE WAS NO ATTEMPT TO PROVE THAT THE ACCUSED HAD ANY CONTACT WITH RFE OR VOA (AND INDEED IT WAS EXPLICITLY STATED THAT THIS WAS NOT NECESSARY). THERE WAS NO ATTEMPT TO DEMONSTRATE THAT THE ACTIONS OF THE ACCUSED WERE SUBVERSIVE, OR HOSTILE TO THE SOCIAL ORDER, OR THAT VONS WAS AN ILLEGAL ORGANIZATION..."

THE TRIAL REVEALED NEW ATTITUDES OF THE PRAGUE GOVERNMENT'S CONCEPT OF JUSTICE, GUILT AND SUBVERSION.

IN A LETTER TO THE SUPREME COURT OF THE C.S.S.R. IN PRAGUE FOLLOWING THE ISSUING OF SENTENCES, CHARTER '77 SPOKESPERSONS JIRI HAJEK, ZDENA TOMINOVA AND LADISLAV HEJDANEK ISSUED AN APPEAL FOR REVERSAL OF THESE SENTENCES. THEY STATED THAT:

"THEY WERE SENTENCED TO THE LOSS OF FREEDOM FROM TWO TO FIVE YEARS FOR ACTIVITIES, WHICH IN THEIR SUBSTANCE, ARE ONLY A CONCRETE EXAMPLE OF COMPLYING WITH ARTICLE 17 OF THE CONSTITUTION, WHICH REQUESTS CITIZENS' PARTICIPATION IN PRESERVING LEGALITY."

THE THREE CHARTER SPOKESPERSONS APPEALED FOR REVERSAL BY DEMONSTRATING THAT THE ENTIRE TRIAL WAS A BREACH OF CZECHOSLOVAK LAW AND JUDICIAL PROCEDURE. THEY SAID:

"WE ARE, THEREFORE, OF THE OPINION, DUE TO REASONS STATED ABOVE, THAT THE TRIAL AND

THE SENTENCING OF THE ACCUSED HAVE VIOLATED THE PRINCIPLES OF OUR JUDICIAL SYSTEM AND HARMED THE REPUTATION OF THE C.S.S.R. ABROAD...WE EXPECT THE SUPREME COURT TO RECTIFY THE DAMAGE CAUSED BY THE TRIAL TO OUR SOCIETY AND TO OUR REPUTATION IN THE INTERNATIONAL COMMUNITY."

A FINAL APPEAL IN DECEMBER 1979 TO THE SUPREME COURT FOR REVERSAL OF THE LOWER COURT'S DECISION PROVED FRUITLESS.

THE APPARENT PARANOIA AND INSECURITY OF THE CZECHOSLOVAK GOVERNMENT TOWARDS ITS OWN CITIZENS IS REFLECTED THROUGH AN INCREASINGLY REPRESSIVE CAMPAIGN AGAINST THE CHARTER '77 GROUP AND OTHERS DURING 1979. THE RESULTS OF THE OCTOBER 1979 TRIAL DEMONSTRATED THE LACK OF COMMITMENT TO THE PRINCIPLES EMBODIED IN PRINCIPLE VII. CZECHOSLOVAK CITIZENS NOW CAN BE FOUND GUILTY OF "SUBVERSIVE ASSOCIATION WITH HOSTILE FORCES ABROAD", IF THEIR PROTESTS ARE BROADCAST BY SUCH ORGANIZATIONS AS RADIO FREE EUROPE. THE CHARGE OF "GUILT BY ASSOCIATION" WOULD PREVAIL EVEN IF NO PERSONAL CONTACT HAD BEEN MADE WITH ANY FOREIGN ORGANIZATIONS.

DESPITE THESE HARSH PENALTIES, ACTIVITIES OF THE CHARTER '77 GROUP AND VONS ACCELERATED, RATHER THAN DIMINISHED. TEN NEW SPOKESPERSONS HAVE BEEN NAMED, AND 12 ADDITIONAL NAMES HAVE BEEN ADDED TO THE VONS GROUP. UNCENSORED INFORMATION FROM C.S.S.R. CONTINUES TO FIND ITS WAY TO THE WEST AND PRESSURE CONTINUES TO BE EXERTED ON THE CZECHOSLOVAK GOVERNMENT BY INTERNATIONAL PRIVATE AND GOVERNMENTAL ORGANIZATIONS.

OF THE ORIGINALLY 15 DETAINED CHARTISTS, FOUR WERE EVENTUALLY RELEASED IN DECEMBER 1979 WITHOUT TRIAL OR FORMAL CHARGE: JIRI NEMEC, JARMILA BELIKOVA, VACLAV MALY AND LADISLAV LIS. THESE FOUR, HOWEVER, DO REMAIN UNDER INVESTIGATION. THE JUNE 1979 DEPARTMENT OF STATE'S EIGHTH SEMIANNUAL REPORT INDICATED THAT CLOSE OPEN SURVEILLANCE OF THE CHARTER '77 LEADERS REPORTEDLY CEASED AROUND THE TIME OF THE RELEASE OF THE FOUR CHARTISTS. ADDITIONALLY, CHARTER SIGNER FRANTISEK HRBAL WAS RELEASED FROM PRISON AFTER SERVING 14 MONTHS OF A THREE-YEAR SENTENCE FOR HAVING DISTRIBUTED CHARTER '77 MATERIALS. JIRI LEDERER, A FORMER CHARTER '77 SPOKESPERSON, WAS RELEASED FROM JAIL AFTER HAVING SERVED HIS SENTENCE IN FULL.

BULLETIN No. 134, ISSUED BY VONS ON SEPTEMBER 28, 1979, REPORTS ON A RECENT GOVERNMENT ACTION AGAINST "SEMINARS" WHICH HAVE BEEN ORGANIZED IN CZECHOSLOVAKIA ALONG SIMILAR LINES AS THE POLISH "FLYING UNIVERSITIES".

THE "JAN PATOCKA UNIVERSITY" LECTURES IN PRAGUE HAVE BEEN HEADED BY PHILOSOPHER AND CHARTER '77 SIGNER, DR. JULIUS TOMIN. THESE LECTURES HAVE BEEN REPEATEDLY HALTED BY CZECHOSLOVAK OFFICIALS. IN SEPTEMBER 1979, AN ECONOMIC PROFESSOR FROM NORWAY, PROFESSOR THOROLF RAFT, WAS ARRESTED AND DEPORTED. IN OCTOBER 1979, DR. TOMIN WAS INTERNEED FOR A FEW DAYS IN PSYCHIATRIC HOSPITAL FOR OBSERVATION, AND WAS LATER RELEASED. IN MARCH 1980, DR. WILLIAM NEWTON-SMITH, A FAIRFAX FELLOW IN PHILOSOPHY AT BALLIOL COLLEGE, OXFORD, WAS ARRESTED WHILE GIVING A LECTURE AT TOMIN'S APARTMENT, INTERROGATED AND THEN DEPORTED. OTHER FOREIGN PARTICIPANTS IN THE INFORMAL LECTURE WHO WERE SUBJECTED TO SIMILAR TREATMENT, INCLUDE ANGUS CAGILL, A PHILOSOPHY STUDENT FROM BRITAIN, AND DR. ANTHONY KENNEY OF BALLIOL COLLEGE, OXFORD WHO WAS DETAINED WHILE READING AN ARTICLE ON "THE ETHICS OF ARISTOTLE."

ECONOMIC AND SOCIAL RIGHTS

AS PART OF THE REPRESSIVE MOVEMENT AGAINST CHARTISTS, SOCIAL PRESSURE HAS BEEN INFLICTED ON THEIR FAMILIES AS WELL. CHILDREN OF PARENTS WHOSE VIEWS DO NOT MEET WITH STATE APPROVAL ARE RESTRICTED FROM ATTENDING INSTITUTIONS OF HIGHER EDUCATION. APARTMENTS ARE UNLAWFULLY SEARCHED.

ACCORDING TO A CHARTER '77 REPORT ON EMPLOYMENT DISCRIMINATION, DATED OCTOBER 1979, CHARTER '77 SIGNERS HAVE BEEN FIRED FROM THEIR JOBS, THEIR CHILDREN HAVE BEEN RIDICULED BY THEIR PEERS AT SCHOOL, MAIL IS CENSORED, BOOKS AND MAGAZINES ARE CONFISCATED, MANY SIGNERS HAVE BEEN FORCED TO TAKE JOBS FAR BELOW THEIR QUALIFICATIONS, WHILE OTHERS HAVE BEEN FORCED TO EMIGRATE.

IN DECEMBER 1978 THE INTERNATIONAL LABOR ORGANIZATIONS (ILO) ISSUED A RECENT REPORT WHICH IDENTIFIED CZECHOSLOVAKIA AS BEING A VIOLATOR OF THE ILO CONVENTION, WHICH WAS RATIFIED BY THE CZECHOSLOVAK GOVERNMENT. ILO URGED CZECHOSLOVAKIA TO AMEND ITS DOMESTIC LAWS TO REFLECT ITS INTERNATIONAL COMMITMENT, SPECIFICALLY REJECTING THE ARGUMENT THAT THESE ISSUES WERE "INTERNAL AFFAIRS" AND NOT SUBJECT TO INTERNATIONAL REVIEW.

RELIGIOUS RIGHTS

THE CZECHOSLOVAK GOVERNMENT EXERCISES NEARLY TOTAL CONTROL OVER ITS RELIGIOUS CONGREGATIONS -- 75 PERCENT ARE CATHOLIC, 17 PERCENT PROTESTANT. CZECHOSLOVAK LAW SPECIFIES NOT ONLY THAT THE GOVERNMENT MUST GIVE CONSENT TO EVERY CHURCH APPOINT-

MENT, BUT GIVES THE STATE AUTHORITIES THE RIGHT TO DEMAND THE REMOVAL OF ANY CLERGYMAN. SINCE 1969, THE HUSAK REGIME HAS TAKEN ADVANTAGE OF A FURTHER STIPULATION ALLOWING STATE INTERVENTION IN CASES WHEN CHURCH OFFICES ARE VACANT FOR OVER 30 DAYS TO FILL KEY CHURCH POSITIONS WITH REGIME SUPPORTERS. IN RETURN FOR STATE FINANCIAL SUPPORT -- WHICH INCLUDES SALARIES FOR "LOYAL" CLERGY -- CZECHOSLOVAK AUTHORITIES REQUIRE CHURCHES TO SUBMIT ANNUAL BUDGETS AND FINANCIAL REPORTS. CONTINUED FINANCIAL SUPPORT FROM THE GOVERNMENT IS CONTINGENT UPON FULFILLMENT OF STATE LAWS AND DIRECTIVES.

THE GOVERNMENT MAINTAINS THEOLOGICAL SCHOOLS FOR TRAINING CLERGY, AND IT SEVERELY RESTRICTS THE NUMBER OF CATHOLIC SEMINARIANS. IT IS ANTICIPATED THAT IN 1980, ONLY 16 NEW PRIESTS WILL BE ORDAINED FOR EVENTUAL SERVICE IN CZECHOSLOVAKIA. ALTHOUGH CZECHOSLOVAK LAW ALLOWS VOLUNTARY RELIGIOUS INSTRUCTION AFTER HOURS ON SCHOOL PREMISES, IN PRACTICE, THIS RIGHT IS RESTRICTED BY THE IMPOSITION OF ADMINISTRATIVE DIFFICULTIES. CENSORSHIP IS RIGOROUSLY ENFORCED. ALL CHURCH COMMUNICATIONS MUST BE SUBMITTED FOR APPROVAL TO GOVERNMENT AGENCIES IN CHARGE OF RELIGIOUS AFFAIRS.

RELIGIOUS ACTIVISTS WERE FAR FROM IMMUNE TO INTERROGATIONS, DETAINMENT AND ARREST. IN SEPTEMBER 1979, ACCORDING TO A KESTON COLLEGE STUDY, THE LARGEST RELIGIOUS SHOW TRIAL, INVOLVING 15 CATHOLICS, WAS HELD IN PRAGUE. FOUR OF THOSE ACCUSED WERE CLERGYMEN, INCLUDING JESUIT FR. LIZNA. DR. ZVERINA, ONE OF THE MOST PROMINENT THEOLOGIANS IN CZECHOSLOVAKIA TODAY, ALSO WAS INCLUDED IN THIS GROUP. A FATHER AND SON TEAM OF JAN AND SVATOPLUK KRUMPHOLZ WAS ACCUSED OF CARRYING OUT A LARGE UNDERGROUND PRINTING OPERATION. ALL 15 ARRESTED WERE ACCUSED OF CRIMES CONNECTED WITH ILLEGAL PRINTING ACTIVITIES OR WITH DISTRIBUTING AND RECEIVING UNOFFICIAL PRINTED MATERIALS.

ALTHOUGH ALL WERE SENTENCED AND EIGHT WERE HELD FOR A NUMBER OF MONTHS IN DETENTION PRIOR TO TRIAL, EVENTUALLY THEIR SENTENCES WERE SUSPENDED AND ALL WERE RELEASED. THIS CHANGE OF VENUE IS ATTRIBUTED TO THE IMMENSE PUBLIC PRESSURE FROM THE WEST, ESPECIALLY FROM THE VATICAN AND FROM JESUIT CIRCLES. SLOVAK PRIEST, FATHER OSKAR FORMANEK, A 65-YEAR-OLD JESUIT, WAS SENTENCED ON JUNE 26, 1980 TO 18 MONTHS IMPRISONMENT FOR "OBSTRUCTING STATE SUPERVISION OF THE CHURCH." FATHER FORMANEK'S SENTENCE WAS SUSPENDED FOR FOUR YEARS, WHILE HIS CO-DEFENDANT, MARIA KOZAROVA, RECEIVED A ONE-YEAR SENTENCE SUSPENDED FOR THREE YEARS.

STATE ACTION AGAINST INDIVIDUAL RELIGIOUS ACTIVISTS INDICATES THAT THE REGIME FINDS ACCEPTABLE ONLY A PASSIVE ROLE FOR

RELIGIOUS BELIEVERS. ONLY UNTIL RECENTLY HAS CARDINAL TOMASEK, HEAD OF THE CZECHOSLOVAK CATHOLIC CHURCH, BEGUN TO SPEAK OUT ON THE PLIGHT OF HIS RELIGIOUS FAITHFUL. WITH THE ELECTION OF A POLISH POPE, PUBLIC SUPPORT FROM THE VATICAN AND ESPECIALLY THE STRENGTH OF THE POLISH CATHOLIC CHURCH HAS REINVIGORATED CZECHOSLOVAK CATHOLICS. IN NOVEMBER 1979, 350 SIGNED AN APPEAL PROTESTING THE ABUSE OF THE PRIESTS' ASSOCIATION, PACEM IN TERRIS. ACCORDING TO THIS APPEAL AND CARDINAL TOMASEK, THIS "ASSOCIATION" SIMPLY EXISTS TO SERVE THE PURPOSES OF THE STATE. ANOTHER PREVALENT COMPLAINT IS THAT GOOD PRIESTS ARE REFUSED LICENSES BECAUSE THEY DO NOT WISH TO SUBSCRIBE TO THE ASSOCIATION.

THE STATE HAS INCREASED ITS COOPERATION WITH THE INSTITUTIONAL CHURCH IN CZECHOSLOVAKIA AT THE EXPENSE OF INDIVIDUAL RELIGIOUS EXPRESSION. THIS REPRESSIVE TREND HAS GIVEN RISE TO A GROWING QUANTITY OF CATHOLIC UNOFFICIAL LITERATURE AND IN TURN INCREASED HARASSMENT, INTERROGATION, AND DETENTION FOR THOSE INVOLVED.

SOVIET UNION

IN 1979, THE SOVIET AUTHORITIES BEGAN THE MOST MASSIVE CAMPAIGN AGAINST HUMAN-RIGHTS ACTIVISM IN THE LAST DECADE -- SOME SAY SINCE STALIN'S DEATH. WESTERN REPORTS HAVE FOCUSED MOSTLY ON THE "PRE-OLYMPIC CLEANUP" IN MOSCOW. IN FACT, THERE HAVE BEEN OFFICIAL REPRESSIONS AGAINST SOVIET CITIZENS ADVOCATING CIVIL, ETHNIC, RELIGIOUS, POLITICAL, SOCIAL, CULTURAL AND ECONOMIC RIGHTS THROUGHOUT THE ENTIRE SOVIET UNION. ATTEMPTS TO ASSESS SOVIET COMPLIANCE WITH PRINCIPLE VII HUMAN-RIGHTS PROVISIONS SHOULD FOCUS NOT ONLY ON THE FATE OF HUNDREDS OF ACTIVISTS AND THEIR DIVERSE CONCERNS, BUT ALSO ON MECHANISMS BY WHICH THE SOVIET SYSTEM ATTEMPTS TO CONTROL ALL ASPECTS OF THE LIVES OF ALL SOVIET CITIZENS.

OFFICIAL SOVIET VIEWS ON THE ROLE OF HUMAN RIGHTS IN THE INTERNATIONAL ARENA HAVE BEEN DESCRIBED IN A 1980 ARTICLE BY DOCTOR OF LAW, S.V. CHERNICHENKO IN THE AUTHORITATIVE JOURNAL, THE SOVIET STATE AND LAW. IN THEORY, THE AUTHOR APPROVED OF HUMAN RIGHTS AS AN ELEMENT IN INTERNATIONAL RELATIONS, STATING, HOWEVER, THAT "RESPECT FOR HUMAN RIGHTS SHOULD NOT BE IN CONFLICT WITH THE BASIC PRINCIPLES OF INTERNATIONAL LAW" AND ONLY AS A "COMPONENT PART OF INTERNATIONAL COOPERATION TO STRENGTHEN PEACE AND SECURITY." SUCH A FORMULATION SEEMS TO EXCLUDE THE POSSIBILITY OF CRITICAL ASSESSMENTS OF HUMAN-RIGHTS PERFORMANCE AS NOT IN THE SPIRIT OF "STRENGTHENING PEACE".

HUMAN RIGHTS IN THE SOVIET VIEW, IS SEEN AS "CONSTITUTING A UNITARY COMPLEX" IN WHICH NO RIGHT CAN CONFLICT WITH ANY OTHER AND ARE "GENERAL (AND) DEMOCRATIC IN THE SENSE THAT CONFERRING THEM DOES NOT TOUCH ON THE SOCIAL-ECONOMIC STRUCTURE ...IN THE SPECIFIC STATES." THUS, NO RIGHT CAN THREATEN A SOCIAL OR ECONOMIC STRUCTURE WHICH HAS ALREADY DEFINED THE PROPER "USE" OF THESE RIGHTS. INDEED, THE AUTHOR SAID THAT "CONSISTENT EXERCISE OF HUMAN RIGHTS IS POSSIBLE ONLY UNDER SOCIALISM WHICH CREATES CONDITIONS FOR THE ALL-ROUND DEVELOPMENT OF THE INDIVIDUAL." CLEARLY, IN THIS VIEW, HUMAN RIGHTS ARE "CONFERRED" ON THE INDIVIDUAL BY SOCIALIST GOVERNMENTS OF THE SOVIET TYPE.

FURTHERMORE, DR. CHERNICHENKO STATED THAT IT IS THE EXCLUSIVE DOMAIN OF INTERNAL LEGISLATION TO "CONFER THE SPECIFIC CONTENT AND VOLUME OF (HUMAN) RIGHTS." HE ADDED THAT "INDIVIDUALS CANNOT BE PARTICIPANTS IN INTER-STATE RELATIONS." ACCORDING TO THE SOVIET VIEW, INDIVIDUAL HUMAN RIGHTS ARE EXCLUDED FROM CONSIDERATION IN INTERNATIONAL RELATIONS, REGARDLESS OF PRINCIPLE VII WHICH STATES THAT HUMAN RIGHTS AND FREEDOMS ARE DERIVED "FROM THE INHERENT DIGNITY OF THE HUMAN PERSON."

SOVIET LAWS

TO UNDERSTAND HOW THE SOVIET STATE HAS "CONFERRED THE SPECIFIC CONTENT AND VOLUME OF RIGHTS" ON ITS CITIZENS, A BRIEF EXAMINATION OF THE 1977 SOVIET CONSTITUTION MAY BE HELPFUL. ARTICLE 29 PROCLAIMS THE 10 PRINCIPLES OF THE HELSINKI FINAL ACT AS GUIDING THE CONDUCT OF SOVIET FOREIGN POLICY. IN REFERRING TO PRINCIPLE VII, HOWEVER, THE SOVIET CONSTITUTION OMITTS ANY REFERENCE TO "FREEDOM OF THOUGHT, CONSCIENCE, RELIGION OR BELIEF."

THE SECTION OF THE SOVIET CONSTITUTION WHICH DEFINES CIVIL LIBERTIES IS CHAPTER 7, "THE BASIC RIGHTS, LIBERTIES AND DUTIES OF U.S.S.R. CITIZENS." INTRODUCING THIS SECTION, ARTICLE 39 STATES:

"U.S.S.R. CITIZENS POSSESS THE WHOLE RANGE OF SOCIAL, ECONOMIC, POLITICAL AND PERSONAL LIBERTIES...(IN) THE U.S.S.R. CONSTITUTION AND SOVIET LAWS."

THIS PROCLAMATION IS FOLLOWED BY THE STATEMENT THAT "THE EXERCISE OF RIGHTS AND LIBERTIES BY CITIZENS MUST NOT INJURE THE INTERESTS OF SOCIETY AND THE STATE AND THE RIGHTS OF OTHER CITIZENS." THE CONSTITUTION ALSO SPECIFIES WHICH SOVIET INSTITUTION

DEFINES PUBLIC INTEREST: ARTICLE 6 PROCLAIMS THE COMMUNIST PARTY OF THE SOVIET UNION "THE LEADING AND GUIDING FORCE OF SOVIET SOCIETY, THE NUCLEUS OF ITS POLITICAL SYSTEM AND OF STATE AND PUBLIC ORGANIZATIONS...(IT) DETERMINES THE GENERAL PROSPECTS FOR THE DEVELOPMENT OF SOCIETY...GIVING THE STRUGGLE (OF THE SOVIET PEOPLE) FOR THE VICTORY OF COMMUNISM A PLANNED, SCIENTIFICALLY SUBSTANTIATED NATURE."

ARTICLE 50 GRANTS U.S.S.R. CITIZENS FREEDOM OF SPEECH, PRESS, ASSEMBLY, MASS MEETINGS, STREET PROCESSIONS AND DEMONSTRATIONS -- "IN ACCORDANCE WITH THE WORKING PEOPLE'S INTERESTS AND FOR THE PURPOSE OF STRENGTHENING AND DEVELOPING THE SOCIALIST SYSTEM." IT IS THE U.S.S.R. COMMUNIST PARTY WHICH "LEADS, GUIDES AND DETERMINES" SUCH INTERESTS. THUS, THE COMMUNIST PARTY IS THE SUPREME ARBITER OF THE CIVIL LIBERTIES OF SOVIET CITIZENS. ARTICLE 50 GOES ON TO "ENSURE THE EXERCISE OF POLITICAL FREEDOMS BY PUTTING PUBLIC BUILDINGS, STREETS AND SQUARES AT THE DISPOSAL OF THE WORKING PEOPLE." SINCE IT IS THE ROLE OF THE PARTY TO "DISPOSE" OF PUBLIC PROPERTY, IT ALSO CONTROLS THE PRACTICAL WHEREWITHAL FOR THE EXERCISE OF CIVIL LIBERTIES. ARTICLE 50 MENTIONS THE "OPPORTUNITY TO USE THE PRESS, TELEVISION AND RADIO," ACCESS TO WHICH IS ALSO UNDER PARTY CONTROL.

ARTICLE 52 GUARANTEES FREEDOM OF CONSCIENCE FOR SOVIET CITIZENS, INCLUDING, HOWEVER, ONLY "THE RIGHT TO PROFESS ANY RELIGION OR TO PROFESS NONE, TO PERFORM RELIGIOUS WORSHIP OR TO CONDUCT ATHEISTIC PROPAGANDA." UNLIKE THE 1918 SOVIET CONSTITUTION, THERE IS NO RIGHT TO CONDUCT RELIGIOUS PROPAGANDA -- TO PROPAGATE THE FAITH. A PROHIBITION AGAINST "THE INCITEMENT OF HOSTILITY AND HATRED IN CONNECTION WITH RELIGIOUS BELIEFS" ALMOST EXCLUSIVELY IS DIRECTED AGAINST BELIEVERS WHO ARE CRITICAL OF SOVIET LAWS ON RELIGION RATHER THAN AGAINST PARTY OFFICIALS WHO CONDUCT ATHEIST PROPAGANDA OVERTLY HOSTILE -- SOMETIMES LIBELOUS -- TO BELIEVERS.

SOVIET OFFICIAL PRONOUNCEMENTS EMPHASIZE THE INTERCONNECTION BETWEEN HUMAN RIGHTS AND CIVIC DUTIES. FOR EXAMPLE, AN ARTICLE IN PRAYDA PROCLAIMED:

"SUCH IS THE NATURE OF SOCIALIST SOCIETY THAT THE BROADENING OF RIGHTS AND FREEDOMS IS CONNECTED ORGANICALLY TO THE INCREASED RESPONSIBILITY OF EVERY (CITIZEN) TOWARDS SOCIETY, WITH THE OBSERVANCE OF CIVIC DUTIES."³¹

THIS VIEW OF INDIVIDUAL RIGHTS AS SUBORDINATE TO SOCIETY MEANS THAT THE PARTY IS IN SUPREME COMMAND.

FURTHER, THE PRAVDA ARTICLE ASSERTED: "NO ONE IS GIVEN THE RIGHT TO INSULT SOCIETY OR TO PREVENT HONEST PEOPLE FROM LIVING PEACEFULLY, WORKING AND RESTING." THE NEED FOR THE "PEACEFUL" EXERCISE OF HUMAN RIGHTS IS A FREQUENT THEME IN THE SOVIET PRESS AS PART OF THE OFFICIAL PORTRAIT OF HUMAN-RIGHTS ACTIVISTS AS TROUBLEMAKERS AND SOCIAL MISFITS.

IN PUBLICLY PRESENTING THE HUMAN-RIGHTS ISSUE, SOVIET AUTHORITIES STRESS THAT SOVIET LAW IS THE BASIS OF THE PARTY ATTITUDES. INDEED, THIS PRAVDA ARTICLE DIVIDED SOVIET HUMAN-RIGHTS ACTIVISTS INTO THREE CATEGORIES: THOSE WHO PROVIDE VALID CRITICISM IN A POSITIVE MANNER ARE COMMENDED; THOSE WHO ARE HONESTLY MISTAKEN IN THEIR VIEWS ARE PUT ON THE PATH TO TRUTH; AND THOSE WHO PERFORM ANTI-SOVIET ACTS ARE PUNISHED UNDER THE LETTER OF THE LAW. IN THIS VIEW, NOT ONLY ARE CERTAIN SOVIET HUMAN-RIGHTS ACTIVISTS PRESENTED AS MISFITS, BUT ALSO AS CRIMINAL OUTCASTS OF SOVIET SOCIETY AS WELL.

TREASON

ARTICLE 64 OF THE RUSSIAN FEDERATED SOCIALIST REPUBLIC (R.S.F.S.R.) CRIMINAL CODE (CC) (WITH CORRESPONDING ARTICLES IN THE CODES OF THE OTHER UNION REPUBLICS) INCLUDES IN ITS DEFINITION OF TREASON, "FLIGHT ABROAD OR REFUSAL TO RETURN FROM ABROAD TO THE U.S.S.R.," FOR WHICH THE MAXIMUM PENALTY IS DEATH. SUCH A SEVERE PENALTY FOR THE RIGHT TO CHOOSE ONE'S COUNTRY OF RESIDENCE IS A FLAGRANT VIOLATION OF PRINCIPLE VII PLEDGES AND INTERNATIONAL LAWS.

ONE OF THE BEST-KNOWN CASES IN WHICH A SOVIET HUMAN-RIGHTS ACTIVIST HAS BEEN CHARGED WITH TREASON IS THAT OF MOSCOW HELSINKI GROUP MEMBER AND JEWISH ACTIVIST, ANATOLY SHCHARANSKY. AFTER BEING HELD FOR OVER A YEAR IN PRE-TRIAL ISOLATION, SHCHARANSKY WAS SENTENCED ON JULY 14, 1978 TO THREE YEARS IN PRISON (MOST OF WHICH HE SPENT IN THE NOTORIOUS VLADIMIR PRISON) AND 10 YEARS IN STRICT REGIMEN CAMP. THE SOVIET AUTHORITIES PERSISTED IN CLAIMING THAT SHCHARANSKY WAS CONNECTED WITH WESTERN INTELLIGENCE AGENCIES, EVEN THOUGH PRESIDENT CARTER TOOK THE UNUSUAL STEP OF GUARANTEEING PERSONALLY THAT SUCH CLAIMS WERE TOTALLY WITHOUT FOUNDATION.

CHARGES OF TREASON HAVE ALSO BEEN BROUGHT AGAINST OTHER SOVIET CITIZENS WHO WERE TRYING TO EXERCISE THEIR LEGAL RIGHT TO FREE CHOICE OF COUNTRY OF RESIDENCE.

VLADIMIR BALAKHONOV, FORMER TRANSLATOR AT THE SECRETARIAT OF THE WORLD METEOROLOGICAL ORGANIZATION IN GENEVA, RETURNED TO THE SOVIET UNION ON DECEMBER 1, 1972, AFTER HAVING BEEN PROMISED THAT NO REPRISALS WOULD BE TAKEN AGAINST HIM FOR SEEKING POLITICAL ASYLUM IN THE WEST. ARRESTED ONE MONTH LATER, HE WAS SUBSEQUENTLY CONVICTED UNDER ARTICLE 64 AND SENTENCED TO A 12-YEAR-TERM OF IMPRISONMENT. IN ANOTHER TREASON CASE, A 20-YEAR-OLD LATVIAN, MAIGONIS RAVINSH, APPREHENDED WHILE TRYING TO CROSS INTO FINLAND, WAS SENTENCED TO FIVE YEARS OF IMPRISONMENT.

POLITICAL LAWS

ALTHOUGH THE SOVIET UNION MAKES NO DISTINCTION BETWEEN ORDINARY LAW BREAKERS AND POLITICAL PRISONERS -- BRANDING THEM ALL AS "CRIMINALS" -- THE SOVIET LEGAL CODE CONTAINS TWO ARTICLES WHICH SPECIFIES CRIMINAL PENALTIES FOR THE EXERCISE OF POLITICAL ACTIVITIES IN VIOLATION OF PRINCIPLE VII. ECHOED BY SIMILAR PROVISIONS OF THE REPUBLIC CRIMINAL CODES, ARTICLES 70 AND 190-1 OF THE R.S.F.S.R. CC SPECIFY:

"ARTICLE 70 PROVIDES UP TO 7 YEARS OF IMPRISONMENT AND UP TO 5 YEARS OF INTERNAL EXILE FOR -- AGITATION OR PROPAGANDA CARRIED ON FOR THE PURPOSE OF SUBVERTING OR WEAKENING THE SOVIET REGIME...OR THE CIRCULATION, FOR THE SAME PURPOSE, OF SLANDEROUS FABRICATIONS WHICH DEFAME THE SOVIET STATE AND SOCIAL SYSTEM, OR THE CIRCULATION OR PREPARATION OR KEEPING, FOR THE SAME PURPOSE OF LITERATURE OF SUCH CONTENT.

"ARTICLE 190-1 FURTHER PROVIDES UP TO 3 YEARS IMPRISONMENT FOR -- SYSTEMATIC CIRCULATION IN AN ORAL FORM OF FABRICATIONS KNOWN TO BE FALSE WHICH DEFAME THE SOVIET STATE AND SOCIAL SYSTEM AND, LIKEWISE, THE PREPARATION OR CIRCULATION IN WRITTEN, PRINTED, OR ANY OTHER FORM OF WORKS OF SUCH CONTENT."

AMNESTY INTERNATIONAL RECENTLY REPORTED THAT FROM THE SUMMER OF 1975 UNTIL MAY 1979, AT LEAST 100 ADVOCATES OF CIVIL, RELIGIOUS, POLITICAL, NATIONAL OR ETHNIC RIGHTS HAVE BEEN SENTENCED TO IMPRISONMENT IN THE U.S.S.R. EITHER UNDER ARTICLE 70 OR 190-1.⁵² ACCORDING TO COMMISSION FIGURES, OF THE

40 PEOPLE IMPRISONED FOR JOINING THE SOVIET HELSINKI GROUPS, 20 HAVE BEEN CHARGED UNDER THESE ARTICLES.

A FEW OTHER RECENT EXAMPLES SERVE TO ILLUSTRATE HOW THESE ARTICLES ARE APPLIED TO A WIDE VARIETY OF CASES.

IN ODESSA, UKRAINE, MIKHAIL MONAKOV WAS SENTENCED TO FIVE YEARS OF STRICT REGIMEN CAMP ON JANUARY 20, 1980 FOR "ANTI-SOVIET AGITATION" FOR SHOWING A CARICATURE OF BREZHNEV TO A GROUP OF TOURISTS FOR WHOM HE WAS A GUIDE.⁵³ IN THE SAME SAME MONTH IN THE SOVIET CENTRAL ASIAN CITY OF TASHKENT, RESHAT DZHEMILEV WAS SENTENCED TO THREE YEARS OF STRICT REGIMEN CAMP FOR ALLEGED "ANTI-SOVIET SLANDERS" IN HIS OPEN LETTERS TO MOHAMMED ALI AND TO THE KING OF SAUDI ARABIA WHICH DESCRIBE DISCRIMINATION AGAINST THE MOSLEM CRIMEAN TATARS.

IN APRIL 1979, ARKADY TSURKOV, PHYSICS STUDENT AT LENINGRAD STATE UNIVERSITY, WAS SENTENCED TO FIVE YEARS OF STRICT REGIMEN CAMP AND TWO YEARS OF INTERNAL EXILE FOR "ANTI-SOVIET AGITATION."⁵⁴ A MEMBER OF AN UNOFFICIAL LENINGRAD YOUTH COMMUNE, 21-YEAR-OLD TSURKOV ALLEGEDLY HAD WRITTEN FOR AN UNOFFICIAL JOURNAL, PERSPECTIVES, AND HAD DISCUSSED HIS NEW LEFT VIEWS WITH OTHER STUDENTS. BELORUSSIAN WORKER, MIKHAIL KUKOBKA, WHO HAS SPENT SIX YEARS IN SOVIET PSYCHIATRIC HOSPITALS, WAS SENTENCED UNDER ARTICLE 190-1 IN JUNE 1979 TO THREE YEARS OF GENERAL REGIMEN CAMP FOR SAMIZDAT WRITINGS AND FOR SUPPORT OF THE UNOFFICIAL LABOR UNION MOVEMENT.

ANTI-RELIGIOUS LAWS

ARTICLES 142 AND 227 OF THE R.S.F.S.R. CC ARE CONCERNED SPECIFICALLY WITH RELIGIOUS ACTIVITIES. ARTICLE 142, "VIOLATION OF THE LAWS ON THE SEPARATION OF CHURCH AND STATE AND OF CHURCH AND SCHOOL" PROVIDES FOR UP TO THREE YEARS OF IMPRISONMENT FOR INFRINGEMENT OF ITS PROVISIONS. ARTICLE 227 "INFRINGEMENT OF PERSONS AND RIGHTS OF CITIZENS UNDER APPEARANCE OF PERFORMING RELIGIOUS CEREMONIES" STATES THAT "THE ORGANIZATION OR DIRECTING OF A GROUP CAUSING HARM TO CITIZEN'S HEALTH...OR INDUCING CITIZENS TO REFUSE SOCIAL ACTIVITY OR...CIVIC DUTIES ...OR WITH THE DRAWING OF MINORS INTO SUCH A GROUP...SHALL BE PUNISHED BY DEPRIVATION OF FREEDOM FOR A TERM NOT EXCEEDING FIVE YEARS."

FROM JUNE 1975 TO JUNE 1979, AT LEAST 68 BAPTISTS, PENTECOSTALS AND SEVENTH DAY ADVENTISTS WERE CONVICTED UNDER THESE ARTICLES.⁵⁵ ONE OF MOST FREQUENT CHARGES BROUGHT AGAINST BAPTISTS UNDER THESE ARTICLES IS ORGANIZING SUNDAY SCHOOL CLASSES FOR CHILDREN.

ONE RECENT EXAMPLE OF IMPRISONMENT UNDER THESE "RELIGIOUS ARTICLES" OF THE CRIMINAL CODE OCCURRED IN ZAPOROZHE, UKRAINE. IN FEBRUARY 1979, TWO BAPTIST PREACHERS, FEDOR KORKODILOV, 61, AND VSEVOLOD BUGAENKO, 41, WERE SENTENCED TO TWO AND ONE-HALF AND ONE AND ONE-HALF YEARS RESPECTIVELY FOR PERFORMING RELIGIOUS CEREMONIES SUCH AS WEDDINGS AND BAPTISMS.

DRAFT EVASION

THE R.S.F.S.R. CC CONTAINS FOUR ARTICLES, 80, 81, 198-2 AND 249, ON THE EVASION OF MILITARY SERVICE UNDER VARIOUS CONDITIONS. ARTICLES 81 AND 249 PRESCRIBE THE DEATH PENALTY FOR EVASION OF MILITARY SERVICE IN A WAR OR COMBAT SITUATION. THE OFFICIAL COMMENTARY ON THE APPLICATION OF ARTICLE 80, WHICH APPLIES TO SOVIETS WHO REFUSE TO RESPOND TO A PEACETIME MILITARY DRAFT, EXPLICITLY RULES OUT RELIGIOUS OR CONSCIENTIOUS OBJECTION TO THE DRAFT.

BETWEEN JUNE 1975 AND MAY 1979, 22 BAPTISTS, PENTECOSTALS AND SEVENTH DAY ADVENTISTS ARE KNOWN TO HAVE BEEN SENTENCED TO IMPRISONMENT AS CONSCIENTIOUS OBJECTORS.⁵⁶ ALTHOUGH SOME RELIGIOUS CONSCIENTIOUS OBJECTORS HAVE REFUSED TO SERVE IN THE MILITARY UNDER ANY CIRCUMSTANCES, MOST SOVIET EVANGELICAL PROTESTANTS HAVE STATED THEIR WILLINGNESS FOR NON-COMBAT ALTERNATE SERVICE. IN SUCH CASES, SOVIET BELIEVERS HAVE USUALLY BEEN CONVICTED UNDER ARTICLE 249, "EVASION OF MILITARY SERVICE."

IN MARCH 1979, A COURT IN BRATSK, SIBERIA, SENTENCED ADVENTIST PAVEL SHREIDER TO THREE YEARS OF GENERAL REGIMEN CAMP FOR REFUSING TO ACCEPT HIS INDUCTION NOTICE. SHREIDER, WHO WAS ALREADY SERVING IN A MILITARY CONSTRUCTION BATTALION, HAD REFUSED TO WORK ON SATURDAY, THE ADVENTIST HOLY DAY. ESTONIAN PACIFIST, TEET PAPSON, WAS SENTENCED ON AUGUST 24, 1979, TO ONE AND ONE-HALF YEARS IN CAMP FOR DRAFT EVASION -- EVEN THOUGH HE HAD NEVER RECEIVED AN INDUCTION NOTICE.

IN A WELCOME DEVELOPMENT, THREATS OF CRIMINAL PROSECUTION AGAINST RUSSIAN BAPTIST, A. GORDEI, FOR REFUSAL TO SERVE IN THE MILITARY APPARENTLY HAVE BEEN DROPPED. ASSISTANT MILITARY PROCURATOR FOR THE VOLGOGRAD REGION IN THE R.S.F.S.R., S. KAMITOV, TOLD GRODEI THAT HE WILL BE GIVEN THE OPPORTUNITY "TO BE LOYAL TO THE MOTHERLAND EVEN WITHOUT SERVING IN THE SOVIET ARMY."

CRIMES AGAINST PUBLIC ORDER

IN THEIR REPRESSIVE CAMPAIGN AGAINST SOVIET HUMAN-RIGHTS ACTIVISTS, THE SOVIET AUTHORITIES INCREASINGLY ARE BRINGING

CHARGES UNDER NON-POLITICAL ARTICLES OF THE CRIMINAL CODE. IN THIS WAY, THE SOVIETS HOPE TO DAMPEN POTENTIAL WESTERN SUPPORT FOR THESE MEN AND WOMEN. IN ADDITION, SUCH TACTICS ARE PART OF THE ONGOING SOVIET OFFICIAL CAMPAIGN TO PRESENT THE SOVIET PUBLIC WITH A TOTALLY NEGATIVE IMAGE OF SOVIET ADVOCATES FOR CIVIL, RELIGIOUS AND NATIONAL RIGHTS.

ONE SECTION OF THE R.S.F.S.R. CRIMINAL CODE, "CRIMES AGAINST PUBLIC SECURITY, PUBLIC ORDER AND HEALTH OF THE POPULATION," INCLUDES ARTICLES 206 (HOOLIGANISM), 208 (ACQUISITION OR MARKETING OF PROPERTY KNOWN TO HAVE BEEN CRIMINALLY ACQUIRED) AND ARTICLE 209-1 (PARASITISM). CHARGES UNDER THESE ARTICLES ARE FREQUENTLY BROUGHT AGAINST SOVIET HUMAN-RIGHTS ACTIVISTS.

"HOOLIGANISM" OR "MALICIOUS HOOLIGANISM" IS PUNISHABLE BY UP TO SEVEN YEARS OF IMPRISONMENT. RECENT CASES OF PROSECUTION UNDER THESE CHARGES, REVEALS THAT THE SOVIET AUTHORITIES USE THEM TO PUNISH CITIZENS THROUGHOUT THE SOVIET UNION WHO EXERCISE THEIR LEGAL RIGHT TO PUBLIC EXPRESSION OF THEIR VIEWS.

IN RECENT YEARS, SOVIET JEWS AND GERMANS HAVE STAGED PEACEFUL PUBLIC PROTESTS AT REPEATED REFUSALS OF LEGAL EMIGRATION REQUESTS. MOSCOW HELSINKI GROUP MEMBER, VLADIMIR SLEPAK AND HIS JEWISH ACTIVIST WIFE MARIA, ON JUNE 21 AND JULY 26, 1978 RESPECTIVELY WERE SENTENCED TO FIVE YEARS OF INTERNAL EXILE AND A THREE-YEAR SUSPENDED SENTENCE FOR TAKING PART IN SUCH A PROTEST. FOR PARTICIPATING IN A SIMILAR DEMONSTRATION, JEWISH HUMAN-RIGHTS ACTIVIST IDA NUDEL WAS SENTENCED IN JUNE 1978 TO FOUR YEARS INTERNAL EXILE. FOR JOINING A DEMONSTRATION OF 26 GERMANS PROTESTING THE REFUSAL OF THEIR EMIGRATION REQUESTS IN FRUNZE, KIRGIZIA, TRUCK DRIVERS NIKOLAI REPP AND YAKOV NOI WERE EACH SENTENCED RESPECTIVELY TO TWO YEARS OF GENERAL REGIMEN CAMP. AT THE REQUEST OF HIS KOLKHOZ, HOWEVER, NOI LATER RECEIVED A SUSPENDED SENTENCE.

CHARGES OF "HOOLIGANISM" HAVE BEEN BROUGHT IN SEVERAL RECENT CASES IN WHICH YOUNG RUSSIAN ACTIVISTS HAVE PUBLICLY EXPRESSED THEIR VIEWS. IN SEPTEMBER 1979, TWO MEMBERS OF THE RUSSIAN ORTHODOX YOUTH SEMINAR, SERGEI ERMOLAEV AND IGOR POLYAKOV, WERE SENTENCED RESPECTIVELY TO FOUR AND THREE AND ONE-HALF YEARS IN CAMP FOR ALLEGEDLY SHOUTING ANTI-PARTY SLOGANS IN THE MOSCOW SUBWAY. TWO MONTHS LATER, VLADIMIR MIKHAILOV, ALEKSEI STASEVICH AND ALEVITINA KOCHNEVA WERE SENTENCED RESPECTIVELY TO THREE, THREE, AND ONE AND ONE-THIRD YEAR TERMS OF STRICT REGIMEN CAMP FOR DISTRIBUTING NEW LEFT LEAFLETS IN LENINGRAD.

RECENTLY SUCH CHARGES HAVE ALSO BEEN BROUGHT AGAINST DISSENT OUTSIDE THE R.S.F.S.R. "HOOLIGANISM" WAS THE CHARGE BROUGHT AGAINST FILM MAKER VIKTOR MONBLANOV, WHO STAGED A DEMONSTRATION IN KIEV FOR THE RELEASE OF ALL POLITICAL PRISONERS. HE WAS SENTENCED TO FOUR YEARS OF STRICT REGIMEN CAMP IN APRIL 1979. IN THE CRIMEA, DRIVER ELДАР SHABANOV, WAS SENTENCED TO THREE YEARS IN CAMP FOR PROTESTING HIS EXPULSION FROM HIS CRIMEAN HOMELAND. THE MOST RECENT KNOWN INSTANCE OCCURRED IN ESTONIA ON MAY 15, 1980: THE SOVIET AUTHORITIES SENTENCED FOUR ESTONIAN SCHOOLBOYS, RAVIO HERMLIN, VELLO SOSTAR, OLEV TIITSO, VILJO VILBACH, RESPECTIVELY TO THREE TERMS OF ONE AND ONE-HALF AND TWO YEARS IN CAMP. ON ESTONIAN INDEPENDENCE DAY, FEBRUARY 24, 1980, THE FOUR STUDENTS HAD ALLEGEDLY HOISTED THE TRADITIONAL ESTONIAN FLAG ON THE TARTU CATHEDRAL.

SOMETIMES SOVIET AUTHORITIES INSTIGATE SCUFFLES WHICH SERVE AS A PRETEXT FOR ARRESTING SOVIET HUMAN-RIGHTS ACTIVISTS ON "HOOLIGANISM". IN MOLDAVIA, THREE SOVIET JEWS WERE IN A CAFE CELEBRATING ARKADY FELDMAN'S PERMISSION TO EMIGRATE TO ISRAEL. WHEN ANTI-SEMITIC REMARKS WERE DIRECTED AT THEM, A FIST FIGHT ENSUED. IN APRIL 1979, ALEKSANDR MILNER WAS SENTENCED TO SIX YEARS IN CAMP, WHILE ARKADY FELDMAN AND YANKEL GROBERMAN EACH RECEIVED FOUR YEAR CAMP TERMS. AN UNIDENTIFIED RUSSIAN WHO CAME TO THEIR AID, ALSO WAS SENTENCED FOR "MALICIOUS HOOLIGANISM". IN UZBEKISTAN, CRIMEAN TATAR ACTIVIST AND PHYSICIST, ROLLAN KADIEV, WAS INSULTED -- AND ROUSED TO ANGER -- BY AN OFFICIAL ON A COLLECTIVE FARM WHERE KADIEV WAS DOING "VOLUNTEER" HARVESTING. ON JANUARY 4, 1980, PROFESSOR KADIEV WAS SENTENCED TO THREE YEARS OF STRICT REGIMEN CAMP FOR "HOOLIGANISM".

SINCE THE SOVIET GOVERNMENT IS THE ONLY OFFICIAL EMPLOYER IN THE U.S.S.R., IT IS QUITE EASY FOR THE AUTHORITIES TO CONTROL WHETHER OR HOW A SOVIET CITIZEN IS EMPLOYED. AS AMENDED IN 1975, ARTICLE 209 OF THE R.S.F.S.R. CC DEFINES A "PARASITIC" WAY OF LIFE AS THAT OF SOMEONE WHO "LIVES ON UNEARNED INCOME WITH THE AVOIDANCE OF SOCIALLY USEFUL WORK FOR MORE THAN FOUR SUCCESSIVE MONTHS OR FOR A PERIOD OF A YEAR" WITH POSSIBLE IMPRISONMENT FOR UP TO TWO YEARS. LOCAL AUTHORITIES ARE SUPPOSED TO GIVE UP TO TWO MONTH'S WARNING OF POSSIBLE PROSECUTION FOR "PARASITISM."

FORMER POLITICAL PRISONERS ARE ONE OF THE FAVORITE TARGETS FOR PROSECUTION UNDER "PARASITISM" LAWS. EVEN AFTER SERVING THEIR TERMS OF IMPRISONMENT, THEY ARE USUALLY BARRED FROM EMPLOYMENT IN THEIR PREVIOUS PROFESSIONS AND SOMETIMES CANNOT FIND ANY WORK AT ALL.

A RECENT EXAMPLE IS THAT OF NIKOLAI IVANOV, A RUSSIAN ARTIST, WHO WAS ARRESTED ON APRIL 21, 1980, ON CHARGES OF "PARASITISM". IVANOV, WHO HAD SPENT SIX YEARS IN CAMPS FOR RUSSIAN NATIONALIST ACTIVITIES, WAS NOT ALLOWED TO LIVE IN HIS NATIVE LENINGRAD UPON HIS RELEASE IN 1973, NOR COULD HE FIND WORK AS AN ARTIST. IVANOV WAS ARRESTED TWO DAYS BEFORE HE WAS TO START WORK ON A LABOR BRIGADE.

ANOTHER FREQUENT TARGET OF "PARASITISM" CHARGES ARE THE LEADERS OF UNREGISTERED, HENCE ILLEGAL, RELIGIOUS GROUPS. ALTHOUGH HIS BAPTIST CONGREGATION HAD NOTIFIED THE SOVIET AUTHORITIES THAT IVAN ANTONOV WAS EMPLOYED AS THEIR MINISTER, HE WAS SENTENCED TO TWO YEARS IN CAMP FOR "PARASITISM." ANTONOV, WHO HAS SPENT 14 YEARS IN CAMP FOR HIS RELIGIOUS ACTIVITY, WAS ARRESTED A FEW WEEKS BEFORE HIS SIXTIETH BIRTHDAY WHICH IS THE OFFICIAL RETIREMENT AGE IN THE U.S.S.R.

IN MAY 1980, THE INTERNATIONAL LABOR ORGANIZATION INFORMED THE SOVIET UNION THAT ITS LABOR LEGISLATION SHOULD BE AMENDED TO CONFORM WITH AN INTERNATIONAL CONVENTION WHICH PROHIBITS FORCED LABOR.³⁷ EXPRESSING DISSATISFACTION WITH SOVIET SOVIET LAWS WHICH DECLARE WORK TO BE A MORAL OBLIGATION, THE ILO ALSO POINTED TO THE VAGUE PROVISIONS OF THE "ANTI-PARASITE" PROVISIONS IN THE SOVIET CRIMINAL CODE. IN RESPONSE, THE SOVIET UNION EXPLAINED THAT ARTICLE 209 WAS DIRECTED AGAINST GAMBLERS AND FORTUNE TELLERS.

HUMAN-RIGHTS ACTIVISTS ARE ALSO CHARGED UNDER "ACQUISITION OR MARKETING OF PROPERTY KNOWN TO HAVE BEEN CRIMINALLY ACQUIRED." ON MARCH 18, 1980, IN THE MOSCOW SUBURB OF DMITROV, SCIENCE WRITER AND PRIVATE ART COLLECTOR, IGOR GUBERMAN, EDITOR OF THE SAMIZDAT JOURNAL, JEWS IN THE U.S.S.R., WAS SENTENCED TO FIVE YEARS IN CAMP UNDER ARTICLE 208. IT SEEMS THAT SUCH CRIMINAL CHARGES WERE BROUGHT AGAINST GUBERMAN NOT ONLY TO DISCREDIT THE JEWISH EMIGRATION MOVEMENT, BUT ALSO IN REPRISAL FOR GUBERMAN'S APPARENT REFUSAL TO BECOME A KGB AGENT. GUBERMAN'S WIFE HAS STATED THAT HER HUSBAND HAD TWICE REFUSED SUCH "OFFERS." CHARGED WITH TRADING STOLEN ICONS, GUBERMAN DENIED KNOWLEDGE THAT THE TWO ICONS IN QUESTION HAD BEEN STOLEN.

CRIMES AGAINST THE SYSTEM OF ADMINISTRATION

ANOTHER SECTION OF THE R.S.F.S.R. CRIMINAL CODE, "CRIMES AGAINST THE SYSTEM OF ADMINISTRATION" INCLUDES ARTICLES 191-193, "RESISTING A REPRESENTATIVE OF AUTHORITY", IN RECENT YEARS,

THE SOVIET AUTHORITIES HAVE TURNED INCREASINGLY TO PROSECUTION OF HUMAN-RIGHTS ACTIVISTS UNDER THESE ARTICLES. A FEW ILLUSTRATIVE EXAMPLES FOLLOW.

TWO MEMBERS OF THE UNOFFICIAL RUSSIAN ORTHODOX YOUTH SEMINAR, TATIANA SHCHIPKOVA AND GEORGY FEDOTOV, REPORTEDLY HAVE BEEN CHARGED UNDER THIS ARTICLE. SHCHIPKOVA, A FRENCH INSTRUCTOR AT THE SMOLENSK PEDAGOGICAL INSTITUTE, WAS SENTENCED ON JANUARY 8, 1980 TO THREE YEARS IN CAMP FOR "INSULTING A POLICEMAN." DURING A POLICE RAID ON A SEMINAR MEETING, SHCHIPKOVA APPARENTLY SLAPPED A POLICEMAN WHO TRIED TO GRAB A BOOK FROM HER HANDS. GEORGY FEDOTOV, ARRESTED ON JANUARY 18, 1980, REPORTEDLY FACES SIMILAR CHARGES.

ON JANUARY 18, 1978, SHAGEN ARUTUNYAN, A MEMBER OF THE ARMENIAN HELSINKI GROUP, WAS SENTENCED TO THREE YEARS OF STANDARD REGIMEN CAMP UNDER THESE CHARGES. AFTER JOINING THE UKRAINIAN HELSINKI GROUP FROM CAMP, VASYL OVSIIENKO, WAS SENTENCED ON THESE CHARGES ON FEBRUARY 9, 1979 TO THREE YEARS OF STRICT REGIMEN CAMP.

CRIMEAN TATARS WHO HAVE PROTESTED THEIR FORCIBLE EXPULSION FROM THE CRIMEA, ALSO HAVE BEEN SENTENCED FOR "RESISTING THE POLICE". A YOUNG CRIMEAN WOMAN, GULIZAR YUNUSOVA, WAS SENTENCED IN MARCH 1979 TO TWO YEARS IN GENERAL REGIMEN CAMP. LATER THAT MONTH, FOUR CRIMEAN TATARS -- LYUFTI BEKIROV, YAKUB BAITULLAEV, IZET USTA AND SEYRAN KHYRKHARA, ALL OF WHOM HAD VALID RESIDENCE PERMITS FOR THE CRIMEA -- WERE EACH SENTENCED TO AT LEAST THREE YEARS IN CAMP FOR PROTESTING THE FORCED EXPULSION OF ANOTHER CRIMEAN TATAR FAMILY.

ARTICLE 196 IN THE "CRIMES AGAINST THE SYSTEM OF ADMINISTRATION" SECTION OF THE RSFSR CRIMINAL CODE IS ENTITLED "FORGING, MAKING OR MARKETING OF A FORGED DOCUMENT." IN SMOLENSK, TWO YOUNG MEMBERS OF THE RUSSIAN ORTHODOX RELIGIOUS SEMINAR, VLADIMIR BURTSEV AND VIKTOR POPKOV, WERE EACH SENTENCED ON APRIL 9, 1980 TO ONE AND ONE-HALF YEARS IN LABOR CAMP UNDER THIS ARTICLE, ALTHOUGH THEIR DEFENSE LAWYER REPORTEDLY TOLD THEIR RELATIVES THAT A SUSPENDED SENTENCE IS THE NORM FOR SUCH CASES.

PASSPORT REGULATIONS

THE SOVIET AUTHORITIES STRICTLY CONTROL THE INTERNAL MOVEMENT OF ALL RESIDENTS IN THE U.S.S.R. THROUGH THEIR PASSPORT SYSTEM OF RESIDENCE RESTRICTIONS. A RESOLUTION OF THE SOVIET COUNCIL OF MINISTERS, DATED AUGUST 28, 1974, INTRODUCED A NEW "REGULATION OF THE PASSPORT SYSTEM IN THE U.S.S.R." BY 1982,

EVERY ADULT SOVIET CITIZEN -- INCLUDING FOR THE FIRST TIME COLLECTIVE FARM WORKERS -- WILL BE ISSUED AN INTERNAL PASSPORT. THE PENALTY FOR LIVING IN THE U.S.S.R. WITHOUT A PASSPORT OR RESIDENCE PERMIT IS IMPRISONMENT FOR UP TO ONE YEAR OR PAYMENT OF A FINE.

IN ORDER FOR SOVIET CITIZENS TO BE GRANTED RESIDENCE PERMITS, THEY MUST HAVE PERMISSION TO LEAVE PREVIOUS PLACES OF RESIDENCE. WORKERS ON COLLECTIVE FARMS MUST GET PERMISSION FROM THE KOLKHOZ COMMITTEE. IN PRACTICE, THIS MEANS THAT THE RIGHT OF SOVIETS TO CHOOSE FREELY THEIR PLACE OF RESIDENCE IS STRICTLY LIMITED AND CONTROLLED BY LOCAL PARTY OFFICIALS WHO ADMINISTER PASSPORT REGULATIONS AND HOUSING RULES. THERE ARE ADDITIONAL RESTRICTIONS CONNECTED WITH EMPLOYMENT OR FAMILY TIES ON THE RIGHT TO PERMANENT RESIDENCE IN MOSCOW AND ALL OTHER CAPITALS OF THE UNION REPUBLICS, AND FOR SUCH MAJOR INDUSTRIAL CITIES AS LENINGRAD, ODESSA AND KHARKOV.

ALLEGED OR REAL VIOLATIONS OF PASSPORT REGULATIONS OR RESIDENCE RESTRICTIONS ARE CHARGES WHICH OFTEN ARE BROUGHT AGAINST SOVIET ADVOCATES OF NATIONAL, RELIGIOUS OR CIVIL RIGHTS. THE FOLLOWING GROUPS ARE PARTICULARLY VULNERABLE TO PROSECUTION FOR SUCH ALLEGED VIOLATIONS: CRIMEAN TATARS, FORMER PRISONERS OF CONSCIENCE, AND PEOPLE WHO HAVE RENOUNCED THEIR SOVIET CITIZENSHIP.

ACCORDING TO AMNESTY INTERNATIONAL, BETWEEN 1975 AND 1979 MORE THAN 100 CRIMEAN TATARS HAVE BEEN PUT ON TRIAL FOR VIOLATIONS OF THE PASSPORT REGULATIONS.³⁹ IN MOST OF THESE CASES, CRIMEAN TATARS HAVE BEEN BANISHED FROM THE CRIMEA FOR UP TO FIVE YEARS OR ASSIGNED JOBS OR CORRECTIVE LABOR IN AREAS OUTSIDE THE CRIMEA. ONE RECENT INCIDENT IS THAT OF EBAZER YUNUSOV, SENTENCED UNDER ARTICLE 198 OF THE R.S.F.S.R. CC IN SIMFEROPOL IN MARCH 1979 TO ONE AND ONE-HALF YEARS OF GENERAL REGIMENT CAMP.

ALTHOUGH HE EARNED A LIVING AS A PRIVATE TEACHER OF HEBREW, IOSIF BEGUN WAS SENTENCED TO TWO YEARS OF INTERNAL EXILE IN JUNE 1977 AS A "PARASITE" AND, UPON HIS RELEASE, WAS NOT ALLOWED TO RETURN TO MOSCOW. ARRESTED AGAIN OUTSIDE THE COURTHOUSE WHERE YURI ORLOV WAS ON TRIAL, BEGUN WAS LATER SENTENCED TO THREE YEARS OF INTERNAL EXILE UNDER ARTICLE 198.

THERE ARE SPECIAL REGULATIONS IMPOSED ON FORMER PRISONERS OF CONSCIENCE EVEN AFTER THEY HAVE BEEN RELEASED. THE DECISION TO IMPOSE SUCH RESTRICTIONS IS LEFT TO THE LOCAL AUTHORITIES WHO USUALLY IMPOSE THEM IF THE FORMER PRISONER CONTINUES HUMAN-RIGHTS ADVOCACY. SUCH RESTRICTIONS INCLUDE: OBLIGATORY

WEEKLY REPORTS TO THE MILITIA; UNLIMITED ACCESS BY POLICE TO THE FORMER PRISONER'S LIVING QUARTERS; AND OBLIGATORY TRAVEL PERMISSION FROM THE MILITIA.

PRISONERS WHO VIOLATE SUCH RULES ARE LIABLE TO A NEW TERM OF IMPRISONMENT FOR UP TO TWO YEARS ACCORDING TO ARTICLE 198.2 OF THE R.S.F.S.R. CC. ALTHOUGH THIS ARTICLE SPECIFIES THAT SUCH A VIOLATION MUST HAVE BEEN TO "EVADE SUPERVISION," PROOF OF SUCH INTENT IS SELDOM REQUIRED.

ONE RECENT INCIDENT OCCURRED IN MARCH 1979: MUSTAFA DZHEMILEV, A 37-YEAR-OLD CRIMEAN TATAR ACTIVIST WHO HAS ALREADY SPENT SEVEN YEARS IN CAMP, WAS ACCUSED OF VIOLATING ARTICLE 198.2 BECAUSE HE DID NOT ALLOW THE MILITIA TO ENTER HIS HOUSE IN THE MIDDLE OF THE NIGHT, AND HAD TRIED TO FLY FROM TASHKENT TO MOSCOW THE DAY AFTER ADMINISTRATIVE SURVEILLANCE HAD ENDED. DZHEMILEV WAS THEN SENTENCED TO FOUR YEARS INTERNAL EXILE IN THE FAR NORTH OF SIBERIA.

SOMETIMES WOULD-BE EMIGRANTS FORMALLY RENOUNCE THEIR SOVIET CITIZENSHIP IN A USUALLY FUTILE EFFORT TO FORCE THE HAND OF THE AUTHORITIES. IF THESE PEOPLE TURN IN THEIR SOVIET PASSPORTS TO THE LOCAL VISA AND PASSPORT OFFICE, THEY ARE THEN LIABLE TO CRIMINAL PROSECUTION FOR VIOLATION OF PASSPORT LAWS. ON FEBRUARY 25, 1980, IN UZHGOROD, UKRAINE, 18-YEAR-OLD ALEKSANDR MAKSIMOV WAS ARRESTED ON CHARGES OF "PARASITISM" AND "VIOLATION OF PASSPORT VIOLATIONS." IN 1978, WHEN MAKSIMOV TURNED 16 -- THE AGE OF LEGAL MAJORITY IN THE U.S.S.R. -- HE REFUSED TO ACCEPT HIS SOVIET PASSPORT, DECLARING HIS DESIRE TO EMIGRATE. WITHOUT AN INTERNAL PASSPORT, MAKSIMOV WAS ALSO NOT ELIGIBLE FOR EMPLOYMENT -- HENCE THE COMBINED CHARGES OF "PARASITISM" AND "VIOLATION OF PASSPORT RULES."

ECONOMIC CRIMES

ONE SECTION OF THE R.S.F.S.R. CC, ENTITLED "ECONOMIC CRIMES", INCLUDES ARTICLE 162, "ENGAGING IN A PROHIBITED TRADE." IN THREE CASES BROUGHT TO TRIAL IN 1979, THE PROVISIONS OF THIS ARTICLE HAVE BEEN USED TO PUNISH PEOPLE ACCUSED OF PRINTING "ILLEGAL" MATERIALS, SUCH AS RELIGIOUS LITERATURE OR HUMAN-RIGHTS APPEALS.

IN KAZAKHSTAN, BAPTIST YAKOV SKORNYAKOV, FATHER OF NINE CHILDREN WHO HAS ALREADY SERVED THREE SENTENCES FOR HIS RELIGIOUS WORK, WAS SENTENCED IN MARCH 1979 TO FIVE YEARS OF STRICT REGIMEN CAMP PLUS CONFISCATION OF PROPERTY. ACCUSED OF PRINTING "ILLEGAL" RELIGIOUS MATERIALS ON THE SECRET "CHRISTIAN" PRESS, SKORNYAKOV WAS CHARGED UNDER ARTICLES 162, 190-1 AND 227. ONE

MONTH LATER, IN THE SOUTHERN RUSSIAN CITY OF TAGANROG, 19-YEAR-OLD TYPESETTER ILYA KIM AND PRINTING MACHINE REPAIRMAN GENNADY SVISTILIN WERE GIVEN UNKNOWN TERMS OF IMPRISONMENT FOR ALLEGEDLY PRINTING "HARMFUL" LITERATURE.

IN JUNE 1979, THREE WORKERS INVOLVED WITH THE UNOFFICIAL ADVENTIST PUBLICATION HOUSE, "THE FAITHFUL WITNESS," WERE CONVICTED UNDER ARTICLES 162, 190-1 AND 92, "APPROPRIATION OF STATE PROPERTY". RIKHARD SPALIN WAS SENTENCED TO SEVEN YEARS IN CAMP; WHILE YAKOV DOLGOTER AND ANATOLY RYSKAL EACH RECEIVED A FOUR-YEAR CAMP TERM.

AT LEAST TWO OTHER SOVIET RELIGIOUS BELIEVERS WERE SENTENCED TO IMPRISONMENT IN 1979 FOR "ENGAGING IN A PROHIBITED TRADE." IN MOSCOW, RUSSIAN ORTHODOX NUN VALERIA MAKEEVA, 50, WHO HAD ALREADY SPENT SEVEN YEARS IN PSYCHIATRIC DETENTION FOR HER FAITH, WAS ARRESTED FOR SEWING RELIGIOUS ARTICLES. IN APRIL 1979, SHE WAS AGAIN SENTENCED TO FORCIBLE PSYCHIATRIC TREATMENT FOR THIS "CRIME." IN TASHKENT, JEWISH REFUSENIK ELIAS ZAKS, WAS GIVEN A SUSPENDED TWO-YEAR CAMP SENTENCE FOR BAKING MATZOH MEAL.

ANOTHER "ECONOMIC CRIME" IS ARTICLE 153, "PRIVATE ECONOMIC ENTERPRISE". TWO SOVIET HUMAN-RIGHTS ACTIVISTS WERE CONVICTED OF THIS "CRIME" IN 1979. THE FIRST TRIAL ON SUCH CHARGES TOOK PLACE IN VILNIUS, RESULTING IN ROMAS RAGAISHIS' CONVICTION TO ONE AND ONE-HALF YEARS IN CAMP. RAGAISHIS, A 38-YEAR-OLD OPTICIAN, HAD REFUSED TO GIVE EVIDENCE DURING THE TRIAL OF VIKTORAS PETKUS, A MEMBER OF THE LITHUANIAN HELSINKI GROUP.

THE CASE OF GEORGY MIKHAILOV, A PHYSICS TEACHER, ENGLISH INTERPRETER AND PRIVATE ART COLLECTOR IN LENINGRAD, PROVIDES SOME UNUSUAL PERSPECTIVES ON THE SOVIET LEGAL SYSTEM. MIKHAILOV, WHO HAD STARTED WORKING WITH FOREIGN TOURISTS AT THE SUGGESTION OF HIS SCHOOL, REFUSED TO BECOME A KGB INFORMANT IN 1974. IN 1977, HE WAS FIRED FROM HIS JOB, BUT WAS REINSTATED BY A NOVEMBER 4, 1977 COURT ORDER WHICH ALSO RECOMMENDED THE FINING OF THOSE OFFICIALS WHO HAD FIRED MIKHAILOV ON KGB ORDERS. NEVERTHELESS, AFTER AN UNUSUALLY LONG TRIAL, MIKHAILOV WAS SENTENCED IN AUGUST 1979 UNDER ARTICLES 153 AND 162 TO FOUR YEARS IN GENERAL REGIMEN CAMP FOR ALLEGEDLY MAKING ILLEGAL PHOTOGRAPHS OF HIS OWN ART COLLECTION.

ANOTHER SERIES OF ARTICLES IN THE R.S.F.S.R. CC "CRIMES AGAINST SOCIALIST OWNERSHIP," ARTICLES 89 THROUGH 99, DESCRIBE PENALTIES FOR STEALING STATE PROPERTY UNDER VARIOUS CIRCUMSTANCES. INCREASINGLY, THE SOVIET AUTHORITIES SEEM TO BE RELYING ON SUCH ARTICLES FOR PENALTIES AGAINST SOVIET HUMAN-RIGHTS ACTIVISTS.

ONE UNUSUAL CASE WHICH CONCLUDED IN DECEMBER 1979, AFTER 15 MONTHS OF INVESTIGATION, INVOLVED FOUR UKRAINIAN BAPTISTS WHO WERE GIVEN LONG CAMP SENTENCES FOR EMBEZZLEMENT. ACCORDING TO INFORMATION RECEIVED BY KESTON COLLEGE, DOCUMENTS REVEAL THE COMPLETE INNOCENCE OF IVAN KIRILYUK, VYACHESLAV ZAYATS, VIKTOR LITOVCHENKO AND VIKTOR DRAGA WHO WERE SENTENCED TO 12, 10, SEVEN AND THREE YEARS OF IMPRISONMENT RESPECTIVELY UNDER ARTICLE 92. THE CASE OF THESE FOUR UKRAINIAN BAPTISTS, MOREOVER, REVEALS AN OCCASIONALLY INDEPENDENT SOVIET JUDGE. THE INITIAL CHARGES BROUGHT AGAINST THE FOUR MEN WAS THAT OF INVOLVEMENT IN THE PRINTING OF "ILLEGAL" RELIGIOUS LITERATURE ON THE SECRET "CHRISTIAN" BAPTIST PRESS DISCOVERED IN UKRAINE IN JANUARY 1978. DURING A MONTH-LONG JUDICIAL HEARING, HOWEVER, THE DEFENSE LAWYERS ARGUED SO SUCCESSFULLY AGAINST THESE CHARGES, THAT THE JUDGE FINALLY REFUSED TO CONTINUE THE PROCEEDINGS AND WALKED OUT OF THE COURTROOM. RECOGNIZING ITS WEAK CASE, THE LOCAL KGB OFFERED THE FOUR BAPTISTS FREEDOM IF THEY WOULD WORK FOR THE KGB. AFTER THE NINE-MONTH PRETRIAL DETENTION PERIOD ENDED IN MAY 1979, THE KGB INSISTED -- OVER THE WISHES OF THE LOCAL PROCURACY -- THAT THE BAPTISTS CONTINUE IN DETENTION.

DURING THE SECOND INVESTIGATION PERIOD, NEW CHARGES WERE BROUGHT AGAINST THE FOUR MEN, NAMELY, OF MAKING EXCESSIVE PROFITS FROM THE SALE OF TIMBER. ALTHOUGH ALL 75 WITNESSES GAVE TESTIMONY FAVORABLE TO THE DEFENDANTS -- AND THE FOUR DEFENSE LAWYERS URGED THE IMMEDIATE RELEASE OF ALL FOUR DEFENDANTS -- THE NEW JUDGE FOUND ALL FOUR BAPTISTS GUILTY AS CHARGED. FURTHER, THE JUDGE PROMISED TO MAKE FORMAL COMPLAINTS ABOUT THE "DISRUPTIVE" BEHAVIOR OF THE FOUR DEFENSE LAWYERS WITH THE POSSIBLE PENALTY OF DISBARMENT.

FABRICATED CRIMINAL CHARGES

A DISTURBING RECENT TENDENCY IS TO CONVICT SOVIET HUMAN-RIGHTS ACTIVISTS UNDER FABRICATED SERIOUS CRIMINAL CHARGES, SUCH AS RAPE. THIS TREND SEEMS TO BE PARTICULARLY STRONG IN UKRAINE, WHERE DISSENT HAS TRADITIONALLY MET PARTICULARLY HARSH REPRESSION.

MYKOLA HORBAL, WRITER AND MEMBER OF THE UKRAINIAN HELSINKI GROUP, WAS SENTENCED TO FIVE YEARS OF STRICT REGIMEN CAMP ON JANUARY 21, 1980 ON CHARGES OF "RAPE," ARTICLE 117 OF THE R.S.F.S.R. CC. ACCORDING TO THE UKRAINIAN HELSINKI GROUP,⁴⁰ HORBAL WAS FORCIBLY LED BY FOUR MEN TO A WOMAN STANDING ON A KIEV STREET. AFTER BEATING UP HORBAL, THE FOUR MEN THREW HIM

INTO A CAR AND DROVE HIM TO A MILITIA STATION WHERE HE WAS THEN CHARGED WITH RAPE.

ANOTHER MEMBER OF THE UKRAINIAN HELSINKI GROUP, VYACHESLAV CHORNOVIL, A WELL-KNOWN JOURNALIST, WAS ARRESTED ON APRIL 8, 1980 IN HIS PLACE OF EXILE IN YAKUTIA. ON JUNE 6, 1980, CHORNOVIL WAS SENTENCED TO FIVE YEARS OF STRICT REGIMEN CAMP UNDER ARTICLE 117. TO PROTEST THIS CHARGE, CHORNOVIL HAS BEEN ON A HUNGER STRIKE SINCE THE DAY OF HIS ARREST AND PLANS TO CONTINUE UNTIL THE "RAPE" CHARGE IS DROPPED.

REPORTEDLY, TWO OTHER ARRESTED MEMBERS OF THE UKRAINIAN HELSINKI GROUP ALSO ARE AWAITING TRIAL ON CRIMINAL CHARGES. ARRESTED IN NOVEMBER 1979, YAROSLAV LESIV, A TEACHER WHO MUST USE MEDICATION FOR HIS VERY POOR EYESIGHT, REPORTEDLY IS FACING CHARGES OF POSSESSION OF NARCOTICS (ARTICLE 224 OF THE R.S.F.S.R. CC WITH A POSSIBLE 10-YEAR PRISON TERM). ENGLISH TEACHER PETRO ROZUMNYI WENT TO VISIT A FRIEND IN EXILE AND WHILE THERE HE BOUGHT A HUNTING KNIFE. ARRESTED ON HIS RETURN TO UKRAINE, ROZUMNYI REPORTEDLY IS NOW FACING CHARGES OF POSSESSION OF A WEAPON (ARTICLE 218 OF THE R.S.F.S.R. CC)

CIVIL AND POLITICAL RIGHTS

PRINCIPLE VII OF THE HELSINKI FINAL ACT IS EXPLICIT IN ITS CALL ON SIGNATORY STATES TO RESPECT THE CIVIL LIBERTIES OF THEIR CITIZENS:

THE PARTICIPATING STATES WILL RESPECT HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE FREEDOM OF THOUGHT, CONSCIENCE, RELIGION OR BELIEF, FOR ALL WITHOUT DISTINCTION AS TO RACE, SEX, LANGUAGE OR RELIGION.

THEY WILL PROMOTE AND ENCOURAGE THE EFFECTIVE EXERCISE OF CIVIL, POLITICAL, ECONOMIC, SOCIAL, CULTURAL AND OTHER RIGHTS AND FREEDOMS ALL OF WHICH DERIVE FROM THE INHERENT DIGNITY OF THE HUMAN PERSON AND ARE ESSENTIAL FOR HIS FREE AND FULL DEVELOPMENT.

ALL HELSINKI COUNTRIES ARE PLEDGED TO RESPECT CIVIL AND POLITICAL RIGHTS DERIVING FROM THE "INHERENT DIGNITY" OF THE INDIVIDUAL -- NOT THE STATE.

FREEDOM OF SPEECH: THE ATTEMPT TO SILENCE SAKHAROV

UNTIL JANUARY 22, 1980, THE WORLD HAD ASSUMED THAT AT LEAST ONE FREE VOICE IN THE U.S.S.R. -- THAT OF NOBEL PEACE LAUREATE, ANDREI SAKHAROV -- WAS PROTECTED FROM SOVIET REPRESSION. ON THAT TUESDAY, ACADEMICIAN SAKHAROV WAS ON HIS WAY AS USUAL TO A SCIENTIFIC SEMINAR WHEN HE WAS FORCED OUT OF HIS CAR AND DRIVEN OFF TO THE SOVIET PROCURACY.

DEPUTY SOVIET PROCURATOR, A.A. REKUNOV, READ DR. SAKHAROV A SUPREME SOVIET PRESIDUM ORDER DEPRIVING HIM OF THE TITLE, HERO OF SOCIALIST LABOR -- AWARDED HIM THREE TIMES FOR SCIENTIFIC ACHIEVEMENTS -- AND STRIPPING HIM OF ALL DECORATIONS AND PRIZES. THE REASON FOR THIS UNPRECEDENTED MOVE WAS "PUBLIC APPEALS TO REACTIONARY CIRCLES OF IMPERIALIST POWERS TO INTERFERE IN THE INTERNAL AFFAIRS OF THE U.S.S.R." REKUNOV ALSO ANNOUNCED THAT SAKHAROV HAD BEEN EXPELLED FROM MOSCOW TO THE CLOSED CITY OF GORKY, STATING THAT SAKHAROV WAS HENCEFORTH BANNED FROM ALL CONTACTS WITH FOREIGNERS, INCLUDING HIS OWN GRANDCHILDREN WHO LIVE IN THE UNITED STATES.

IT IS UNCLEAR WHAT IMPELLED THE SOVIET AUTHORITIES TO TAKE THIS STEP AGAINST THE MOST RESPECTED FREE VOICE IN THE U.S.S.R. ONE PLAUSIBLE EXPLANATION FOR THE TIMING OF SAKHAROV'S BANISHMENT IS THE FOLLOWING:

"ALTHOUGH SAKHAROV FOR YEARS FREELY ATTACKED THE SOVIET GOVERNMENT IN INTERVIEWS WITH WESTERN REPORTERS, SOVIET OFFICIALS SPECULATED PRIVATELY THAT THE GOVERNMENT FINALLY TOOK ACTION TO MUZZLE HIM BECAUSE OF AN AMERICAN TV INTERVIEW WITH HIM LAST WEEK.

"IN THE INTERVIEW HE CALLED FOR THE WITHDRAWAL OF SOVIET TROOPS FROM AFGHANISTAN, EXPRESSED SYMPATHY FOR A BOYCOTT OF THE SUMMER OLYMPICS IN MOSCOW BECAUSE OF THE INTERVENTION IN AFGHANISTAN, AND SAID HE SUPPORTED THE U.S. ECONOMIC SANCTIONS ORDERED BY PRESIDENT CARTER IN RETALIATION FOR THE ACTION IN AFGHANISTAN."⁴¹

THE SOVIET PRESS HAS ADOPTED ITS USUAL STRIDENT SELF-RIGHTEOUS TONE IN "EXPLAINING" THE SOVIET ACTION. DESCRIPTIONS OF SAKHAROV'S MOTIVES FOR INVOLVEMENT IN THE SOVIET HUMAN-RIGHTS MOVEMENT STRESS "HIS EXTREME VANITY AND PERSONAL CONCEIT."⁴²

WITHOUT EVEN THE PRETENSE OF A TRIAL, THE SOVIET PRESS HAS PRINTED ARTICLES WHICH ARE HIGHLY ACCUSATORY OF SAKHAROV. THE WASHINGTON POST CARRIED A SOVIET NEWS ACCOUNT WHICH SAID:

"(SAKHAROV) HAD EMBARKED ON THE ROAD OF DIRECT BETRAYAL OF THE INTERESTS OF THE MOTHERLAND...THAT HE HAD REPEATEDLY BLURTED OUT THINGS WHICH ANY STATE PROTECTS AS AN IMPORTANT SECRET DURING MANY 'INTENSIVE UNOFFICIAL MEETINGS' WITH U.S. DIPLOMATS AND CORRESPONDENTS HERE."⁴³

A RECENT SAMIZDAT DOCUMENT SIGNED BY 19 PROMINENT SOVIET CULTURAL FIGURES -- INCLUDING WRITERS LYDIA CHUKOVSKAYA, LEV KOPELEV, VASILY AKSIONOV, AND GEORGY VLADIMOV -- PRESENTED A VERY DIFFERENT VIEW OF SAKHAROV'S EXPULSION:

"WHAT INTERESTS ARE SERVED IN THE PERSECUTION AND HOUNDING OF THE FIRST RUSSIAN LAUREATE OF THE NOBEL PEACE PRIZE, A MAN WHO HAS RAISED AND CONSOLIDATED THE PRESTIGE AND THE HONOR OF OUR MOTHERLAND BEFORE HUNDREDS OF MILLIONS OF PEOPLE ON ALL CONTINENTS? ONLY THE INTERESTS OF THOSE WHO WISH TO REVERT THE COUNTRY TO THE DARK DAYS OF STALINISM."

THE SOVIET PRESS ALSO HAS TAKEN PAINS TO STRESS THE LEGALITY OF THE "PROCEEDINGS" AGAINST SAKHAROV, SAYING THAT "BY HIS ANTI-SOVIET ACTIONS, SAKHAROV HAS CONDEMNED HIMSELF TO EXILE FROM OUR CAPITOL."⁴⁴ SAKHAROV, HOWEVER, TOTALLY REJECTS SOVIET OFFICIAL CLAIMS THAT HIS EXPULSION IS LEGAL:

"I STILL DO NOT KNOW WHICH BRANCH OF GOVERNMENT OR WHO PERSONALLY MADE THE DECISION TO HAVE ME EXILED. ALL MY INQUIRIES MEET ONLY WITH SILENCE. IN ANY EVENT, THE DECISION IS ILLEGAL AND IS IN VIOLATION OF THE CONSTITUTION. IN TWO LETTERS TO REKUNOV AND IN A TELEGRAM TO THE CHAIRMAN OF THE KGB, YURI V. ANDROPOV, I DEMANDED REVOCATION OF THE ILLEGAL EXILE ORDER AND SAID I WAS PREPARED TO FACE AN OPEN TRIAL."⁴⁵

SAKHAROV'S PRESENT STATUS IN THE SOVIET ACADEMY OF SCIENCES ALSO IS VAGUE. FOR THE FIRST TIME SINCE SAKHAROV WAS ELECTED TO THE ACADEMY IN 1953, HE DID NOT RECEIVE A WRITTEN INVITATION TO ITS ANNUAL MEETING IN MARCH 1980. SINCE THE PRESIDUM OF THE SOVIET ACADEMY OF SCIENCES HAD PUBLICLY CENSURED SAKHAROV ON JANUARY 29, 1980, THERE WERE FEARS THAT HE WOULD BE EXPELLED FROM THE ACADEMY DURING THE MARCH MEETING.⁴⁶

IN RESPONSE TO SAKHAROV'S QUESTION AS TO WHY HE HAD NOT BEEN INVITED TO THE MEETING, ACADEMY PRESIDENT A. ALEKSANDROV SENT THE FOLLOWING TELEGRAM ON MARCH 3, 1980:

"SINCE YOUR PRESENCE IN MOSCOW DURING THE GENERAL (ACADEMY) MEETING WAS NOT FORESEEN, YOU ARE RELIEVED FROM ATTENDANCE AT THE SESSION. IF YOU HAVE ANY COMMENTS ON THE AGENDA, YOU MAY WRITE THEM TO THE PRESIDUM."⁴⁷

NEVERTHELESS, IN A MOVE WHICH MAY HAVE BEEN DESIGNED TO SHOW THAT SAKHAROV IS STILL A MEMBER OF THE ACADEMY, THREE OF SAKHAROV'S COLLEAGUES FROM THE LEBEDEV PHYSICS INSTITUTE, INCLUDING ACADEMICIAN V.L. GINZBURG, VISITED SAKHAROV IN GORKY ON APRIL 11, 1980 TO DISCUSS PHYSICS.⁴⁸

APPARENTLY, THE MAIN AIM OF THE CRUEL AND UNUSUAL PUNISHMENT OF ANDREI SAKHAROV IS TO ISOLATE HIM FROM THE HUNDREDS OF SOVIET CITIZENS WHO CAME TO HIM FOR AID AND COUNSEL. HERE IS ANDREI SAKHAROV'S OWN DESCRIPTION OF THE CIRCUMSTANCES UNDER WHICH HE IS NOW FORCED TO LIVE:

"I LIVE IN AN APARTMENT GUARDED DAY AND NIGHT BY A POLICEMAN AT THE ENTRANCE. HE ALLOWS NO ONE TO ENTER BUT FAMILY MEMBERS, WITH A FEW EXCEPTIONS. THERE IS AN OLD FRIEND WHO LIVES IN GORKY; THE PRICE HE PAYS FOR ASSOCIATING WITH US IS A SUMMONS TO THE KGB FOR A TALK AFTER EACH VISIT. THERE IS A GORKY PHYSICIST WHO HAS BEEN DENIED AN EMIGRATION VISA; HE ALSO HAS TO GO THE KGB AFTER HIS VISITS TO US. THE ONLY OTHER VISITORS ARE PEOPLE JUDGED SUITABLE BY THE KGB. THERE IS NO TELEPHONE IN THE APARTMENT. I AM UNABLE TO TELEPHONE MOSCOW OR LENINGRAD EVEN FROM THE PUBLIC TELEPHONE BUREAU AT THE POST OFFICE. THE CALL IS IMMEDIATELY DISCONNECTED

AT THE ORDERS OF THE KGB AGENTS WHO ALWAYS FOLLOW ME. I RECEIVE VERY LITTLE MAIL, AND THAT CONSISTS MAINLY OF LETTERS 'RE-EDUCATING' ME OR MERELY CURSING ME. ODDLY ENOUGH, I GET THE SAME KIND OF LETTERS FROM THE WEST. HOWEVER, I ALSO GET SOME MAIL FROM THE WEST WITH KIND WORDS AND I AM DEEPLY GRATEFUL TO THE SENDERS.

"WHEN I ACCOMPANIED MY MOTHER-IN-LAW TO THE STATION ON HER DEPARTURE FOR MOSCOW, KGB AGENTS, PISTOLS IN HAND, MADE A SHOW OF PREVENTING ME FROM APPROACHING THE COACH, MAKING IT CLEAR THAT THE ORDER FORBIDDING ME FROM GOING BEYOND THE CITY LIMITS WAS NOT JUST EMPTY WORDS. A RADIO-JAMMING FACILITY HAS BEEN SET UP IN THE APARTMENT BUILDING, JUST FOR ME. IN ORDER TO LISTEN TO THE RADIO, IT IS NECESSARY FOR MY WIFE AND ME TO GO FOR WALKS AT NIGHT WITH A TRANSISTOR RECEIVER. WHILE WE ARE OUT WALKING, THE KGB AGENTS ARE IN OUR APARTMENT DAMAGING THE TYPEWRITER AND TAPE RECORDER OR SEARCHING THROUGH OUR PAPERS."⁴⁹

DESPITE THE INTERNATIONAL OUTCRY, THE SOVIETS APPARENTLY HAVE DECIDED TO IMPOSE EVEN STRICTER MEASURES OF ISOLATION AGAINST DR. SAKHAROV. ON JUNE 5, 1980, ELIZAVETA ALEKSEEVA, THE FIANCÉE OF SAKHAROV'S STEPSON, WAS WARNED THAT IF SHE CONTINUED RELAYING INFORMATION ON THIS SITUATION SHE COULD BE PROSECUTED UNDER ARTICLE 190-1. CLEARLY THE SOVIET GOVERNMENT HAS DECIDED TO SHUT SAKHAROV OFF FROM THE EARS OF THE WEST AND THE EYES OF FRIENDS AND FAMILY. ANY REMAINING ILLUSIONS ABOUT FREE SPEECH IN THE SOVIET UNION HAVE BEEN SHATTERED AFTER SEEING THE SOVIETS TRYING TO SILENCE ANDREI SAKHAROV.

FREEDOM OF THE PRESS: SAMIZDAT

FOLLOWING IS A BRIEF SURVEY OF THE APPROXIMATELY 30 EXISTING SAMIZDAT PUBLICATIONS WHICH ARE WRITTEN AND CIRCULATED IN THE SOVIET UNION TODAY.

PROBABLY THE BEST-KNOWN SOVIET SAMIZDAT PUBLICATION IS THE ANONYMOUS CHRONICLE OF CURRENT EVENTS, A SURVEY OF HUMAN-RIGHTS INFORMATION ABOUT THE U.S.S.R. WHICH HAS APPEARED SINCE APRIL 1968. IT IS ORGANIZED BY TOPICS; INCLUDING TRIALS,

ARRESTS, SEARCHES, INTERROGATIONS, PERSECUTION OF CRIMEAN TATARS, EVENTS IN LITHUANIA, PERSECUTION OF BELIEVERS, MISCELLANEOUS REPORTS, ETC. RECENT REPORTS FROM MOSCOW INDICATE THAT THE SOVIET AUTHORITIES ARE CONDUCTING A CAMPAIGN AGAINST THE CHRONICLE. ACCORDING TO RECORDS OF INTERROGATIONS, CHARGES OF INVOLVEMENT WITH THE CHRONICLE WILL BE BROUGHT AGAINST RUSSIAN MATHEMATICIANS, TATIANA VELIKANOVA AND ALEKSANDR LAVUT, AND MOSCOW HELSINKI GROUP MEMBERS, TATIANA OSIPOVA AND VIKTOR NEKIPELOV. TWO HUMAN-RIGHTS PUBLICATIONS WHICH FIRST APPEARED IN 1979 ARE SUMMA, A SURVEY OF SOVIET SAMIZDAT PUBLICATIONS, AND THE SUPPLEMENT FOR THE FREE DISSEMINATION OF THOUGHT AND NEWS IN ESTONIA.

OTHER ONGOING SAMIZDAT PUBLICATIONS CONCERNED WITH MORE SPECIFIC HUMAN-RIGHTS ISSUES ARE: THE INFORMATION BULLETIN OF THE WORKING COMMISSION TO INVESTIGATE THE USE OF PSYCHIATRY FOR POLITICAL PURPOSES; THE INFORMATION BULLETIN OF THE FREE EMIGRATION GROUP; THE INFORMATION BULLETIN OF THE COMMITTEE IN DEFENSE OF TATIANA VELIKANOVA; INFORMATION BULLETIN OF THE CRIMEAN TATAR MOVEMENT (APPEARING SINCE THE LATE 1950's, IT IS THE OLDEST CONTINUOUS HUMAN-RIGHTS PUBLICATION IN THE U.S.S.R.); INFORMATION BULLETIN OF THE UKRAINIAN HELSINKI GROUP; DOCUMENTS OF THE SOVIET HELSINKI GROUPS; INFORMATION BULLETIN OF SMOT; THE INFORMATION BULLETIN OF THE INITIATIVE GROUP FOR THE RIGHTS OF INVALIDS; DAWN; AND PERSPECTIVES. IN LENINGRAD, TWO FEMINIST JOURNALS, WOMAN AND RUSSIA AND MARIYA WERE STARTED. THE EDITORS HAVE BEEN SUBJECTED TO VARIOUS PRESSURES: POET YULYA VOZNESENSKAYA -- WHO HAD ALREADY BEEN IMPRISONED FOR HER ACTIVITIES -- WAS PERMITTED TO EMIGRATE IN MAY 1980. ACCORDING TO PRESS REPORTS ON JULY 15, 1980, TATIANA MAMONOVA WAS TOLD BY THE LENINGRAD KGB EITHER TO EMIGRATE OR HAVE HER FOUR-YEAR-OLD SON TAKEN AWAY BY THE STATE. LATER IN JULY, MAMONOVA AND TWO OTHER EDITORS OF THE LENINGRAD FEMINIST JOURNALS WERE PERMITTED TO EMIGRATE TO THE WEST.

THERE ARE NUMEROUS ON-GOING UNOFFICIAL PUBLICATIONS CONCERNED WITH THE SITUATION OF VARIOUS RELIGIOUS COMMUNITIES IN THE U.S.S.R. THE CHRISTIAN COMMITTEE FOR THE RIGHTS OF BELIEVERS AND THE CATHOLIC COMMITTEE HAVE PRODUCED HUNDREDS OF APPEALS AND DOCUMENTS SINCE 1977.

ONE BAPTIST JOURNAL, THE HERALD OF TRUTH, (PREVIOUSLY ENTITLED THE HERALD OF SALVATION) HAS APPEARED SINCE 1963, DESPITE KGB DISCOVERIES OF THREE OF ITS SECRET PRESSES, IN UKRAINE, LATVIA AND NEAR LENINGRAD, AND THE IMPRISONMENTS OF MANY CONNECTED WITH THE JOURNAL. ANOTHER BAPTIST PUBLICATION, BULLETIN

OF THE COUNCIL OF RELATIVES OF EVANGELICAL CHRISTIAN-BAPTIST PRISONERS, INCORPORATED THE FRATERNAL LEAFLET, AND HAS BEEN PRINTED SINCE 1964.

ANOTHER LONG-STANDING JOURNAL CONCERNED WITH RELIGIOUS RIGHTS IS THE CHRONICLE OF THE LITHUANIAN CATHOLIC CHURCH WHICH HAS APPEARED SINCE 1972 DESPITE THE ARRESTS AND IMPRISONMENT OF MANY OF ITS ASSOCIATES. NIJOLE SADUNAITE, A 41-YEAR-OLD NURSE, SENTENCED IN JUNE 1975 TO SIX YEARS OF IMPRISONMENT FOR THE CHRONICLE, DUE TO BE RELEASED IN MAY 1980, WAS INFORMED THAT HER RELEASE WAS DELAYED BY A MONTH. ON APRIL 17, 1980, THERE WERE HOUSE SEARCHES OF 15 LITHUANIAN WOMEN SUSPECTED OF INVOLVEMENT WITH THE LITHUANIAN CHRONICLE; TWO WOMEN, GENE NAVITSKAITE AND ONA VILKAUCKAITE, WERE ARRESTED.

MORE RECENT RELIGIOUS PUBLICATIONS INCLUDE: ONLY FACTS; ABOUT PENTECOSTALS; THREE RUSSIAN ORTHODOX JOURNALS, COMMUNITY, FROM THE RUSSIAN GOLGOTHA AND IN THE LIGHT OF THE TRANSFIGURATION (WEEKLY PUBLICATION OF FATHER DMITRI DUDKO'S SERMONS, WHO WAS ARRESTED IN JANUARY 1980); AND THREE LITHUANIAN CATHOLIC JOURNALS, SORROWING CHRIST, THE ROAD OF TRUTH AND FUTURE.

CULTURAL-HISTORICAL-LITERARY JOURNALS ALSO ARE WELL REPRESENTED IN CONTEMPORARY SOVIET SAMIZDAT. IN LENINGRAD, THREE SUCH JOURNALS, VOICE 37 AND HOURS BEGAN PUBLICATION IN 1979. IN LITHUANIA AND ESTONIA, FOUR SUCH PUBLICATIONS WERE STARTED IN 1979: ALMA MATER, THE SHELTER AND THE MOUNTED KNIGHT AND THE SATURDAY NEWSPAPER. THERE ARE TWO SAMIZDAT JOURNALS ABOUT JEWISH CULTURE: JEWS IN THE U.S.S.R. AND CULTURE.

AN INTERESTING SAMIZDAT JOURNAL, MEMORY, HAS APPEARED ONCE A YEAR SINCE 1976, AND EXPLORES LITTLE-KNOWN ASPECTS OF SOVIET HISTORY. ANOTHER RECENT UNOFFICIAL JOURNAL, SEARCHES, PROVIDES A FORUM FOR EXTENSIVE ARTICLES OF VARIOUS IDEOLOGICAL PERSPECTIVES. PERHAPS BECAUSE THE AIM OF THIS PUBLICATION IS TO INCREASE UNDERSTANDING AMONG THE VARIED STRANDS OF SOVIET DISSENT, THE SOVIETS HAVE TAKEN NUMEROUS REPRESSIVE ACTIONS AGAINST THE EDITORS OF THIS MAGAZINE: VIKTOR SOROKIN AND VALERY ABRAMKIN (BOTH ARRESTED IN 1979); YURI GRIMM AND VIKTOR SOKIRKO (BOTH ARRESTED IN 1980), ALL WILL REPORTEDLY STAND TRIAL FOR "ANTI-SOVIET SLANDER." EDITOR PETR EGIDES WAS FORCED TO EMIGRATE ON JANUARY 17, 1980, WHILE RAISSA LERT WAS EXPELLED FROM THE COMMUNIST PARTY IN MARCH 1980. ANOTHER EDITOR, VLADIMIR GERSHUNI, A WORKER WHO HAS ALREADY SPENT 15 YEARS IN IMPRISONMENT ON POLITICAL CHARGES

-- FIVE OF THEM IN PSYCHIATRIC PRISON -- FORCIBLY WAS PUT IN PSYCHIATRIC DETENTION IN MOSCOW ON JUNE 25, 1980.

ACCORDING TO AN UNOFFICIAL DOCUMENT DATED DECEMBER 16, 1979, AND SIGNED BY 16 LITHUANIANS AND THREE ESTONIANS, THERE CURRENTLY IS AN INTENSIVE KGB CAMPAIGN UNDERWAY AGAINST PEOPLE WHO "PRODUCE, KEEP AND DISSEMINATE LITERATURE OF AN ANTI-SOVIET CHARACTER." THIS WAVE OF HOUSE SEARCHES, INTERROGATIONS AND ARRESTS IN LITHUANIA AND ESTONIA IS SAID TO BE AS REMINISCENT OF STALINIST WITCH HUNTS.⁵¹

PROBABLY THE BEST-KNOWN SAMIZDAT VENTURE IN RECENT YEARS IS METROPOL -- LITERARY ALMANAC TO WHICH 23 LEADING SOVIET WRITERS CONTRIBUTED. SUBMITTED TO THE SOVIET WRITERS' UNION ON JANUARY 18, 1979, AND REJECTED FOR PUBLICATION IN THE SOVIET UNION, THE WRITERS THEN DECIDED TO TRY TO PUBLISH METROPOL IN THE WEST. THE PURPOSE OF THE ALMANAC WAS NOT A POLITICAL PROTEST, BUT TO EXPAND THE ACCEPTABLE BOUNDS OF BELLES LETTRES IN THE U.S.S.R.

INITIAL OFFICIAL SOVIET REACTION TO METROPOL INCLUDED THE BANISHMENT FROM SOVIET PUBLICATIONS OF THE 23 CONTRIBUTING⁵² WRITERS, AND THEIR EXCLUSION FROM OFFICIAL LITERARY FUNCTIONS⁵³. DESPITE NUMEROUS APPEALS ON THEIR BEHALF, VIKTOR EROFEEV AND EVGENI POPOV WERE EXPELLED FROM THE SOVIET WRITERS' UNION ON DECEMBER 17, 1979. IN PROTEST, SEMEN LIPKIN AND INNA LISNYANSKAYA RESIGNED FROM THE WRITERS' UNION IN JANUARY 1980. VASILY AKSYONOV, ONE OF THE EDITORS OF METROPOL, RESIGNED FROM THE SOVIET WRITERS' UNION AFTER HIS WORK WAS NO LONGER PRINTED IN THE U.S.S.R. IN MAY 1980, HE RECEIVED PERMISSION TO EMIGRATE TO FRANCE. TWO OF THE MOST FAMOUS CONTEMPORARY SOVIET WRITERS WHO CONTRIBUTED TO METROPOL -- BELLA AKHMADULINA AND ANDREI VOSNESENSKY -- NO LONGER CAN READ THEIR WORKS IN PUBLIC IN THE SOVIET UNION.⁵³

FREEDOM OF ASSOCIATION: CITIZENS' GROUPS

DESPITE SUPPOSED GUARANTEES OF FREEDOM OF ASSEMBLY, SOVIET AUTHORITIES RESPOND HARSHLY TO THE CONSISTENT EXERCISE OF THIS RIGHT. SINCE 1977, SEVERAL NEW UNOFFICIAL ASSOCIATIONS HAVE BEEN FORMED BY SOVIET CITIZENS, WHILE OTHERS CONTINUE TO FUNCTION DESPITE SEVERE REPRESSION.

SOVIET HELSINKI GROUPS

SINCE THE FIRST SOVIET HELSINKI GROUP WAS FORMED IN MOSCOW ON MAY 12, 1976, 62 PEOPLE OF DIVERSE ETHNIC, RELIGIOUS AND

SOCIAL BACKGROUNDS HAVE JOINED SUCH GROUPS IN MOSCOW, VILNIUS, KIEV, YEREVAN AND TBLISI. FRIGHTENED AT SUCH COOPERATION, THE SOVIET AUTHORITIES HAVE IMPRISONED 36 MEMBERS OF THE MOSCOW, UKRAINIAN, LITHUANIAN, GEORGIAN AND ARMENIAN HELSINKI GROUPS. THEY ARE:

MOSCOW GROUP: MALVA LANDA (EXILE), ALEKSANDR GINZBURG (EXCHANGED AND ALLOWED TO LEAVE THE U.S.S.R. IN APRIL 1979), YURI ORLOV, ANATOLY SHCHARANSKY, VLADIMIR SLEPAK (EXILE), VIKTOR NEKIPELOV, TATIANA OSIPOVA, AND LEONARD TERNOVSKY.

UKRAINIAN GROUP: OLHA HEYKO, OKSANA MESHKO, ZINOVY KRASIVSKY, VITALY KALYNCHENKO, YAROSLAV LESIV, PETRO ROZYMNYI, VASYL STRILTSIV, VASYL STUS, VYACHESLAV CHORNOVIL, OLES BERDNYK, YURI LITVYN, PETRO SYCHKO, VASYL SYCHKO, MYKOLA HORBAL, LEVKO LUKYANENKO, MYROSLAV MARYNOVYCH, MYKOLA MATUSEVYCH, MYKOLA RUDENKO, OLEKSY TYKHY AND PETR VINS (EMIGRATED AS PART OF THE PRISONER EXCHANGE).

LITHUANIAN GROUP: VIKTORAS PETKUS.

ARMENIAN GROUP: EDUARD ARUTUNYAN, SHAGEN ARUTUNYAN AND ROBERT NAZARYAN.

GEORGIAN GROUP: ZVIAD GAMSAKHURDIA (PARDONED MAY 1979), GRIGORY GOLDSHEIN (RELEASED MARCH 1979), VALENTINA PAILODZE (EXILE) AND VIKTOR RTSKHILADZE.

A NUMBER OF ACTIVISTS WHO HAD BEEN SENTENCED FOR POLITICAL CRIMES JOINED THE HELSINKI GROUPS FROM THEIR PLACES OF IMPRISONMENT AND EXILE. BALYS GAJAUSKAS BECAME A MEMBER OF THE LITHUANIAN GROUP WHILE SERVING A CAMP TERM FOR "ANTI-SOVIET AGITATION AND PROPAGANDA," AND IOSIF ZISELS AND VASYL OVSIIENKO, ARRESTED AFTER THE SIGNING OF THE HELSINKI ACCORDS, JOINED THE UKRAINIAN GROUP FROM LABOR CAMP.

UNOFFICIAL HELSINKI DOCUMENTS FROM THE SOVIET UNION REVEAL INCREASING CONCERN, NOT ONLY WITH OTHER CITIZENS' GROUPS IN THE U.S.S.R., BUT ALSO WITH SIMILAR GROUPS IN CZECHOSLOVAKIA AND POLAND. AN OCTOBER 6, 1979 APPEAL FROM THE UKRAINIAN GROUP WAS ADDRESSED TO HELSINKI GROUPS IN THOSE COUNTRIES AND THE UNITED STATES. THE MOSCOW HELSINKI GROUP HAS ISSUED SEVERAL STATEMENTS OF SUPPORT FOR THE IMPRISONED CHARTISTS IN CZECHOSLOVAKIA AND FOR POLISH HUMAN-RIGHTS GROUPS, AS WELL AS CALLING ATTENTION TO THE PERSECUTION OF HELSINKI GROUPS OUTSIDE THE R.S.F.S.R.

A MOSCOW HELSINKI GROUP DOCUMENT OF SEPTEMBER 20, 1979 STATED:

"EVERYTHING THAT IS NOW HAPPENING IN UKRAINE CANNOT BE DESCRIBED OTHER THAN AS MAFIA-STYLE VIOLENCE. THIS IS NO LONGER THE VIOLATION OF RIGHTS AND LEGALITY, BUT UNBRIDLED VIOLENCE, PHYSICAL AND PSYCHOLOGICAL TERROR, DIRECT THREATS TO THE LIVES OF THOSE UNDER THE WATCHFUL EYES OF THE AUTHORITIES."

ALTHOUGH THE MOSCOW HELSINKI GROUP HAS HAD ITS SHARE OF DIFFICULTIES, HOUSE SEARCHES, INTERROGATIONS, ARRESTS AND IMPRISONMENTS, MANY OF ITS MEMBERS HAVE BEEN PERMITTED, OR FORCED, TO EMIGRATE. THE REPORTS PRODUCED BY THE GROUP REPRESENT A MAJOR CONTRIBUTION TO DOCUMENTATION OF SOVIET VIOLATIONS OF ITS HUMAN RIGHTS OBLIGATIONS UNDER PRINCIPLE VII.

TO DATE, THE MOSCOW HELSINKI GROUP HAS ISSUED OVER 150 DOCUMENTS, STATEMENTS AND APPEALS, ON A WIDE RANGE OF TOPICS. AN EXAMINATION OF THE INFORMATION COMPILED BY THE GROUP SINCE 1977 -- UNDER INCREASINGLY DIFFICULT CIRCUMSTANCES -- REVEALS: FIVE DOCUMENTS ON THE PROBLEM OF EMIGRATION; FIVE ON VIOLATIONS OF THE ETHNIC RIGHTS ON MINORITY GROUPS; FOUR ON PERSECUTION OF RELIGIOUS BELIEVERS; 11 DECLARATIONS OF HUMAN RIGHTS POLICIES; 30 DOCUMENTS ON REPRESSION AGAINST SOVIET HUMAN-RIGHTS ACTIVISTS; TWO ON DISCRIMINATION AGAINST FORMER POLITICAL PRISONERS; SIX DOCUMENTS DESCRIBING THE CONDITIONS OF DETENTION OF SOVIET PRISONERS; SEVEN REPORTS ON VIOLATIONS OF CRIMINAL LEGAL PROCEDURE; TWO DESCRIPTIONS OF INCIDENTS IN WHICH SOVIETS LIVING IN THE WEST HAVE BEEN STRIPPED OF THEIR SOVIET CITIZENSHIP; AND EIGHT REPORTS ON VIOLATIONS OF ECONOMIC AND SOCIAL RIGHTS.

IT IS THE UKRAINIAN HELSINKI GROUP WHICH HAS BORNE THE BRUNT OF SOVIET FURY, AS REVEALED IN THE MORE THAN 100 PAGES OF DOCUMENTATION BY THE GROUP. LAMENTATION, WRITTEN BY THREE GROUP MEMBERS, OKSANA MESHKO, NINA STOKATA AND IRYNA SENYK, ON OCTOBER 30, 1979, REFERRED TO FABRICATED CRIMINAL CHARGES FREQUENTLY BROUGHT AGAINST GROUP MEMBERS IN CALLING ON THE WORLD COMMUNITY, IT SAID "THE UKRAINIAN HELSINKI GROUP STANDS BEFORE THE THREAT OF LIQUIDATION." IN MID-JUNE OF 1980, 75-YEAR-OLD WIDOW, OKSANA MESHKO, WAS ARRESTED AND REPORTEDLY IS NOW BEING HELD IN A KIEV PRISON PSYCHIATRIC HOSPITAL. INFORMATION BULLETIN No. 7, WRITTEN BY GROUP MEMBER YURI LYTUVYN IN NOVEMBER OF 1979, DESCRIBED THE EXTENT OF RUSSIFICATION IN UKRAINE.

AFTER YEARS OF REPRESSION AND IMPRISONMENT, MANY MEMBERS OF THE UKRAINIAN HELSINKI GROUP SUCH AS VASYL STRILSTIV OR IVAN KANDYBA HAVE BEEN SEEKING IN VAIN TO EMIGRATE TO THE WEST. INDEED, ONE GROUP DOCUMENT DESCRIBES THE VIRTUAL BAN ON UKRAINIAN EMIGRATION FROM THE SOVIET UNION. TWO OTHER GROUP MEMBERS, VOLODYMYR MALYNKOVYCH AND NINA STROKATA-KARAVANSKA, FINALLY DID MANAGE TO EMIGRATE IN 1979.

THE IMPRISONED LEADER OF THE GEORGIAN HELSINKI GROUP, ZVIAD GAMSAKHURDIA, WAS THE ONLY MEMBER OF A SOVIET HELSINKI GROUP TO CONFESS. AFTER 13 MONTHS IN PRE-TRIAL DETENTION -- INCLUDING A PERIOD IN THE SERBSKY INSTITUTE FOR FORENSIC PSYCHIATRY -- GAMSAKHURDIA AND MERAB KOSTAVA WENT ON TRIAL. CHARGED UNDER THE GEORGIAN EQUIVALENT OF ARTICLE 70, "ANTI-SOVIET AGITATION AND PROPAGANDA", BOTH MEN PLEADED GUILTY AS CHARGED.

A DISPUTE AROSE, HOWEVER, OVER THE ISSUE OF EXPRESSION OF REMORSE AND FOR WHAT "CRIMES". TASS, THE SOVIET OFFICIAL PRESS AGENCY, REPORTED ON MAY 18, 1978:

"IN HIS TESTIMONY TO THE COURT THE DEFENDANT GAMSAKHURDIA CITED CONCRETE INSTANCES OF HIS CRIMINAL ACTIVITY AND NOTED THE PERNICIOUS INFLUENCE...THE AMERICANS BELOUSOVICH, SHIPLER AND FRIENDLY AND FAMILIARIZATION WITH THE MALICIOUS, ANTI-SOVIET LAMPOONS OF SAKHAROV AND HIS ILK, PUBLISHED IN THE WEST AND ILLEGALLY BROUGHT INTO THE SOVIET UNION, HAD HAD ON HIM. "UNDER THEIR INFLUENCE," DECLARED GAMSAKHURDIA, "I DEVELOPED A FEELING OF HOSTILITY AND HATRED AND A DESIRE TO FIGHT AGAINST THE SOVIET SYSTEM."

AS REPORTED MAY 19, 1978 BY THE NEW YORK TIMES, REUTER AND UPI, GAMSAKHURDIA'S RELATIVES PRESENT AT THE TRIAL DENIED THAT EITHER KOSTAVA OR GAMSAKHURDIA EXPRESSED ANY REMORSE. FURTHERMORE, GAMSAKHURDIA INSISTED ON HIS VIEWS ON RUSSIFICATION, ON GREATER RELIGIOUS RIGHTS FOR THE GEORGIAN ORTHODOX CHURCH AND ON BETTER PRESERVATION OF GEORGIAN HISTORICAL MONUMENTS. ACCORDING TO HIS WIFE, GAMSAKHURDIA EXPRESSED REGRET ONLY FOR HIS DECISION TO PUBLISH TWO ARTICLES IN SAMIZDAT PUBLICATIONS, GOLDEN FLEECE AND THE GEORGIAN HERALD. AS FAR AS HIS CONTACTS WITH AMERICAN DIPLOMATS AND JOURNALISTS,

GAMSAKHURDIA ONLY SAID HE WAS SORRY THAT THE BOOKS HE HAD RECEIVED FROM BELOUSOVITCH HAD BEEN CONFISCATED. KOSTAVA NEVER "RECATED" ANY OF HIS VIEWS AT THE TRIAL.

THE SOVIET AUTHORITIES DECIDED TO BROADCAST ON NATIONAL SOVIET TV AN EDITED, VIDEOTAPED VERSION OF HIS ALLEGED "CONFESSION" ON MAY 19, 1978, THE DAY HE WAS SENTENCED TO THREE YEARS OF IMPRISONMENT AND TWO YEARS OF INTERNAL EXILE. WHEN TWO AMERICAN JOURNALISTS -- CRAIG WHITNEY AND HAL PIPER -- REPORTED THE OPINIONS OF GAMSAKHURDIA'S RELATIVES, THE JOURNALISTS WERE ACCUSED OF SLANDERING SOVIET STATE TELEVISION AND WERE ORDERED BY A COURT TO RETRACT THEIR ARTICLES WHICH HAD APPEARED IN THE U.S. PRESS.

PARDONED AND RELEASED EARLY FROM PRISON, GAMSAKHURDIA RETURNED TO TBILISI IN MAY 1979. HIS CO-DEFENDANT, KOSTAVA, HAS BEEN UNDER SEVERE KGB PRESSURE TO "RECAT" AND HIS REFUSAL TO DO SO HAS RESULTED IN PUNISHMENT IN CAMP ISOLATION CELLS.

THE CONCERNS OF THE ARMENIAN HELSINKI GROUP HAVE BEEN SIMILAR TO THOSE OF THE GEORGIAN GROUP, CULTURAL AND NATIONAL RIGHTS, AS WELL AS CONCERN FOR THE SITUATION OF ARMENIAN POLITICAL PRISONERS. MOST GROUP DOCUMENTS HAVE BEEN INDIVIDUAL STATEMENTS FROM MEMBERS. AT PRESENT, ALL MEMBERS OF THE ARMENIAN HELSINKI GROUP HAVE LEFT YEREVAN: THREE ARE IN PRISON CAMPS; AMBARTSUM KHLGATYAN, WHO HAD BEEN TRYING TO LEAVE THE U.S.S.R. SINCE 1949, EMIGRATED TO THE UNITED STATES IN AUGUST 1979.

DESPITE IMPRISONMENTS, INTERROGATIONS, JOB DISMISSALS AND HOUSE SEARCHES, THE LITHUANIAN HELSINKI GROUP STILL FUNCTIONS. MANY OF THE RECENT LITHUANIAN GROUP DOCUMENTS HAVE BEEN PROTESTS OF THE ARRESTS AND TRIALS OF POLITICAL, RELIGIOUS AND NATIONAL-RIGHTS ACTIVISTS, SUCH AS THE EXILE OF ANDREI SAKHAROV.

AMNESTY INTERNATIONAL

IN SEPTEMBER 1974, AMNESTY INTERNATIONAL OFFICIALLY ACCEPTED THE MOSCOW BRANCH AS A CONSTITUENT GROUP. THE BRANCH WAS ASSIGNED PRISONER-ADOPTION CASES IN YUGOSLAVIA, SPAIN (LATER CHANGED TO MEXICO) AND SRI LANKA. ONE OF THE ORGANIZERS OF THE MOSCOW AMNESTY GROUP, ANDREI TVERDOKHLEBOV, WAS SENTENCED TO FIVE YEARS OF INTERNAL EXILE IN 1975 AND UPON RELEASE WAS FORCED TO EMIGRATE IN FEBRUARY 1980.

THE ACTIVE MEMBERS OF THE MOSCOW AMNESTY BRANCH ARE: VLADIMIR ALBRECHT, A MATHEMATICIAN WHO WAS FIRED FROM HIS

JOB AND NOW WORKS AS AN ELEVATOR OPERATOR AND GEORGY VLADIMOV, A WELL-KNOWN WRITER. BOTH MEN ARE SUBJECTED TO FREQUENT KGB HARASSMENT.

ECONOMIC AND SOCIAL RIGHTS

ALREADY IN 1978, THE MOSCOW HELSINKI GROUP HAD PUBLISHED SEVERAL REPORTS ON VIOLATIONS OF ECONOMIC AND SOCIAL RIGHTS OF SOVIET CITIZENS: THAT FARMERS CANNOT LEAVE THEIR COLLECTIVE FARMS; THAT FORMER POLITICAL PRISONERS FACE DISCRIMINATION IN HOUSING AND EMPLOYMENT; THAT CITIZENS WHO TRY TO ORGANIZE UNOFFICIAL LABOR UNIONS OR INVALIDS' COMMITTEES ARE SUBJECT TO HARSH REPRISALS BY THE GOVERNMENT.

ONE MOSCOW HELSINKI GROUP DOCUMENT, WRITTEN ON APRIL 22, 1978, DESCRIBES THE FATE OF MANY LEADING SCIENTISTS AND WRITERS WHO ARE INVOLVED IN THE SOVIET HUMAN RIGHTS MOVEMENT: "WHY MUST PEOPLE, (SUCH AS GEORGY VLADIMOV, VLADIMIR VOINOVICH AND VLADIMIR KORNILOV) THE PRIDE OF RUSSIAN LITERATURE, WORK AS ELEVATOR OPERATORS AND STEVEDORES? WHY MUST THEY FACE WARNINGS "TO STOP THEIR PARASITIC LIFESTYLES" AND SHORTLY THEREAFTER, BE MADE TO STAND TRIAL FOR PARASITISM?"

ANOTHER REPORT, DATED FEBRUARY 23, 1978, IS AN ANALYSIS OF INADEQUACIES IN THE SOVIET PENSION SCHEME: CRAFTSMEN HAVE NO RIGHT TO PENSION SINCE THEY ARE NOT CONSIDERED BLUE OR WHITE COLLAR WORKERS; ANYONE WHO CANNOT PROVE SUFFICIENT LENGTH OF EMPLOYMENT IS INELIGIBLE FOR PENSIONS, AS ARE COLLECTIVE FARM WHO STOPPED WORK BEFORE 1964. TIME SPENT IN FORCED LABOR ALSO IS INELIGIBLE FOR PENSION BENEFITS. IN CONCLUSION, THIS MOSCOW HELSINKI GROUP DOCUMENT STATES: "THIS BRIEF...REVIEW OF SOME IMPORTANT PROBLEMS OF SOCIAL SECURITY IN THE U.S.S.R. TESTIFIES TO THE EXISTENCE OF A CONSIDERABLE NUMBER OF DISABLED SOVIET CITIZENS WHO DO NOT RECEIVE ANY PENSION OR ALLOWANCE AND A STILL LARGER NUMBER OF OLD, DISABLED PEOPLE AND CHILDREN WHO RECEIVE SUCH PALTRY PENSIONS AND ALLOWANCES THAT THEY DO NOT HAVE THE MEANS OF SUBSISTENCE EVEN BY SOVIET STANDARDS."

THE FOCUS ON ECONOMIC AND SOCIAL RIGHTS IS RELATIVELY NEW FOR THE MOSCOW HELSINKI GROUP AND UNDERCUTS OFFICIAL CLAIMS THAT THIS IS AN AREA OF PARTICULAR STRENGTH IN THE SOVIET UNION. ANOTHER EXAMPLE IS DOCUMENT 85, "VIOLATION OF SOCIO-ECONOMIC RIGHTS IN THE U.S.S.R.: THE RIGHT TO WORK", ISSUED ON APRIL 21, 1979. THIS DOCUMENT DESCRIBES THE POVERTY OF THE VAST MAJORITY OF THE SOVIET POPULATION.

THE MAXIMUM WAGE IN THE U.S.S.R. CAN BE 10 TIMES THE MINIMUM WAGE OF 60 TO 70 RUBLES A MONTH, DEPENDING ON THE REGION.

PAYMENT FOR THE SAME WORK VARIES IN DIFFERENT BRANCHES AND ADMINISTRATIONS OF THE ECONOMY. THERE IS UNEQUAL MATERIAL SUPPLY TO CENTRAL CITIES AND THE PERIPHERY; POOR ORGANIZATION OF LABOR AND SAFETY MEASURES; UNPAID LABOR AS OVERTIME AND VOLUNTARY WORK ON SATURDAYS (SUBBOTNIKS); AND THE UTILIZATION OF WOMEN FOR HEAVY PHYSICAL LABOR. IT IS ALSO NOTED THAT KOLKHOZ WORKERS GET NO PAID HOLIDAYS AND HAVE BECOME "VIRTUAL SLAVES OF THE STATE".

THE OBLIGATORY WORK RECORD, A BOOKLET WHICH RECORDS THE REASONS FOR PREVIOUS DISMISSALS, MUST BE PRODUCED TO GET A NEW JOB. THE LAW ON "PARASITISM" FORCES THE SOVIET WORKER TO GIVE UP SEARCHING FOR SUITABLE WORK AND SETTLE FOR ANY JOB AT ALL, EVEN IF IT DOES NOT CORRESPOND TO HIS OR HER WISHES, EDUCATION OR QUALIFICATIONS. IN THE U.S.S.R., THERE ARE ALWAYS MANY PEOPLE -- NOT RECORDED IN OFFICIAL STATISTICS -- WHO ARE OUT OF WORK FOR MANY MONTHS. SUCH PEOPLE RECEIVE NO UNEMPLOYMENT PAY BECAUSE IT DOES NOT EXIST IN THE U.S.S.R. ACCORDING TO DOCUMENT 85, "IF THE WESTERN CONCEPT OF UNEMPLOYMENT -- FORMULATED THROUGH MANY YEARS OF PRACTICAL EXPERIENCE IN THE LABOR MOVEMENT -- WERE TO BE APPLIED TO THE U.S.S.R., THE MYTH OF THE COUNTRY OF NO UNEMPLOYMENT WOULD BE DISPELLED."

IN 1979, A REMARKABLE DOCUMENT ON FORCED LABOR IN THE SOVIET UNION WAS SMUGGLED OUT OF THE LABOR CAMPS. WRITTEN BY POLITICAL PRISONERS, THE FOUNDER OF THE MOSCOW HELSINKI GROUP, YURI ORLOV, A MEMBER OF THE UKRAINIAN HELSINKI GROUP, MYKOLA MATUSEVYCH, AND TWO OTHER UKRAINIAN ACTIVISTS, ZINOVY ANTONYUK AND VALERY MARCHENKO, IT IS AN EXTENSIVE EXAMINATION OF PRESENT CONDITIONS IN SOVIET LABOR CAMPS. RELEASED BY THE MOSCOW HELSINKI GROUP ON APRIL 25, 1979, THE FOLLOWING SECTION IS ABOUT THE EXTENT AND SIGNIFICANCE OF FORCED LABOR IN THE SOVIET UNION TODAY:

"THE MOST IMPORTANT ASPECT OF THE PROBLEM OF PRISONERS IN THE U.S.S.R. IS THE SHEER NUMBER OF CITIZENS COMPLETELY OR PARTIALLY DEPRIVED OF THEIR FREEDOM ON A COURT DECISION OR BY ADMINISTRATIVE MEANS. ALL OF THESE PEOPLE ARE IN ONE FORM OR ANOTHER ENLISTED FOR FORCED LABOUR. ALTHOUGH THE TOTAL NUMBER IS KEPT SECRET, IT IS POSSIBLE TO MAKE AN ESTIMATE. PRISONERS FROM CORRECTIVE LABOUR COLONIES (SPECIAL REGIME, STRICT REGIME AND INTENSIFIED REGIME), FROM DEPORTATION

COLONIES, FROM EDUCATIONAL-LABOUR COLONIES FOR MINORS, THE SO-CALLED "CHEMISTS" (PRISONERS CONDITIONALLY FREED AHEAD OF TIME AND ENLISTED FOR WORK), EXILES AND DEPORTEES -- ALL MEET IN THE TRANSIT CAMPS AND INVESTIGATORY "ISOLATION" PRISONS AND COMPARE NOTES ON THE NUMBERS OF PEOPLE BEING SUBJECTED TO REPRESSION. MOST AGREE THAT THE TOTAL NUMBER OF ZEKs (PRISONERS) -- INCLUDING THOSE IN INVESTIGATORY PRISONS AND IN THE LABOUR TREATMENT CENTERS (LTPs) FOR RECOGNIZED ALCOHOLICS -- IS NO LESS THAN 3,000,000 BUT THAT THE TOTAL NUMBER OF THOSE ENGAGED IN FORCED LABOUR IS NO LESS THAN 5,000,000, IN OTHER WORDS, ABOUT 2 PERCENT OF THE POPULATION.

"IT MUST BE SAID THAT IF THE REGULAR ARMY OF THE UNEMPLOYED IS THE CHARACTERISTIC EVIL OF THE CAPITALIST SYSTEM, THEN BY THE SAME TOKEN, THE REGULAR, AND SIMILARLY LARGE, ARMY OF THOSE ENGAGED IN FORCED LABOUR IS THE CHARACTERISTIC EVIL OF "APPLIED SOCIALISM" IN THE TOTALITARIAN SENSE OF THE PHRASE. SOVIET PROPAGANDA RIGHTLY POINTS OUT THAT CIVIL RIGHTS AND LIBERTIES ARE UNDERSTOOD IN ESSENTIALLY DIFFERENT WAYS IN THE SOVIET UNION AND IN THE WEST. BUT IT CRUDELY DECEIVES THE WORLD COMMUNITY WHEN IT ASSERTS THAT THE SOVIET CONCEPT OF CIVIL RIGHTS AND LIBERTIES CORRESPONDS AUTOMATICALLY TO THE INTERESTS OF THE MAJORITY OF THE WORKING POPULATION. THE MILLIONS OF PRISONERS AND SEMI-PRISONERS ENGAGED IN FORCED LABOUR, THE MILLIONS WHO HAVE GONE THROUGH IT IN THE PAST, AND THE MILLIONS OF MEMBERS OF THEIR FAMILIES REPRESENT JUST AS SIZABLE A PROPORTION OF THE WORKING POPULATION AS THE UNEMPLOYED AND THEIR FAMILIES IN THE WEST.

"WHEN MILLIONS OF PEOPLE ARE SUMMARILY FORCED TO ABANDON THEIR NORMAL LIVELIHOODS THUS MUST IN SOME WAY BE CONNECTED WITH THE ECONOMIC, SOCIAL AND POLITICAL FEATURES OF THE SOCIAL SYSTEM. OF COURSE, THERE ARE PEOPLE IN ALL SOCIETIES WHO HAVE INNATE TENDENCIES THAT EXCEED ESTABLISHED LIMITS.

HOWEVER, IT IS IMPROBABLE THAT THERE ARE TEN TIMES AS MANY SUCH PEOPLE IN SOVIET SOCIETY AS THERE ARE IN THE WEST, ALTHOUGH THERE IS A CORRELATION OF THAT ORDER BETWEEN THE NUMBER OF ZEKs IN THE U.S.S.R. AND IN THE UNITED STATES -- 250,000, ACCORDING TO SOVIET FIGURES. MOREOVER, BORN CRIMINALS PROBABLY DO NOT ACCOUNT FOR A SIGNIFICANT PROPORTION OF WESTERN ZEKs. BEARING THIS IN MIND, ONE CAN SAY THAT AN OVERWHELMING NUMBER OF SOVIET ZEKs ARE BEHIND BARBED WIRE AS A RESULT OF CRIMES INDIRECTLY PROVOKED BY THE GENERAL CONDITIONS OF EXISTENCE. OF COURSE THIS DOES NOT MEAN THAT WE WISH TO JUSTIFY VIOLENCE OR THEFT. WE ARE MERELY POINTING TO THE EXISTENCE OF A COLLECTIVE PARTNER-IN-CRIME, THE SOCIO-ECONOMIC AND POLITICAL SYSTEM. WHETHER THEY ARE OF WORKER OR PEASANT ORIGIN, IN THE CAMPS THE MAJORITY OF ZEKs ARE WORKERS. THE MAJORITY OF CRIMINAL OFFENCES ARE HOOLIGANISM, THEFT, ARMED ROBBERY, ROBBERY WITH VIOLENCE, AND VARIOUS DEGREES OF SOCIAL THEFT. MANY OFFENCES ARE CONNECTED WITH DRUNKENNESS: THE PERCENTAGE OF DRUNKARDS IS HIGH, AND THE LTPs ACCOUNT FOR AN APPRECIABLE PROPORTION OF THE TOTAL NUMBER OF COLONIES."

OTHER SIGNS OF DISSATISFACTION WITH ECONOMIC RIGHTS IN THE SOVIET UNION: REPORTS OF WORKERS' PROTEST AT CHRONIC AND CRITICAL FOOD SHORTAGES. ACCORDING TO THE JULY 7, 1980 NEWSWEEK:

"DAY AFTER DAY, THE REPORTS SURFACED IN MOSCOW. FIRST CAME THE REPORT OF TWO WALKOUTS IN THE GIANT AUTOMOTIVE-MANUFACTURING COMPLEXES AT GORKI AND TOGLIATTI IN THE VOLGA BASIN. THEN, THERE WAS A WORK STOPPAGE AT A TRACTOR FACTORY IN THE URAL MOUNTAINS CITY OF CHELYABINSK. AND NEXT, A FOUR-HOUR SHUTDOWN OF THE GIANT KAMA RIVER TRUCK PLANT IN NABEREZHNIYE CHELNY.

"...BUT KREMLIN LEADERS HAVE MOVED PROMPTLY, AND POINTEDLY, TO DENY THE STORIES -- WHICH HAVE GAINED WIDE CIRCULATION AS THE

RESULT OF WESTERN RADIO BROADCASTS -- AND HAVE DESCRIBED THEM AS SLANDER FABRICATED BY THE CENTRAL INTELLIGENCE AGENCY. CLEARLY, THE STORIES HAVE TOUCHED A SENSITIVE NERVE WITHIN THE SOVIET POWER STRUCTURE."

HOARDING FOOD FOR FOREIGNERS AT THE OLYMPICS, THE AMERICAN GRAIN BOYCOTT, AND THE WAR IN AFGHANISTAN CLEARLY ARE TAKING THEIR TOLL ON THE DIET OF MILLIONS OF SOVIET CITIZENS.

UNOFFICIAL LABOR UNIONS

PROBABLY INTEREST IN SOVIET SOCIO-ECONOMIC PROBLEMS WAS SPURRED BY THE ORGANIZATION OF UNOFFICIAL LABOR UNIONS IN THE U.S.S.R. IN 1976, SEVERAL UNEMPLOYED WORKERS FROM VARIOUS PARTS OF THE U.S.S.R., LED BY VLADIMIR KLEBANOV, A FORMER COAL MINER, CAME TO MOSCOW TO PRESS FOR REDRESS OF GRIEVANCES AND THEN DECIDED TO UNDERTAKE COLLECTIVE ACTION. IN NOVEMBER 1977, THE ASSOCIATION OF FREE TRADE UNIONS OF WORKERS IN THE SOVIET UNION (AFTU) HELD A PRESS CONFERENCE IN MOSCOW WHERE THEY READ STATEMENTS SIGNED BY AS MANY AS 158 PEOPLE. AN AFTU OPEN LETTER STATED:

"WE ARE A VAST ARMY OF SOVIET UNEMPLOYED, THROWN OUT OF THE GATES OF SOVIET ENTERPRISES FOR ATTEMPTING TO EXERCISE THE RIGHT TO COMPLAIN, THE RIGHT TO CRITICIZE, THE RIGHT TO FREEDOM OF SPEECH...WE UNDERTOOK TO OFFER PUBLICLY CRITICAL REMARKS AGAINST THE PLUNDERING OF SOCIALIST PROPERTY, BAD CONDITIONS OF WORK, LOW PAY, HIGH INJURY RATES, THE RAISING OF PRODUCTION NORMS LEADING TO WASTE AND LOW-QUALITY PRODUCTION."

THE AFTU HELD FURTHER PRESS CONFERENCES ON JANUARY 10 AND ON JANUARY 26, 1978 AT WHICH THE GROUP ANNOUNCED ITS INTENTION TO FORM AN INDEPENDENT TRADE UNION. AFTU CLAIMED THAT 200 PEOPLE HAD AGREED TO JOIN AND SHOWED A LIST OF 100 "CANDIDATE MEMBERS". ON APRIL 13, 1978, THE AFTU REQUESTED OFFICIAL REGISTRATION FROM THE SUPREME SOVIET PRESIDIUM. THE MAIN FOCUS OF THE AFTU DOCUMENTS WAS ON THE IMPOSSIBILITY OF VOICING INDIVIDUAL COMPLAINTS ABOUT WORKING CONDITIONS THROUGH THE SOVIET BUREAUCRACY, INCLUDING OFFICIAL SOVIET LABOR UNIONS. ONE DOCUMENT, DATED MAY 20, 1977 AND SIGNED

BY EIGHT WORKERS WHO HAD BEEN DISMISSED FROM THEIR JOBS FOR CRITICISM OF WORKING CONDITIONS, LISTED 35 WORKERS WHO HAD BEEN JAILED OR HOSPITALIZED FOR THE SAME REASON. AN APPEAL SIGNED BY 43 AFTU MEMBERS AND DATED FEBRUARY 1, 1978, CALLS FOR FORMAL RECOGNITION FROM THE INTERNATIONAL LABOR ORGANIZATION. THE AFTU APPEAL WAS REJECTED BY THE ILO ON APRIL 13, 1979.

THE SOVIET AUTHORITIES DECIDED THAT INTERNMENT IN MENTAL HOSPITALS WAS THE MOST APPROPRIATE RESPONSE TO THE WORKERS WHO WERE SO "INSANE" AS TO REQUEST THEIR RIGHTS IN THE SOVIET WORKERS' STATE. EIGHT OF THE FOUNDING AFTU MEMBERS HAVE BEEN INCARCERATED IN MENTAL HOSPITALS: FEDOR DVORETSKY, VLADIMIR KLEBANOV, VARVARA KUCHERENKO, EVGENY NIKOLAEV, VALENTINA PELEKH, VLADIMIR SHCHERBAKOV, GENNADY TSURKOV AND GAVRIL YANKOV.

THE NEXT ATTEMPT TO ORGANIZE AN INDEPENDENT LABOR UNION IN THE SOVIET UNION WAS THE FREE INTERPROFESSIONAL ASSOCIATION OF WORKERS (SMOT). FORMED ON OCTOBER 28, 1978, SMOT DECLARED ITS GOALS TO BE:

"THE DEFENSE OF ITS MEMBERS IN CASES OF THE VIOLATION OF THEIR RIGHTS IN VARIOUS SPHERES OF THEIR DAILY ACTIVITIES: ECONOMIC, SOCIAL, CULTURAL, SPIRITUAL, RELIGIOUS, DOMESTIC AND POLITICAL. THIS DEFENSE IS TO BE CARRIED OUT BY ALL POSSIBLE MEANS WITHIN THE FRAMEWORK OF THE CONSTITUTION AND INTERNATIONAL AGREEMENTS SIGNED BY THE SOVIET GOVERNMENT.

"FURTHERMORE, SMOT INTENDS TO LOOK INTO THE LEGAL BASES OF THE COMPLAINTS OF WORKERS; TO ENSURE THAT THESE COMPLAINTS ARE BROUGHT TO THE NOTICE OF RELEVANT ORGANIZATIONS; TO FACILITATE A QUICK SOLUTION TO WORKERS' COMPLAINTS; AND, IN CASES OF NEGATIVE RESULTS, TO PUBLICIZE THEM WIDELY BEFORE THE SOVIET AND INTERNATIONAL PUBLIC. IN ORDER TO GIVE STRONGER ASSISTANCE TO WORKERS WHO ARE NOT MEMBERS OF SMOT, A WORKING COMMISSION IS ALSO BEING ORGANIZED."

AT THE TIME OF ITS FORMATION, SMOT HAD ABOUT 100 MEMBERS IN EIGHT AUTONOMOUS GROUPS. EACH GROUP ELECTED ONE REPRESENTATIVE TO AN ADVISORY COUNCIL WHICH COULD MAKE RECOMMENDATIONS. UNLIKE AFTU, SMOT DID NOT MAKE PUBLIC THE NAMES OF

ALL ITS MEMBERS, ONLY THOSE ON THE ADVISORY COUNCIL: LYUDMILA AGAPOVA, VLADIMIR BORISOV, LEV VOLOKHONSKY, ALEKSANDR IVANCHENKO, VALERIA NOVODVORSKAYA, VLADIMIR SKVIRSKY, ALBINA YAKOREVA AND EVGENY NIKOLAEV.

SMOT HAS ISSUED AT LEAST FOUR EXTENSIVE INFORMATION BULLETINS AND A LETTER, DATED NOVEMBER 1978, REQUESTING RECOGNITION FROM THE INTERNATIONAL CONFEDERATION OF FREE TRADE UNIONS. SMOT HAS DESCRIBED THE NEED FOR AN INDEPENDENT LABOR UNION IN THE FOLLOWING TERMS: "IN OUR COUNTRY, THERE IS NO ORGANIZATION INDEPENDENT OF THE STATE AUTHORITIES THAT COULD DIRECTLY REPRESENT THE WORKERS."

THE SOVIET AUTHORITIES HAVE BEEN SWIFT TO TAKE REPRISALS AGAINST SMOT. AT PRESENT, IMPRISONED SMOT MEMBERS INCLUDE: NIKOLAI NIKITIN, MARK MOROZOV, VLADIMIR SKVIRSKY, LEV VOLOKHONSKY AND ALBINA YAKOREVA, EVGENY NIKOLAEV, AFTU AND SMOT MEMBER, WAS ALLOWED TO EMIGRATE IN THE SPRING OF 1980.

ON APRIL 9, 1979, THE AFL-CIO WROTE TO PRESIDENT CARTER ASKING HIM TO APPEAL FOR THE RELEASE FROM IMPRISONMENT OF SMOT MEMBERS, NIKOLAI NIKITIN, ALBINA YAKOREVA AND VLADIMIR BORISOV. IN AN UNUSUAL MOVE, ON JUNE 22, 1980, VLADIMIR BORISOV -- AFTER A SPELL IN JAIL -- FORCIBLY WAS EXPELLED FROM THE SOVIET UNION TO THE WEST.

ONE OF THE FIRST TO PROTEST THE REPRESSION OF INDEPENDENT LABOR UNION ORGANIZERS IN THE U.S.S.R. WAS AMBASSADOR ARTHUR GOLDBERG AND HEAD OF THE U.S. DELEGATION TO THE 1977 CSCE CONFERENCE IN BELGRADE. ON DECEMBER 22, 1977, GOLDBERG SAID THAT THE PSYCHIATRIC CONFINEMENT OF VLADIMIR KLEBANOV IS A "DIRECT VIOLATION OF THE HELSINKI ACCORDS." AMONG THE FIRST WESTERN TRADE UNIONS TO ANNOUNCE ITS SOLIDARITY WITH AFTU WAS FRANCE'S SOCIALIST FEDERATION DE L'EDUCATION NATIONALE. ON APRIL 17, 1978, GEORGES SEGUY, SECRETARY GENERAL OF THE SOVIET-DOMINATED WORLD FEDERATION OF TRADE UNIONS (WFTU), ANNOUNCED HIS RESIGNATION DUE TO "THE PARALYSING EFFECTS OF DIPLOMATIC PRESSURE ON THE ORGANIZATION ESPECIALLY FROM SOCIALIST COUNTRIES."⁵⁴ THE DECISION OF THE COMMUNIST-CONTROLLED ITALIAN CONFEDERAZIONE GENERALE ITALIANA DEL LAVORO TO WITHDRAW FROM THE WFTU FOLLOWED SHORTLY.⁵⁵

INTERNATIONAL PROTEST AT THE TREATMENT OF THE SOVIET CITIZENS WHO HAD TRIED TO ORGANIZE INDEPENDENT LABOR UNIONS CONTINUED. ON APRIL 18, 1978, THE FOUR MAJOR FRENCH UNIONS -- THE COMMUNIST CONFEDERATION GENERAL DE TRAVAIL, THE LEFT-WING CONFEDERATION FRANCAISE DEMOCRATIQUE DU TRAVAIL, THE MODERATE FORCE OUVRIERE AND THE SOCIALIST FEDERATION DEL'EDUCATION NATIONALE -- ALL EXPRESSED SOLIDARITY WITH "SOVIET AND EAST

EUROPEAN WORKERS ATTEMPTING TO ESTABLISH INDEPENDENT ORGANIZATIONS."⁵⁶ ON APRIL 20, 1978, THE LARGEST ASSOCIATION OF NON-COMMUNIST LABOR UNIONS, THE INTERNATIONAL CONFEDERATION OF FREE TRADE UNIONS (ICFTU), DENOUNCED SOVIET HARASSMENT OF AFTU MEMBERS.⁵⁷ IN RESPONSE, TASS ACCUSED THE ICFTU OF SLANDERS OF SOCIALISM "BY TRYING ONCE AGAIN TO GIVE CURRENCY TO WORN-OUT FABRICATIONS ABOUT MYTHICAL VIOLATIONS OF HUMAN AND TRADE UNION RIGHTS IN THE U.S.S.R."⁵⁸

ONE YEAR LATER, IN MAY 1979, THE SOVIET UNION RECEIVED A SETBACK TO ITS CLAIM TO BE THE FAULTLESS CHAMPION OF THE RIGHTS OF WORKERS. IN MAY 1979, THE ILO'S COMMITTEE OF EXPERTS ON THE APPLICATION OF CONVENTIONS AND RECOMMENDATIONS, ACTING ON PROTESTS LODGED BY THE ICFTU AND THE WORLD CONFEDERATION OF LABOR, PRESENTED THEIR FINDINGS ON SOVIET COMPLIANCE WITH ILO CONVENTION 87 (FREEDOM OF ASSOCIATION AND PROTECTION OF THE RIGHT TO ORGANIZE, 1948). REFERRING TO ARTICLE 2 OF THE CONVENTION, THE COMMITTEE, IN NOTING THE RELEVANT PROVISIONS OF THE LABOR CODE OF THE R.S.F.S.R. (SECTIONS 7 AND 230) AND THE 1971 REGULATIONS ON THE RIGHTS OF FACTORY OR LOCAL TRADE-UNION-COMMITTEES, MADE THE FOLLOWING OBSERVATIONS:

"THE COMMITTEE HAD NOTED THAT PROVISIONS OF THE LABOR CODE OF THE R.S.F.S.R...DO NOT CONTEMPLATE THE POSSIBLE EXISTENCE OF ANOTHER TRADE-UNION COMMITTEE REFERRED TO IN THE LEGISLATION AND THAT, BY BESTOWING THE TRADE-UNION FUNCTIONS SOLELY ON THE TRADE-UNION CONCERNED, THESE PROVISIONS SEEM TO PRECLUDE THE POSSIBILITY OF SETTING UP ANOTHER ORGANIZATION REPRESENTING WORKERS OF THE SAME CATEGORY. THE COMMITTEE CONSIDERED THAT SUCH A SITUATION WAS INCOMPATIBLE WITH ARTICLE 2 OF THE CONVENTION, WHICH PROVIDES FOR THE RIGHT OF WORKERS TO ESTABLISH ORGANIZATIONS OF THEIR OWN CHOOSING. IT IS, THEREFORE, CONSIDERED THAT THE GOVERNMENT SHOULD AMEND THE LEGISLATION IN FORCE."⁵⁹

UNDER ARTICLE 6 OF THE SOVIET CONSTITUTION, THE COMMUNIST PARTY IS SAID TO BE "THE LEADING AND GUIDING FORCE OF SOVIET SOCIETY AND THE NUCLEUS OF ITS POLITICAL SYSTEM AND OF ALL STATE AND PUBLIC ORGANIZATIONS." TAKING THIS INTO ACCOUNT, THE COMMITTEE OF EXPERTS MADE THE FOLLOWING OBSERVATIONS REGARDING SOVIET COMPLIANCE WITH CONVENTION 87, ARTICLE 3:

"THE TERM PUBLIC ORGANIZATIONS USED IN THIS PROVISION SEEMS TO COVER WORKERS' ORGANIZATIONS. IF SO, THE COMMITTEE CAN ONLY OBSERVE THAT THE LAW (IN THIS CASE THE CONSTITUTION OF THE STATE) ESTABLISHES A LINK BETWEEN THE COMMUNIST PARTY AND THE WORKERS' ORGANIZATIONS, IN WHICH THE LEADING ROLE FALLS AS OF RIGHT AND PERMANENTLY TO THE PARTY. THUS, EVEN IF THE POLICY OF THIS PARTY IS CARRIED OUT THROUGH WORKERS' ORGANIZATIONS IN ACCORDANCE WITH PROCEDURES LAID DOWN IN THEIR RULES, THE LEGAL SYSTEM DOES NOT SEEM TO ACCORD THESE ORGANIZATIONS THE FULL RIGHT TO ORGANIZE THE ACTIVITIES AND FORMULATE THEIR PROGRAMS, AS PROVIDED BY ARTICLE 3 OF THE CONVENTION."⁶⁰

THIS ILO DECISION CLEARLY RAISES DOUBTS ABOUT SOVIET CLAIMS OF FREEDOM FOR SOVIET WORKERS, AND POINTS AS WELL TO THE PARTY MONOPOLY OF CONTROL OVER SOVIET LABOR UNIONS AND OTHER PUBLIC ORGANIZATIONS.

INITIATIVE GROUP FOR INVALIDS' RIGHTS

MAY 20, 1978 MARKED THE FORMATION OF ANOTHER GROUP OF SOVIET CITIZENS ADVOCATING SOCIO-ECONOMIC RIGHTS. ON THAT DAY, FOUR HANDICAPPED PEOPLE, VALERY FEFELOV, FAIZULLA KHUSAINOV, YURI KISELEV AND OLGA ZAITSEVA, ORGANIZED THE "INITIATIVE GROUP TO DEFEND THE RIGHTS OF INVALIDS IN THE U.S.S.R." IN A 1979 LETTER TO THE WEST, THE GROUP DESCRIBES ITS PURPOSE:

"WE HAVE NO ORGANIZATIONS THAT PROTECT THE RIGHTS OF THE DISABLED. ON THE CONTRARY, IN ORDER TO KEEP THE YOUNG INVALIDS UNDER CONTROL, THE SO-CALLED "VETERANS' COUNCILS" HAVE BEEN CREATED. THEIR DECISIONS ARE BINDING ON EVERYONE. IN ITS ACTIONS SUCH A COUNCIL (A SMALL GROUP OF PRIVILEGED INVALIDS) IS SUBSERVIENT TO THE ORDERS OF THE ADMINISTRATION. THE PUNITIVE SYSTEM IS VARIED -- IT RANGES FROM SOLITARY CONFINEMENT TO THE MOST FRIGHTENING: THREATS OF FORCIBLE ISOLATION AND TRANSFER TO THE DREADED ASYLUMS FOR THE CHRONICALLY INSANE. FORCIBLE

TRANSFERS TO HOMES WHICH ARE NOTORIOUS FOR THEIR INTENSIFIED STRICT REGIME IS ALSO PRACTICED."

TO DATE, THE INITIATIVE GROUP FOR INVALIDS' RIGHTS HAS ISSUED OVER 10 DOCUMENTS DESCRIBING THE DIFFICULT SITUATION OF HANDICAPPED PEOPLE IN THE SOVIET UNION AND ON REPRESSIONS AGAINST GROUP MEMBERS. AS AN EXAMPLE OF THE ECONOMIC SITUATION OF DISABLED SOVIET CITIZENS, THERE FOLLOWS AN EXCERPT FROM THE OPEN LETTER:

"THE DISABLED EXIST ON THE BRINK OF EXTREME POVERTY. THEY ARE DEPRIVED OF THE RIGHT TO EDUCATION AND A PROFESSION, TO CULTURAL EVENTS, TO INDEPENDENT MOVEMENT AND DESERVED REST, TO MEANINGFUL WORK, TO A GOOD DIET, MEDICAL TREATMENT, HOUSING, CLOTHING, SPORTING EVENTS...IN SHORT, TO PHYSICAL AND PSYCHOLOGICAL REHABILITATION.

"IT IS DIFFICULT TO IMAGINE THE LIFE OF AN INVALID ON 70 RUBLES PER MONTH (WHICH IS THE STATE PENSION FOR INVALIDS OF GROUP I), BUT THERE IS STILL ANOTHER CATEGORY -- THOSE WHO ARE DISABLED SINCE CHILDHOOD -- WHO RECEIVE ALL OF 16 RUBLES PER MONTH. (FOR PURPOSES OF COMPARISON, CONSIDER THAT THE CHEAPEST AUTOMOBILE FOR A HANDICAPPED PERSON COSTS BETWEEN 4800 AND 5200 RUBLES, A WINTER OVERCOAT COSTS 200-300 RUBLES, AND WINTER BOOTS COST 70-80 RUBLES.)

"THOSE HANDICAPPED WHO LIVE IN STATE INVALID HOMES FIND THEMSELVES IN THE MOST TERRIBLE CONDITIONS. THEIR SITUATION, COMPLETELY DEPENDENT AND LACKING ALL RIGHTS, IS WELL KNOWN. THEFT IS GENERALLY WIDESPREAD, PHONES ARE DISCONNECTED, THERE IS EVIDENCE OF TERRIBLE BEATINGS AND OF ABSOLUTELY HELPLESS, BEDRIDDEN INVALIDS BEING DRIVEN TO SUICIDE (LETTERS AND TESTIMONIES ARE AVAILABLE).

WHILE NONE OF THE GROUP MEMBERS HAVE BEEN ARRESTED, ALL FOUR HAVE RECEIVED OFFICIAL WARNINGS TO STOP THEIR ANTI-SOVIET ACTIVITIES. EACH ONE HAS SUFFERED PARTICULARLY CRUEL REPRISALS FROM THE SOVIET AUTHORITIES: ON JANUARY 28, 1980, THE

K.G.B. THREATENED TO TAKE AWAY OLGA ZAITSEVA'S CHILDREN IF SHE DID NOT STOP HER GROUP ACTIVITIES; YURI KISELEV'S HOUSE WAS DEMOLISHED IN NOVEMBER, 1978 ON THE PRETEXT THAT IT HAD BEEN "ILLEGALLY" ERECTED; IN LATE 1978, A CITY MAINTENANCE CREW DUG A DITCH IN FRONT OF HIS GARAGE, THUS CONFINING FAIZULLA KHUSAINOV TO HIS HOUSE; IN THE FALL OF 1977, VALERY FEFELOV HAD HIS DRIVER'S LICENSE REVOKED, THEREBY CONFINING HIM TO HIS APARTMENT AND IN DECEMBER 1978, HE WAS THREATENED WITH ARREST UNDER ARTICLE 70 WHICH CARRIES A POSSIBLE 12-YEAR TERM OF IMPRISONMENT.

RUSSIAN SOCIAL FUND

AN UNOFFICIAL SOVIET GROUP CONCERNED WITH THE MATERIAL WELFARE OF PRISONERS OF CONSCIENCE IS THE RUSSIAN SOCIAL FUND FOR THE AID OF POLITICAL PRISONERS AND THEIR FAMILIES, ESTABLISHED BY ALEKSANDR SOLZHENITSYN AFTER HIS EXPULSION IN 1974 FROM THE SOVIET UNION. THE PURPOSE OF THIS ORGANIZATION IS CHARITABLE: TO PROVIDE MATERIAL ASSISTANCE TO THE FAMILIES OF POLITICAL PRISONERS, CHILDREN OR AGED PARENTS RECEIVE 40 RUBLES A MONTH; AND TO AID THOSE WHO ARE EXILED AFTER CAMP, OR ARE SICK OR INELIGIBLE FOR A PENSION. THE FUND AIDS PEOPLE REGARDLESS OF NATIONALITY, RELIGION OR SOCIAL BACKGROUND, REGULARLY PROVIDING ASSISTANCE TO ABOUT 700 FAMILIES.

UNTIL HIS ARREST IN FEBRUARY 1977, ALEKSANDR GINZBURG WAS THE CHAIRMAN OF THE FUND, WORKING WITH ABOUT 50 OTHER SOVIETS IN VARIOUS REPUBLICS, INCLUDING LITHUANIAN CATHOLIC ACTIVIST, BALYS GAJASKAS. AFTER GINZBURG'S IMPRISONMENT, TATIANA KHODOROVICH WAS NAMED DIRECTOR; IN 1977, HOWEVER, SHE WAS FORCED TO EMIGRATE. THE MANAGEMENT OF THE FUND WAS THEN TAKEN OVER BY IRINA ZHOLKOVSKAYA-GINZBURG, SERGEI KHODOROVICH AND MALVA LANDA. IN FEBRUARY 1980, MRS. GINZBURG EMIGRATED TO REJOIN HER HUSBAND IN THE UNITED STATES, WHILE FUND MEMBER AND RETIRED GEOLOGIST MALVA LANDA, WAS SENTENCED IN MARCH OF 1980 TO FIVE YEARS OF INTERNAL EXILE. ON JULY 3, 1980, MRS. SOLZHENITSYN, FUND PRESIDENT, ANNOUNCED THAT SERGEI KHODOROVICH HAD BEEN THE TARGET OF A DEATH THREAT AND BLACKMAIL ATTEMPT.

ETHNIC RIGHTS

IN ITS CALL FOR RESPECT FOR HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, PRINCIPLE VII STATES:

"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."

THE SOVIET CONSTITUTION PROCLAIMS THE EQUALITY AND FRATERNITY OF ALL THE SOVIET NATIONS AND THE RICH AND DIVERSE CULTURAL LIFE OF THE 15 SOVIET REPUBLICS. HOWEVER, A BRIEF EXAMINATION OF THE STRUCTURE OF SOVIET ETHNIC POLITICS, IN THEORY AND IN PRACTICE, REVEALS SOME GLARING INEQUALITIES.

ALTHOUGH THE UNITY OF THE GREAT SOVIET PEOPLE IS A FREQUENT KREMLIN THEME, SUCH UNITY SEEMS TO LOOM AHEAD ON AN EVER-PRESENT HORIZON. UNDER KHRUSHCHEV, THE PARTY SEEMED SET ON THE POLICY OF PROMOTING "ETHNIC FUSION" IN THE NAME OF THE GREAT "SOVIET PEOPLE". THE 25TH PARTY CONGRESS, HELD IN 1976, HOWEVER, SEEMED TO REVEAL A TREND AWAY FROM THE "ETHNIC FUSION" LINE. FOR THE FIRST TIME, SPEECHES ON THE SUCCESS OF THE SOVIET NATIONALITY POLICY, WHILE PRAISING THE "FLOWERING" AND FRIENDSHIP OF THE SOVIET NATIONS, DID NOT REFER TO THE GOAL OF "ETHNIC FUSION."⁶¹

TO A CERTAIN DEGREE, THE 1977 SOVIET CONSTITUTION SEEMS TO CONTINUE THIS TENDENCY AWAY FROM "ETHNIC FUSION", SINCE IT MAINTAINS THE FEDERAL SYSTEM (ARTICLE 70) AND THE CONCOMITANT RIGHT OF EACH OF THE 15 SOVIET REPUBLICS TO SECEDE FROM THE UNION (ARTICLE 72). FURTHERMORE, EACH UNION REPUBLIC RETAINS THE RIGHT TO ENTER INTO DIPLOMATIC RELATIONS AND CONCLUDE TREATIES WITH FOREIGN STATES (ARTICLE 80). NEVERTHELESS, OTHER SECTIONS OF THE 1977 CONSTITUTION MAKE CLEAR THAT THE "SUPRANATIONAL" PARTY IS THE SUPREME ARBITER OF POWER IN THE U.S.S.R.

THIS DUALISM BETWEEN FEDERALIST AND PARTY AIMS IS REFLECTED IN THE ENTIRE SOVIET SYSTEM OF GOVERNMENT. ACTUALLY, THE SOVIET 1977 CONSTITUTION REVEALS A DECISIVE TURN AWAY FROM THE FEDERALIST PRINCIPLE:

"BY MERGING STATE AND PARTY, BY AFFIRMING THAT THE PARTY IS THE FORCE GUIDING THE STATE, THAT DEMOCRATIC CENTRALISM IS THE FUNDAMENTAL PRINCIPLE OF THE STATE, THE FRAMERS OF THE

1977 SOVIET CONSTITUTION DEALT A SEVERE BLOW
 -- LEGALLY AT ANY RATE -- TO FEDERALISM."⁶²

INDEED, THE AMBIGUOUS ROLE OF THE FEDERAL STATE SYSTEM IN THE PRESENT SOVIET CONSTITUTION MAY REFLECT A LACK OF CONSENSUS ON THIS ISSUE IN THE CENTRAL PARTY LEADERSHIP.

A GLANCE AT THE INSTITUTIONAL POWER STRUCTURE OF THE SOVIET GOVERNMENT PROVIDES A CLUE TO THE ACTUAL BALANCE OF ETHNIC POWER IN THE U.S.S.R.:

"AT THE CENTER THE SUPREME SOVIET OF THE U.S.S.R. IS, BY LAW, THE HIGHEST BODY OF STATE POWER. THE NATIONS ARE MORE THAN EQUITABLY REPRESENTED THERE. IN 1970 THE NON-SLAVIC NATIONS, ACCOUNTING FOR 26.1 PERCENT OF THE POPULATION HELD 40.3 PERCENT OF THE SEATS THERE. YET, AS SOON AS WE TURN TO THE AUTHORITIES IN WHICH STATE POWER REALLY RESIDES -- THE PRESIDUM OF THE SUPREME SOVIET, THE COUNCIL OF MINISTERS, AND THE STATE COMMITTEES -- THE SITUATION BEGINS TO CHANGE. THE PRESIDUM OF THE SUPREME SOVIET, THE PERMANENT ORGAN OF A VERY TEMPORARY ASSEMBLY, HAS ALWAYS BEEN CHAIRED BY SLAVS, EXCEPT IN THE CASE OF MIKOYAN (1964-1965).

"THE PROPORTION OF RUSSIANS -- AND, MORE GENERALLY, OF SLAVS -- IN THE COUNCIL OF MINISTERS OF THE U.S.S.R. IS OVERWHELMING, SINCE THEY HOLD 90 PERCENT OF THE POSTS AND HAVE ALWAYS CHAIRED IT (EXCEPT FOR STALIN WHO, NEVERTHELESS, CAN HARDLY BE CALLED A REPRESENTATIVE OF THE NATIONALITIES ANY MORE THAN MIKOYAN). THE SAME HOLDS TRUE FOR MOST OF THE STATE COMMITTEES WHO HAVE POWER BOTH AT THE CENTER AND IN THE REPUBLICS (GOSPLAN, STATE SECURITY, ETC.). THIS LACK OF NATIONAL POLITICAL LEADERS AT THE CENTER PREVENTS THE NATIONS FROM PARTICIPATING ON AN EQUAL FOOTING IN THE DECISION-MAKING PROCESS."⁶³

ON A REPUBLIC LEVEL, IT WOULD SEEM THAT THE NATIONAL PARTY LEADERSHIP COULD HAVE A SIGNIFICANT IMPACT ON MOSCOW DECISIONS. ALTHOUGH THE LOCAL NATIONALITY PARTY OFFICIALS SEEM TO ENJOY A NEAR MONOPOLY IN MANAGEMENT, ANOTHER BIFURCA-

TION ALONG ETHNIC LINES EMERGES. BY 1978, THE FOLLOWING SITUATION HAD BECOME STANDARD: THE FIRST PARTY SECRETARY -- A LARGELY SYMBOLIC POSITION -- IS ALWAYS FILLED BY A LOCAL NATIONAL, WHILE THE SECOND PARTY SECRETARY -- WHO REPRESENTS THE MOSCOW AND PARTY LINE -- IS ALWAYS STAFFED BY A RUSSIAN.⁶⁴

CULTURAL RIGHTS

THE ISSUE OF SOVIET LANGUAGE POLICY OBVIOUSLY PLAYS A CENTRAL ROLE IN THE CREATION OF A "SOVIET PEOPLE." THE PROMOTION OF BILINGUALISM IN BOTH THE LOCAL LANGUAGE AND RUSSIAN REPRESENTS THE FIRST STEP TOWARDS EVENTUAL LINGUISTIC UNIFORMITY FOR THE ENTIRE COUNTRY.

ALTHOUGH ARTICLE 36 OF THE SOVIET CONSTITUTION STIPULATES THAT ALL CITIZENS HAVE "THE POSSIBILITY OF USING THEIR MOTHER TONGUE AND THE LANGUAGES OF OTHER PEOPLES OF THE U.S.S.R.", AND DOES NOT REFER TO A SINGLE "SOVIET" LANGUAGE, THE FOLLOWING PATTERN OF LANGUAGE STATUS HAS EMERGED:

"NEVERTHELESS, OVER THE YEARS A DE FACTO HIERARCHY HAS BEEN SET UP, COMPRISING FOUR LANGUAGE GROUPS: (1) RUSSIAN, THE LANGUAGE OF INTERNATIONAL RELATIONS FOR THE PEOPLES OF THE U.S.S.R.; (2) THE NATIONAL LITERARY LANGUAGES OF THE FEDERATED REPUBLICS: UKRAINIAN, BELORUSSIAN, UZBEK, KAZAKH, KIRGHIZ, TURKMEN, TADZHIK, ARMENIAN, AZERBAIDZHAN, GEORGIAN, MOLDAVIAN, LATVIAN, LITHUANIAN, ESTONIAN; (3) LITERARY LANGUAGES OF THE AUTONOMOUS REPUBLICS AND REGIONS: TATAR, BASHKIR, UDMURT, AVAR, ADYGEI, OSSETIAN, KHAKASS, CHECHEN, ETC. (IN ALL ABOUT 40 LANGUAGES); AND (4) WRITTEN LANGUAGES THAT SERVE VERY LIMITED SOCIAL FUNCTIONS IN THE NATIONAL DISTRICTS OF A FEW PEOPLES IN THE NORTH AND ELSEWHERE: KORYAK, NENETS, KURD, ETC. (IN ALL, SCARCELY MORE THAN 10 LANGUAGES)."⁶⁵

AS THIS HIERARCHY REVEALS, THE AIM OF SOVIET LANGUAGE POLICY HARDLY IS TO PROMOTE THE EQUAL STATUS OF ALL 70 LANGUAGES SPOKEN IN THE U.S.S.R. WHILE A JUDICIOUS EMPHASIS ON A WORKING KNOW-

LEDGE OF RUSSIAN FOR THE SOVIET POPULATION WOULD BE UNDERSTANDABLE, SOVIET POLICIES LEAN TOO FAR IN THE DIRECTION OF FORCIBLE RUSSIFICATION.

INCREASING PARTY EMPHASIS ON RUSSIAN AS THE MOST SOVIET OF LANGUAGES CAN BE SEEN IN THE HIGH PARTY RANKS OF THE OFFICIALS ATTENDING THE MAY 1979 TASHKENT CONFERENCE ON "RUSSIAN, THE LANGUAGE OF FRIENDSHIP AND COOPERATION OF THE PEOPLES OF THE U.S.S.R." THE 1,000 PARTICIPANTS INCLUDED CENTRAL COMMITTEE MEMBERS OF ALL FIVE CENTRAL ASIAN REPUBLICS, PLUS LITHUANIA, SHOWING THE HIGH PARTY PRIORITY ON IMPROVING RUSSIAN KNOWLEDGE OF THE MUSLIM POPULATION AND OF CATHOLIC LITHUANIA.⁶⁶

AS A RESULT OF THIS CONFERENCE, THE SOVIET MINISTRY OF EDUCATION ISSUED ORDER NO. 137 "ON MEASURES FOR INTRODUCING THE STUDY OF THE RUSSIAN LANGUAGE IN PRESCHOOL INSTITUTIONS AND PREPARATORY CLASSES OF GENERAL EDUCATION SCHOOLS WITH NATIVE-LANGUAGE INSTRUCTION", INSTRUCTING ALL REPUBLICAN EDUCATION MINISTRIES TO INTRODUCE BY SEPTEMBER 1, 1980 MEASURES FOR THE STUDY OF RUSSIAN FOR ALL PRESCHOOL CHILDREN. IN ADDITION, THESE MINISTRIES WERE INSTRUCTED TO DESIGN AND IMPLEMENT A COMPREHENSIVE PROGRAM FOR RUSSIAN TEACHING IN ALL SOVIET SCHOOLS, INCREASING WEEKLY RUSSIAN INSTRUCTION BY AS MUCH AS TWO TO THREE HOURS.⁶⁷

THE WIDE-RANGING RECOMMENDATIONS OF THE TASHKENT CONFERENCE ALREADY HAVE EVOKED CONTROVERSY. ON THE ONE HAND, MIKHAIL PROKOFIEV, SOVIET MINISTER OF EDUCATION PRAISED THE CONFERENCE'S "MEASURES" WHILE UKRAINIAN ACTIVIST, NADIA SVITLYCHNA, CHARACTERIZED THEM AS "LEGALIZING ETHNOCIDE IN THE SOVIET UNION".⁶⁸

RUSSIFICATION HAS ALREADY BEEN ATTACKED BY VARIOUS ADVOCATES OF NATIONAL AND CULTURAL RIGHTS IN THE SOVIET UNION. THE POLICY OF ETHNIC "FUSION" -- FREQUENTLY SEEN AS THE ULTIMATE AIM OF LINGUISTIC RUSSIFICATION -- HAS BEEN ATTACKED STRONGLY BY UKRAINIAN WRITER YURIY BADZYO IN HIS 1979 "OPEN LETTER TO THE SUPREME SOVIET PRESIDUM AND TO THE CPSU CENTRAL COMMITTEE".

"THIS IDEOLOGY OF 'FUSION', PLUS DIRECT POLITICAL DEPENDENCE ON THE RUSSIAN CENTER, ARRESTS THE CULTURAL INITIATIVE OF THE LEADERSHIP OF THE NON-RUSSIAN REPUBLICS AND GENERALLY MAKE IMPOSSIBLE ANY PUBLIC DISCUSSION OF NATIONAL PROBLEMS OR OF THE HISTORICAL PROBLEMS OF THE NATIONAL POPULAR LIFE. THIS LAST PREDICAMENT IS THE MOST IMPORTANT FACTOR

IN THE NATIONAL-CULTURAL OPPRESSION OF THE NON-RUSSIAN PEOPLES; FOR SOCIAL CULTURE, IN THE BROAD SENSE OF THE TERM, MEANS PRIMARILY INTERPERSONAL ASSOCIATION..."

THERE ALSO HAVE BEEN NUMEROUS PROTESTS AT THE PRESENT EXTENT OF LINGUISTIC RUSSIFICATION IN THE NON-RUSSIAN REPUBLICS. IN TESTIMONY BEFORE THE CSCE COMMISSION ON APRIL 29, 1980, ESTONIAN JOURNALIST JURI LINA SAID:

"IN DUAL LANGUAGE SITUATIONS, E.G. IN GOVERNMENT OFFICES, MANAGEMENT OF STATE ENTERPRISES, WHERE BOTH RUSSIANS AND BALTS ARE PRESENT, THE RUSSIAN LANGUAGE ALWAYS TAKES PRECEDENCE EVEN IF ONLY A SINGLE RUSSIAN DEMANDS THAT RUSSIAN BE USED INSTEAD OF THE NATIVE ESTONIAN, LATVIAN OR LITHUANIAN LANGUAGES."

AN INCIDENT TYPIFYING RUSSIFICATION IN MUSLIM CENTRAL ASIA OCCURRED WHEN A PROFESSOR WAS ATTACKED ON JULY 20, 1979 IN THE TURKMEN RUSSIAN-LANGUAGE PRESS BY FIRST PARTY SECRETARY GAPUROV FOR SUGGESTING THAT TURKMEN UNIVERSITY STUDENTS BE ALLOWED TO WRITE THEIR FINAL EXAMS IN TURKMEN AS WELL AS RUSSIAN.

IN THE SLAVIC REPUBLIC OF UKRAINE, UNIVERSITY INSTRUCTION REVEALS A HIGH DEGREE OF RUSSIFICATION:

"ONLY 34 PERCENT OF THE LECTURERS AT UKRAINIAN UNIVERSITIES CONDUCT CLASSES IN UKRAINIAN. AT KHARKIV UNIVERSITY THIS FIGURE FELL TO 13 PERCENT OF THE LECTURERS AND AT ODESSA UNIVERSITY -- ALTHOUGH UKRAINIANS MADE UP 55 PERCENT OF THE STUDENT ENROLLMENT -- THAT FIGURE FELL TO 10 PERCENT. AT UZHGOROD UNIVERSITY, WHERE UKRAINIANS ARE 71 PERCENT OF THE STUDENT BODY, ONLY 43 PERCENT OF THE STAFF LECTURED IN UKRAINIAN."⁶⁹

PROBABLY THE MOST DRAMATIC RECENT EVENT RELATING TO LINGUISTIC RUSSIFICATION, HOWEVER, WAS THE PROTEST IN GEORGIA ON APRIL 14, 1978. THE NEW DRAFT CONSTITUTION FOR GEORGIA HAD SUBSTITUTED A PHRASE ON "THE POSSIBILITY OF USING THE NATIVE LANGUAGE" INSTEAD OF THE PREVIOUS PROCLAMATION OF

GEORGIAN AS THE STATE LANGUAGE. IN PROTEST, 5,000 STUDENTS AND OTHERS MARCHED THROUGH TBILISI TO THE GEORGIAN PARLIAMENT WHERE THE DRAFT CONSTITUTION WAS BEING DISCUSSED;⁷⁰ GEORGIAN PARTY SECRETARY, EDUARD SHEVARDNADZE, CAME OUT TO SPEAK TO THE CROWD. THE NEXT DAY THE CLAUSE PROCLAIMING GEORGIAN AS THE STATE LANGUAGE WAS REINSTATED IN THE NEW CONSTITUTION. ONE LEADING PARTICIPANT IN THE DEMONSTRATION, 38-YEAR-OLD FILM-MAKER, AVTANDIL IMNADZE, WAS SENTENCED ON DECEMBER 5, 1978 TO FIVE YEARS OF STRICT REGIMEN CAMP AND FOUR YEARS OF INTERNAL EXILE FOR HIS PART IN THE PROTEST.

IN THE CASE OF GEORGIA, IT IS DIFFICULT TO SEPARATE RELIGIOUS CONCERNS FROM ETHNIC ISSUES. TAKEN TOGETHER, THE FOLLOWING INCIDENTS REVEAL SOME SENSITIVITY TO THE CONCERNS OF PROTESTERS SUCH AS GEORGIAN HELSINKI MONITOR, GAMSAKHURDIA. ON JUNE 19, 1978, TASS REPORTED THAT GEORGIAN ORTHODOX METROPOLITAN BIDZINA KERATISHVILI HAD BEEN SENTENCED TO 12 YEARS OF IMPRISONMENT FOR EMBEZZLEMENT OF CHURCH TREASURES. A SERIES OF RECENT ARTICLES IN THE GEORGIAN PRESS REFLECT SOME OFFICIAL CONCERN FOR IMPROVING THE PRESERVATION OF UNIQUE GEORGIAN ARCHITECTURAL MONUMENTS.⁷¹ GEORGIAN PARTY SECRETARY SHEVARDNADZE PUBLICLY HAS CALLED FOR A "SOLICITIOUS STATE ATTITUDE" TO MINORITY LANGUAGES IN THE GEORGIAN SSR, SUCH AS ABKHAZ, OSSETIAN, ARMENIAN, AZERI, WHILE SPEAKING OF THE GLORIES OF GEORGIAN AND RUSSIAN CULTURE.⁷²

THE NATIONAL GROUPS MOST ATTACHED TO THEIR NATIVE LANGUAGES ARE THOSE IN THE SIX MUSLIM REPUBLICS AND IN THE CAUCASUS. AFTER THE LANGUAGE PROTESTS IN GEORGIA, THE STATE CONSTITUTIONS OF ARMENIA AND AZERBAIDZHAN ALSO RETAINED CLAUSES REFERRING TO THESE AS THE STATE LANGUAGES. THUS, THE THREE CAUCASIAN REPUBLICS ARE THE ONLY SOVIET REPUBLICS TO HAVE SUCH PROVISIONS IN THEIR CONSTITUTIONS. AMONG SMALLER NATIONALITIES WHICH DO NOT HAVE THEIR OWN SOVIET REPUBLICS, IT IS THE MOSLEMS AND BUDDHISTS THAT HAVE THE STRONGEST ADHERENCE TO LOCAL LANGUAGES, EVEN WHEN SUCH NATIONALITIES LIVE INSIDE THE R.S.F.S.R. WHERE THEY ARE SUBJECTED TO STRONG RUSSIFICATION PRESSURES.⁷³ INDEED, FAR FROM SHOWING A GRADUAL DECLINE IN MINORITY LANGUAGES, THE CENSUS SHOWS THAT IN THE 1970'S, SOVIET SOCIETY CONTINUES TO TREASURE ITS NUMEROUS NATIVE LANGUAGES.⁷⁴

OFFICIAL SOVIET POLICIES OF RUSSIFICATION ARE NOT ALWAYS LIMITED TO LINGUISTIC PRESSURES, BUT SOMETIMES INVOLVE ACTUAL RESETTLEMENT. IN TESTIMONY BEFORE THE CSCE COMMISSION ON APRIL 29, 1980, ESTONIAN JOURNALIST JURI LINA SAID:

"ACCORDING TO THE SOVIET 1979 CENSUS, AS COMPARED TO THE 1959 CENSUS, THE PERCENTAGE OF RUSSIANS AND OTHER SOVIET IMMIGRANTS HAS RISEN IN ESTONIA FROM 22 PERCENT TO 35 PERCENT; IN LATVIA FROM 37 PERCENT TO 54 PERCENT; AND IN LITHUANIA FROM 20 PERCENT TO 22 PERCENT. RUSSIANS HAVE MOSTLY SETTLED IN THE LARGER CITIES WHERE THEY CONSTITUTE CIVIL GARRISONS WHOSE TASK IS TO FURTHER RUSSIFICATION AND SUPPRESS THE NATIONAL ASPIRATIONS OF ESTONIANS, LATVIANS AND LITHUANIANS. AS A RESULT OF THIS COLONIAL POLICY, LATVIANS NOW MAKE UP APPROXIMATELY 40 PERCENT OF THE POPULATION OF THEIR CAPITAL RIGA; LITHUANIANS 65 PERCENT OF THEIR CAPITAL VILNIUS AND ESTONIANS HARDLY 50 PERCENT OF THEIR CAPITAL, TALLINN."

THERE ALSO SEEMS TO BE A POLICY OF RUSSIAN SETTLEMENT IN UKRAINE, WHILE UKRAINIANS ARE INDUCED TO SETTLE OUTSIDE THEIR NATIVE REPUBLIC.

"RUSSIANS ARE BROUGHT TO THE SOUTHERN AREAS OF UKRAINE FOR THE CONSTRUCTION OF VARIOUS HYDRO-ELECTRIC PLANTS AND INSTALLATIONS, WHILE THOUSANDS OF UKRAINIANS ARE BEING 'ENCOURAGED' TO SEEK EMPLOYMENT OUTSIDE UKRAINE, INDUCED BY SPECIAL AWARDS, FINANCING OF PRIVATE HOMES, AND SO FORTH."⁷⁵

REPORTS OF RECENT ANTI-RUSSIAN OUTBURSTS IN VARIOUS PARTS OF THE SOVIET UNION REVEAL GROWING DISSATISFACTION AT RUSSIAN DOMINATION. SUCH INCIDENTS SEEM TO REFLECT A FEELING THAT REDRESS OF ETHNIC GRIEVANCES CANNOT BE RESOLVED THROUGH THE SOVIET SYSTEM, RESULTING IN GROWING TENSION AND OCCASIONAL VIOLENCE. FOR EXAMPLE, AFTER A RUSSIAN ADULT HAD PHYSICALLY DISCIPLINED A TADZHIK CHILD ON MAY 10, 1978, A CROWD OF 7,000 TADZHIKS GATHERED IN DUSHANBE, CAPITAL OF TADZHIKISTAN, SHOUTING ANTI-RUSSIAN AND ANTI-COLONIAL SLOGANS. WHEN NEARLY 3,000 RUSSIANS TURNED OUT IN PROTEST, THE 201 MOTORIZED INFANTRY DIVISION WAS CALLED OUT TO CONTROL THE CROWD.⁷⁶ IN A JULY, 1979 OPEN LETTER TO THE MINISTER OF INTERNAL AFFAIRS FOR THE YAKUTSK AUTONOMOUS REGION OF THE R.S.F.S.R. (THE 1979 CENSUS SHOWS 328,000 YAKUTS) UKRAINIAN JOURNALIST VYACHESLAV CHORNOVIL REFERRED TO A JUNE 11, 1979

MELEE IN THE CAPITAL CITY, YAKUTSK, INVOLVING HUNDREDS OF YAKUTS AND RUSSIANS. SEVERAL PEOPLE WERE KILLED, AND THE YAKUTSK DEPUTY MINISTER OF INTERNAL AFFAIRS WAS WOUNDED.

A GLIMPSE OF THE ETHNIC MOSAIC THAT IS THE CAUCASUS, HOWEVER, REVEALS THAT ETHNIC RIGHTS IN THE U.S.S.R. CERTAINLY ARE NOT LIMITED TO THE ISSUE OF OFFICIAL RUSSIFICATION. THE CAUCASUS HAS SOMETIMES BEEN CALLED "MOUNTAIN OF LANGUAGES" SINCE IT IS AN AREA IN WHICH DIVERSE ETHNIC AND RELIGIOUS GROUPS LIVE AND SPEAK ABOUT 50 INDIGENOUS LANGUAGES.⁷⁷ THE HISTORY OF THE CAUCASUS IS REplete WITH WARFARE BETWEEN CHRISTIANS AND MOSLEMS, TURKS AND ARMENIANS, AND A HOLY WAR (JIHAD) AGAINST 19TH CENTURY RUSSIAN DOMINATION. STALIN, A NATIVE GEORGIAN, LABELED SEVEN SMALL MUSLIM NATIONALITIES OF THIS AREA "TRAITORS" AND HAD THEM DEPORTED EN MASSE TO CENTRAL ASIA. RECENT EVIDENCE REVEALS THAT ETHNIC BROTHERHOOD IS STILL A DISTANT IDEAL IN THE SOVIET CAUCASUS.

JUST AS THERE HAVE BEEN PROTESTS AT RUSSIAN CULTURAL INFLUENCE IN GEORGIA, OTHER ETHNIC GROUPS WITHIN GEORGIA HAVE DENOUNCED "GEORGIANIZATION". THE ABKHAZ AUTONOMOUS REPUBLIC, LOCATED ON THE BLACK SEA COAST OF GEORGIA, IS POPULATED BY 70 DIFFERENT ETHNIC GROUPS, ACCORDING TO CPSU CENTRAL COMMITTEE MEMBER, IVAN KAPITONOV, WHO WAS SENT TO THIS AREA IN APRIL 1978, TO SORT OUT PROBLEMS. APPARENTLY, THE PROTEST MOVEMENT BEGAN IN DECEMBER 1977, WHEN 130 ABKHAZ INTELLECTUALS SENT A LETTER TO THE SUPREME SOVIET ASKING TO SECEDE FROM GEORGIA AND BE JOINED TO THE R.S.F.S.R. BY APRIL 1978, THERE WERE MEETINGS IN THREE CITIES IN ABKHAZIA IN WHICH OVER 12,000 PEOPLE PARTICIPATED. THE KREMLIN'S RESPONSE WAS TO ANNOUNCE A \$750 MILLION REGIONAL DEVELOPMENT PLAN FOR ABKHAZIA.⁷⁸

ON THE OTHER SIDE OF THE CAUCASUS IS THE DAGESTAN AUTONOMOUS REGION IN THE R.S.F.S.R. A RECENT INCIDENT REVEALED THE COMPLEX SITUATION IN DAGESTAN, AN AREA IN WHICH ABOUT 30 DIFFERENT LANGUAGES ARE SPOKEN. IN EARLY APRIL 1980, LEZGIAN WRITER, ISKANDER KAZIEV, WAS WARNED BY THE UKRAINIAN KGB TO STOP HIS "ANTI-SOVIET AND NATIONALIST PROPAGANDA" OR EMIGRATE. A MEMBER OF THE COMMUNIST PARTY, KAZIEV HAD BEEN EXPELLED FROM DAGESTAN TO UKRAINE DURING A 1969 REPRESSIVE CAMPAIGN AGAINST HIM AND OTHER LEZGIANS WHO WERE TRYING TO ORGANIZE AN AUTONOMOUS REGION FOR LEZGIANS. THE LEZGIANS ARE A SUNNI MOSLEM GROUP WHO LIVE IN SOUTHEAST DAGESTAN, AND NUMBER ABOUT 300,000.⁷⁹

IN THE SUMMER OF 1977, SERO KHANZADIAN, ARMENIAN WRITER AND FORMER MEMBER OF THE ARMENIAN CENTRAL COMMITTEE, SENT AN OPEN LETTER TO BREZHNEV ON DISCRIMINATION AGAINST ARMENIANS IN THE KARABAKH AUTONOMOUS REGION. ALTHOUGH THE REGION IS 80

PERCENT ARMENIAN, IT IS UNDER THE ADMINISTRATIVE CONTROL OF THE AZERBAIDZHAN SSR, WHICH IS PREDOMINANTLY TURKIC IN POPULATION.⁸⁰ THE MOUNTAIN STRONGHOLD OF KARABAKH HAS PLAYED A UNIQUE ROLE IN ARMENIAN HISTORY, AND THERE IS CONTINUED ANGER AT THE SOVIET FAILURE TO FULFILL PROMISES MADE IN 1920 TO JOIN THIS REGION TO THE ARMENIAN SSR.⁸¹

THE EQUAL STATUS OF ALL NATIONS INSIDE THE SOVIET UNION -- WITH CONCOMITANT CULTURAL AND POLITICAL RIGHTS -- IS THE PROFESSED NATIONALITY POLICY OF THE U.S.S.R. NATIONAL ORIGIN IS STAMPED IN EVERY SOVIET INTERNAL PASSPORT. FORMAL DESIGNATION OF NATIONAL STATUS -- WITH A DISTINCT TERRITORIAL BASE INSIDE THE U.S.S.R. -- GIVES THAT GROUP THE RIGHT TO NATIVE LANGUAGE INSTRUCTION, SEPARATE POLITICAL REPRESENTATION, AND SUCH CULTURAL RIGHTS AS PUBLICATIONS, ARTISTIC GROUPS, ETC.

HOWEVER, SOME NATIONAL GROUPS ARE MORE EQUAL THAN OTHERS. ASIDE FROM THE PROBLEM OF THE OFFICIAL POLICY OF RUSSIFICATION, THERE ARE AT LEAST FIVE NATIONAL GROUPS WHICH ARE, IN EFFECT, STATELESS, SINCE THEY DO NOT HAVE LEGALLY RECOGNIZED RIGHTS TO TERRITORIALITY WITHIN THE SOVIET UNION.

"...CERTAIN NATIONAL GROUPS, EVEN IF THEY ARE LEGALLY RECOGNIZED, ARE NOT LIKE THE OTHERS. THEIR FIRST MOTHERLAND - THE ONE TO WHICH THEY LAY CLAIM, ACCORDING TO THEIR PASSPORTS - IS REFUSED THEM. THESE "STATELESS CITIZENS", LONG REDUCED TO SILENCE, HAVE BEEN IN RECENT YEARS AMONG THE MOST DISSIDENT MEMBERS OF SOVIET SOCIETY, SO INTOLERABLE HAVE BECOME THEIR FEELINGS OF BEING WRONGED. THEY COMPRISE THE TATARS, THE GERMANS, AND THE JEWS, SEPARATED HISTORICALLY AND CULTURALLY, BUT UNITED BY THE ASPIRATION TO BECOME "NATIONAL", WITH A REAL COUNTRY OF THEIR OWN. THEIR BITTERNESS IS EVIDENCED IN DIFFERENT WAYS. THE TATARS WANT TO GO BACK HOME TO THE CRIMEA. THE GERMANS AND THE JEWS NO LONGER FEEL AT HOME IN THE U.S.S.R. AND WANT TO LEAVE."⁸²

THERE ARE, HOWEVER, AT LEAST TWO OTHER ETHNIC GROUPS, GYPSIES AND MESKHIS, WHICH HAVE THE STATUS OF "STATELESS CITIZENS" IN THE SOVIET UNION. ALTHOUGH THE 209,000 (1979 CENSUS) GYPSIES HAVE NEITHER TERRITORIAL NOR NATIONAL RIGHTS UNDER THE SOVIET SYSTEM, RECENTLY THEY HAVE SHOWN HEIGHTENED LIN-

GUISTIC CONSCIOUSNESS: "THE PERCENTAGE OF THOSE NOW RECOGNIZING ROMANY AS THEIR NATIVE TONGUE HAS RISEN FROM 59.3 PERCENT TO 70.8 PERCENT."⁸³

THE MESKHI, OR MESKHETIANS, ARE AN ANCIENT GEORGIAN TRIBE WHO LIVED ON THE TURKISH-GEORGIAN BORDER AND CONVERTED TO ISLAM. SOME MESKHI CONSIDER THEMSELVES GEORGIANS; OTHERS, TURKS. ALTHOUGH THE MESKHI WERE NEVER ACCUSED OF NAZI COLLABORATION, THE 200,000 MESKHI WERE DEPORTED EN MASSE TO CENTRAL ASIA ON NOVEMBER 15, 1944; AS A RESULT, 30,000 TO 50,000 PEOPLE DIED. THE DEPORTATION OF THE MESKHI SEEMS TO HAVE BEEN MOTIVATED BY STALIN'S DESIRE TO REMOVE POTENTIAL TURKISH SYMPATHIZERS AT A TIME WHEN HE HAD DESIGNS ON TURKEY.⁸⁴

TWO MEMBERS OF THE GEORGIAN HELSINKI GROUP, ZVIAD GAMSAKHURDIA AND MERAB KOSTAVA, WERE STRONG ADVOCATES OF THE MESKHI RIGHT TO RETURN TO GEORGIA. SOME MESKHI WANT TO RETURN ONLY TO THEIR AREA ALONG THE TURKISH BORDER, WHILE OTHERS -- THE "GEORGIAN" GROUP -- WOULD BE SATISFIED TO SETTLE ANYWHERE IN GEORGIA. THE MESKHI ALSO SENT EXTENSIVE DOCUMENTATION TO THE MOSCOW HELSINKI GROUP ON THEIR REPEATED APPEALS TO THE SOVIET AUTHORITIES, INCLUDING "LISTS WITH THE SIGNATURES OF MORE THAN 1,100 HEADS OF FAMILIES, REPRESENTING NEARLY 7,500 PEOPLE."⁸⁵

THE MOST RECENT INFORMATION ON THE MESKHI SITUATION IS THE MAY 25, 1977 ISSUE OF THE CHRONICLE OF CURRENT EVENTS, WHICH PRINTED EXCERPTS FROM A MARCH 10, 1977 APPEAL TO BREZHNEV AND TO GEORGIAN PARTY SECRETARY SHEVARDNADZE. THE ARTICLE STATED THAT OVER THE LAST 33 YEARS THE MESKHI HAD SENT 33 DELEGATIONS TO MOSCOW AND SUBMITTED OVER 160,000 INDIVIDUAL AND COLLECTIVE APPEALS TO THE SOVIET AUTHORITIES.⁸⁶

IT SEEMS UNLIKELY THAT THE MESKHIS WILL BE SUCCESSFUL IN THEIR STRUGGLE FOR CULTURAL AND ETHNIC RIGHTS IN THE SOVIET UNION. APPARENTLY, THEY ARE DEPRIVED EVEN OF THE RIGHT TO LANGUAGE INSTRUCTION IN THEIR NATIVE TURKISH, SINCE TURKISH WAS DROPPED FOR AZERI IN 1936.⁸⁷ THE MESKHI CAMPAIGN TO RETURN EITHER TO GEORGIA OR TO MESKHETIA SEEMS DOOMED TO FAILURE, WHILE REQUESTS TO EMIGRATE TO TURKEY HAVE SO FAR NOT BEEN SUCCESSFUL.

CRIMEAN TATARS

ON STALIN'S ORDERS, THE CRIMEAN TATARS, ANOTHER MUSLIM NATIONAL GROUP, WERE DEPORTED IN CATTLE CARS TO CENTRAL ASIA ON MAY 18, 1944. IN THE CRIMEAN TATAR CASE, HOWEVER, THE PRETEXT WAS ALLEGED WHOLESALE COLLABORATION WITH THE NAZIS.

ACCORDING TO CRIMEAN TATAR HISTORIAN, AYSHE SEYTMURATOVA, IN APRIL 27, 1980 TESTIMONY BEFORE THE CSCE COMMISSION, 110,185 PEOPLE OR 46.2 PERCENT OF THE CRIMEAN TATAR POPULATION DIED AS A RESULT OF THE DEPORTATION.

ALTHOUGH THE OTHER DEPORTED NATIONS WERE PUBLICLY "ABSOLVED" IN 1957 OF THEIR ALLEGED WAR CRIMES AND ALLOWED TO RETURN TO THEIR NATIVE REGIONS, THE CRIMEAN TATARS WERE "REHABILITATED" BY A SUPREME SOVIET DECREE ON SEPTEMBER 5, 1967. THE REHABILITATION WAS INCOMPLETE, HOWEVER, SINCE THEY WERE DENIED THE RIGHT TO RETURN TO THE CRIMEA. EVEN THIS CONCESSION WAS ACHIEVED ONLY AFTER A 10-YEAR LOBBYING EFFORT OF 15,000 TELEGRAMS AND LETTERS, INCLUDING ONE PETITION SIGNED BY 120,000 PEOPLE.⁸⁸ ALONG WITH NUMEROUS WRITTEN APPEALS, IN 1965, SOME 5,000 PEOPLE, WHOSE NAMES WERE LATER SENT TO THE CPSU CENTRAL COMMITTEE, ORGANIZED THE "ACTION GROUPS TO ASSIST THE PARTY AND GOVERNMENT IN SOLVING THE NATIONAL QUESTION OF THE CRIMEAN TATAR PEOPLE." SO ACTIVE WERE SUCH CRIMEAN TATAR CAMPAIGNS, THAT IN 1966 THE SOVIET AUTHORITIES INTRODUCED THREE NEW ARTICLES TO THE REPUBLICAN CRIMINAL CODES ("THE ORGANIZATION OF OR ACTIVE PARTICIPATION IN GROUP ACTIONS VIOLATING PUBLIC ORDER" AND "ANTI-SOVIET FABRICATIONS") FOR USE AGAINST THEIR ACTIVITIES.⁸⁹

IN EARLY 1977, IT SEEMED THAT THE SOVIET AUTHORITIES WERE BECOMING MORE LENIENT TOWARDS THE CRIMEAN TATARS. ACCORDING TO THE MARCH 16, 1977 CHRONICLE OF CURRENT EVENTS, DISTRICT SOVIET OFFICIALS PROMISED CRIMEAN TATAR REPRESENTATIVES THAT EVERYONE THEN LIVING IN THE CRIMEA WOULD BE GIVEN OFFICIAL RESIDENCE PERMITS. FROM FEBRUARY TO SEPTEMBER 1977, ABOUT 200 CRIMEAN TATAR FAMILIES WERE GIVEN OFFICIAL RESIDENCE PERMITS TO LIVE IN THE CRIMEA.

UNFORTUNATELY, HOWEVER, THIS OFFICIAL CHANGE OF HEART WAS BRIEF: IN 1978, THE SOVIETS LAUNCHED A NEW CAMPAIGN OF EVICTIONS, PROTESTS AND IMPRISONMENTS. IN PROTEST, MUSA MAMUT, 46-YEAR-OLD FATHER OF THREE, COMMITTED SUICIDE BY SELF-IMMOLATION ON JUNE 23, 1978 IN SIMFEROPOL; AFTER BEING THREATENED WITH ARREST, IZZET MEMEDULLAEV, COMMITTED SUICIDE IN NOVEMBER, 1978.⁹⁰

IN THE SUMMER OF 1978, THE HIGHEST LEVELS OF THE SOVIET GOVERNMENT UNDERTOOK MEASURES LEGALIZING DISCRIMINATION AGAINST THE CRIMEAN TATARS: DATED AUGUST 15, 1978, UNPUBLISHED DECREE #700 OF THE SOVIET COUNCIL OF MINISTERS, "SUPPLEMENTARY MEASURES TO REINFORCE THE PASSPORT REGIME IN THE CRIMEAN REGION" WENT INTO EFFECT ON OCTOBER 15, 1978. ACCORDING TO THIS DECREE:

"PEOPLE WHO HAVE ARRIVED IN THE CRIMEAN REGION IN AN UNOFFICIAL MANNER AND LIVE THERE WITHOUT PASSPORTS, OR WITH INVALID PASSPORTS, WITHOUT A PERMIT OR REGISTRATION, DESPITE ADMINISTRATIVE PENALITIES FOR VIOLATING PASSPORT REGULATIONS BY A DECISION OF THE EXECUTIVE COMMITTEE OF THE CITY, DISTRICT OR TOWN REGIONAL SOVIET OF PEOPLE'S DEPUTIES SHALL BE BANISHED FROM THE REGION BY ORGANS OF THE MINISTRY OF INTERNAL AFFAIRS; CITIZENS WHO OWN HOUSES, OR LET OR SUBLET ACCOMMODATION, OR LIVE IN HOSTELS AND LET OTHERS LIVE WITH THEM WITHOUT PASSPORTS, OR WITH INVALID PASSPORTS, WITHOUT PERMITS OR REGISTRATION, AND WHO ARE PUNISHED FOR THIS TWICE IN ONE YEAR SHALL BE BANISHED FROM THE CRIMEAN REGION FOR 2 YEARS BY A DECISION OF THE EXECUTIVE COMMITTEE OF THE CITY, DISTRICT OR TOWN REGIONAL SOVIET OF PEOPLE'S DEPUTIES."⁹¹

THIS MEASURE, SUPPLEMENTS ANOTHER SECRET DECREE (INSTRUCTION No. 221 OF APRIL 26, 1978) OF THE UZBEKISTAN MINISTRY OF INTERNAL AFFAIRS WHICH STATES:

"CITIZENS OF TATAR NATIONALITY FORMERLY RESIDENT IN THE CRIMEA ARE FORBIDDEN TO LEAVE FOR THE CRIMEA WITHOUT SUPPORTING DOCUMENTS SHOWING THAT THEY CAN BE FOUND LIVING ACCOMMODATION AND EMPLOYMENT IN THE CRIMEA."⁹²

TAKEN TOGETHER, THESE SECRET DECREES ARE CLEAR EVIDENCE OF GOVERNMENTAL DISCRIMINATION AGAINST THE CRIMEAN TATARS. THESE NEW MEASURES HAVE BEEN DENOUNCED AS BEING IN VIOLATION OF ARTICLES 34 AND 36 OF THE SOVIET CONSTITUTION, AS WELL AS PRINCIPLE VII OF THE FINAL ACT. ON APRIL 10, 1979, ACADEMICIAN ANDREI SAKHAROV MADE A SPECIAL APPEAL TO BREZHNEV TO REPEAL DECREE No. 700, DECLARING "THE DENIAL OF THE RIGHT TO RESIDENCE, BASED ON ETHNIC IDENTITY, IS THE MOST DANGEROUS FORM OF DISCRIMINATION."⁹³ ON THE BASIS OF THIS DECREE, FROM NOVEMBER 1978 TO FEBRUARY 1979, ABOUT 60 FAMILIES ALREADY HAVE BEEN BANISHED FROM THE CRIMEA.

IN ADDITION TO THE ONGOING EXPULSIONS OF CRIMEAN TATAR FAMILIES FROM CRIMEA, THERE HAVE BEEN A RASH OF IMPRISONMENTS.

LEADING CRIMEAN TATAR ACTIVIST, 37-YEAR-OLD MUSTAFA DZHEMILEV, WAS GIVEN HIS FOURTH TERM OF IMPRISONMENT ON MARCH 6, 1979 FOR ALLEGEDLY "VIOLATING THE TERMS OF HIS ADMINISTRATIVE SURVEILLANCE." DURING 1979, AT LEAST 19 CRIMEAN TATAR ACTIVISTS HAVE BEEN SENTENCED TO TERMS OF IMPRISONMENT FOR PROTESTING OFFICIAL DISCRIMINATION, INCLUDING RESHAT DZHEMILEV, ROLLAN KADIEV, MAMEDI CHOBANOV, EBAZER YUNUSOV, SEIDAMET MEMETOV, ELДАР SHABANOV AND LUFTI BEKIROV.⁹⁴

A FEW CRIMEAN TATAR ACTIVISTS, SUCH AS MUSTAFA AND RESHAT DZHEMILEV, HAVE TRIED IN VAIN TO EMIGRATE TO THE UNITED STATES WHERE THEY HAVE RELATIVES. IN NOVEMBER 1978, FORMER POLITICAL PRISONER, AYSHE SEYTMURATOVA, BECAME THE FIRST SOVIET CRIMEAN TATAR TO OBTAIN EMIGRATION PERMISSION SINCE 1945.⁹⁵

THE CRIMEAN TATAR STRUGGLE HAS PRODUCED BOTH GAINS AND LOSSES IN THE CULTURAL SPHERE: SINCE 1968, SOME CRIMEAN TATAR HAS BEEN TAUGHT IN PRIMARY SCHOOLS IN UZBEKISTAN. "IN THE EARLY 1970'S...BECAUSE OF LACK OF INSTRUCTION IN SCHOOLS IN CRIMEAN TATAR, 70 PERCENT OF THEIR NUMBER WERE ILLITERATE IN THEIR NATIVE TONGUE."⁹⁶ IN ADDITION, THERE IS NOW A CRIMEAN TATAR SECTION IN THE UZBEKISTAN UNION OF WRITERS, ABOUT 12 BOOKS A YEAR ARE PUBLISHED IN CRIMEAN TATAR, AND A CRIMEAN TATAR NEWSPAPER, LENIN BAYRAGY, IS PUBLISHED IN UZBEKISTAN.⁹⁷ IN CRIMEA, HOWEVER, TATAR PLACE NAMES HAVE BEEN CHANGED TO RUSSIAN ONES, AND ISLAMIC CEMETERIES AND MONUMENTS DESTROYED.

THERE ARE SEVERAL POSSIBLE REASONS WHY THE SOVIET AUTHORITIES CONTINUE TO STONEWALL ON CRIMEAN TATAR ATTEMPTS TO RETURN TO THEIR HISTORIC HOMELAND. "ONE REASON GIVEN UNOFFICIALLY FOR NOT REPATRIATING THE CRIMEAN TATARS IS THE POSSIBLE ECONOMIC DAMAGE IT MIGHT CAUSE UZBEKISTAN."⁹⁸ ALTHOUGH THE CRIMEAN TATARS ARE A HIGHLY SKILLED AND INDUSTRIOUS PEOPLE, THE LABOR SURPLUS IN SOVIET CENTRAL ASIA CASTS DOUBT ON THIS EXPLANATION. THE ACUTE LABOR SHORTAGE IN THE CRIMEA -- WHICH THE GOVERNMENT TRIES TO SOLVE BY ENCOURAGING SLAVIC SETTLEMENT -- SUGGESTS AN ECONOMIC BENEFIT IN ALLOWING THE CRIMEAN TATARS TO RETURN. IRONICALLY, AT PRESENT THE CRIMEA NEEDS ABOUT 500,000 MORE WORKERS, THE SIZE OF THE CRIMEAN TATAR NATION.⁹⁹

THE CRIMEAN PENINSULA IN THE BLACK SEA HAS CLEAR MILITARY SIGNIFICANCE, AS WELL AS BEING A FAMED RESORT AREA. THE KREMLIN WANTS TO DO EVERYTHING TO ENSURE ITS TOTAL CONTROL OVER THIS AREA AND MAY FEEL THAT A CRIMEAN AUTONOMOUS REPUBLIC WOULD NOT BE IN ITS INTERESTS.

PERHAPS THE KREMLIN IS NOT WORRIED ABOUT THE SMALL CRIMEAN TATAR PEOPLE, BUT ABOUT THE SYMBOLIC SIGNIFICANCE

THAT ANY CONCESSIONS TOWARDS THEM WOULD HAVE FOR THE OTHER 40-50 MILLION MOSLEMS IN THE SOVIET UNION.¹⁰⁰ AS THE INTERNATIONAL ISLAMIC COMMUNITY LEARNS OF THE CRIMEAN TATAR PLIGHT, MORE SUPPORT FOR THEIR CAUSE IS LIKELY AND THE POLITICAL COST TO THE KREMLIN WILL BE HIGHER. IN APRIL 1980, FOR INSTANCE, THE INTERNATIONAL COMMISSION ON MUSLIM MINORITIES ISSUED A STATEMENT URGING "A PROPER INVESTIGATION OF THE DEPLORABLE AND INHUMAN ACTS BEING PERPETRATED IN SOVIET RUSSIA AGAINST ITS MUSLIM MINORITIES AND...THE URGENT NEED OF NOTIFYING WORLD PUBLIC OPINION ABOUT THESE HEINOUS CRIMES AGAINST HUMANITY."

Jews

REGARDLESS OF WHERE JEWS LIVE IN THE U.S.S.R. -- UKRAINE, RUSSIA OR GEORGIA -- THEY ARE CONSIDERED A MEMBER OF A "NATIONAL GROUP". EVEN IF A JEW CONVERTS TO CHRISTIANITY, THE NATIONALITY DESIGNATION IN THE INTERNAL PASSPORT REMAINS JEWISH. ESTIMATES OF THE SOVIET JEWISH POPULATION RANGE FROM 1.5 TO 3 MILLION, THE THIRD LARGEST CONCENTRATION OF JEWS IN THE WORLD. ACCORDING TO THE 1979 SOVIET CENSUS, THE JEWISH POPULATION DECREASED BY 15.8 PERCENT SINCE 1970, FROM 2,151,000 TO 1,811,000.¹⁰¹ JEWS ARE NOW THE 16TH MOST NUMEROUS NATIONALITY OF THE U.S.S.R.; 20 YEARS AGO, THEY RANKED ELEVENTH.¹⁰²

UNLIKE GERMANS AND CRIMEAN TATARS, AT LEAST IN THEORY, SOVIET JEWS HAVE A NATIONAL TERRITORY IN THE SOVIET UNION: THE BIROBIDZHAN JEWISH AUTONOMOUS REGION. LOCATED IN THE FAR EAST AND ESTABLISHED IN 1934, JEWS HAVE NEVER LIVED THERE IN LARGE NUMBERS. IN 1970, ONLY 6.6 PERCENT OF THE 172,449 POPULATION OF BIROBIDZHAN WAS JEWISH.¹⁰³ CONSIDERING ITS GEOGRAPHIC REMOTENESS, THE HIGH DEGREE OF URBANIZATION AND EDUCATION OF SOVIET JEWRY AND THE LACK OF HISTORIC LINKS WITH THIS ARBITRARILY DESIGNATED AREA, BIROBIDZHAN HAS NEVER BEEN A REAL JEWISH REGION.

DESPITE ITS "NATIONAL TERRITORY", JEWISH NATIONAL CULTURE IN THE SOVIET UNION -- PROGRAMMED FOR LIQUIDATION DURING STALIN'S REIGN -- HAS NEVER BEEN ALLOWED TO RECOVER. THERE ARE NO JEWISH SCHOOLS, CULTURAL INSTITUTIONS, PRINTING PRESSES, LECTURE OR PUBLISHING HOUSES IN THE U.S.S.R. NEITHER YIDDISH NOR HEBREW ARE TAUGHT TO SCHOOLCHILDREN. TWO OFFICIAL PUBLICATIONS FUNCTION: THE BIROBIDZHANER SHTERN, A FOUR-PAGE YIDDISH NEWSPAPER WHICH APPEARS FIVE TIMES A WEEK IN 1,000 COPIES, AND THE MONTHLY YIDDISH LITERARY JOURNAL, SOVETISH HEYMLAND, PUBLISHED IN MOSCOW IN 10,000 COPIES. NO JEWISH NEWSPAPERS, MAGAZINES OR JOURNALS APPEAR IN RUSSIAN, ALTHOUGH ACCORDING TO THE

1970 CENSUS, 94.5 PERCENT OF SOVIET JEWS CONSIDER RUSSIAN EITHER THEIR NATIVE OR SECOND LANGUAGE. TWO SAMIZDAT JOURNALS, JEWS IN THE U.S.S.R. AND IARBUT HAVE APPEARED SINCE 1972 AND 1975, RESPECTIVELY, BUT OVER THE YEARS THEIR EDITORS HAVE BEEN SUBJECTED TO VARIOUS HARASSMENTS.

A FEW POSITIVE DEVELOPMENTS HAVE OCCURRED SINCE 1977, ALTHOUGH THEY DO NOT SIGNAL A SIGNIFICANT CHANGE IN THE AUTHORITIES REPRESSIVE ATTITUDES TOWARD JEWISH CULTURE. IN 1978, IN BIROBIDZHAN, THE STATE-SUPPORTED PROFESSIONAL JEWISH CHAMBER MUSIC THEATRE WAS FORMED. THE TROUPE, NEARLY ALL OF WHOM HAD TO LEARN YIDDISH, TOURED THE SOVIET UNION IN LATE 1978 AND EARLY 1979. THE MOSCOW-BASED SEMI-PROFESSIONAL JEWISH DRAMATIC ENSEMBLE, FOUNDED IN 1967, WAS PERMITTED IN 1979 TO PERFORM A PRODUCTION OF THE FAMED YIDDISH WRITER SHOLEM ALEICHEM'S "THE ENCHANTED TAILOR". IN THE FALL OF 1978, THE RUSSIAN-LANGUAGE NOVEL, "HEAVY SANDS" BY ANATOLY RIBAKOV APPEARED IN THREE INSTALLMENTS IN THE CONSERVATIVE LITERARY JOURNAL, OKTYABR. REGARDED BY MANY AS THE FIRST FRAGMENT OF TRUTH ABOUT THE HISTORY OF JEWS IN THE SOVIET UNION, THE NOVEL IS A SYMPATHETIC STORY OF A HEROIC JEWISH FAMILY IN UKRAINE FROM THE PERIOD BEFORE THE 1917 REVOLUTION TO THE NAZI INVASION.¹⁰⁴ ANOTHER POSITIVE INCIDENT OCCURRED IN SOVIET GEORGIA IN LATE 1979 WHEN A 50-MINUTE TELEVISION PROGRAM ON MEDIEVAL JEWISH CULTURE WAS BROADCAST.¹⁰⁵

CENTRAL TO THE VIABILITY OF A MINORITY CULTURE IS ITS LANGUAGE. ALTHOUGH THE U.S.S.R. RECOGNIZES YIDDISH AS THE LANGUAGE OF THE JEWISH PEOPLE, THERE IS NOT A SINGLE OFFICIAL YIDDISH CLASS IN THE SOVIET UNION TODAY. THE SOVIET UNION'S TREATMENT OF THE HEBREW LANGUAGE -- THE OFFICIAL LANGUAGE OF ISRAEL, AS WELL AS THE LANGUAGE OF THE BIBLE AND OTHER RELIGIOUS TEACHINGS -- IS CONTRADICTORY. HEBREW IS RECOGNIZED AS A LEGITIMATE FOREIGN LANGUAGE AND IS NOT PROHIBITED; IT IS TAUGHT IN SEVERAL ACADEMIC INSTITUTIONS: AT MOSCOW STATE UNIVERSITY'S INSTITUTE OF ASIAN AND AFRICAN COUNTRIES, AND THE MOSCOW INSTITUTE OF INTERNATIONAL RELATIONS (NEITHER FACILITIES HAVE ANY JEWS ENROLLED) AND IN RELIGIOUS INSTITUTIONS, SUCH AS THE RUSSIAN THEOLOGICAL ACADEMIES. PRIVATE TEACHING OF THE LANGUAGE, HOWEVER, IS OUTLAWED.

WHILE TUTORS OF OTHER FOREIGN LANGUAGES ARE ALLOWED TO TEACH, HEBREW TEACHERS ARE FORBIDDEN TO REGISTER WITH THE LOCAL AUTHORITIES THEREBY MAKING PRIVATE HEBREW TEACHING ILLEGAL. IF TUTORING IS THE TEACHER'S ONLY SOURCE OF INCOME, HE IS LIABLE FOR PROSECUTION FOR "PARASITISM". JEWISH EMIGRE

SOURCES ESTIMATE THAT THERE ARE CURRENTLY ABOUT 40 ACTIVE HEBREW TEACHERS AND ABOUT 500 ADULT STUDENTS IN MOSCOW ALONE.¹⁰⁶ ALTHOUGH A RUSSIAN-HEBREW DICTIONARY WAS PUBLISHED IN MOSCOW IN 1963, THE UNAVAILABILITY OF HEBREW BOOKS AND OTHER MATERIALS -- COMBINED WITH THE EVER-PRESENT THREAT OF PERSECUTION -- MAKE THE TEACHING OF HEBREW, AT BEST, A DIFFICULT ENDEAVOR.

DESPITE THE SOVIET CONSTITUTIONAL AND STATUTORY PROHIBITIONS AGAINST "PROPAGANDA OR AGITATION FOR THE PURPOSE OF AROUSING HOSTILITY OR DISSENSION OF RACES OR NATIONALITIES",¹⁰⁷ "INCITEMENT OF HOSTILITY OR HATRED ON RELIGIOUS GROUNDS"¹⁰⁸ AND "ADVOCACY OF RACIAL OR NATIONAL EXCLUSIVENESS, HOSTILITY OR CONTEMPT",¹⁰⁹ TODAY OFFICIALLY SANCTIONED ANTI-SEMITISM EXISTS IN THE SOVIET UNION, APPEARING FREQUENTLY IN THE SOVIET MEDIA. WHILE THE CURRENT ANTI-SEMITIC DRIVE BEGAN WITH THE OUTBREAK OF THE SIX DAY WAR IN 1967, THIS CAMPAIGN HAS INTENSIFIED IN THE LAST THREE YEARS.

SOVIET AUTHORITIES CLAIM TO DISTINGUISH BETWEEN ANTI-SEMITISM AND ANTI-ZIONISM, THE LATTER IS CONSIDERED LEGITIMATE DUE TO THE 1975 U.N. RESOLUTION EQUATING ZIONISM WITH RACISM. HOWEVER, MANY ATTACKS ON ZIONISM ARE THINLY VEILED ANTI-SEMITIC SMEARS. IN LATE 1978 AND IN 1979, THE PROPAGANDA TOOK ON A PARTICULARLY VITUPERATIVE TONE, CONDEMNING JEWS AND JUDAISM AS WELL AS ZIONISM. JEWISH HUMAN RIGHTS ACTIVISTS SUCH AS IDA NUDEL, LEV OVSISHCHER, AND ALEKSANDR PARITSKY WERE VILIFIED IN LOCAL NEWSPAPERS.¹¹⁰ AN EXHIBIT IN MINSK INCLUDED PAINTINGS DEPICTING THE BRUTALITIES OF THE NAZI OCCUPATION OF BELORUSSIA, WITH A PAINTING OF A NAZI OFFICER AND A PRISON CAMP TRUSTEE WEARING A STAR OF DAVID GRINNING SADISTICALLY OVER A PILE OF NAKED CORPSES.

MANY OF THE BOOKS AND ARTICLES THAT HAVE APPEARED IN THE LAST TWO YEARS ARE REMINISCENT OF "THE PROTOCOLS OF THE ELDERS OF ZION", THAT NOTORIOUS FORGERY OF WORLD-WIDE JEWISH CONSPIRACY FIRST PUBLISHED IN 1905. IN THE SOVIET UNION, THESE ANTI-SEMITIC ASSAULTS BEAR THE OFFICIAL IMPRIMATUR OF, AMONG OTHERS, THE SOVIET ACADEMY OF SCIENCES, THE ASSOCIATION OF SOVIET JURISTS, PRAVDA, AND THE CPSU CENTRAL COMMITTEE. IN FACT, SINCE ALL PUBLICATIONS AND BROADCAST MEDIA MUST HAVE THE PRIOR APPROVAL OF THE STATE CENSORSHIP AGENCY, THERE IS CLEAR GOVERNMENT SPONSORSHIP OF THIS CAMPAIGN.

ANTI-SEMITISM IS NOT CONFINED TO PROPAGANDA: JEWS ARE ALSO SUBJECTED TO DISCRIMINATION IN EDUCATION AND EMPLOYMENT, ESPECIALLY IN THE SCIENCES. SOVIET EMIGRANT SCIENTISTS RECENTLY ATTESTED THAT THE DOCTORAL DISSERTATIONS OF JEWS ARE SYSTEMAT-

ICALLY REJECTED BY THE NOVOSIBIRSK INSTITUTE OF MATHEMATICS.¹¹¹ IN LATE 1979, THE MOSCOW HELSINKI GROUP REPORTED ON DISCRIMINATION AGAINST JEWISH APPLICANTS TO THE MECHANICS AND MATHEMATICS DEPARTMENT OF MOSCOW STATE UNIVERSITY.¹¹² ON JUNE 19, 1980, PROFESSOR GRIGORI FREIMAN, A MATHEMATICIAN WHOSE ACCUSATIONS OF DISCRIMINATION APPEARED IN THE NEW YORK TIMES IN LATE 1979, ANNOUNCED THAT HE HAD BEEN DISMISSED FROM HIS TEACHING POST AT KALININ STATE UNIVERSITY.¹¹³

GERMANS

SOVIET GERMANS ARE THE LARGEST ETHNIC GROUP IN THE SOVIET UNION WITH "STATELESS" STATUS. ACCORDING TO THE 1979 SOVIET CENSUS, THE 1,936,000 GERMANS ARE THE 14TH LARGEST NATIONALITY IN THE U.S.S.R. THE VAST MAJORITY OF SOVIET GERMANS ARE DESCENDANTS OF PEOPLE WHO CAME TO RUSSIA IN THE 18TH AND 19TH CENTURIES, SETTLING ALONG THE VOLGA RIVER AND THE CAUCASUS AREA. THREE QUARTERS OF THESE GERMAN SETTLERS ARE PROTESTANTS, THE REST, CATHOLIC. ONLY A MINORITY OF SOVIET GERMANS BECAME SOVIET CITIZENS AS A RESULT OF BORDER CHANGES OR POPULATION SHIFTS DURING WORLD WAR II.¹¹⁴

UNDER THE SOVIETS, THE VOLGA GERMAN AUTONOMOUS REPUBLIC WAS ESTABLISHED ON NOVEMBER 20, 1924; AN ADDITIONAL 17 GERMAN NATIONAL DISTRICTS WERE ORGANIZED IN OTHER PARTS OF THE U.S.S.R.¹¹⁵ ONLY THE VOLGA GERMANS OFFICIALLY WERE ACCUSED OF NAZI COLLABORATION, BUT BY A 1941 DECREE, SOME 800,000 GERMANS WERE DEPORTED FROM THEIR LOCAL AREAS TO SIBERIA AND KAZAKHSTAN. SOVIET GERMANS WERE NO LONGER MENTIONED IN THE SOVIET PRESS, GERMAN PLACE-NAMES ON THE VOLGA WERE CHANGED, AND ALL GERMAN CULTURAL INSTITUTIONS WERE ELIMINATED.

AS A GOODWILL GESTURE TO THE F.R.G., THE SEVERE RESTRICTIONS UNDER WHICH THE SOVIET GERMANS HAD BEEN FORCED TO LIVE WERE ALLEVIATED IN 1955. SINCE THAT TIME, A FEW CULTURAL INSTITUTIONS HAVE BEEN ESTABLISHED FOR GERMANS IN KAZAKHSTAN, KIRGIZIA AND SIBERIA; IN ADDITION, NEUES LEBEN, A WEEKLY GERMAN NEWSPAPER WITH A 300,000 CIRCULATION WAS PUBLISHED IN MOSCOW.¹¹⁶

IT WAS ONLY BY READING THE G.D.R. NEWSPAPER, NEUES DEUTSCHLAND, THAT A FEW SOVIET GERMANS REALIZED THEY HAD BEEN "REHABILITATED" BY A SUPREME SOVIET DECREE OF AUGUST 29, 1964, THE 1964 DECREE WAS NEVER PUBLISHED IN THE RUSSIAN LANGUAGE PRESS, THUS LIMITING THE EFFECT OF REHABILITATION.¹¹⁷ ALTHOUGH THERE WAS "ABSOLUTION" OF THE COLLABORATION CHARGES AGAINST

SOVIET GERMANS, NO MENTION WAS MADE OF RE-ESTABLISHMENT OF THE VOLGA GERMAN AUTONOMOUS REPUBLIC.

IN APPEALS TO THE SOVIET AUTHORITIES FOR THE RE-ESTABLISHMENT OF THE GERMAN AUTONOMOUS REPUBLIC, SOVIET GERMANS CLAIM TO HAVE THE SUPPORT OF AT LEAST ONE MILLION SOVIET GERMANS. THEY CLAIM THAT SINCE THE VOLGA RURAL AREAS ARE ONLY 30 PERCENT POPULATED, THERE WOULD BE ROOM FOR THEIR RETURN. INDEED, AN AGENCY IN VOLGOGRAD ATTEMPTS TO RECRUIT SETTLERS FOR THE VOLGA REGION, BUT WITHOUT MUCH LASTING EFFECT.¹¹⁸

THE MAIN JUSTIFICATION FOR THE SOVIET REFUSAL TO RE-ESTABLISH THE VOLGA GERMAN AUTONOMOUS REPUBLIC HAS BEEN ECONOMIC. WITHOUT GERMAN LABOR, THE VIRGIN LANDS AREA OF KAZAKHSTAN AND THE COAL MINES OF KARAGANDA WOULD SUFFER SEVERE ECONOMIC NEGLECT. SOVIET OFFICIALS DID, HOWEVER, IMPROVE POLITICAL REPRESENTATION FOR SOVIET GERMANS, ONE OF WHOM WAS CHOSEN TO BE THE SOVIET MINISTER FOR FOOD INDUSTRIES.¹¹⁹ THERE WERE MORE IMPROVEMENTS IN THE CULTURAL SPHERE, WITH A THIRD SOVIET GERMAN NEWSPAPER, FREUNDSCHAFT, PUBLISHED IN KAZAKHSTAN AND THE ESTABLISHMENT OF GERMAN SECTIONS IN SEVERAL REPUBLICAN WRITERS' UNIONS.

THE GERMAN POPULATION IS CONCENTRATED IN TWO MAIN GEOGRAPHIC AREAS IN THE SOVIET UNION: 46 PERCENT IN KAZAKHSTAN (858,077); 41 PERCENT IN R.S.F.S.R. BORDER AREAS (761,887).¹²⁰ FACED WITH OFFICIAL SOVIET INTRANSIGENCE ON THE RE-ESTABLISHMENT OF THE VOLGA GERMAN REPUBLIC, IN THE EARLY 1970'S SOVIET GERMANS BEGAN TO SHIFT THEIR FOCUS TO EMIGRATION TO THEIR HISTORIC HOMELAND, GERMANY. INITIALLY, IT WAS FORMER BLACK SEA GERMANS WHO WERE MOST INVOLVED IN THE EMIGRATION MOVEMENT, BUT GRADUALLY OTHER SOVIET GERMANS, INCLUDING THOSE ORIGINALLY FROM THE VOLGA REGION, ALSO BEGAN TO APPLY TO EMIGRATE. BY 1974, A STRONG GERMAN EMIGRATION MOVEMENT EMERGED: IT PUBLISHED ITS OWN SAMIZDAT JOURNAL, RE PATRIA, AND ESTABLISHED LINKS WITH THE SOVIET HUMAN-RIGHTS MOVEMENT.¹²¹

ALTHOUGH IN 1965 THE SOVIET AND GERMAN RED CROSS ORGANIZATIONS HAD REACHED AN AGREEMENT IN VIENNA ON FAMILY REUNIFICATION, ONLY A FEW HUNDRED SOVIET GERMANS PER YEAR WERE ALLOWED TO LEAVE THE U.S.S.R. THE SPECTACULAR INCREASE OF GERMAN EMIGRATION FROM THE SOVIET UNION IN 1972 IS DIRECTLY LINKED TO SOVIET EFFORTS TO INFLUENCE POLITICS IN THE F.R.G.¹²² BY THE END OF 1979, A TOTAL OF 55,000 SOVIET GERMANS HAD BEEN ALLOWED TO LEAVE THE SOVIET UNION -- SECOND ONLY TO THE NUMBER OF SOVIET JEWS WHO HAVE BEEN ALLOWED TO EMIGRATE.¹²³

SOVIET GERMANS HAVE DESPAIRED OF GAINING LEGITIMATE NATIONAL AND CULTURAL RIGHTS IN THE U.S.S.R. TWO RECENT SOVIET GERMAN EMIGRES HAVE POINTED TO SECRET SOVIET LEGISLATION BARRING GERMANS FROM EMPLOYMENT IN THE BALTIC REPUBLICS AND IN THE MOSCOW REGION.¹²⁴ THE INADEQUACY OF GERMAN LANGUAGE TRAINING FACILITIES IS REVEALED IN THE RESULTS OF RECENT SOVIET CENSUS FIGURES: IN 1959, 24 PERCENT CLAIMED RUSSIAN AS THEIR NATIVE LANGUAGE, WHILE IN 1970, THAT FIGURE HAD INCREASED TO 32.7 PERCENT. FEW NATIONAL GROUPS IN THE U.S.S.R. HAVE SHOWN SUCH A RAPID INCREASE IN LINGUISTIC RUSSIFICATION.¹²⁵

AS THE GERMAN EMIGRATION MOVEMENT HAS GAINED IN STRENGTH AND MOMENTUM, IT HAS BECOME INCREASINGLY MILITANT. PUBLIC PROTESTS -- ESTIMATED TO INVOLVE A TOTAL OF 300,000 -- ARE A FREQUENT TACTIC OF THE SOVIET GERMAN EMIGRATION MOVEMENT.¹²⁶ IN FEBRUARY 1979, FOR EXAMPLE, 20 GERMANS DEMONSTRATED IN FRONT OF THE TADZHIKISTAN PRESIDIUM IN DUSHANBE; IN MARCH, 1980, 11 GERMAN ACTIVISTS WERE ARRESTED AFTER A DEMONSTRATION IN CHIRCHIK, UZBEKISTAN. IN 1979 AND 1980, SOVIET GERMANS ORGANIZED AT LEAST THREE PROTEST DEMONSTRATIONS ON RED SQUARE IN MOSCOW, WHICH WERE ALMOST IMMEDIATELY BROKEN UP BY POLICE.

IN RESPONSE, SOVIET AUTHORITIES HAVE TAKEN A SERIES OF COUNTERMEASURES: OBSTRUCTING WOULD-BE EMIGRATION BY VARIOUS ADMINISTRATIVE MEANS; PRINTING STORIES WHICH ARE CRITICAL OF CONDITIONS IN THE F.R.G.; AND HARASSING AND IMPRISONING MANY SOVIET GERMAN ACTIVISTS. MOST SOVIET GERMAN WOULD-BE EMIGRANTS, ARE SENTENCED EITHER UNDER ARTICLE 190-1, "ANTI-SOVIET SLANDER" OR UNDER ARTICLE 198 "MALICIOUS VIOLATION OF PASSPORT VIOLATIONS".

AMNESTY INTERNATIONAL REPORTS THAT FROM 1975 TO 1979 SOVIET CITIZENS OF GERMAN ORIGIN WHO HAVE BEEN IMPRISONED FOR LEGAL EMIGRATION ATTEMPTS INCLUDE: ANTON BLEILE, LILY FURMAN, ALBERT HARLEMANN, ALWIN KLASSEN, ARTUR KLINK, VALENTIN KLINK, VICTOR KLINK, HELMUT MARTENS, OTTO NETZEL, IVAN PETERS, HEINRICH REDIKOP, IVAN REDIKOP, HEINRICH REIMER, IVAN SCHULTZ, IVAN TEURER, VALENTIN VINS, IVAN WAGNER, ANTON WINDSCHUH AND L. WINDSCHUH. SEVERAL OTHER WOULD-BE EMIGRANTS OF GERMAN ORIGIN HAVE BEEN TRIED AND SENTENCED TO CONDITIONAL TERMS OF IMPRISONMENT OR TO CORRECTIVE WORK WITHOUT IMPRISONMENT.¹²⁷

SINCE THE F.R.G. IS THE LARGEST SOVIET TRADING PARTNER IN THE WEST, SOVIET GERMAN EMIGRATION POSES A DILEMMA FOR THE SOVIET LEADERSHIP: FOR FOREIGN POLICY REASONS, THE U.S.S.R. WANTS TO BE PERCEIVED AS FLEXIBLE ON THIS ISSUE; ON THE OTHER HAND, THERE ARE PRESSING DOMESTIC POLITICAL CONCERNS WHICH MAKE SOVIET GERMAN EMIGRATION A PRICKLY PROPAGANDA PROBLEM.

"FOR MOSCOW TO ADMIT THAT ETHNIC GROUPS FEEL FOREIGN IN THE U.S.S.R. -- WHEN THEY HAD BEEN A PART OF THE CZARIST EMPIRE -- AMOUNTS TO ADMITTING THE TOTAL FAILURE OF THE SOVIET NATIONALITIES POLICY, RECOGNIZING THE PERMANENCE OF ETHNIC BONDS TO THE DETRIMENT OF BONDS CREATED BY LIFE IN COMMON, AND THUS IMPLICITLY ACKNOWLEDGING THAT ANY ETHNIC GROUP WHICH DOES NOT IDENTIFY WITH THE U.S.S.R. HAS THE RIGHT TO LEAVE."¹²⁸

RELIGIOUS RIGHTS

OFFICIAL ATTITUDES

A RECENT ARTICLE BY VLADIMIR KUROEDOV, CHAIRMAN OF THE U.S.S.R. COUNCIL FOR RELIGIOUS AFFAIRS SETS FORTH OFFICIAL VIEWS ON RELIGION IN THE SOVIET STATE.¹²⁹ SINCE KUROEDOV IS THE RANKING OFFICIAL IN CHARGE OF RELIGIOUS MATTERS IN THE SOVIET UNION TODAY, THIS ARTICLE MERITS FAIRLY CLOSE EXAMINATION.

KUROEDOV CLAIMS THAT "FREEDOM OF CONSCIENCE IS ONE OF THE GREATEST CHANGES MADE IN OUR COUNTRY UNDER THE SOVIET SYSTEM," GOING ON TO SAY:

"FREEDOM OF CONSCIENCE...IS CODIFIED IN SOVIET LEGISLATION AS THE RIGHT FREELY TO PROFESS ANY RELIGION, CHANGE ONE'S FAITH AND JOIN A RELIGIOUS ASSOCIATION...(IT) IS THE RIGHT NOT TO PROFESS ANY RELIGION AND ENGAGE IN ATHEISTIC PROPAGANDA, NATURALLY WITHOUT INSULTING THE RELIGIOUS FEELINGS OF THE BELIEVERS."

IN DISCUSSING THE LEGAL OBLIGATIONS OF ALL SOVIET CITIZENS, HOWEVER, KUROEDOV MAINTAINS THAT "THE MOST IMPORTANT DUTY...IS TO OBSERVE SOVIET LAWS AND FOLLOW THE LEGAL NORMS GOVERNING OUR STATE AND SOCIETY." AFTER SAYING THAT "THE SOVIET STATE HAS PASSED SPECIAL LAWS PROTECTING BELIEVERS FROM VIOLATIONS OF THEIR LEGAL RIGHTS," AND THAT "SOVIET LAWS BAN THE CLOSING DOWN OF CHURCHES...ATTENDED BY BELIEVERS," KUROEDOV ADMITS THAT OCCASIONALLY, "SOME ZEALOUS ADMINISTRATORS RAISE THE QUESTION OF CLOSING DOWN A HOUSE OF PRAYER."

ALTHOUGH CLAIMING THE SEPARATION OF CHURCH AND STATE IN THE U.S.S.R., KUROEDOV SAYS THAT "SOVIET LEGISLATION REGULATES RELATIONS BETWEEN CHURCH AND STATE," AND THAT "REGISTRATION

WITH THE APPROPRIATE STATE ORGANS IS AN IMPORTANT PREREQUISITE FOR INSURING THE NORMAL ACTIVITIES OF RELIGIOUS SOCIETIES" SINCE THAT "PLACES BELIEVERS UNDER THE PROTECTION OF THE STATE WHICH PROTECTS THE FREEDOM TO PRACTICE A RELIGIOUS CULT."

KUROEDOV'S DESCRIPTION OF SOVIET LEGAL LIMITATIONS ON RELIGIOUS ACTIVITIES REVEALS THE NARROW RANGE OF RIGHTS ASSIGNED TO RELIGIOUS ORGANIZATIONS:

"THE SOVIET LEGISLATION DEALING WITH RELIGIOUS CULTS STIPULATES THE INADMISSABILITY OF USING GATHERINGS BY BELIEVERS FOR POLITICAL ACTIONS AIMED AGAINST THE INTERESTS OF THE SOVIET STATE, OR FOR INSTIGATING THE BELIEVERS TO AVOID THE FULFILLMENT OF THEIR CIVIC DUTIES OR ENCOURAGE THEM TO REFUSE TO PARTICIPATE IN SOCIO-POLITICAL LIFE. THE LAW FORBIDS FANATICAL CEREMONIES WHICH HARM THE HEALTH OF THE CITIZENS OR FRAUDULENT ACTIONS AIMED AT CREATING SUPERSTITIONS."

IN ASSERTING THE SEPARATION OF THE CHURCH AND THE SOVIET EDUCATIONAL SYSTEM, KUROEDOV DISMISSES WESTERN CRITICISM OF SEVERE SOVIET RESTRICTIONS ON THE ROLE OF YOUTH IN CHURCH LIFE. KUROEDOV DESCRIBES THE CONSTITUTIONAL REQUIREMENTS THAT SOVIET CITIZENS EDUCATE THEIR CHILDREN "IN A SPIRIT OF ELEVATED COMMUNIST MORALITY." IN ADDITION, PARENTS ARE OBLIGED BY LAW OBLIGATION TO ENSURE "SATISFACTORY" ATTENDANCE AT SOVIET STATE SCHOOLS -- AT WHICH ATHEISM IS EXTOLLED. THERE ARE ONLY SCANT OPPORTUNITIES FOR SOVIET YOUTH TO OBTAIN A RELIGIOUS EDUCATION.

PERHAPS MOST TELLING IN THIS REGARD IS KUROEDOV'S STATEMENT:

"YET THE LEGISLATION ON FAITHS DOES NOT FORBID PARENTS TO OBSERVE THE STIPULATED RIGHTS OF TEACHING RELIGION TO THEIR CHILDREN AT HOME. THE RULES STIPULATED BY THE LEGISLATION PROTECT MINOR CHILDREN FROM FORCED EXPOSURE TO RELIGION."

SINCE THE AGE OF LEGAL MAJORITY IN THE SOVIET UNION IS 18, SOVIET LAW DOES NOT PERMIT CHILDREN ACCESS TO ORGANIZED RELIGION UNTIL THAT AGE.

KUROEDOV REVEALS THAT THE CLERGY ARE SUPPOSED TO BE YES-MEN FOR THE SOVIET SYSTEM:

"IT MUST BE SAID THAT THE OVERWHELMING MAJORITY OF THE CLERGY IN OUR COUNTRY HAVE A PROPER UNDERSTANDING OF THE LEGISLATION ON RELIGIOUS CULTS, OBSERVING IT, DISPLAYING POLITICAL LOYALTY TOWARD THE SOCIALIST SYSTEM AND SUPPORTING THE DOMESTIC AND FOREIGN POLICY OF THE SOVIET STATE."

JEHOVAH'S WITNESSES, PENTECOSTALS AND "INITIATIVE" BAPTISTS ARE MENTIONED AS GROUPS WHICH HAVE "UNCOOPERATIVE" CLERGY.

KUROEDOV'S DESCRIPTION OF THE COUNCIL OF RELIGIOUS AFFAIRS (CRA) UNDER THE SOVIET COUNCIL OF MINISTERS REVEALS ITS PERVASIVE ROLE AND INFLUENCE, CASTING DOUBT ON PREVIOUS CLAIMS ON THE SEPARATION OF CHURCH AND STATE:

"(IT) EXISTS FOR THE SYSTEMATIC IMPLEMENTATION OF THE PARTY'S AND SOVIET GOVERNMENT'S POLICY, INSURING THE PROTECTION OF THE RIGHTS OF BOTH BELIEVERS AND NONBELIEVERS, AND FOR ESTABLISHING COMMUNICATION BETWEEN THE SOVIET GOVERNMENT AND RELIGIOUS ORGANIZATIONS, SHOULD PROBLEMS TO BE RESOLVED BY THE GOVERNMENT ARISE. THE COUNCIL HAS ITS REPRESENTATIVES IN ALL OBLASTS, KRAYS AND REPUBLICS."

IN STATING "IN OUR COUNTRY, NO ONE HAS EVER BEEN TRIED FOR HIS RELIGIOUS FAITH," KUROEDOV SOUNDS A FAVORITE SOVIET THEME. ONLY LAW BREAKERS ARE PUNISHED: "NO ONE, HIDING BEHIND RELIGIOUS CONVICTIONS, HAS THE RIGHT TO AVOID THE FULFILLMENT OF HIS CIVIC OBLIGATIONS OR VIOLATE OUR SOCIAL ORDER."

SOVIET OFFICIAL POLICIES ON RELIGION ARE IN CLEAR VIOLATION OF PRINCIPLE VII PLEDGES:

"WITHIN THIS FRAMEWORK THE PARTICIPATING STATES WILL RECOGNIZE AND RESPECT THE FREEDOM OF THE INDIVIDUAL TO PROFESS AND PRACTISE, ALONE OR IN COMMUNITY WITH OTHERS, RELIGION OR BELIEF ACTING IN ACCORDANCE WITH THE DICTATES OF HIS OWN CONSCIENCE."

SOVIET LAWS

THE SOVIET LAW HAS REGRESSED SINCE THE 1918 CONSTITUTION WHICH GRANTED THE "RIGHT TO RELIGIOUS AND ANTI-RELIGIOUS PROPAGANDA" TO ALL CITIZENS. THE 1977 SOVIET CONSTITUTION OMITTS THE RIGHT TO RELIGIOUS PROPAGANDA, INDEED, ARTICLE 124 GRANTS ONLY ONE RELIGIOUS RIGHT TO SOVIET CITIZENS: "THE FREEDOM TO HOLD RELIGIOUS SERVICES".

IN ADDITION TO THE CONSTITUTION, THERE ARE NUMEROUS SECRET REGULATIONS ON RELIGIOUS LIFE IN THE SOVIET UNION. ALTHOUGH MANY PROVISIONS REMAIN SECRET, SOME WERE MADE PUBLIC IN 1975. AT A CSCE HEARING ON MAY 21, 1980, A LEADING WESTERN EXPERT ON RELIGION, PROFESSOR BOHDAN BOCIURKIW, OFFERED THIS SUMMARY:

"FIRST, THE CONSTITUTIONAL SEPARATION OF THE CHURCH FROM THE STATE, SCHOOL AND PUBLIC LIFE; SECOND, LIMITED RIGHTS OF A JURIDICAL PERSON FOR THE CHURCHES, BUT WITHOUT THE RIGHT TO OWN HOUSES OF PRAYER AND THEIR CONTENTS; THIRD, THE CHURCHES' DEPENDENCE UPON THE STATE FOR LEGALIZATION, FOR THE USE OF THE NATIONALIZED PRAYER HOUSES, FOR REGISTRATION OF LOCAL CONGREGATIONS AND THE CLERGY, FOR PERMISSION TO MAINTAIN THEOLOGICAL SCHOOLS AND MONASTIC INSTITUTIONS AND FOR PUBLICATION OF RELIGIOUS BOOKS AND PERIODICALS; FOURTH, THE PROHIBITION OF ANY ORGANIZED RELIGIOUS INSTRUCTION OF MINORS (EXCEPT BY THEIR PARENTS, AT HOME); FIFTH, AN IMPLICIT BANNING OF RELIGIOUS PROPAGANDA AND MISSIONARY ACTIVITIES; AND, FINALLY, THE PROHIBITION OF THE FINANCIAL STATE SUPPORT FOR RELIGIOUS GROUPS AND RESTRICTIONS OF THE CHURCHES' INCOME TO VOLUNTARY OFFERINGS FROM BELIEVERS WITHIN THEIR HOUSES OF WORSHIP."

ANOTHER LEADING SCHOLAR OF RELIGION IN THE SOVIET UNION, THE REVEREND MICHAEL BOURDEAUX, DISCUSSED SOVIET POLICIES IN TERMS OF CATEGORIES OF VIOLATIONS OF RELIGIOUS RIGHTS.¹³⁰ BANNED IN 1946 BY SECRET DECREE, THE EASTERN OR GREEK RITE CATHOLIC CHURCH (THE UNIATE CHURCH) IS STILL OUTLAWED TODAY IN THE SOVIET UNION. OTHER OUTLAWED RELIGIOUS DENOMINATIONS IN THE U.S.S.R., INCLUDE THE JEHOVAH'S WITNESSES, SECTARIAN OFFSHOOTS OF THE

ORTHODOX CHURCH AND SOME OLD BELIEVER (ORTHODOX SCHISMATIC GROUPS) SECTS.

THE RIGHT TO FREE CONFESSION OF FAITH HAS BEEN VIOLATED BY FORCED MERGERS OF DIFFERENT RELIGIOUS DENOMINATIONS: IN 1946, THE UKRAINIAN ORTHODOX CHURCH WAS FORCIBLY MERGED WITH THE RUSSIAN ORTHODOX CHURCH; IN THE 1940'S, PENTECOSTALS AND MENNONITES WERE FORCED TO MERGE WITH BAPTISTS TO GAIN OFFICIAL STATUS. SUCH "MERGERS" ARE STILL IN EFFECT TODAY IN THE U.S.S.R.

SOVIET LAW DENIES CHURCHES THE RIGHT TO OWN BUILDINGS, INSTEAD, THE STATE RENTS OUT BUILDINGS ONLY IF SOVIET LAWS ARE OBEYED. DESPITE MANY PETITIONS FROM ORTHODOX AND BAPTIST GROUPS -- SOMETIMES INCLUDING THOUSANDS OF SIGNATURES -- SOVIET OFFICIALS USUALLY REFUSE TO REOPEN CLOSED CHURCHES.

STATE CONTROL OF ORGANIZED RELIGION IS ACHIEVED VIA "REGISTRATION" REQUIRED FOR ANY RELIGIOUS GROUP TO EXIST LEGALLY. TO MEET THE CONDITIONS OF REGISTRATION, A RELIGIOUS GROUP MUST SUPPLY MEMBERSHIP LISTS TO THE STATE AND PERMIT OFFICIALS TO VETO CHURCH LEADERSHIP. SOMETIMES THE STATE REFUSES TO REGISTER BAPTIST AND ORTHODOX GROUPS, EVEN THOUGH THEY MEET ALL THE LEGAL REQUIREMENTS. FURTHERMORE, STATE AUTHORITIES LEGALLY ARE NOT OBLIGED TO GIVE REASONS FOR REFUSAL OF REGISTRATION. ANY "UNREGISTERED" RELIGIOUS GROUP IS ILLEGAL AND ITS MEMBERS ARE LIABLE TO CRIMINAL PROSECUTION.

SOVIET LEGISLATION ON RELIGION IS SO RESTRICTIVE THAT THE ONLY GUARANTEED RIGHT IS TO CONDUCT RELIGIOUS CEREMONIES INSIDE HOUSES OF WORSHIP. TO RETAIN REGISTRATION, A RELIGIOUS GROUP MUST AGREE TO: OBTAIN STATE PERMISSION TWO WEEKS IN ADVANCE TO CONDUCT CEREMONIES OUTSIDE A CHURCH; CONDUCT RELIGIOUS RITES ONLY IN THE GEOGRAPHIC AREA FOR WHICH THE CLERGY IS REGISTERED; BAN ALL RELIEF WORK BY RELIGIOUS GROUPS; REFRAIN FROM ORGANIZING PARISH SOCIETIES, CHURCH DISCUSSION GROUPS, LIBRARIES AND WOMEN'S OR CHILDREN'S CLUBS; AND REFRAIN FROM PUBLISHING RELIGIOUS MATERIALS. ONLY CENSORED SMALL EDITIONS OF THE BIBLE, THE KORAN, HYMNALS AND PRAYER BOOKS ARE LEGALLY PERMITTED.

RELIGIOUS INSTRUCTION FOR MINORS IS FORBIDDEN AND PARENTS ARE EVEN RESTRICTED IN RELIGIOUS EDUCATION OF THEIR OWN CHILDREN. THIS BAN AFFECTS ALL RELIGIOUS GROUPS, PARTICULARLY THE BAPTISTS. THE ONLY PERMITTED RELIGIOUS EDUCATION IS "ECCLESIASTICAL EDUCATIONAL INSTITUTIONS THAT HAVE BEEN OPENED ACCORDING TO ESTABLISHED PROCEDURE." THUS, THE EXISTENCE OF PERMANENT THEOLOGICAL SEMINARIES IS NOT RECOGNIZED UNDER SOVIET LAW. AT PRESENT, THE FOLLOWING DENOMINATIONS HAVE SEMINARIES: RUSSIAN ORTHODOX (THREE), ROMAN CATHOLIC (TWO), ARMENIAN APOSTOLIC

(ONE), GEORGIAN ORTHODOX (ONE), AND MUSLIM (ONE); CORRESPONDENCE COURSES: BAPTISTS (ONE), LUTHERAN (ONE), RUSSIAN ORTHODOX (ONE). PERMISSION TO ENTER A SEMINARY IS ALSO CONTROLLED BY STATE AUTHORITIES. NO OTHER RELIGIOUS INSTITUTIONS ARE RECOGNIZED BY LAW, ALTHOUGH THE RUSSIAN ORTHODOX AND THE ARMENIAN APOSTOLIC CHURCHES ARE PERMITTED TO OPERATE A FEW MONASTERIES.

SOVIET LAW DOES NOT PROVIDE FOR CENTRAL REPRESENTATION FOR ALL RELIGIOUS DENOMINATIONS, PERMITTED FOR RUSSIAN ORTHODOX, OLD BELIEVERS, BAPTISTS, MOSLEMS AND BUDDHISTS, AND DENIED TO JEWS AND CATHOLICS. THE ADVENTISTS LOST THEIR CENTRAL REPRESENTATION IN 1960. SINCE NO RELIGIOUS COMMUNITY IN THE U.S.S.R. IS RECOGNIZED AS A PERSON UNDER THE LAW, IT CANNOT INITIATE LEGAL ACTION FOR REDRESS OF GRIEVANCES.

SPECIAL PERMISSION IS REQUIRED FROM THE STATE COUNCIL FOR RELIGIOUS AFFAIRS TO HOLD LOCAL OR NATIONAL CONGRESSES. ONLY THE OFFICIAL WING OF THE BAPTIST CHURCH SINCE 1963 HAS SUCCEEDED IN HOLDING CONGRESSES AT REGULAR INTERVALS, WHEREAS SOVIET JEWS HAVE NEVER BEEN PERMITTED TO HOLD SUCH A CONGRESS. IN 1946, THE EASTERN RITE CATHOLIC CHURCH WAS GRANTED PERMISSION TO HOLD A CONGRESS, WHEN, IN VOTING ITSELF OUT OF EXISTENCE, IT "DECIDED" TO MERGE WITH THE RUSSIAN ORTHODOX CHURCH.

THIS MORASS OF LEGAL RESTRICTIONS WITH WHICH THE SOVIET STATE SADDLES RELIGION IS IN CLEAR VIOLATION OF PRINCIPLE VII PRECEPTS. ONE MUST NOTE, HOWEVER, THAT RELIGION IS THE ONLY NON-COMMUNIST IDEOLOGY OFFICIALLY "TOLERATED" IN THE SOVIET UNION AND, AS SUCH, OFFERS AN ALTERNATIVE TO SOCIALIST OR PARTY MORALITY. SOVIET OFFICIAL PRONOUNCEMENTS ON RELIGION, MOREOVER, VACILLATE BETWEEN HOSTILE ANTI-RELIGIOUS PROPAGANDA AND BOASTS THAT RELIGIOUS LIBERTY REVEALS SOVIET DEMOCRACY AT WORK. HAVING RELUCTANTLY REACHED THE CONCLUSION THAT RELIGION WILL SURVIVE -- AND EVEN PROSPER -- UNDER THE SOVIET SYSTEM, THE PARTY IS NOW TRYING TO COME TO TERMS WITH THIS REALIZATION AND TURN IT TO ITS OWN ENDS.

DESPITE PRONOUNCEMENTS ON RELIGIOUS RIGHTS IN THE U.S.S.R., THE SOVIET AUTHORITIES CONDUCT AN ONGOING CAMPAIGN TO DISCREDIT RELIGION. IN MAY 21, 1980 TESTIMONY BEFORE THE CSCE COMMISSION, PROFESSOR BOCIURKIW DESCRIBED SUCH ASPECTS OF THE SOVIET SYSTEM:

"THE ATHEIST NATURE OF THE STATE; ITS ACTIVE ANTI-RELIGIOUS ROLE, AND THE RESULTING DENIAL TO OVERT BELIEVERS OF CERTAIN IMPORTANT POLITICAL, EDUCATIONAL AND ECONOMIC RIGHTS AND OPPORTUNITIES; DISCRIMINATION AMONG RELIGIOUS GROUPS IN TERMS OF THEIR POLITICAL

USEFULNESS TO THE STATE; THE ACCEPTANCE BY RELIGIOUS GROUPS - AS A PRICE OF THEIR LEGAL EXISTENCE - OF A FAR-REACHING STATE AND POLICE CONTROL OVER THEIR STATUTES, THEIR LEADERS AND ADMINISTRATIVE PERSONNEL DOWN TO THE PARISH LEVEL AND THEIR DAY-TO-DAY ACTIVITIES; THE UTILIZATION OF THE CHURCHES FOR POLITICAL PURPOSES, IN PARTICULAR FOR POLITICAL PROPAGANDA ABROAD; AND THE DUTY OF THE RECOGNIZED RELIGIOUS GROUPS TO OFFER AN UNCONDITIONAL, POSITIVE SUPPORT FOR THE REGIME, INCLUDING THE PAYMENT OF HUGE "VOLUNTARY" CONTRIBUTIONS TO THE SOVIET PEACE FUND AND EVEN THE OBLIGATION TO CONCEAL TO THE OUTSIDE WORLD THE REAL STATUS OF RELIGION IN THE U.S.S.R. AND TO DENY, IF REQUESTED, ANY ACTUAL CASES OF RELIGIOUS PERSECUTION."

ALTHOUGH SOVIET AUTHORITIES CLAIM THAT NO ONE IS ARRESTED FOR THEIR RELIGIOUS BELIEFS BUT ONLY IF THEY BREAK SOVIET LAWS, THE FOLLOWING STATISTICS PROVIDED BY KESTON COLLEGE REVEAL THE SCOPE OF THE CURRENT CRACKDOWN AGAINST RELIGIOUS BELIEVERS IN THE U.S.S.R. IN 1979, THERE WERE 180 KNOWN CHRISTIAN PRISONERS IN SOVIET PRISONS AND CAMPS; BY MAY 5, 1980, THIS NUMBER HAD INCREASED TO 264. THE FOLLOWING BREAKDOWN BY RELIGIOUS DENOMINATION INCLUDES 119 NEW CASES AND TAKES INTO ACCOUNT THE 37 PEOPLE WHO HAVE BEEN RELEASED DURING THE NINE-MONTH PERIOD:

	<u>1979</u>	<u>1980</u>
ORTHODOX	25	40
GEORGIAN CHURCH	3	1
ARMENIAN CHURCH	2	4
TRUE ORTHODOX	20	20
BAPTISTS	37	63
PENTECOSTALS	36	39
ADVENTISTS	13	36
CATHOLICS	12	23
UNIATES	17	16
PENITENTS	6	6
OTHERS	9	16
TOTALS	180	264

IN ADDITION TO LEGAL RESTRICTIONS ON ALL SOVIET RELIGIOUS GROUPS AND IMPRISONMENT OF RELIGIOUS ACTIVISTS, THERE ALSO IS SYSTEMATIC DISCRIMINATION AGAINST RELIGIOUS BELIEVERS IN DAILY LIFE. DISCRIMINATION AT PLACES OF WORK IS PRACTICED, PARTICULARLY AGAINST MEMBERS OF EVANGELICAL PROTESTANT SECTS. DEVOUT MEMBERS OF ALL RELIGIOUS DENOMINATIONS SUFFER DISCRIMINATION IN HIGHER EDUCATION, ESPECIALLY SINCE COURSES IN "SCIENTIFIC ATHEISM" ARE REQUIRED FOR GRADUATION. THERE ARE MANY INCIDENTS REPORTED FROM EVANGELICAL PROTESTANT FAMILIES OF CHILDREN SUFFERING PUBLIC RIDICULE, LOWERED GRADES OR EVEN BEATINGS FROM HOSTILE TEACHERS. SOCIAL AND POLITICAL DISCRIMINATION AGAINST BELIEVERS IS WIDESPREAD IN A SOCIETY WHERE PARTY MEMBERSHIP IS REQUIRED FOR MOST HIGH-LEVEL POSITIONS.

ANOTHER WIDESPREAD ATTEMPT TO DISCREDIT RELIGION -- ON THE INCREASE SINCE 1977 -- IS PRESS ATTACKS ON RELIGION. A SAMPLING OF SOME RECENT ARTICLES ILLUSTRATES THE LEVEL OF PUBLIC "TOLERANCE" FOR RELIGIOUS RIGHTS IN THE SOVIET UNION. IN JULY 1979, TWO REPUBLIC FIRST PARTY SECRETARIES ATTACKED RELIGIOUS GROUPS BY LINKING THEM WITH PERNICIOUS FOREIGN INFLUENCES: A. VOSS, IN SOVETSKAYA LATVIA ATTACKED BAPTISTS AND SEVENTH DAY ADVENTISTS, SAYING THAT "FOREIGN PROPAGANDA AND THE FORCES OF INTERNATIONAL IMPERIALISM... ARE DISTORTING THE REAL POSITION OF RELIGION AND THE CHURCH IN OUR REPUBLIC, TRYING TO REVIVE RELIGIOUS LIFE, (AND) INSPIRE RELIGIOUS FANATICISM...", WHILE M. GAPUROV, IN TURKMENSKAYA ISKRA, LINKED THE PERSISTENCE OF RELIGIOUS INFLUENCE -- EVEN AMONG PARTY MEMBERS -- WITH PAN-ISLAMIC IDEOLOGY FROM ABROAD.

OTHER RECENT ARTICLES INADVERTANTLY ATTEST TO A RELIGIOUS RENAISSANCE IN THE U.S.S.R.: SOVETSKAYA ROSSIYA ON APRIL 27, 1979, REFERRED TO WIDESPREAD RELIGIOUS ACTIVITY IN THE NORTHERN CAUCASUS REGION AMONG "ILLEGAL" JEHOVAH'S WITNESSES, REGISTERED AND UNREGISTERED BAPTISTS, AND ORTHODOX BELIEVERS, CALLING ON LOCAL OFFICIALS TO COMBAT THEIR INFLUENCE; IN SEPTEMBER 1979, ARTICLES IN BELORUSSIAN NEWSPAPERS CRITICIZED EVANGELICAL PROTESTANT GROUPS WITH THE REVEALING TITLES: "INTELLECT VERSUS RELIGION" AND "IN THE GRIP OF SPIRITUAL BONDAGE". CANDIDATE OF PHILOSOPHY, A. SIMONIAN, ATTACKED ARMENIAN TEENAGERS WEARING CRUCIFIXES ON GOLD CHAINS, IN THE MARCH 23, 1980 ARMENIAN PAPER, KOMMUNIST; WHILE KAZAKHSTANSKAYA PRAVDA ON APRIL 3, 1980 ATTACKED UNREGISTERED GROUPS OF ADVENTISTS, BAPTISTS AND PENTECOSTALS FOR THEIR "INCORRECT" INTERPRETATION OF CONSTITUTIONAL RIGHTS TO "FREEDOM OF CONSCIENCE".

A RARE PUBLISHED PUBLIC OPINION SURVEY ON RELIGIOUS ATTITUDES IN BELORUSSIA (REPORTED IN THE SAME ARTICLE IN KAZAKHSTANSKAYA PRAYDA) REVEALED NOT ONLY THAT OFFICIAL NOTIONS OF FREEDOM OF CONSCIENCE CONFLICT WITH PRINCIPLE VII, BUT ALSO THAT 90 PERCENT OF THE PEOPLE SURVEYED IN BELORUSSIA DISAGREE WITH THAT OFFICIAL NOTION. IN ASSERTING THAT "FREEDOM TO BELIEVE OR NOT TO BELIEVE IS BETTER THAN ENFORCED FAITH UNDER THE TSARS", 4.8 PERCENT SURVEYED AGREED WITH THE OFFICIAL SOVIET INTERPRETATION OF FREEDOM OF CONSCIENCE; 32.7 PERCENT SAID THAT ONE CAN BELIEVE ANY WAY ONE WANTS; 58.6 PERCENT ASSERTED THAT EVERYONE HAS A CONSCIENCE AND SHOULD LISTEN TO ITS VOICE, WHILE 3.9 PERCENT STRONGLY DISAGREED WITH OFFICIAL SOVIET POLICY ON RELIGION.

SOVIET AUTHORITIES TEND TO MAKE TWO CATEGORIES OF BELIEVERS: THE "TRADITIONALISTS" -- AN ESTIMATED 44 MILLION MUSLIMS AND APPROXIMATELY 44 MILLION ORTHODOX CHRISTIANS FOR WHOM RELIGION IS PART OF THEIR TRADITIONAL CULTURE -- AND "CONVERTS" -- FOUR MILLION CATHOLICS AND THREE MILLION PROTESTANTS FOR WHOM RELIGION IS A DELIBERATE CHOICE.¹³¹ THIS CLASSIFICATION REVEALS A TENDENCY TO SEE RELIGION AS A "SURVIVAL" OF THE DIVERSE TRADITIONAL CULTURES "SUBSUMED" IN THE SOVIET ATHEIST SYSTEM. YET EVEN THESE INCOMPLETE STATISTICS REVEAL THAT AT LEAST 100 MILLION OF THE TOTAL SOVIET POPULATION OF 264 MILLION SHOW SOME ADHERENCE TO RELIGION.

MUSLIMS

TODAY THE SOVIET UNION IS THE FIFTH LARGEST MUSLIM COUNTRY IN THE WORLD, WITH ONE OUT OF SIX SOVIET CITIZENS OF ISLAMIC ORIGIN. BY THE YEAR 2000, THAT NUMBER WILL INCREASE TO ONE OUT OF FOUR. ACCORDING TO THE LEADING WESTERN AUTHORITY ON SOVIET ISLAM, PROFESSOR ALEXANDRE BENNIGSEN, "FOR THE 44 MILLION MUSLIMS OF THE SOVIET UNION, 300-500 MOSQUES IS CLEARLY INSUFFICIENT, ESPECIALLY CONSIDERING THAT APPROXIMATELY 80 PERCENT OR 34 MILLION OF THESE ARE ACTIVE BELIEVERS."

REGULATED BY THE COUNCIL FOR RELIGIOUS AFFAIRS, SOVIET ISLAM IS ORGANIZED INTO FOUR SPIRITUAL BOARDS: CENTRAL ASIA AND KAZAKHSTAN; EUROPEAN RUSSIA AND SIBERIA; THE NORTHERN CAUCASUS AND DAGESTAN (ALL SUNNI OF THE HANNAFI RITE); AND THE SPIRITUAL BOARD OF TRANSCAUCASIAN MUSLIMS IS MIXED SHIA AND SUNNI. AS THE PRICE FOR SUCH ORGANIZATIONAL VISIBILITY, SOVIET MUFTI -- WHOSE APPOINTMENTS MUST BE APPROVED BY THE STATE -- ACT AS OFFICIAL SPOKESMEN EXTOLLING ISLAM SOVIET-STYLE AND SOVIET POLICIES IN THE MUSLIM WORLD.

IN TESTIMONY BEFORE THE CSCE COMMISSION ON MAY 21, 1980, PROFESSOR BENNIGSEN DESCRIBED THE MASSIVE PROPORTIONS AND SIGNIFICANCE OF "PARALLEL" -- AND ANTI-RUSSIAN -- ISLAM IN THE SOVIET UNION:

"ALTHOUGH THE SOVIET REGIME HAS DONE NEARLY EVERYTHING IN ITS POWER TO DESTROY THE PHYSICAL AND HUMAN INSTITUTIONS OF THE MUSLIM COMMUNITIES, EXCEPT FOR THOSE THAT ARE OFFICIALLY 'APPROVED,' AN UNDERGROUND ISLAM HAS SPRUNG UP WHICH PENETRATES INTO VIRTUALLY EVERY CORNER OF THE SOVIET MUSLIM WORLD. 'UNDERGROUND ISLAM' (REPRESENTED BY THE MYSTICAL SUFI BROTHERHOODS) CLAIMS THOUSANDS OF CLANDESTINE HOUSES OF PRAYER AND PROBABLY TENS OF THOUSANDS OF "CLERICS" WHO CAN PERFORM THE REQUIRED ISLAMIC RITES. IN A SIMILAR WAY, CLANDESTINE KORANIC SCHOOLS PROVIDE EDUCATION FOR THE CHILDREN OF THE DEVOUT. FOUR OR FIVE HUNDRED "OFFICIAL" WORKING MOSQUES -- THE CURRENT FIGURE -- CAN HARDLY SATISFY THE RELIGIOUS NEEDS OF A POPULATION OF 44 MILLION. IT IS THIS VOID THE 'UNDERGROUND ISLAM' IS INTENDED TO FILL. A RECENT TRAVELER TO BAKU, AZERBAIDZHAN WAS TOLD IN CONFIDENCE THAT 200 "UNDERGROUND" HOUSES OF PRAYER NOW OPERATE IN THAT CITY ALONE. IF ONE EXTRAPOLATES THIS FIGURE TO THE OTHER POPULOUS REGIONS OF THE SOVIET MUSLIM WORLD, THE ENORMOUS PROPORTIONS OF THIS UNDERGROUND NETWORK COME INTO FOCUS."

ANTI-MUSLIM PROPAGANDA TAKES SEVERAL TACKS: THE RELIGION IS ATTACKED AS "A REACTIONARY AND ANTI-SCIENTIFIC IDEOLOGY;" AS A "FOREIGN IDEOLOGY" IMPOSED ON CENTRAL ASIA AND THE CAUCASUS BY FEUDAL ARABS; AND AS A CULTURE CHARACTERIZED BY "PRIMITIVE AND UNHEALTHY CUSTOMS". IN THE 1970'S, HOWEVER, THE REGIME SHIFTED ITS ANTI-ISLAMIC CAMPAIGN AWAY FROM THE "ARAB ORIGINS" ARGUMENT TO INCREASING ATTACKS ON THE ULTRA-CONSERVATIVE TENDENCIES ON THE SUFI SECTS.

IN DEALING WITH SOVIET ISLAM, THE SOVIET AUTHORITIES SEEM TO BE CAUGHT BETWEEN A ROCK AND A HARD PLACE: AS PROFESSOR BENNIGSEN SAYS, "THEY CANNOT CRUSH OFFICIAL ISLAM, FOR SUCH A MOVE WOULD ONLY REINFORCE 'UNDERGROUND' SUFI ISLAM; NOR

CAN THEY MOLD IT TO MEET STATE GOALS, FOR AN EXCESSIVE SUBMISSIVENESS ON THE PART OF OFFICIAL RELIGIOUS LEADERS TOWARDS THE SOVIET GOVERNMENT WILL PUSH BELIEVERS TOWARDS THE SUFI ORDERS."

RADICAL CHANGES ON THE U.S.S.R. SOUTHERN BORDERS HAVE ALSO HAD PROFOUND EFFECTS ON SOVIET MUSLIMS. THE ISLAMIC REVOLUTION IN IRAN HAS HAD A SPILLOVER EFFECT INTO NEIGHBORING TURKMENISTAN, AS EVIDENCED BY A 1979 BROCHURE ATTACKING MULLAHS WHO TAPE RECORDED TURKMEN-LANGUAGE ISLAMIC BROADCASTS FROM RADIO GORGAN IN IRAN AND PLAYED THEM AT RELIGIOUS FESTIVALS IN VARIOUS PARTS OF TURKMENIA.¹³² SOVIET MUSLIM TROOPS PARTICIPATED IN THE BRUTAL SOVIET INVASION OF ISLAMIC AFGHANISTAN. KESTON COLLEGE REPORTS THAT SOVIET MUSLIM TROOPS EAGERLY EXCHANGED RIFLES FOR COPIES OF THE KORAN FROM THE AFGHANS. SOVIET MUSLIM TROOPS WERE WITHDRAWN IN FEBRUARY 1980, AFTER FRATERNIZATION WITH THE LOCAL POPULATION, AND SOME DESERTIONS TO THE AFGHAN FREEDOM FIGHTERS. FURTHERMORE, ACCORDING TO A CHRISTIAN SCIENCE MONITOR ARTICLE ON JUNE 25, 1980, "ANTI-SOVIET RIOTS BROKE OUT SEVERAL MONTHS AGO" IN ALMA ATA, KAZAKHSTAN WHEN THE BODIES OF SEVERAL MUSLIM SOLDIERS WERE RETURNED FOR BURIAL IN A SOVIET MILITARY CEMETERY, RATHER THAN A MUSLIM ONE.

ORTHODOX CHURCHES

ANOTHER GROUP OF "TRADITIONALIST" BELIEVERS IN THE SOVIET UNION ARE MEMBERS OF THE RUSSIAN, GEORGIAN AND ARMENIAN ORTHODOX CHURCHES ALL OF WHICH BELONG TO THE WORLD COUNCIL OF CHURCHES. RECOGNIZED AS THE OLDEST NATIONAL CHURCH IN THE WORLD, THE ARMENIAN APOSTOLIC CHURCH -- AS A REWARD FOR AIDING A SUCCESSFUL SOVIET CAMPAIGN FOR ARMENIAN IMMIGRATION AFTER WORLD WAR II -- HAS GOTTEN SOME CONCESSIONS FROM THE STATE, INCLUDING ITS OWN PRINTING PRESS. THE GEORGIAN ORTHODOX CHURCH, FOUNDED IN 330, ALSO IS IN A FAIRLY STRONG SITUATION, ESPECIALLY AFTER RECENT MOVES AGAINST CORRUPTION IN THE CHURCH HIERARCHY.

IN 1988, THE RUSSIAN ORTHODOX CHURCH WILL CELEBRATE 1,000 YEARS OF EXISTENCE. ANNIVERSARY CELEBRATIONS WILL REMIND RUSSIA THAT IN COMPARISON TO THEIR CHURCH, THE PRESENT SOVIET GOVERNMENT IS A MERE 71 YEARS OLD. SIMILAR TO THE LEADERSHIP OF OFFICIAL ISLAM, THE RUSSIAN ORTHODOX HIERARCHY USUALLY SERVES AS AN OBEDIENT SOVIET MOUTHPIECE.

ACCORDING TO A JUNE 23, 1980 ARTICLE IN TIME:

"OFFICIAL SOVIET STATISTICS ADMIT TWO OUT OF FIVE BURIALS ARE ACCOMPANIED BY A CHURCH

SERVICE, AND ONE OUT OF SIX BABIES IS BAPTIZED. IN THE KHARKOV CATHEDRAL THERE ARE 120 TO 170 BAPTISMS EVERY SUNDAY. TODAY THE RUSSIAN ORTHODOX CHURCH HAS 73 BISHOPS, 10,000 PRIESTS AND, ACCORDING TO U.S.S.R. GOVERNMENT ESTIMATES, 30 MILLION MEMBERS WHO REGULARLY ATTEND SERVICES. SOME ORTHODOX PRIESTS PUT BAPTIZED MEMBERSHIP AT 60 MILLION."

ISSUE 130 OF THE 1979 HERALD OF THE RUSSIAN CHRISTIAN MOVEMENT (VESTNIK RKHD IN PARIS), PUBLISHED AN OFFICIAL REPORT TO THE CPSU CENTRAL COMMITTEE BY VASILY FUROV, ASSISTANT CHAIRMAN OF THE COUNCIL ON RELIGIOUS AFFAIRS (CRA), ON THE CURRENT STATUS OF THE RUSSIAN ORTHODOX CHURCH. THIS REPORT EXPOSES THE MANIPULATION OF THE ORTHODOX CHURCH BY THE SOVIET STATE AUTHORITIES IN THE CRA.

THE FIRST SECTION OF FUROV'S REPORT IS A DISCUSSION OF RUSSIAN ORTHODOX BISHOPS -- NOTING WITH SATISFACTION THE DECLINE IN THE NUMBER OF EPARCHIES -- AND CLASSIFYING EACH BISHOP ACCORDING TO AGE, EDUCATION, WORK HISTORY AND THREE CATEGORIES OF LOYALTY TO THE STATE. ACCORDING TO FUROV, THE CRA HAS BEEN SUCCESSFUL IN REDUCING THE "POLITICAL" ACTIVITIES OF RUSSIAN ORTHODOX BISHOPS. FUROV THEN TURNS TO A DETAILED ANALYSIS OF ALL THE RUSSIAN ORTHODOX PARISHES, SHOWING THAT BETWEEN 1961 AND 1974 THE NUMBER OF PRIESTS HAD DECLINED BY 30 PERCENT, AND AGAIN RANKING PRIESTS ACCORDING TO LOYALTY TO THE STATE.

IN HIS DISCUSSION OF STUDENTS AT SEMINARIES, FUROV MENTIONS THAT THE CRA HAS TAKEN MEASURES TO RESTRICT ENROLLMENT OF SEMINARIANS FROM THE WESTERN UKRAINE IN VIEW OF THEIR POLITICAL UNRELIABILITY. THE CRA HAS ALSO TAKEN DECISIVE STEPS TO ENSURE POLITICAL LOYALTY AMONG STUDENTS AT RUSSIAN ORTHODOX ECCLESIASTICAL INSTITUTIONS.

FUROV'S DESCRIPTION OF THE PUBLISHING ACTIVITIES OF THE RUSSIAN ORTHODOX CHURCH STRESSES CRA SUCCESS IN CENSORING ALL OFFICIAL CHURCH PUBLICATIONS, ESPECIALLY THE JOURNAL OF THE MOSCOW PATRIARCHATE. THE LAST SECTION OF FUROV'S REPORT IS A LIST OF NUMEROUS CASES IN WHICH PRIESTS HAVE VIOLATED SOVIET LEGISLATION ON RELIGION, SUCH AS "IMPROPER" ECONOMIC ACTIVITIES AND PERFORMING RELIGIOUS RITES IN PRIVATE HOMES.

SINCE THE CRA CONTROLS THE RELIGIOUS ACTIVITIES OF ALL REGISTERED RELIGIOUS GROUPS IN THE SOVIET UNION, IT IS FAIR TO ASSUME THAT SIMILAR SUPERVISION AND CONTROL IS EXERCISED OVER THOSE GROUPS AS WELL.

IN A SURPRISING DEVELOPMENT, ON JUNE 10, 1980, POPULAR RUSSIAN ORTHODOX PRIEST FATHER DMITRI DUDKO, ARRESTED ON JANUARY 15, 1980 FOR HIS CANDID DEFENSE OF RELIGIOUS RIGHTS, CONFESSED TO "ANTI-STATE ACTIVITIES." FATHER DUDKO, BELOVED AMONG MANY OF THE 40 MILLION ORTHODOX IN THE U.S.S.R., WAS KNOWN FOR THE SIMPLE ELOQUENCE WITH WHICH HE SPOKE TO HIS CONGREGATION. FATHER DUDKO'S CONFESSION IS THE FIRST TIME THAT NATIONAL SOVIET TELEVISION CARRIED A FULL CONFESSION IN AN OFFICIAL ATTEMPT TO DISCREDIT RELIGIOUS ACTIVISTS. THE FULL TEXT OF FATHER DUDKO'S RECATATION WAS LATER PRINTED IN EIGHT REGIONAL AND NATIONAL NEWSPAPERS, INCLUDING IZVESTIA. RECENT INFORMATION FROM MOSCOW, REPORTED BY KESTON COLLEGE, REFERS TO FATHER DUDKO'S BAD PHYSICAL CONDITION -- HE LOST 40 POUNDS DURING THE SIX MONTHS OF HIS DETENTION -- AND HIS DEEPLY DEPRESSED EMOTIONAL CONDITION.

SEVERAL LEADING RUSSIAN ORTHODOX ACTIVISTS WERE ARRESTED IN THE RECENT REPRESSIONS: TWO MEMBERS OF THE CHRISTIAN COMMITTEE FOR THE DEFENSE OF THE RIGHTS OF BELIEVERS, FATHER GLEB YAKUNIN AND VIKTOR KAPITANCHUK; SEVERAL YOUNG MEMBERS OF THE UNOFFICIAL RUSSIAN ORTHODOX SEMINAR, INCLUDING ALEKSANDR OGORODNIKOV WHO REPORTEDLY IS NOW IN THE LENINGRAD KGB PRISON AWAITING TRIAL ON CHARGES OF "ANTI-SOVIET AGITATION AND PROPAGANDA"; AND PHYSICIST LEV REGELSON, AUTHOR OF THE TRAGEDY OF THE RUSSIAN CHURCH.

Jews

ESTIMATES OF THE NUMBER OF DEVOUT JEWS IN THE U.S.S.R. VARY FROM 60,000 TO 500,000. THE SITUATION OF THE JEWISH RELIGION IN THE SOVIET UNION IS RATHER PRECARIOUS. UNLIKE SOME OTHER "RECOGNIZED" DENOMINATIONS, THE JEWISH RELIGIOUS COMMUNITY HAS NO ALL-SOVIET OR REGIONAL ORGANIZATION. WITH FEWER THAN 60 SYNAGOGUES THROUGHOUT THE U.S.S.R.,¹³³ THE ABILITY OF THE JEWISH RELIGIOUS COMMUNITY TO ARTICULATE ITS NEEDS IS WEAKENED, AND THE POSSIBILITY OF MAINTAINING ORGANIZED LINKS WITH ITS CO-RELIGIONISTS ABROAD IS LESSENED.

DEFICIENCIES ARE FOUND IN SEVERAL ASPECTS OF RELIGIOUS NEEDS. ACCORDING TO THE NATIONAL CONFERENCE ON SOVIET JEWRY, THE UKRAINIAN CITY OF KHARKOV, WITH AN ESTIMATED JEWISH POPULATION OF 75,000, HAS NO SYNAGOGUE. THIS ALSO IS TRUE FOR AN ADDITIONAL 13 CITIES WITH OVER 10,000 JEWS, AS WELL AS FOR 23 CITIES WITH 5,000 JEWS OR MORE.

THREE THOUSAND COPIES OF THE PEACE PRAYER BOOK WERE PUBLISHED IN 1957. IN 1968, SOME 10,000 MORE PRAYER BOOKS OFFI-

cially were permitted to the Jewish community, but of these, only a few thousand were actually distributed.¹³⁴ In 1977, the authorities announced they would permit the Appeal of Conscience Foundation to send 10,000 copies of the Pentateuch (first five books of the Old Testament) to the U.S.S.R. It is reported that although several score of Israeli prayer books and Bibles are in the Moscow Synagogue, they are locked in a display case. Jewish ritual objects can neither be manufactured nor imported.

"Matzoh," unleavened Passover bread, is baked in few Soviet cities and is scarcely sufficient for the individual Jewish communities. Moreover, many religious Jews claim that the "matzoh" available in the Soviet Union is not kosher, and, thus, will only accept the rarely permitted imported variety.

There is only one known Rabbi in the Soviet Union, Rabbi Jacob Fishman of Moscow, although a few younger men reportedly are training for the rabbinate. A seminary was established in 1957 in conjunction with the Moscow Synagogue, but it apparently is not functioning. Three students, however, were permitted prepare for ordination at the Jewish Theological Seminary in Budapest, to then return to the U.S.S.R.¹³⁵ In an arrangement with the Appeal of Conscience Foundation, two young Soviets were to undergo training at Yeshiva University in New York,¹⁷⁸ but since one student had to forgo the program due to his wife's illness, the other student also decided not to go.

BUDDHISTS

Buddhism is the traditional religion for 353,000 Buryats and 147,000 Kalmyks in the Soviet Union. For the estimated 50,000 to 100,000 Soviet Buddhists, the Ivolga Monastery near Ulan-Ude in Buryatia and the Aga Monastery near Chita were reopened after World War II. From the scanty information available, it seems that the Soviet Buryat and Kalmyk language press conducts anti-Buddhist propaganda.

PROTESTANTS

Lutheranism is the traditional religion for Estonia and Latvia, partially reflecting strong German cultural influence. As such, Lutheranism was attacked as a "German" religion after World War II. In more recent times, the estimated 400,000 members of the Evangelical Lutheran Church of Latvia and the approximately 250,000 members of the Evangelical-Lutheran Church

OF ESTONIA HAVE SEEN IMPROVEMENTS IN THE STATUS OF THEIR CHURCHES. ALTHOUGH BOTH CHURCHES BELONG TO THE WORLD COUNCIL OF CHURCHES, THEY SUFFER THE USUAL PROBLEMS OF OFFICIAL SOVIET CHURCHES: TIGHT CONTROL BY THE CRA, INADEQUATE AND CENSORED CHURCH LITERATURE AND AN AGING GROUP OF PASTORS. WHILE THE LATVIAN LUTHERAN CHURCH IS ALLOWED TO KEEP CLOSE CONTACTS WITH SWEDISH LUTHERANS, THE ESTONIAN LUTHERANS MAINTAIN TIES WITH THEIR CO-RELIGIONISTS IN FINLAND.

THE SITUATION OF EVANGELICAL PROTESTANT SECTS SUCH AS BAPTISTS, PENTECOSTALS, ADVENTISTS, MENNONITES AND EVANGELICAL CHRISTIANS IS COMPLEX. FLOURISHING AMONG ALL ETHNIC GROUPS, EVANGELICAL PROTESTANT GROUPS HAVE GAINED MANY CONVERTS IN UKRAINE, THE NORTHERN CAUCASUS AND THE R.S.F.S.R. PACIFIC COAST. EVANGELICAL PROTESTANTS IN THE SOVIET UNION, HOWEVER, ARE SPLIT BETWEEN "REGISTERED" CONGREGATIONS WHICH USUALLY BELONG TO THE OFFICIAL ALL-UNION COUNCIL OF EVANGELICAL CHRISTIANS AND BAPTISTS (AUCECB) AND ILLEGAL "UNREGISTERED" GROUPS.

THE ALL-UNION COUNCIL OF EVANGELICAL CHRISTIANS AND BAPTISTS, A MEMBER OF THE WORLD COUNCIL OF CHURCHES, REPRESENTS 545,000 REGISTERED SOVIET EVANGELICAL PROTESTANTS, INCLUDING BAPTISTS, PENTECOSTALS, MENNONITES, ADVENTISTS AND EVANGELICAL CHRISTIANS (A SEPARATE SECT), WITH 5,060 CHURCHES. RECENT INFORMATION ABOUT THE OFFICIAL AUCECB REVEALED THAT:

"...THE ESTABLISHMENT OF REGULAR CONGRESSES SINCE 1963, CULMINATED IN A FAR GREATER DEGREE OF CONSULTATION AT ALL LEVELS OF CHURCH LIFE. THE QUANTITY OF RELIGIOUS LITERATURE PRINTED IN RECENT YEARS BY THE AUCECB, ALTHOUGH STILL HOPELESSLY INADEQUATE, HAS INCREASED DRAMATICALLY, AND SOME LITERATURE HAS BEEN IMPORTED WITH THE UNITED BIBLE SOCIETIES ACTING AS INTERMEDIARY. TWENTY-FIVE THOUSAND BIBLES AND 5,000 CONCORDANCES ARE DUE TO BE DELIVERED BY THE END OF 1978. YOUTH WORK, THOUGH NOT YET CHILDREN'S WORK, IS POSSIBLE IN MANY CHURCHES, AND THE REGISTERED CHURCHES RECEIVE A CONSTANT STREAM OF NEW MEMBERS, MANY OF THEM FROM NON-RELIGIOUS FAMILIES."¹³⁶

POSITIVE DEVELOPMENTS FOR THE AUCECB, HOWEVER, ARE CAUSED LARGELY BY THE NUMEROUS "UNREGISTERED" EVANGELICAL PROTESTANT SECTS OF ADVENTISTS, BAPTISTS AND PENTECOSTALS. IN A CHANGE FROM PREVIOUS POLICY, SOVIET AUTHORITIES HAVE UNDERTAKEN AN EXTENSIVE CAMPAIGN SINCE 1975 TO "REGISTER" THESE UNOFFICIAL GROUPS, INCLUDING SOMETIMES BENDING THE STRICT RULES OF REGISTRATION TO MEET THE DESIRES OF THE PARTICULAR CONGREGATION. IN ATTEMPTS TO CONTROL RELIGIOUS LIFE IN THE SOVIET UNION, THE AUTHORITIES HAVE ADOPTED OTHER TACTICS:

"PERMISSION TO MEET WITHOUT FORMAL REGISTRATION IS ANOTHER FORM OF REGISTRATION WITHOUT CONDITIONS. IT IS IN EFFECT A DECLARED TRUCE, DURING WHICH THE AUTHORITIES HOPE THAT THE CONGREGATION WILL GET USED TO MEETING FREELY AND ULTIMATELY PREFER TO REGISTER RATHER THAN RESUME AN ILLEGAL EXISTENCE. IN SOME CHURCHES THE PRESENCE OF CHILDREN AT SERVICES CAUSES NO PROBLEMS FOR THE PARENTS OR THE PASTOR, AND CHILDREN ARE EVEN ALLOWED TO RECITE POETRY. THIS FLEXIBILITY IN OBSERVING THE LAW EXTENDS ALSO TO REGISTERED CHURCHES WITHIN THE AUCECB: YOUTH CHOIRS ARE ORGANIZED, SPECIAL SERVICES AND MEETINGS FOR YOUNG PEOPLE ARE HELD BOTH IN THE CHURCH AND IN HOMES, AND CHILDREN ARE OFTEN TO BE SEEN AT SERVICES."¹³⁷

NEVERTHELESS, THERE ARE NUMEROUS ADVENTIST, PENTECOSTAL AND BAPTIST COMMUNITIES WHICH REFUSE TO REGISTER AND SO FACE A BATTERY OF REPRESSIVE MEASURES SUCH AS BREAKUP OF CHURCH MEETINGS AND FINES. SUCH PENALTIES ARE ONLY PART OF AN OFFICIAL CAMPAIGN TO COMPEL THESE GROUPS TO CONFORM TO SOME FORM OF STATE CONTROL.

ONE OF THE MAIN GRIEVANCES OF SOVIET RELIGIOUS ACTIVISTS, PARTICULARLY BAPTISTS AND PENTECOSTALS, IS HARASSMENT OF THEIR CHILDREN. THERE ARE FREQUENT REPORTS OF PUBLIC HUMILIATION, AND EVEN PHYSICAL ABUSE OF RELIGIOUS CHILDREN AT SCHOOL AND OTHER PUBLIC PLACES. UNDOUBTEDLY, HOWEVER, THE MOST REPREHENSIBLE REPRISAL WHICH THE SOVIET STATE TAKES AGAINST DEVOUT FAMILIES IS FORCIBLY TAKING AWAY THEIR CHILDREN AND SENDING THEM TO STATE ORPHANAGES -- USUALLY WITHOUT TELLING THE PARENTS OF THE WHEREABOUTS OF THEIR CHILDREN. SUCH HAS BEEN THE FATE OF THE VASHCHENKO FAMILY CURRENTLY IN THE AMERICAN EMBASSY; IN

1969, THE CHILDREN OF THE SHEVCHENKO FAMILY WERE TAKEN AWAY FROM THEM -- AS OF LAST REPORT IN 1977, THEIR CHILDREN WERE STILL IN ORPHANAGES.

ANOTHER SOURCE OF CONTINUING CONFLICT BETWEEN BELIEVERS AND THE SOVIET AUTHORITIES IS THE BAN ON RELIGIOUS EDUCATION FOR CHILDREN. ON AUGUST 23, 1979, FOR EXAMPLE, BAPTISTS VLADIMIR RYTIKOV, PAVEL RYTIKOV AND GALINA VELCHINSKAYA, WERE SENTENCED TO TERMS OF IMPRISONMENT FOR ORGANIZING A SUMMER CAMP FOR CHILDREN OF IMPRISONED RELIGIOUS PARENTS.

OCCASIONALLY, THE STATE AUTHORITIES OFFER POSITIVE INDUCEMENTS FOR REGISTRATION:

"ATTEMPTS TO FORCE REGISTRATION BY THREATS AND ACTUAL SANCTIONS NORMALLY MEET INCREASED RESISTANCE FROM THE CONGREGATIONS. THE AUTHORITIES HAVE, THEREFORE, HAD TO RESORT TO POSITIVE INDUCEMENTS. IN CHERNOVTSY, UKRAINE, NEWLY REGISTERED PENTECOSTAL AND BAPTIST CHURCHES WERE BOTH GIVEN UNUSED CHURCH BUILDINGS FOR THEIR SERVICES. LOCAL AUTHORITIES ARE EMPOWERED TO MAKE CHURCH BUILDINGS AVAILABLE FREE OF RENT BUT DO NOT USUALLY DO SO. THUS, MOST NEW CHURCHES HAVE TO BE BUILT AT THE BELIEVERS' EXPENSE...AND AUTOMATICALLY BECOME THE PROPERTY OF THE STATE. OFFICIALS EVEN GO SO FAR AS TO OFFER REGISTRATION WITHOUT DEMANDING THAT A CONGREGATION COMMIT ITSELF TO OBSERVING THE LEGISLATION ON RELIGIOUS CULTS..." 138

ESTIMATES OF THE TOTAL NUMBER OF SOVIET EVANGELICAL PROTESTANTS VARY; BUT THERE ARE AT LEAST ONE MILLION. SOVIET EVANGELICAL PROTESTANTS HAVE RESPONDED TO THIS SITUATION IN SEVERAL WAYS: "REGISTRATION", WHICH SOME SEE AS LEADING TO COMPLETE STATE CONTROL AND THE EVENTUAL DEATH OF THE CHURCH; CONTINUED "ILLEGAL" STATUS WITH ITS ENSUING RISKS AND FREEDOM; OR EMIGRATION TO THE WEST WHERE THEY WILL BE ABLE TO WORSHIP AS THEY WISH.

IN MAY 1979, THE COMMISSION PUBLISHED THE NAMES AND ADDRESSES OF 10,000 EVANGELICAL PROTESTANTS WHO WANT TO EMIGRATE FROM THE SOVIET UNION DUE TO RELIGIOUS PERSECUTION. BY NOW, REPORTEDLY THERE ARE 50,000 SOVIET CHRISTIANS -- MOSTLY PENTECOSTALS, BAPTISTS AND SOME OTHER CHRISTIAN DENOMINATIONS -- WHO WANT TO LEAVE THE U.S.S.R. ONE OF THEIR MAIN GRIEVANCES

IS THE PERSECUTION OF CHILDREN FROM RELIGIOUS FAMILIES. SO FAR, ONLY ABOUT 10 EVANGELICAL PROTESTANTS HAVE BEEN ALLOWED TO EMIGRATE -- EXCLUDING PROTESTANTS OF GERMAN ORIGIN WHO HAVE BEEN PERMITTED TO GO TO THE F.R.G.

THOUSANDS OF SOVIET PENTECOSTALS WHO WANT TO EMIGRATE HAVE ORGANIZED "EMIGRATION COUNCILS" TO ASSIST FAMILIES AND COMMUNITIES IN THEIR EFFORTS. LEADERS OF THE PENTECOSTAL EMIGRATION MOVEMENT, SUCH AS 58-YEAR-OLD PRESBYTER NIKOLAI GORETOI OF KRASNODAR, R.S.F.S.R., HAVE BEEN IMPRISONED: ARRESTED IN DECEMBER 1979, HE WAS LATER SENTENCED TO FIVE YEARS IN STRICT REGIMEN CAMP. MANY PENTECOSTAL ACTIVISTS, SUCH AS M. URKIV, A. ORLIK AND Z. KIRIAK HAVE BEEN ARRESTED FOR ATTEMPTING TO EMIGRATE, WHILE OTHERS, SUCH AS GRIGORY UDOVENKO, M. ZVEREV, AND ANATOLY DOMNITSA, HAVE BEEN PLACED IN PSYCHIATRIC DETENTION.

THE VASHCHENKO AND CHMYKHAILOV FAMILIES WHO HAVE HAD ASYLUM IN THE UNITED STATES EMBASSY IN MOSCOW SINCE JUNE 1978 VIVIDLY ILLUSTRATE THE PENTECOSTALS' PLIGHT. THE SOVIET AUTHORITIES ARE UNWILLING TO ALLOW EMIGRATION FROM THE SOVIET UNION ON GROUNDS OF RELIGIOUS PERSECUTION SINCE THIS WOULD DISCREDIT THEIR CLAIMS OF RELIGIOUS LIBERTY IN THE U.S.S.R.

MOST UNREGISTERED SOVIET BAPTIST COMMUNITIES -- ALSO KNOWN AS "REFORM" OR "INITIATIVE" BAPTISTS -- CHOOSE AN UNDERGROUND CHURCH LIFE WITH ITS ATTENDENT RISKS: PASTOR GEORGY VINS ESTIMATES THAT AT PRESENT THERE ARE 43 SOVIET BAPTISTS IMPRISONED FOR THEIR FAITH, 31 OF WHOM HAVE BEEN JAILED SINCE 1978. ACCORDING TO PASTOR VINS, THERE ARE ABOUT 70,000 REFORM SOVIET BAPTISTS UNITED IN THE BAPTIST COUNCIL OF CHURCHES (CECB).

FOUR REFORM BAPTIST CECB MINISTERS WERE IMPRISONED IN 1979 AND 1980: IVAN ANTONOV, NIKOLAI BATURIN, MIKHAIL KHOREV, AND NIKOLAI KHRAPOV, JOINING SUCH OTHER IMPRISONED CECB MEMBERS AS YAKOV SKORNYAKOV, PAVEL RYTIKOV AND NIKOLAI KABYSH, WHILE FIVE CECB LEADERS, GENNEDY KRYUCHKOV, DMITRI MINYAKOV, PAVEL RUMACHIK AND KORNEI KAEKER, ARE FORCED TO LIVE IN HIDING, CARRYING ON THEIR MINISTRIES IN SECRET. ANOTHER REFORM BAPTIST ACTIVITY, THE CHRISTIAN PUBLISHING HOUSE, WAS SET UP TO HELP MEET THE CHRONIC SHORTAGE OF RELIGIOUS LITERATURE IN THE U.S.S.R. IN THE LATEST OF A SERIES OF KGB RAIDS ON THE SECRET PRINTING OF BIBLES, ON JANUARY 19, 1980, FOUR YOUNG WORKERS IN UKRAINE WERE ARRESTED: SERGEI BUBLIK, LUBOV KOSACHEVICH, TAMARA BYSTROVA AND GALINA YUDINTSEVA.

THE COUNCIL OF EVANGELICAL CHRISTIANS AND BAPTISTS CONTINUES TO MEET, GAIN CONVERTS AND PUBLISH RELIGIOUS LITERATURE. ANOTHER REFORM BAPTIST GROUP, THE COUNCIL OF PRISONERS' RELATIVES -- ONE OF THE OLDEST SOVIET HUMAN RIGHTS GROUPS --

CONTINUES TO PUBLISH EXTENSIVE INFORMATION ON THE SITUATION OF IMPRISONED BAPTISTS AND THEIR FAMILIES.

LESS IS KNOWN ABOUT SOVIET ADVENTISTS, BANNED AT VARIOUS TIMES UNDER THE SOVIETS. KESTON COLLEGE REPORTS THAT AT PRESENT THERE ARE 36 ADVENTISTS IMPRISONED FOR THEIR RELIGIOUS FAITH IN THE U.S.S.R. IN 1980, THERE WERE 200 HOUSE SEARCHES OF ADVENTISTS IN VARIOUS PARTS OF THE U.S.S.R. VLADIMIR SHELKOV, THE LEADER OF THE "ILLEGAL" BRANCH OF THE ADVENTIST CHURCH, THE TRUE REMNANT SECT, AND WAS SENTENCED IN MARCH 1979 TO FIVE YEARS IN CAMP. IN JANUARY 1980, THE 84-YEAR-OLD MAN WHO HAD ALREADY SPENT 30 YEARS IN THE CAMPS, DIED IN PRISON CAMP. PROTESTS AT ONGOING REPRESSIONS AGAINST ADVENTISTS HAVE BECOME MORE FREQUENT IN THE LAST FEW YEARS, ALTHOUGH IT IS UNCLEAR HOW LARGE THIS COMMUNITY IS.

CATHOLICS

CATHOLICISM IS THE TRADITIONAL FAITH FOR SOME 1,151,000 POLES AND SOME 2,851,000 LITHUANIANS IN THE U.S.S.R. IN ADDITION, THERE ARE SIGNIFICANT CATHOLIC MINORITIES AMONG LATVIANS, GERMANS AND UKRAINIANS.

THE SITUATION OF THE GREEK CATHOLIC OR UNIATE CHURCH IS PARTICULARLY TRAGIC AND IT IS BY FAR THE LARGEST BANNED CHURCH IN THE SOVIET UNION. AT THE TIME OF ITS "ASSIMILATION" INTO THE RUSSIAN ORTHODOX CHURCH, THERE WERE FOUR MILLION UNIATES, MOSTLY IN WESTERN UKRAINE. ACCUSED OF WHOLESALE COLLABORATION WITH THE NAZIS IN 1946, A UNIATE COUNCIL "VOTED" TO DISSOLVE ITS 350-YEAR UNION WITH ROME AND TO JOIN THE RUSSIAN ORTHODOX CHURCH.¹³⁹

"THIRTY YEARS AFTER ITS FORCIBLE DISSOLUTION, THIS CHURCH STILL COMMANDS THE LOYALTY OF THE MAJORITY OF BELIEVERS IN THE OBLAST OF LVIV, TERNOPIL AND IVANO-FRANKIVSK, AND HAS A SIZABLE FOLLOWING IN THE TRANS-CARPATHIAN OBLAST. AS A RESULT OF DEPORTATIONS AND MIGRATION FROM THE WESTERN UKRAINE, THERE IS A GROWING DIASPORA IN THE EASTERN, TRADITIONALLY ORTHODOX, AREAS OF THE UKRAINIAN S.S.R., AS WELL AS IN WESTERN SIBERIA, KAZAKHSTAN, AND CENTRAL ASIA. SUPPORTED BY THE STRONG UKRAINIAN CATHOLIC COMMUNITIES IN THE WEST, THE UNIATES HAVE SURVIVED, DESPITE REPEATED REPRESSIVE

MEASURES, BOTH WITHIN THE FORMALLY 'ORTHO-DOX' CHURCH (SO-CALLED 'SECRET' UNIATES) AND AS AN ILLEGAL CHURCH WITH A SUCCESSION OF ITS OWN BISHOPS AND A NETWORK OF SECULAR AND MONASTIC CLERGY WHO COMBINE THEIR WORLDLY OCCUPATIONS WITH CLANDESTINE RELIGIOUS RITES PERFORMED IN PRIVATE HOMES, AT CEMETERIES, AND EVEN IN THE OFFICIAL 'CLOSED' CHURCHES."¹⁴⁰

UNIATE BELIEVERS HAVE RESPONDED IN THREE WAYS TO THEIR PLIGHT. ONE GROUP, ALTHOUGH THEY REMAIN UNIATES IN SECRET, FORMALLY ARE MEMBERS OF THE RUSSIAN ORTHODOX CHURCH. ANOTHER GROUP, SAID TO HAVE 300 TO 350 SECRET PRIESTS, RECOGNIZES THE AUTHORITY OF ARCHBISHOP IOSIF SLIPYI, NOW IN ROME. THE THIRD GROUP, THE SMALLEST AND MOST RADICAL, IS A "NEO-UNIATE" MOVEMENT KNOWN AS THE "PENITENTS" WHO BROKE AWAY FROM OTHER UNIATES IN THE 1950's. THE "PENITENTS", ARE SUBJECTED TO RUTHLESS REPRESSION BY THE SOVIET AUTHORITIES FOR THEIR ESCHATOLOGICAL VIEWS, RADICAL UKRAINIAN NATIONALISM AND REFUSAL TO PARTICIPATE IN IN SOVIET SOCIETY.¹⁴¹

"SINCE 1968, UNIATE ACTIVITIES IN WESTERN UKRAINE HAVE INTENSIFIED MARKEDLY, POSSIBLY IN CONNECTION WITH THE LEGALIZATION OF THE UNIATE CHURCH IN NEIGHBORING CZECHOSLOVAKIA. ONE RECENT PETITION TO THE KREMLIN, FOR EXAMPLE, INCLUDED THE SIGNATURES OF 12,000 BELIEVERS FROM THE LVIV AREA.¹⁴² IN REACTION, THE SOVIET AUTHORITIES HAVE STEPPED UP THEIR ANTI-UNIATE CAMPAIGN, PARTICULARLY IN THE LIGHT OF A NEW SUPPORTIVE ATTITUDE FROM THE VATICAN.

UNIATE ACTIVIST, IOSIF TERELYA, GAVE THE FOLLOWING GRIM DESCRIPTION OF THE SITUATION OF HIS CHURCH IN AN OPEN LETTER MARCH 6, 1977 TO POPE PAUL VI:

"BITTER TIMES HAVE COME UPON THE GREEK-CATHOLIC CHURCH IN UKRAINE. WE, THE FAITHFUL OF THE CHURCH, ARE FORCED TO CHRISTEN, MARRY, CONFESS, AND BURY IN SECRECY. OUR PRIESTS ARE IN CAMPS, PSYCHIATRIC WARDS, OR PHYSICALLY DESTROYED... I LIVE IN A STATE WHERE TO BE A CHRISTIAN IS A CRIME. NEVER BEFORE HAVE THE FAITHFUL OF THE CHURCH OF CHRIST BEEN SUBJECTED TO SUCH PERSECUTION AS HERE AND NOW. UKRAINIAN CATHOLICS HAVE BEEN DEPRIVED OF EVERYTHING -- NORMAL FAMILY LIFE, FREEDOM OF SPEECH, THE CELEBRATION OF THE LITURGY

OF OUR CHURCH -- WE LIVE IN THE CATACOMBS...
OUT OF MY 34 YEARS OF LIFE, I HAVE SPENT 14
IN JAILS, CONCENTRATION CAMPS, AND PSYCHIATRIC
WARDS..."

ACCORDING TO THE ST. SOPHIA RELIGIOUS ASSOCIATION OF UKRAINIAN CATHOLICS, IN 1980, TWO UNIATE PRIESTS, FATHERS ANATOL GORGULA AND IVAN KOTYK, WHO CONSISTENTLY HAVE REFUSED TO JOIN THE RUSSIAN ORTHODOX CHURCH, WERE MURDERED IN WESTERN UKRAINE. ON FEBRUARY 27, 1980, FATHER MYRON SAS-ZHURAKOVSKY, A UKRAINIAN ORTHODOX PRIEST WHO HAD PUBLICIZED VIOLATIONS OF RELIGIOUS RIGHTS IN UKRAINE, WAS ARRESTED.

TRADITIONALLY, LITHUANIA, LIKE POLAND, HAS FOUND IN CATHOLICISM A BULWARK AGAINST PROTESTANT PRUSSIA AND ORTHODOX RUSSIA. TODAY, EVEN ACCORDING TO OFFICIAL SOVIET STATISTICS, OVER HALF OF THE LITHUANIAN 2,851,000 POPULATION IS DEVOUTLY ROMAN CATHOLIC. SOVIET OFFICIAL ATTITUDES TO THE ESTIMATED FOUR MILLION ROMAN CATHOLICS IN THE U.S.S.R.¹⁴³ ARE TINGED WITH HOSTILITY TO A RELIGIOUS GROUP WHICH ADVOCATES THE SPIRITUAL SUPREMACY OF A "FOREIGN POWER": THE VATICAN. SOVIET CATHOLICS ARE NOT PERMITTED TO HAVE A CENTRAL CHURCH ORGANIZATION.

IN REACTION TO NEW VATICAN POLICIES, IN 1972 LITHUANIAN CATHOLICS BEGAN TO EXPRESS THEIR DISSATISFACTION. FOR EXAMPLE, 17,000 BELIEVERS SENT A PETITION TO THE KREMLIN, PROTESTING THE ADVERSE EFFECTS OF ATHEISM ON PUBLIC MORALITY AND CALLING FOR AN END TO HARASSMENT OF BELIEVERS.¹⁴⁴ LITHUANIAN CATHOLICS ALSO BEGAN TO PRINT THE UNDERGROUND JOURNAL, THE CHRONICLE OF THE LITHUANIAN CATHOLIC CHURCH. THIS REMARKABLE PUBLICATION, WHICH TO DATE HAS 40 ISSUES, PROVIDES DETAILED INFORMATION ON CATHOLICS IN LITHUANIA. ARRESTS OF LITHUANIAN CATHOLIC ACTIVISTS CONTINUE: BALYS GAJASKAS -- A VETERAN OF 30 YEARS IN SOVIET CAMPS -- WAS SENTENCED ON APRIL 4, 1978, TO A 15-YEAR TERM OF IMPRISONMENT. IN 1980, GENE NAVICKAITE, ONA VILKAUSKAITE, POVILAS BUZAS, AND ANASTAZAS JANULIS, WERE ARRESTED FOR INVOLVEMENT IN THE CHRONICLE. HUMAN-RIGHTS ACTIVIST ANTANAS TERLECKAS WAS ARRESTED IN 1979 AND IS AWAITING TRIAL.

TWO LITHUANIAN CATHOLIC BISHOPS STEPONAVICIUS AND SLADKEVICIUS -- EXILED TO SMALL VILLAGES BY THE SOVIETS -- LED A GROUP OF 522 PRIESTS "TO SIGN SIX DECLARATIONS, ONE FROM EACH LITHUANIAN DIOCESE, OBJECTING TO THE 1976 DECREE ON RELIGIOUS ASSOCIATIONS."¹⁴⁵ THIS HIGH DEGREE OF PUBLIC AND CHURCH SUPPORT FOR THE RIGHTS OF THE CATHOLIC CHURCH IN LITHUANIA HAS BROUGHT SOME GAINS:

"...CATHOLIC PRIESTS ACTUALLY HAVE FAR MORE FREEDOM FOR PASTORAL WORK AND FOR PREACHING THAN ORTHODOX PRIESTS AND THE OFFICIALLY RECOGNIZED PROTESTANT PASTORS IN OTHER PARTS OF THE SOVIET UNION. THE WORST THAT PRIESTS NORMALLY HAVE TO FACE IS SLANDER IN THE PRESS, REMOVAL TO A POOR PARISH AND 50-RUBLE FINES FOR CATECHIZING CHILDREN."¹⁴⁶

DESPITE THESE GAINS, THERE ARE MAJOR PROBLEMS FOR THE ROMAN CATHOLIC CHURCH IN LITHUANIA. ALTHOUGH THE CRA PERMITTED THE NUMBER OF STUDENTS GRADUATING FROM THE ONLY CATHOLIC SEMINARY IN KAUNAS TO INCREASE FROM 5 TO 60 IN 1976, 95 OF THE 628 CHURCHES HAVE NO PRIESTS TODAY.¹⁴⁷ THERE ALSO ARE COMPLAINTS THAT THE CRA DOES NOT ALLOW THE BEST CANDIDATES TO ENTER THE SEMINARY.

ACCORDING TO ISSUE 41 OF THE CHRONICLE OF THE LITHUANIAN CATHOLIC CHURCH, A PETITION SIGNED BY 148,149 LITHUANIAN CATHOLICS -- CONSISTING OF 1,589 PAGES AND 56 PHOTOGRAPHS -- WAS SENT TO BREZHNEV ON JULY 1, 1979. THIS PETITION, THE LARGEST TO COME OUT OF THE U.S.S.R., ASKS THAT ST. MARY'S QUEEN OF PEACE CHURCH BE RETURNED TO THE CATHOLIC COMMUNITY OF KLAIPEDA, LITHUANIA. ALTHOUGH THE CHURCH WAS BUILT WITH OFFICIAL PERMISSION AND THE PRIVATE FUNDS OF PARISHIONERS, AS SOON AS IT WAS COMPLETED IN 1961, IT WAS CONFISCATED BY THE STATE TO SERVE AS A CONCERT HALL, AND THE TWO PRIESTS, FATHER POVILONIS AND BURNEIKIS, WHO HAD DIRECTED ITS CONSTRUCTION, WERE ARRESTED.

EVEN THOUGH THE SITUATION OF CATHOLICS IN LITHUANIA IS SERIOUS, ROMAN CATHOLICS IN OTHER PARTS OF THE U.S.S.R. FACE EVEN WORSE CONDITIONS. ACCORDING TO SAMIZDAT DOCUMENTS, THOUSANDS OF GERMAN CATHOLICS IN TADZHIKISTAN HAVE MANAGED TO KEEP THEIR FAITH ALIVE, EVEN THOUGH THEY HAVE NO PRIESTS. PRIESTS SERVING THE POLISH AND LITHUANIAN MINORITIES IN BELO-RUSSIA ARE OLD AND THERE ARE NO ARRANGEMENTS TO REPLACE THEM. IN MOLDAVIA, THE CATHOLIC COMMUNITY IN SLOBODA-RASHKOVO HAS BEEN FORCED TO HOLD SERVICES OUTDOORS BECAUSE THE LOCAL AUTHORITIES RAZED THEIR CHURCH IN 1977.

THE ONLY GLIMMER OF HOPE FOR SOVIET CATHOLICS -- BOTH OF THE GREEK AND ROMAN RITES -- IS THE RECENT ELECTION OF POPE JOHN II WHO HAS DISCUSSED THE PLIGHT OF SOVIET CATHOLICS. FOR EXAMPLE, THERE ARE REPORTS THAT THE POPE HAS REFUSED TO NAME ANY NEW LITHUANIAN BISHOPS UNTIL THE TWO EXILED LITHUANIAN BISHOPS ARE REINSTATED.¹⁴⁸

RELIGIOUS RIGHTS GROUPS

IN DECEMBER 1976, THREE RUSSIAN ORTHODOX BELIEVERS, FATHER GLEB YAKUNIN, DEACON VARSONOFY KHAIBULIN AND VIKTOR KAPITANCHUK, ANNOUNCED THE FORMATION OF THE CHRISTIAN COMMITTEE FOR THE DEFENSE OF THE RIGHTS OF BELIEVERS IN THE U.S.S.R. THE STATED PURPOSE OF THE CHRISTIAN COMMITTEE, HAS BEEN TO COLLECT AND MAKE AVAILABLE INFORMATION ON BELIEVERS IN THE SOVIET UNION; TO ASSIST BELIEVERS IN REDRESS OF GRIEVANCES; AND TO WORK TO IMPROVE SOVIET LEGISLATION ON RELIGION.

TO DATE, THE COMMITTEE HAS ISSUED OR DISTRIBUTED OVER 1,300 DOCUMENTS, APPEALS, PETITIONS AND STATEMENTS. THE COMMITTEE HAS COMPILED OVER 70 DOCUMENTS ON BEHALF OF ORTHODOX COMMUNITIES PROTESTING THE CLOSING OF CHURCHES; 14 GENERAL STATEMENTS ON RELIGION; 26 PROTESTS AT THE PERSECUTION OF ADVENTISTS, BAPTISTS AND PENTECOSTALS; AND SEVERAL DOCUMENTS ON THE SITUATION OF JEWS, CATHOLICS AND THE GEORGIAN ORTHODOX. IN ADDITION, THE CHRISTIAN COMMITTEE HAS ACTED AS A CLEARING HOUSE FOR APPEALS FROM RELIGIOUS COMMUNITIES ALL OVER THE SOVIET UNION: 90 PROTESTS FROM RUSSIAN ORTHODOX CONGREGATIONS; 78 APPEALS FROM THE REFORM BAPTISTS; 24 ADVENTIST DOCUMENTS; 24 PENTECOSTAL EMIGRATION APPEALS; 15 PROTESTS FROM ROMAN CATHOLICS UNABLE TO EXERCISE THEIR RELIGION; EIGHT REPORTS ON CATHOLICS IN MOLDAVIA; AND DOCUMENTS FROM OTHER UNOFFICIAL RELIGIOUS RIGHTS GROUPS.

ALTHOUGH FATHER YAKUNIN AND VIKTOR KAPITANCHUK RECEIVED FORMAL WARNINGS TO STOP THEIR "ANTI-SOVIET ACTIVITIES", BOTH MEN IGNORED THE WARNINGS AND WERE ARRESTED RESPECTIVELY ON NOVEMBER 1, 1979 AND MARCH 12, 1980. REPORTEDLY, KAPITANCHUK FACES CHARGES UNDER ARTICLE 190-1 AND FATHER YAKUNIN REPORTEDLY WILL BE CHARGED WITH "ANTI-SOVIET AGITATION AND PROPAGANDA." DESPITE THE OBVIOUS THREAT OF ARREST, 20 NEW PEOPLE RECENTLY JOINED THE CHRISTIAN COMMITTEE, ALTHOUGH THEIR NAMES HAVE NOT BEEN MADE PUBLIC.

THE CHRISTIAN COMMITTEE WAS SO SUCCESSFUL THAT TWO SIMILAR GROUPS HAVE BEEN ORGANIZED IN THE SOVIET UNION: THE CATHOLIC COMMITTEE FOR THE DEFENSE OF THE RIGHTS OF BELIEVERS, FORMED ON NOVEMBER 13, 1978 AND THE GROUP FOR THE LEGAL STRUGGLE AND INVESTIGATION OF FACTS ABOUT THE PERSECUTION OF BELIEVERS IN THE U.S.S.R. OF THE ALL-UNION CHURCH OF THE FAITHFUL AND FREE SEVENTH DAY ADVENTISTS, FORMED ON MAY 11, 1978. ALTHOUGH LITTLE IS KNOWN ABOUT THE ACTIVITY OF THE ADVENTIST GROUP, THE FIVE CATHOLIC PRIESTS IN THE CATHOLIC COMMITTEE HAVE WRITTEN OVER 25 DOCUMENTS ABOUT CATHOLICS IN LITHUANIA, BELORUSSIA AND MOLDAVIA. AFTER FATHERS SVARINSKAS

AND TAMKEVICIUS RECEIVED FORMAL WARNINGS TO STOP THEIR ACTIVITIES, A PETITION OF SUPPORT FOR FATHER TAMKEVICIUS WAS SIGNED BY 1,000 OF HIS PARISHIONERS AND SENT TO BREZHNEV. ONE MEMBER OF THE CATHOLIC COMMITTEE AND THE LITHUANIAN HELSINKI GROUP, VYTAUTAS SKUDYDS, WAS ARRESTED ON UNKNOWN CHARGES ON JANUARY 9, 1980.

PENALTIES FOR HUMAN-RIGHTS ACTIVISM

RECENT OFFICIAL PRONOUNCEMENTS IN THE U.S.S.R. REVEAL AN INCREASING TENDENCY TO EXPLAIN "AWAY" INTERNAL DISSENT AS MACHINATIONS OF WESTERN ANTI-SOVIET CENTERS. CHARACTERISTIC IS A RECENT ARTICLE BY FIRST DEPUTY KGB CHAIRMAN GENERAL TSVIGUN. HE DESCRIBES SOVIET DISSIDENTS IN THE FOLLOWING WAY:

"IN THE RECRUITMENT OF AGENTS THE GREATEST RELIANCE IS PLACED ON THE "DISSIDENTS" (IMPERIALIST PROPAGANDA FINDS IT MORE CONVENIENT TO DESCRIBE WITH THIS TERM THE FEW RENEGADES, PEOPLE WHO HAVE ALIENATED THEMSELVES FROM OUR SOCIETY AND HAVE TAKEN THE PATH OF ANTI-SOVIET ACTIVITIES) AND ON POLITICALLY UNSTABLE OR MORALLY CORRUPT INDIVIDUALS...(SINCE) THE SOCIAL BASE FOR ENEMY INTELLIGENCE IN OUR COUNTRY HAS LONG BEEN ELIMINATED. NATURALLY, THEY ARE EXPERIENCING MAJOR DIFFICULTIES IN THEIR SEARCH FOR SUITABLE MATERIALS. IN INDIVIDUAL CASES, HOWEVER, THEY MAY OCCASIONALLY SUCCEED."¹⁴⁹

ZIONISM IS SINGLED OUT AS A PARTICULARLY VIRULENT ANTI-SOVIET IDEOLOGICAL FORCE:

"ZIONISM IS ASCRIBED A SPECIAL ROLE IN SUBVERSIVE IDEOLOGICAL ACTIVITIES AGAINST THE SOVIET UNION AND THE OTHER SOCIALIST COUNTRIES. IT IS NO SECRET THAT CLOSE TIES HAVE LONG EXISTED BETWEEN ZIONIST ORGANIZATIONS AND SPECIAL SERVICES IN THE UNITED STATES AND ISRAEL."¹⁵⁰

THE KGB DEPUTY CHAIRMAN TRIES TO SHOW THAT THE WORK OF SEVERAL NOTED ADVOCATES OF HUMAN RIGHTS IN THE U.S.S.R. ARE REALLY PART AND PARCEL OF A VAST ANTI-SOVIET PROPAGANDA NETWORK:

"ALL IN ALL, OVER 400 SUBVERSIVE CENTERS AND ORGANIZATIONS ARE ACTIVELY WORKING AGAINST OUR COUNTRY... IDEOLOGICAL DIVERSIONARY ACTIVITIES MAKE EXTENSIVE USE OF RADIO, TELEVISION AND PRESS, PUBLIC SPEECHES, VARIOUS LETTERS, APPEALS, PETITIONS AND SO ON. THE MOST FRENZIED IDEOLOGICAL DIVERSIONISTS INCLUDE THE NOTED ANTI-SOVIETS SOLZHENITSYN, MAKSIMOV, PLYUSHCH, AMAL'RIK, BUKOVSKY AND OTHERS WHO WERE EITHER THROWN OUT OF, OR LEFT, THE SOVIET UNION IN RECENT YEARS, AND THE RENEGADE SAKHAROV."¹⁵¹

THE SOVIET GOVERNMENT CLEARLY IS CONCERNED WITH THE GENERALLY APATHETIC REACTION OF THE SOVIET POPULACE TOWARDS OFFICIAL IDEOLOGY. SUCH CONCERN IS REFLECTED IN THE CENTRAL COMMITTEE ADOPTION OF A RESOLUTION "ON THE FURTHER IMPROVEMENT OF IDEOLOGICAL AND POLITICAL EDUCATIONAL WORK," PROMINENTLY REPORTED IN THE MAY 6, 1979 PRAVDA. THE FOLLOWING THREE QUOTES ARE EXCERPTED FROM THIS ARTICLE.

FOR THE FORMATION OF PEOPLE'S COMMUNIST AWARENESS, THE AIMS OF THE COMMUNIST PARTY OF THE SOVIET UNION (CPSU) ARE DESCRIBED IN THE FOLLOWING WAY:

"...THE EDUCATION OF ALL WORKING PEOPLE IN A SPIRIT OF HIGH IDEOLOGICAL FIBER AND DEVOTION TO THE SOCIALIST MOTHERLAND, THE CAUSE OF COMMUNISM AND A COMMUNIST ATTITUDE TOWARD LABOR AND PUBLIC PROPERTY, THE TOTAL ELIMINATION OF VESTIGES OF BOURGEOIS VIEWS AND MORALS, THE ALL-ROUND HARMONIOUS DEVELOPMENT OF THE INDIVIDUAL AND THE CREATION OF A TRUE WEALTH OF SPIRITUAL CULTURE."

THUS, THE CPSU CLAIMS ABSOLUTE OBEDIENCE TO THE STATE AND TOTAL IDEOLOGICAL CONTROL.

THREE URGENT TASKS OF POLITICAL EDUCATION ARE PROCLAIMED: INSURING A HIGH SCIENTIFIC STANDARD IN PROPAGANDA AND AGITATION; INTENSIFYING THE EFFICIENCY AND SPECIFICITY OF PROPAGANDA AND AGITATION AND THE SOLUTION OF ECONOMIC AND POLITICAL TASKS; AND DEVELOPING THE OFFENSIVE NATURE OF PROPAGANDA AND AGITATION.

THE PURPOSE OF SUCH IDEOLOGICAL EDUCATION CLEARLY IS TO MOBILIZE THE SOVIET POPULACE AGAINST THE MACHINATIONS OF ANTI-SOVIET FORCES:

"OUR DUTY IS TO PIT UNSHAKABLE COHESION, THE POWERFUL IDEOLOGICAL UNITY OF OUR RANKS AND THE DEEP CONVICTION AND POLITICAL VIGILANCE OF EVERY SOVIET PERSON...AGAINST THE SUBVERSIVE POLITICAL AND IDEOLOGICAL ACTIVITY OF THE CLASS ENEMY AND HIS MALICIOUS SLANDERING OF SOCIALISM."

SUCH CPSU EXHORTATIONS TO MORAL VIGILANCE ARE HARDLY SURPRISING. WHAT IS MORE UNUSUAL IS THE DISSATISFACTION WITH THE QUALITY OF SOVIET IDEOLOGICAL EDUCATION:

"GENRES MUST BE DIVERSIFIED AND SPECIAL ATTENTION PAID TO STYLE AND LANGUAGE, VERBOSITY AND TRITENESS MUST BE OVERCOME. CONCERN MUST BE DISPLAYED FOR THE EFFECTIVENESS, PERSUASIVENESS AND COMPREHENSIBILITY OF STATEMENTS. WE MUST STRIVE TO INSURE THAT PUBLICATIONS DO NOT REPEAT EACH OTHER, TAKING INTO ACCOUNT THE FACT THAT MOST FAMILIES TAKE AT LEAST THREE NEWSPAPERS, WATCH TELEVISION BROADCASTS REGULARLY, AND LISTEN TO THE RADIO. NEWSPAPERS AND JOURNALS MUST HAVE THEIR OWN FACE AND THEIR OWN RANGE OF BASIC TOPICS AND MUST PRESENT MATERIALS IN A STYLE AND FORMAT CHARACTERISTIC OF THEIR SPECIALITY. SPECIFIC INSTRUCTIONS IN THIS DIRECTION WERE ALSO ISSUED TO TASS, THE U.S.S.R. STATE COMMITTEE FOR TELEVISION AND RADIO BROADCASTING AND THE U.S.S.R. STATE COMMITTEE FOR PUBLISHING HOUSES, PRINTING PLANTS AND THE BOOK TRADE."

STATE CONTROL OF THE SOVIET MEDIA IS REVEALED IN THE CPSU CENTRAL COMMITTEE'S "SPECIFIC INSTRUCTIONS" TO DIVERSIFY THE STYLE AND FORMAT OF SOVIET PUBLICATIONS.

PENALTIES OUTSIDE THE LAW

A WIDE VARIETY OF EXTRA-LEGAL REPRISALS IS AVAILABLE TO SOVIET OFFICIALS IN THEIR STRUGGLE AGAINST HUMAN RIGHTS ACTIVISM IN THE U.S.S.R. SUCH REPRISALS CAN RANGE FROM THE BUGGING OF TELEPHONES AND CONFISCATION OF MAIL, ANONYMOUS THREATS AND SLANDEROUS ARTICLES IN THE SOVIET PRESS TO PHYSICAL ASSAULTS. AVAILABLE EVIDENCE SINCE 1977 POINTS TO INCREASING RELIANCE

ON EXTRA-JUDICIAL REPRISALS AGAINST SOVIET HUMAN-RIGHTS ADVOCATES. A CENTRAL ROLE IN THE PLANNING AND COORDINATION OF SUCH TACTICS IS PLAYED BY THE COMMITTEE ON STATE SECURITY, THE KGB. ALTHOUGH, IN THEORY, SUCH METHODS ARE ILLEGAL IN THE U.S.S.R., "THE KGB REMAINS CAPABLE OF ACTING AS A LAW UNTO ITSELF."¹⁵²

ONE OF THE MOST WIDE-SPREAD METHODS OF KEEPING TABS ON ADVOCATES OF RELIGIOUS, POLITICAL, NATIONAL AND CULTURAL RIGHTS IN THE U.S.S.R., IS "A GIGANTIC MAIL AND TELEPHONE SURVEILLANCE OPERATION. A SOVIET DISSIDENT NOW IN EXILE ONCE RAN A TEST OF THE KGB'S POSTAL MONITORING SYSTEM BY SENDING 100 LETTERS TO A WEST EUROPEAN TOWN FROM VARIOUS MAILBOXES IN THE U.S.S.R. ONLY SIX GOT THROUGH."¹⁵³

ESTONIAN JOURNALIST, JURI LINA, MAINTAINS THAT: "A PRIVATE TELEPHONE (IN THE U.S.S.R.) DOES NOT EXIST. TELEPHONE CONVERSATIONS ARE MONITORED ON A WIDE SCALE. THE STATE CAN AT ANY TIME DISCONNECT ONE'S PHONE SERVICE, ESPECIALLY WHEN USED FOR...CALLS TO THE WEST...OR TO THE WESTERN NEWSMEN IN THE SOVIET UNION WITH COMPLAINTS ABOUT ILLEGAL PROCEDURES OR BAD CONDITIONS."¹⁵⁴ ESTONIAN ACTIVIST, JURI KUKK, HAD HIS PHONE DISCONNECTED BECAUSE OF CONTACTS WITH CHRISTIAN SCIENCE MONITOR CORRESPONDENT, DAVID WILLIS. EVEN AFTER KUKK WAS ARRESTED IN MARCH, 1980, HIS WIFE WAS TOLD SHE COULD HAVE A TELEPHONE ONLY IF SHE SIGNED A PROMISE NOT TO USE HER TELEPHONE FOR INTERNATIONAL CALLS.¹⁵⁵ RECENT INFORMATION FROM UKRAINE NOTES THAT FIVE UKRAINIAN ACTIVISTS, INCLUDING P. STOKOTELNY, S. KYRYCHENKO, LEONIDA SVITLYCHNA, LUDMILA LYTOVCHENKO AND VERA LISOVA, HAVE HAD THEIR TELEPHONE SERVICE CUT OFF IN LATE 1979.¹⁵⁶

LOSS OF EMPLOYMENT OR HIGHER EDUCATION IS A FREQUENT PRICE SOVIET HUMAN-RIGHTS ACTIVISTS HAVE TO PAY. A FEW 1979 INCIDENTS REVEAL THAT JOB EXPULSIONS ARE USED WIDELY AGAINST SOVIET HUMAN-RIGHTS ADVOCATES: HELSINKI MONITORS, YURI YARYM-AGAEV AND TATIANA OSIPOVA (MOSCOW); EITAN FINKELSSTEIN (LITHUANIA); VOLODYMYR MALYNKOYCH (UKRAINE); PSYCHIATRIC WORKING GROUP: VYACHESLAV BAKHMIN; JEWISH REFUSENIK, ALEKSANDR PARITSKY; RUSSIAN ORTHODOX ACTIVIST, TATIANA SHCHIPKOVA. REPRISALS IN EMPLOYMENT AND EDUCATION ARE NOT LIMITED TO THE HUMAN-RIGHTS ADVOCATES, BUT ALSO EXTEND TO MEMBERS OF THEIR FAMILIES, AS IN THE CASE OF RAISA SERHIYCHUK, WIFE OF IMPRISONED UKRAINIAN HELSINKI MONITOR, MYROSLAV MARYNOVYCH, WHO WAS EXPELLED FROM THE FINAL YEAR OF HER INSTITUTE.¹⁵⁷

ANOTHER FAVORITE KGB TACTIC IS PUBLIC VILIFICATION OF DISSIDENTS EITHER IN THE PRESS OR AT THE PLACE OF EDUCATION OR EMPLOYMENT. IN SEPTEMBER 1979, FOR EXAMPLE, CRIMEAN TATAR ACTIVIST, ROLLAN KADIEV, ASSISTANT PROFESSOR AT THE DEPARTMENT

OF THEORETICAL PHYSICS AT SAMARKAND UNIVERSITY IN UZBEKISTAN, WAS CENSURED FOR CONDUCT "UNWORTHY OF A SOVIET TEACHER." UKRAINIAN ACTIVIST, VASYL STUS, ATTACKED IN JULY AND AUGUST, 1978 IN THREE ISSUES OF LENIN'S FLAG, WAS ACCUSED OF BEING A FASCIST SYMPATHIZER.¹⁵⁸

UNFOUNDED ACCUSATIONS OF ESPIONAGE IS ANOTHER THEME OF ARTICLES ON SOVIET HUMAN-RIGHTS ADVOCATES: ON JULY 15, 1978, PRAYDA, IZVESTIA, AND KOMSOMOSKAYA PRAYDA ARBITRARILY LINKED THE CASES OF CONVICTED SPY, ANATOLY FILATOV, AND HELSINKI MONITOR, ANATOLY SHCHARANSKY, IMPLYING THAT SHCHARANSKY HAD BEEN INCRIMINATED BY POSSESSION OF "SPECIALIZED ESPIONAGE EQUIPMENT" AND "LARGE SUMS OF MONEY."¹⁵⁹ UKRAINIAN ACTIVIST, STEFANIA SHABATURA, WAS "ACCUSED" IN THE AUGUST 15, 1978 ISSUE OF LIT-ERATURNAYA UKRAINA OF OWNING A MINOX CAMERA SIMILAR TO ONES "AMERICAN INTELLIGENCE AGENCIES GIVE TO THEIR AGENTS FOR THE PREPARATION OF SECRET DOCUMENTS"; ALTHOUGH THIS SUPPOSEDLY INCRIMINATING FACT WAS NOT EVEN MENTIONED AT HER TRIAL.¹⁶⁰

ANONYMOUS THREATS ARE SOMETIMES DIRECTED AT SOVIET HUMAN-RIGHTS ACTIVISTS, FOR EXAMPLE, IN LATE 1978, YURI KISELEV, MEMBER OF THE INITIATIVE GROUP FOR INVALIDS GOT THREATENING PHONE CALLS. ON JANUARY 28, 1980, ANDREI SAKHAROV, WHOSE APARTMENT IS UNDER CONTINUOUS POLICE SURVEILLANCE, WAS THREATENED BY TWO ALLEGEDLY DRUNKEN WORKERS WHO BURST INTO HIS APARTMENT, WAVING PISTOLS AND THREATENING TO "ORGANIZE ANOTHER AFGHANISTAN FOR HIM."¹⁶¹

RECENT UNOFFICIAL DOCUMENTS DESCRIBE AN INCREASING INCIDENCE OF PHYSICAL ASSAULTS ON SOVIET CITIZENS ACTIVE IN THE HUMAN-RIGHTS MOVEMENT, ESPECIALLY IN UKRAINE. YOUNG HELSINKI MONITOR, PETR VINS, WAS TAKEN INTO THE WOODS AND BEATEN BY KGB MEN; ANOTHER TIME, HE WAS STABBED IN THE LEG ON A KIEV STREET. IN OCTOBER AND NOVEMBER 1979, THERE WERE ATTACKS ON UKRAINIAN ACTIVISTS IN KIEV, INCLUDING THE BEATING OF MARKO BILORUSETS. ON NOVEMBER 19, 1979, OLHA HEYKO, UKRAINIAN HELSINKI GROUP MEMBER WAS BEATEN UP; THEN SHE AND HER COMPANION WERE TAKEN TO A LOCAL MILITIA STATION WHERE THEY WERE ACCUSED OF "STARTING A FIGHT IN THE STREET" AND THEIR CASE WAS TAKEN TO COURT.

IN UKRAINE, SUCH VIOLENT INCIDENTS SOMETIMES HAVE RESULTED IN SEVERE INJURY OR EVEN DEATH TO THOSE WHO WERE ATTACKED. ON FEBRUARY 11, 1980, UKRAINIAN ACTIVIST, HRYHORY TOKAYUK WAS SEIZED NEAR HIS HOME, SHOVED INTO A CAR, AND DRIVEN TO A FOREST OUTSIDE KIEV, WHERE HE WAS SO BADLY BEATEN HE HAD TO BE HOSPITALIZED WITH A BRAIN CONCUSSION. A FEW DAYS BEFORE THIS INCI-

DENT, TOKAYUK AND OLHA HEYKO HAD SENT A TELEGRAM OF SUPPORT TO ANDREI SAKHAROV.

THERE HAVE BEEN ACCUSATIONS OF KGB COMPLICITY IN THE DEATHS OF THREE PROMINENT UKRAINIAN CULTURAL FIGURES IN 1978 AND 1979: JOURNALIST HELIY SNEHIROV; HISTORIAN MYKHAILO MELNYK; AND COMPOSER VOLODYMYR IVASYUK.¹⁶² ARRESTED IN SEPTEMBER 1977 AND KEPT IN ISOLATION, SNEHIROV WAS SUBJECTED TO INTENSE KGB PRESSURE TO RECAT, AND IN JULY 1978, HE APPARENTLY DID SO. NEVER RELEASED FROM IMPRISONMENT DESPITE HIS "CONFESSION," SNEHIROV DIED AT 51 IN A KGB PRISON HOSPITAL ON DECEMBER 28, 1978.¹⁶³

POPULAR UKRAINIAN COMPOSER, VOLODYMYR IVASYUK, 30, WAS LAST SEEN ON APRIL 23, 1979, WHEN A CAR PICKED HIM UP OFF A KIEV STREET. ON MAY 18, 1979, IVASYUK'S BODY WAS FOUND HANGING IN A FOREST OUTSIDE LVOV. ALTHOUGH THE OFFICIAL CAUSE OF DEATH OFFICIALLY WAS DECLARED TO BE SUICIDE, IVASYUK'S FRIENDS AND RELATIVES DISPUTE THIS SINCE THERE WERE NO ROPE BURNS ON HIS NECK OR OTHER MARKS OF SUICIDE. FOR THE LAST FEW MONTHS OF HIS LIFE, IVASYUK APPARENTLY HAD BEEN TAILED BY KGB AGENTS, AND THE CAR WHICH PICKED HIM UP REPORTEDLY HAD KGB LICENSE PLATES.¹⁶⁴

IN DESPAIR AT KGB CONFISCATION OF THE ONLY COPY OF HIS BOOK ON UKRAINIAN CULTURE, 35-YEAR-OLD UKRAINIAN HISTORIAN, MYKHAILO MELNIK, COMMITTED SUICIDE ON MARCH 26, 1979 IN POHREBY, A VILLAGE NEAR KIEV.¹⁶⁵ OTHER SEARCHES IN UKRAINE, WHICH DID NOT END SO TRAGICALLY, HAVE OCCURRED WITH GROSS VIOLATIONS OF PROCEDURAL NORMS. ON THE PRETEXT OF SEARCHING FOR HER TENANT'S PROPERTY -- ALLEGEDLY STOLEN IN SOME UKRAINIAN VILLAGE -- 84-YEAR-OLD NADEZHDA SUROVTSEVA (WHO SPENT 30 YEARS IN STALINIST LABOR CAMPS) HAD HER HOME SEARCHED ON SEPTEMBER 1, 1979.¹⁶⁶

THERE HAVE ALSO BEEN REPORTS OF BRUTAL KGB INTERROGATIONS. FOR EXAMPLE, LYUBOV MURZHENKO, WIFE OF POLITICAL PRISONER ALEKSEI MURZHENKO, WAS DRAGGED FROM HER BED BY KGB OFFICER, FESENKO. MRS. MURZHENKO -- WHO WAS NOT GIVEN TIME TO DRESS OR GET MONEY FOR HER RETURN HOME -- AND HER INFANT CHILD WERE TAKEN OFF FOR A KGB INTERROGATION ON SEPTEMBER 18, 1979.¹⁶⁷ ANOTHER SUCH DISTURBING INCIDENT WAS THE JANUARY 1978 INTERROGATION OF 19-YEAR-OLD ADVENTIST, YAKOV DOLGOTER, WHO ALLEGED THAT HE HAD BEEN BEATEN AND "SOME SORT OF CHEMICAL PREPARATION" HAD BEEN RUBBED ON HIS HAND IN STAVROPOL, SOUTHERN R.S.F.S.R.¹⁶⁸

THERE IS GENERAL AGREEMENT THAT THE KGB HAS DIVERSIFIED ITS METHODS IN ITS STRUGGLE AGAINST HUMAN-RIGHTS ACTIVISM IN THE SOVIET UNION. BY MAKING ADVANCED TECHNOLOGY AVAILABLE TO THE U.S.S.R., THE WEST HAS BEEN MAKING THE JOB OF THE KGB

SOMEWHAT EASIER AND MORE EFFICIENT: SELECTIVE SURVEILLANCE OF MAIL AND TELEPHONE CALLS HAS BEEN MADE MUCH EASIER IN RECENT YEARS BY COMPUTERS THAT ENABLE THE KGB TO MONITOR SPECIFIC TARGETS.¹⁶⁹

ALTHOUGH THIS SURVEY OF EXTRA-LEGAL REPRESSION IS FAR FROM COMPLETE, IT SUGGESTS THAT SUCH TACTICS ARE ON THE INCREASE. AS MORE SOVIET CITIZENS BECOME AWARE OF THEIR LACK OF CIVIL, POLITICAL, RELIGIOUS, AND NATIONAL RIGHTS, THE KGB MAY RESORT MORE FREQUENTLY TO EXTRA-JUDICIAL REPRESSION -- A TECHNIQUE WHICH HAS THE "ADVANTAGE" OF ANONYMITY.

PENALTIES BY PSYCHIATRY

SINCE THE BELGRADE CSCE REVIEW CONFERENCE IN 1977, NUMEROUS AUTHORITATIVE SOURCES -- BOTH INSIDE AND OUTSIDE THE SOVIET UNION -- HAVE CONFIRMED THAT THE U.S.S.R. SYSTEMATICALLY USES PSYCHIATRY AS AN INSTRUMENT OF POLITICAL REPRESSION. STATE OFFICIALS CONTINUE TO CONFINED CITIZENS TO PSYCHIATRIC HOSPITALS FOR POLITICAL, RATHER THAN MEDICAL REASONS; HUNDREDS OF NATIONALISTS, HUMAN-RIGHTS ACTIVISTS, WOULD-BE EMIGRANTS, RELIGIOUS BELIEVERS AND WORKERS' RIGHTS ADVOCATES HAVE BEEN THE VICTIMS OF THE POLITICAL MISUSE OF PSYCHIATRY. RECENT DEVELOPMENTS INDICATE THAT THE REGIME HAS INTENSIFIED ITS CAMPAIGN TO PUNISH INDIVIDUALS IN THE SOVIET UNION WHO SPEAK OUT AGAINST PSYCHIATRIC REPRESSION.

ALTHOUGH REPORTS OF SOVIET PSYCHIATRIC ABUSES BEGAN TO FILTER OUT AS EARLY AS THE 1960'S, FORMER VICTIMS, SOVIET PSYCHIATRISTS WHO HAVE EMIGRATED TO THE WEST AND RESPECTED HUMAN-RIGHTS GROUPS IN THE SOVIET UNION AND THE WEST HAVE PROVIDED VOLUMINOUS EVIDENCE OF THE SYSTEMATIC AND WIDESPREAD NATURE OF PSYCHIATRIC REPRESSION DURING THE LAST THREE YEARS.

IN THE SOVIET UNION, THE ADMINISTRATION OF PSYCHIATRIC SERVICES IS CENTRALIZED AND CONTROLLED BY THE STATE. DOCTORS AND OTHER MEDICAL PERSONNEL ARE CIVIL SERVANTS. ACCORDINGLY, SOVIET PSYCHIATRISTS WHO HAVE EMIGRATED, SUCH AS DR. BORIS ZOUBOK AND DR. AVTANDIL PAPIASHVILI, REPORT THAT, WITH A FEW NOTABLE EXCEPTIONS, THEIR COLLEAGUES IN THE SOVIET UNION DO NOT QUESTION IMPLIED OR EXPLICIT ORDERS FROM THE STATE TO CERTIFY SANE DISSENTERS AS MENTALLY INCOMPETENT. ALEKSANDR PODRABINEK DOCUMENTED THE POLITICAL FUNCTION OF PSYCHIATRISTS AND THE INSTITUTIONALIZED USE OF PSYCHIATRY AS A MEANS OF SOCIAL CONTROL IN PUNITIVE MEDICINE, HIS FAR-REACHING EXPOSE OF PSYCHIATRIC REPRESSION FROM 1973 TO 1977. PODRABINEK QUOTES THE HEAD OF MOSCOW'S SERBSKY INSTITUTE OF FORENSIC PSYCHIATRY -- WHERE

MOST POLITICAL OFFENDERS ARE SENT FOR PSYCHIATRIC EXAMINATION -- AS REMARKING: "WHAT DO WE NEED POLITICAL TRIALS FOR IF WE HAVE PSYCHIATRIC HOSPITALS?"

MOST FREQUENTLY, ACTIVISTS ARE COMMITTED TO MENTAL INSTITUTIONS AFTER BEING DIAGNOSED AS SCHIZOPHRENIC UNDER THE AMORPHOUS SOVIET DEFINITION OF THE CONDITION. SOVIET PSYCHIATRIC RESEARCH IS RULED BY ONE MAN -- THE DIRECTOR OF THE INSTITUTE OF PSYCHIATRY OF THE U.S.S.R. ACADEMY OF MEDICAL SCIENCES, DR. ANDREI SNEZHNEVSKY. HIS THEORIES ABOUT THE NATURE OF SCHIZOPHRENIA HAVE BECOME DOMINANT IN THE SOVIET UNION. ACCORDING TO THE SOVIET CLASSIFICATION, SCHIZOPHRENIA IS A GENETIC, LIFE-LONG ILLNESS WITH NUMEROUS SYNDROMES "COVERING VIRTUALLY THE ENTIRE SPECTRUM OF PSYCHIATRIC DISORDER."¹⁷⁰ SOCIAL AND POLITICAL CRITICISM AND RELIGIOUS FAITH FREQUENTLY ARE CONSIDERED MANIFESTATIONS OF MENTAL ILLNESS UNDER THIS SCHEME.

THUS, A DISSENTER CAN BE DIAGNOSED AS SCHIZOPHRENIC WITHOUT DISPLAYING ANY OF THE CLASSICAL SYMPTOMS RECOGNIZED BY WESTERN AND SOME SOVIET PSYCHIATRISTS. FOR EXAMPLE, A TEAM OF U.S. PSYCHIATRISTS AND PSYCHOLOGISTS EXAMINED GENERAL PYOTR GRIGORENKO, A UKRAINIAN ACTIVIST PRESENTLY LIVING IN THE UNITED STATES WHO SPENT TWO TERMS IN SOVIET PSYCHIATRIC HOSPITALS BETWEEN 1964 AND 1974. THE DOCTORS CONCLUDED THAT THERE WAS "NO EVIDENCE OF MENTAL ILLNESS IN GRIGORENKO...NOR ...EVIDENCE IN GRIGORENKO'S HISTORY CONSISTENT WITH MENTAL ILLNESS IN THE PAST."¹⁷¹

FURTHERMORE, UNDER SOVIET LAW, A CITIZEN WHO HAS BEEN DIAGNOSED AS MENTALLY ILL CAN BE INVOLUNTARILY INCARCERATED ONLY IF HE IS PROVEN TO BE A DANGER TO HIMSELF OR OTHERS. AMNESTY INTERNATIONAL STATES CATEGORICALLY:

"IN THE HUNDREDS OF CASES OF FORCIBLE CONFINEMENT OF DISSENTERS...THERE HAS BEEN NO SUGGESTION, EVEN BY THE AUTHORITIES THAT THE SUBJECTS WERE PHYSICALLY VIOLENT OR DANGEROUS TO THEMSELVES OR OTHERS."¹⁷²

DR. ALEKSANDR VOLOSHANOVICH, A MOSCOW PSYCHIATRIST WHO WAS ALLOWED TO EMIGRATE TO THE WEST ON FEBRUARY 7, 1980, SERVED AS CONSULTANT TO THE WORKING COMMISSION ON THE USE OF PSYCHIATRY FOR POLITICAL PURPOSES, AN UNOFFICIAL SOVIET GROUP THAT MONITORS AND PUBLICIZES CASES OF PSYCHIATRIC ABUSE. BETWEEN 1977 AND 1979, HE EXAMINED 36 DISSENTERS AT THEIR OWN REQUEST WHO HAD BEEN COMMITTED OR HAD REASON TO

BELIEVE THE AUTHORITIES WOULD TRY TO COMMIT THEM. HE, TOO, FOUND THAT NONE REQUIRED COMPULSORY HOSPITALIZATION.

AMNESTY INTERNATIONAL ESTIMATES THAT OVER 100 PERSONS IN THE U.S.S.R. WERE FORCIBLY COMMITTED TO PSYCHIATRIC HOSPITALS FOR POLITICAL REASONS BETWEEN JUNE 1, 1975, AND MAY 31, 1979.¹⁷³ UNDOUBTEDLY, MANY CASES OF PSYCHIATRIC ABUSE HAVE GONE UNDOCUMENTED DUE TO THE SECRECY SURROUNDING SOVIET MENTAL HEALTH REGULATIONS AND PSYCHIATRIC INSTITUTIONS.

DISSIDENTS ARE SOMETIMES INTERNED IN ORDINARY PSYCHIATRIC HOSPITALS AND WARDS BUT USUALLY THEY ARE PLACED IN THE SPECIAL PSYCHIATRIC HOSPITALS (SPHS) THAT ARE RESERVED UNDER SOVIET LAW FOR PATIENTS WHO ARE "ESPECIALLY DANGEROUS." UNOFFICIAL SAMIZDAT SOURCES REVEAL THAT THERE ARE SEVERAL HUNDRED ORDINARY HOSPITALS AND AT LEAST 13 SPHS IN THE U.S.S.R. IN 1979, A NEW SPECIAL HOSPITAL WAS BUILT -- ON THE GROUNDS OF A FORMER LABOR CAMP IN VOLGOGRA D OBLAST. ORDINARY PSYCHIATRIC HOSPITALS FALL UNDER THE AUTHORITY OF HEALTH OFFICIALS AND CIVILIAN DOCTORS, AND RESTRICTIONS ON THE PATIENTS ARE NOT AS SEVERE AS THEY ARE IN THE SPHS. BY CONTRAST, SPECIAL PSYCHIATRIC HOSPITALS ARE MANAGED BY THE MINISTRY OF INTERIOR (MVD), THE STATE AGENCY THAT RUNS THE SOVIET PRISON SYSTEM. IN THE SPECIAL HOSPITALS, EVEN THE MEDICAL PERSONNEL HOLD A MVD RANK. THE PRISON-LIKE CONDITIONS AT THE TASHKENT SPH, WHERE BAPTIST BELIEVER ANNA CHERTKOVA HAS BEEN CONFINED SINCE 1974, ARE DESCRIBED BY ONE OF HER FRIENDS:

"SHE IS HELD BEHIND SEVEN SECURITY LAYERS. FIRST THERE IS A CONCRETE WALL, 3 1/2 METERS HIGH WITH A METER OF BARBED WIRE ON TOP; FIVE OR SIX METERS BEHIND THAT THERE IS A GREEN WOODEN FENCE OF THE SAME HEIGHT. BETWEEN THEM THERE IS A BARBED WIRE FENCE, SLIGHTLY LOWER, WITH A 12-VOLT CURRENT RUNNING THROUGH IT. THE SPACE BETWEEN THE CONCRETE WALL AND THE BARBED WIRE IS PATROLLED BY A SOLDIER WITH AN AUTOMATIC WEAPON."¹⁷⁴

THE SOVIET UNION HAS NO PUBLISHED REGULATIONS GOVERNING THE OPERATION OF SPECIAL PSYCHIATRIC HOSPITALS. FORMER VICTIMS OF PSYCHIATRIC ABUSE -- CHIEFLY VLADIMIR BUKOVSKY, LEONID PLYUSHCH AND VIKTOR NEKIPELOV -- HAVE PROVIDED GRAPHIC ACCOUNTS OF THE ILL-TREATMENT OF INMATES IN THESE INSTITUTIONS THAT CAST DOUBT ON THE SUPPOSED MEDICAL BENEFITS OF PSYCHIATRIC DETENTION. HELPLESS PATIENTS ARE ROUTINELY AND INDISCRIMINATELY

INJECTED WITH SEDATIVES AND TRANQUILIZERS THAT INDUCE PAINFUL SIDE EFFECTS AND DRAMATICALLY ALTER BEHAVIOR. MEDICATION WITH DEBILITATING NEUROLEPTIC DRUGS IS OFTEN APPLIED FOR NON-THERAPEUTIC REASONS -- AS PUNISHMENT FOR INFRACTIONS OF THE RULES OR AS A MEANS TO FORCE DISSENTERS TO RECAPT -- AND IS ADMINISTERED BY UNTRAINED PERSONNEL. THE EFFECTS OF SUCH MEDICATION ON PATIENTS IS DESCRIBED IN THE UNOFFICIAL MANUAL OF PSYCHIATRY FOR DISSIDENTS:

"POWERFUL DRUGS ARE WIDELY ABUSED BY BEING ADMINISTERED TO HEALTHY PATIENTS. THREE OF THESE, AMINAZIN, TRIFTAZIN AND HALOPERIDOL, ARE KNOWN AS MAJOR TRANQUILIZERS OR NEUROLEPTICS AND ARE USED IN THE TREATMENT OF SCHIZOPHRENIA. AMINAZIN AND TRIFTAZIN ARE TOXIC DERIVATIVES OF DRUGS THAT ARE USED IN THE WEST TODAY. ALTHOUGH ALL THREE DRUGS MUST BE ADMINISTERED WITH OTHER DRUGS TO COUNTERACT DANGEROUS AND UNPLEASANT SIDE EFFECTS, THIS SIMPLE PROCEDURE IS DELIBERATELY IGNORED IN THE SPECIAL PSYCHIATRIC HOSPITALS. AMINAZIN, TRIFTAZIN AND HALOPERIDOL CAN PRODUCE VIOLENT, UNCONTROLLABLE MUSCLE SPASMS AND CRAMPS, INCREASED BODY TEMPERATURE, LIVER INFLAMMATION, APATHY, DEPRESSION, LETHARGY, HEADACHES AND DRYNESS OF THE MOUTH. ANOTHER DRUG USED IN THESE HOSPITALS IS SULFOZIN WHICH CAN CAUSE A RAGING FEVER, SEVERE AND PAINFUL JOINT INFLAMMATIONS AND ELEVATED BLOOD PRESSURE. METRAZOLE, A STRONG HEART STIMULANT, CAN CAUSE THE EQUIVALENT OF AN EPILEPTIC SEIZURE. PATIENTS ARE ALSO GIVEN INSULIN WHICH INDUCES SHOCK IN A NON-DIABETIC."¹⁷⁵

VALERIYA MAKEEVA, AN ORTHODOX NUN, HAS BEEN CONFINED IN KAZAN SPH SINCE 1979. INTENSIVE TREATMENT WITH DRUGS LEFT HER RIGHT ARM PARALYZED; AS OF THE SPRING OF 1980, SHE IS AGAIN RECEIVING INJECTIONS OF AMINAZIN AND HALOPERIDOL. N. DEMYANOV, A PRISONER OF CONSCIENCE IN TASHKENT SPH, MAILED HOME ALL OF HIS BOOKS IN 1980 BECAUSE HE COULD NO LONGER READ AFTER RECEIVING HEAVY DOSAGES OF MEDICATION.

PATIENTS IN SPECIAL PSYCHIATRIC HOSPITALS ARE ALSO SUBJECTED TO ARBITRARY BEATINGS AND OTHER FORMS OF BRUTAL PHYSICAL PUNISHMENT INFLICTED BY THE STAFF. AFTER DISCHARGE,

THEY RETURN TO THE OUTSIDE WORLD IN MARKEDLY WORSE PHYSICAL AND MENTAL CONDITION THAN WHEN THEY ENTERED THE HOSPITALS. VYACHESLAV ZAITSEV -- AN ORTHODOX BELIEVER INCARCERATED IN 1979 FOR DISTRIBUTING RELIGIOUS LEAFLETS -- WAS RELEASED FROM KAZAN SPH EARLIER THIS YEAR. HE WAS UNABLE TO WALK AND HAD TO BE CARRIED FROM THE HOSPITAL ON A STRETCHER.

AN ACTIVIST REMAINS CONFINED INDEFINITELY, UNTIL "CURED," VASILY SHIPILOV, A DEVOUT ORTHODOX CHRISTIAN, HAS SPENT OVER 30 YEARS IN PSYCHIATRIC HOSPITALS FOR HIS RELIGIOUS BELIEFS. BORIS EVDOKIMOV WAS A LENINGRAD JOURNALIST INCARCERATED IN 1971 FOR "ANTI-SOVIET AGITATION AND PROPAGANDA." HIS HEALTH DETERIORATED STEADILY WHILE IN DETENTION. WHEN IT WAS REVEALED THAT HE WAS SUFFERING FROM TERMINAL CANCER, THE AUTHORITIES RELEASED HIM IN JUNE 1979. EVDOKIMOV DIED A SHORT WHILE LATER.

THE AUTHORITIES CAN COMMIT A DISSENTER VIA CIVIL OR ADMINISTRATIVE ACTION, BASED INITIALLY ON THE RECOMMENDATION OF A SINGLE DOCTOR. THE PATIENT AND HIS RELATIVES HAVE NO JUDICIAL RECOURSE. THERE ARE NUMEROUS SAMIZDAT ACCOUNTS OF ACTIVISTS BEING SEIZED OFF THE STREETS OR AT THEIR HOMES OR WORKPLACES AND THEN IMMEDIATELY CONFINED IN A HOSPITAL. AFTER ANNASOLTAN KEKILOVA, A POETESS FROM TURKMENIA, SENT A LENGTHY REPORT TO THE TURKMEN CENTRAL COMMITTEE IN 1971 COMPLAINING ABOUT CONDITIONS IN THE REPUBLIC, AN AMBULANCE APPEARED AT HER HOME AND SHE WAS CONFINED IN A PSYCHIATRIC HOSPITAL. THOSE WHO TRY TO PRESENT COMPLAINTS OR PETITIONS TO HIGH STATE OFFICIALS ARE SOMETIMES TRANSPORTED DIRECTLY TO MENTAL INSTITUTIONS FROM OFFICIAL WAITING ROOMS.

MOREOVER, FORMER VICTIMS CAN BE RE-INCARCERATED AT ANY TIME. THEY ARE OFTEN INTERNED BEFORE STATE HOLIDAYS, INTERNATIONAL CONFERENCES OR STATE VISITS BY WESTERN DIGNITARIES. IN THE SPRING OF 1980, MIKHAIL KAPLUN, A MOSCOW WRITER WHO SPENT FIVE YEARS IN PSYCHIATRIC HOSPITALS FOR PARTICIPATING IN UNOFFICIAL POETRY READINGS IN THE 1960'S, WAS WARNED THAT HE SHOULD "VOLUNTARILY" COMMIT HIMSELF TO A PSYCHIATRIC HOSPITAL UNTIL THE OLYMPICS ARE OVER.

IN THE CRIMINAL COMMITMENT PROCEDURE, A PERSON ACCUSED OF A CRIME IS RULED "NOT ACCOUNTABLE" BY A PANEL OF FORENSIC PSYCHIATRISTS AND ORDERED BY THE COURT TO RECEIVE COMPULSORY PSYCHIATRIC TREATMENT. THE ACCUSED HAVE NO RIGHT TO CHOOSE ANY OF THE PSYCHIATRISTS WHO EXAMINE THEM, NOR EVEN THE RIGHT TO BE PRESENT AT THEIR TRIAL.

THE CRIMINAL COMMITMENT PROCEDURE HAS BEEN USED AGAINST ACTIVISTS REPRESENTING THE ENTIRE SPECTRUM OF DISSENT IN THE

SOVIET UNION -- RELIGIOUS, NATIONALIST AND POLITICAL. A FEW ILLUSTRATIVE CASES:

FYODOR SIDENKO, A LEADER OF THE PENTECOSTAL EMIGRATION MOVEMENT, WAS ARRESTED FOR "ANTI-SOVIET SLANDER" ON OCTOBER 16, 1979, AND WAS SENT TO A PSYCHIATRIC HOSPITAL IN DECEMBER. IN JANUARY 1980, THE COURT ORDERED COMPULSORY PSYCHIATRIC TREATMENT. PETERIS LAZDA, LEGAL ADVISER TO A LATVIAN COLLECTIVE FISHERY, INVOLUNTARILY WAS ASSIGNED TO A SPH IN JUNE 1979 FOR HIS NATIONALIST ACTIVITIES. MYKOLA PLAKHOTNYUK, A UKRAINIAN PHYSICIAN AND NATIONALIST, WAS ORIGINALLY SENTENCED TO PSYCHIATRIC TREATMENT IN 1972 FOR "ANTI-SOVIET AGITATION AND PROPAGANDA." DESPITE A MEDICAL COMMISSION'S RECOMMENDATION THAT HE BE RELEASED, PLAKHOTNYUK HAS BEEN TOLD THAT HE WILL NOT BE RELEASED UNTIL AFTER THE OLYMPICS. VLADIMIR KLEBANOV, A WORKER WHO FORMED THE FREE TRADE UNION, FORCIBLY WAS HOSPITALIZED IN DNEPROPETROVSK SPH IN JUNE 1978. ANATOLY GLUKHOV HAS BEEN CONFINED TO A HOSPITAL IN CHELYABINSK THREE TIMES, IN 1972, 1974 AND 1978, BECAUSE OF HIS EFFORTS TO EMIGRATE. VAZIF MEYLANOV, A MATHEMATICIAN FROM MAKHACHKALA ON THE CASPIAN SEA WAS ARRESTED AND SENT FOR A PSYCHIATRIC EXAMINATION ON JANUARY 25, 1980, AFTER HE PUBLICLY PROTESTED ANDREI SAKHAROV'S BANISHMENT.

SEVERAL PRISONERS OF CONSCIENCE HAVE BEEN TRANSFERRED FROM CAMPS AND PRISONS TO PSYCHIATRIC DETENTION. THESE INCLUDE LITHUANIAN ACTIVIST ALGIRDAS ZIPRE, WHO WAS SENT TO KAZAN SPH IN 1974 AFTER SERVING OVER 15 YEARS IN CAMP, AND UKRAINIAN ACTIVISTS LEVKO LUKYANENKO AND VALENTYN MOROZ.

THE WORKING COMMISSION ON THE USE OF PSYCHIATRY FOR POLITICAL PURPOSES, FOUNDED IN MOSCOW IN JANUARY 1977 AND AFFILIATED WITH THE MOSCOW HELSINKI MONITORING GROUP, HAS CHRONICLED HUNDREDS OF SIMILAR CASE HISTORIES IN ITS LENGTHY AND DETAILED INFORMATION BULLETINS. OVER 20 SUCH PUBLICATIONS HAVE BEEN ISSUED SINCE THE GROUP'S INCEPTION. FOR EXAMPLE, IN ONE DOCUMENT ALONE, DATED OCTOBER 15, 1979, SOME 50 POLITICAL INMATES IN MENTAL HOSPITALS ARE LISTED. ADDITIONAL CONFINEMENTS ARE DESCRIBED IN THE APRIL 5, 1980, INFORMATION BULLETIN (NUMBER 22). THE WORKING COMMISSION RECEIVES MUCH OF ITS DATA FROM FRIENDS AND RELATIVES OF VICTIMS, FROM THE VICTIMS THEMSELVES AND FROM INDEPENDENT DOCTORS.

SOVIET ACTIVISTS, DOCTORS AND EX-PATIENTS WHO PROTEST ABUSES ARE THEMSELVES LIABLE TO ARREST OR RECOMMITMENT. THERE WAS ONLY ONE MEMBER -- FELIKS SEREBROV -- OF THE FOUR-MAN WORKING COMMISSION LEFT AT LIBERTY UNTIL A NEW MEMBER, IRINA GRIVNINA, A LONG-TIME ASSOCIATE OF THE GROUP, JOINED IN THE

SPRING OF 1980. WORKING COMMISSION LEADER, ALEKSANDR PODRABINEK, SENTENCED IN 1978 TO FIVE YEARS OF INTERNAL EXILE FOR "ANTI-SOVIET SLANDER" IN CONNECTION WITH HIS BOOK PUNITIVE MEDICINE. WAS RE-ARRESTED AND IS IN PRISON FACING ANOTHER TRIAL. DR. LEONARD TERNOVSKY WAS ARRESTED ON APRIL 10, 1980 AND REPORTEDLY WILL BE CHARGED WITH "ANTI-SOVIET SLANDER" FOR HIS ACTIVITIES AS A MEMBER OF THE WORKING COMMISSION. ON FEBRUARY 12, 1980, ANOTHER MEMBER, VYACHESLAV BAKHMIN, WAS ARRESTED. HE WILL REPORTEDLY STAND TRIAL FOR "ANTI-SOVIET SLANDER" AS WELL. ALSO ON FEBRUARY 12, MEMBER FELIKS SEREBROV WAS PICKED UP BY THE MOSCOW KGB AND CHARGED WITH "RESISTING A REPRESENTATIVE OF AUTHORITY," HELD IN DETENTION FOR 15 DAYS AND THEN RELEASED. SEREBROV HAS ALREADY SERVED ONE YEAR IN STRICT REGIMEN LABOR CAMP FOR HIS ACTIVITIES IN THE WORKING COMMISSION AND RESUMED HIS WORK IN AUGUST 1978. AN ASSOCIATE OF THE GROUP, ALEKSANDR LAVUT WAS ARRESTED ON APRIL 30, 1980.

DR. SEMYON GLUZMAN, A PSYCHIATRIST WHO PUBLICLY CRITICIZED THE DIAGNOSIS OF GEN. GRIGORENKO, WAS SENTENCED IN 1972 TO SEVEN YEARS IN STRICT REGIMEN CAMP AND THREE YEARS OF INTERNAL EXILE FOR "ANTI-SOVIET AGITATION AND PROPAGANDA." IOSIF TEREPLYA, A UKRAINIAN UNIATE, WAS IMPRISONED IN LABOR CAMPS AND MENTAL HOSPITALS FROM 1962 TO 1976 FOR HIS NATIONALIST AND RELIGIOUS CONVICTIONS. HE WAS RE-ARRESTED ON APRIL 28, 1977, FOR WRITING AN OPEN LETTER THAT DESCRIBED HIS IMPRISONMENT TO KGB CHIEF ANDROPOV, AND HE WAS SENT TO DNEPROPETROVSK SPH. ARVIDAS CHEKHANAVICIUS, A LITHUANIAN NATIONALIST, WAS RELEASED FROM A GENERAL PSYCHIATRIC HOSPITAL IN JANUARY 1978 AND ORDERED BACK INTO A KAUNAS HOSPITAL ON JUNE 12, 1979, AFTER HE CONTACTED THE PSYCHIATRIC WORKING COMMISSION.

IN THE WEST, A GROWING NUMBER OF PSYCHIATRISTS AND PSYCHIATRIC ORGANIZATIONS HAVE EXPRESSED CONCERN OVER THE SOVIET UNION'S SYSTEMATIC AND WIDESPREAD ABUSES OF PSYCHIATRY. IN SEPTEMBER 1977, THE SIXTH CONGRESS OF THE WORLD PSYCHIATRIC ASSOCIATION (WPA) IN HONOLULU PASSED A RESOLUTION THAT CONDEMNED THE MISUSE OF PSYCHIATRY FOR POLITICAL PURPOSES AND SINGLED OUT SOVIET PRACTICES. THIS ACTION FOLLOWED A SIMILAR RESOLUTION BY THE CONGRESS OF THE WORLD FEDERATION OF MENTAL HEALTH. THE WPA ALSO ESTABLISHED A COMMISSION TO INVESTIGATE ALLEGATIONS OF ABUSE AND HAS BEGUN WORK ON ONE CASE OF SOVIET PSYCHIATRIC ABUSE. IN SEPTEMBER 1979, THE AMERICAN PSYCHIATRIC ASSOCIATION (APA) APPROVED THE FORMATION OF A COMMITTEE ON INTERNATIONAL ABUSE. IN MAY 1980, THE APA AWARDED A DIS-

TINGUISHED FELLOWSHIP TO DR. SEMYON GLUZMAN, PRESENTLY IN EXILE IN SIBERIA, FOR HIS UNFLINCHING MORAL INTEGRITY.

BRITISH PSYCHIATRISTS SUCH AS DR. GARY LOW-BEER AND SCHOLARS SUCH AS PETER REDDAWAY HAVE TAKEN THE LEAD IN DENOUNCING THE SOVIET USE OF PSYCHIATRY TO SUPPRESS DISSENT. IN 1973, THE BRITISH ROYAL COLLEGE OF PSYCHIATRISTS ISSUED A STATEMENT DEPLORING THE USE OF POLITICAL PSYCHIATRY IN THE SOVIET UNION. ON DECEMBER 20, 1979, THE COLLEGE'S "COURT OF ELECTORS" REQUESTED THAT DR. ANDREI SNEZHNEVSKY ANSWER CHARGES THAT HE HAD MISHANDLED THE CASE OF UKRAINIAN ACTIVIST LEONID PLYUSHCH, WHO WAS INCARCERATED IN 1972 FOR ANTI-SOVIET AGITATION AND PROPAGANDA. DR. SNEZHNEVSKY SUBSEQUENTLY RESIGNED HIS HONORARY MEMBERSHIP IN THE ROYAL COLLEGE.

IN SPITE OF THESE OFFICIAL EXPRESSIONS OF DISAPPROVAL BY PROFESSIONAL SOCIETIES AND A SCORE OF PROTESTS BY INDIVIDUAL WESTERN PSYCHIATRISTS, THE SOVIET UNION HAS NOT ALTERED ITS POLICY OF USING PSYCHIATRY FOR POLITICAL PURPOSES. THE U.S.S.R. CONTINUES TO IGNORE RECOGNIZED PRECEPTS OF MEDICAL ETHICS AND THE BASIC HUMAN-RIGHTS OBLIGATIONS CONTAINED IN PRINCIPLE VII OF THE HELSINKI FINAL ACT.

PENALTIES BY IMPRISONMENT

IN APRIL 1979, TWO EVENTS OCCURRED WHICH MUST BE SEEN AS RELATIVELY POSITIVE DEVELOPMENTS -- AS LEAST FOR 10 SOVIET CITIZENS WHO HAD BEEN IMPRISONED FOR THEIR ADVOCACY OF HUMAN RIGHTS. ON APRIL 20, 1979, FIVE JEWISH REFUSENIKS, ANATOLY ALTMAN, VULF ZALMANSON, BORIS PENSON, LEIB KHNOKH AND GILEL BUTMAN, WHO HAD BEEN CONVICTED IN 1970 FOR INVOLVEMENT IN THE SO-CALLED LENINGRAD HIJACKING CASE, WERE RELEASED TO THE WEST. THE FIVE WERE PARDONED FROM SERVING THE ONE YEAR AND TWO MONTHS REMAINING IN THEIR 10-YEAR CAMP TERMS. ONE WEEK LATER, AS PART OF A SPECIAL ARRANGEMENT BETWEEN THE SOVIET AND U.S. GOVERNMENTS, FIVE SOVIET HUMAN-RIGHTS ACTIVISTS WERE EXCHANGED FOR TWO CONVICTED SOVIET SPIES. IN THIS WAY, ALEKSANDR GINZBURG, MEMBER OF THE MOSCOW HELSINKI GROUP AND HEAD OF THE PUBLIC FUND FOR THE AID OF POLITICAL PRISONERS; UKRAINIAN HISTORIAN VALENTYN MOROZ; GEORGY VINS, SECRETARY OF THE BAPTIST COUNCIL OF CHURCHES; MARK DYMSHITS AND EDUARD KUZNETSOV, TWO OTHER SO-CALLED LENINGRAD HIJACKERS -- WERE RELEASED TO THE WEST. LATER, THEY WERE JOINED BY THEIR IMMEDIATE FAMILIES.

WHILE THE RELEASE OF THESE 10 PRISONERS WAS AT LEAST A GESTURE IN THE RIGHT DIRECTION, REPORTS INDICATE THAT PERHAPS

AS MANY AS 10,000 OTHER POLITICAL DETAINEES CONTINUE TO BE HELD IN SOVIET CAMPS AND PRISONS. ESTIMATES OF THE TOTAL NUMBER OF POLITICAL PRISONERS VARY. ANDREI SAKHAROV, FOR EXAMPLE, HAS SUGGESTED THAT THE TOTAL MAY RANGE FROM THE 10,000 FIGURE -- SUGGESTED BY AMNESTY INTERNATIONAL IN 1975 -- DOWN TO 2,000, A NUMBER CONSIDERED MORE REALISTIC BY SOME HUMAN RIGHTS SOURCES. WHATEVER THE CORRECT AMOUNT, THE FIGURE HAS BEEN ADDED TO BY AT LEAST 557 NEW ARRESTS SINCE 1975. THIS INCREASE CAN BE ATTRIBUTED BOTH TO HEIGHTENED DISSENT AND, MORE RECENTLY, TO THE AUTHORITIES' EFFORTS TO CLEAR THE WAY FOR THE OLYMPICS.¹⁷⁶

IN JUNE 1978, THE COMMISSION ISSUED A STUDY OUTLINING THE APPLICATION OF SOVIET CRIMINAL LEGISLATION IN THE TRIALS OF ARRESTED HELSINKI MONITORS.¹⁷⁷ VIRTUALLY ALL INFRINGEMENTS OF SOVIET CIVIL PROCEDURE NOTED IN THAT REPORT CONTINUE TO BE CHARACTERISTIC OF THE CURRENT TRIALS OF HUMAN-RIGHTS ACTIVISTS. PROCEEDINGS REMAIN -- IN VIOLATION OF ARTICLE 19 OF THE R.S.F.S.R. CODE OF CRIMINAL PROCEDURE (R.S.F.S.R. CCP) -- CLOSED TO THE GENERAL PUBLIC, ALTHOUGH FORMAL COMPLIANCE IS ACHIEVED BY PACKING COURTROOMS WITH SPECIALLY SELECTED AUDIENCES. AT THE TRIAL OF PSYCHIATRIC COMMISSION MEMBER, ALEKSANDR PODRABINEK, FOR EXAMPLE, FRIENDS WHO ARRIVED EARLY WERE REFUSED ADMITTANCE BECAUSE "WE HAVE ALREADY FILLED THE HALL IN ORDER TO MAINTAIN ORDER."

HUMAN-RIGHTS ACTIVISTS HAVE ALSO CONTINUED TO EXPERIENCE HANDICAPS IN THE CONDUCT OF AN ADEQUATE DEFENSE AS PROVIDED UNDER ARTICLE 46 OF THE R.S.F.S.R. CCP. JEWISH ACTIVIST, IDA NUDEL, WAS REFUSED THE RIGHT TO CALL DEFENSE WITNESSES IN HER LATE 1978 TRIAL. CRIMEAN TATAR, MUSTAFA DZHEMILEV, WAS SENTENCED IN A 1979 TRIAL WHICH LASTED 10 MINUTES AND TOOK PLACE WITHOUT DEFENSE COUNSEL.

THE COMMISSION'S 1978 FINDING THAT SOVIET COURTS ARE FAR FROM IMPARTIAL WHEN TRYING POLITICAL CASES REMAINS VALID. NO POLITICAL CASE HAS EVER BEEN DISMISSED AND PRISONERS CONTINUE TO BE CONVICTED ON SPURIOUS OR UNSUBSTANTIATED CHARGES. A TREND TOWARD CONVICTING ACTIVISTS IN FALSIFIED CRIMINAL CASES HAS ALSO BECOME MORE PRONOUNCED IN THE PAST TWO YEARS. AS FORMER SOVIET DEFENSE LAWYER, DINA KAMINSKAYA, STATED IN 1978: "IT WOULD BE NO EXAGGERATION TO SAY THAT IN POLITICAL CASES THE COURT AND THE PROCURATOR ACT ACCORDING TO AN EARLIER COORDINATED PLAN IN WHICH THE DEFENSE AND THE ACCUSED PARTICIPATE SIMPLY AS 'SHOW' ELEMENTS FOR OBSERVING DEMOCRATIC NORMS OF THE COURT..."¹⁷⁸

ONE CASE WHERE THE COURTS DID EXERCISE SOME INDEPENDENCE FROM EXTERNAL PRESSURE WAS THAT OF GEORGI MIKHAILOV, A LENINGRAD PHYSICS TEACHER. MIKHAILOV, AN ENGLISH SPEAKER ACTIVE IN LENINGRAD'S HOUSE OF FRIENDSHIP FOREIGN VISITOR PROGRAM, BECAME THE TARGET OF KGB RECRUITMENT EFFORTS IN 1974. HIS REJECTION OF THESE PROPOSALS LED TO HIS DISMISSAL FROM WORK IN 1977 AND TO THE PUBLICATION OF SLANDEROUS ARTICLES ABOUT HIM IN THE OFFICIAL PRESS. HOWEVER, MIKHAILOV TOOK HIS CASE TO THE COURTS WHERE HE WON REINSTATEMENT AND PARTIAL SATISFACTION OF HIS COMPLAINT AGAINST NEDELYA, THE SUNDAY SUPPLEMENT OF IZVESTIYA. THE KGB ULTIMATELY PREVAILED, HOWEVER: LATE IN 1979, MIKHAILOV WAS SENTENCED TO FOUR YEARS GENERAL REGIMEN CAMP FOR ALLEGED ECONOMIC CRIMES.

AS NOTED IN THE COMMISSION'S 1978 REPORT, THE SOVIET PENAL SYSTEM IS COMPOSED OF TWO BASIC ELEMENTS: PRISONS AND LABOR CAMPS. PRISONERS IN EACH TYPE OF INSTITUTION SERVE SENTENCES UNDER A SERIES OF GRADUATED REGIMENS OF CONFINEMENT: STANDARD AND STRICT REGIMENS IN PRISONS; STANDARD, INTENSIFIED, STRICT AND SPECIAL REGIMENS IN CAMPS. EACH OF THESE SYSTEMS IS GRADED ACCORDING TO THE DEGREE OF MATERIAL DEPRIVATION AND, THUS, ACCORDING TO THE DEGREE OF PUNISHMENT INFLICTED UPON INMATES.

AS A RULE, POLITICAL PRISONERS ARE SUBJECTED TO HARSHER CONDITIONS OF CONFINEMENT THAN CRIMINAL OFFENDERS. MAJOR POLITICAL CRIMES, 'ESPECIALLY DANGEROUS CRIMES AGAINST THE STATE' (ARTICLES 63-73), ARE PUNISHED BY CONFINEMENT UNDER THE TWO HARSHEST CAMP REGIMENS: STRICT AND SPECIAL. IN CONTRAST, PERSONS CONVICTED OF CRIMES SUCH AS MURDER OR RAPE, ARE OFTEN ELIGIBLE FOR TWO LIGHTER CAMP REGIMENS: ORDINARY AND INTENSIFIED.

PRISON IS CONSIDERED A MORE SERIOUS FORM OF DETENTION THAN CAMP. UNLIKE CAMPS, WHERE PRISONERS LIVE IN BARRACKS, PRISONS PROVIDE ONLY CELL-TYPE ACCOMMODATIONS. FOOD RATIONS ARE MORE MEAGER THAN IN CAMPS, WHILE RIGHTS AND PRIVILEGES, SUCH AS THE FREQUENCY OF FAMILY VISITS AND RECEIPT OF FOOD PACKAGES, ARE FURTHER REDUCED. MOST HUMAN-RIGHTS ACTIVISTS HELD IN PRISONS HAVE BEEN TRANSFERRED THERE AS A RESULT OF DISCIPLINARY ACTION. HOWEVER, SOME HAVE RECEIVED PRISON TERMS IMPOSED BY THE COURTS. RUSSIAN ACTIVIST IGOR OGURTSOV AND HELSINKI MONITORS ANATOLY SHCHARANSKY AND VIKTORAS PETKUS HAVE SERVED SUCH SENTENCES.

IN LATE 1978, ALL POLITICAL PRISONERS HELD IN VLADIMIR PRISON, 175 KILOMETERS OUTSIDE MOSCOW, WERE TRANSFERRED TO CHISTOPOL, A CLOSED CITY IN THE TATAR AUTONOMOUS SOVIET SOCIALIST REPUBLIC. MOSCOW HELSINKI MONITORS CONSIDER ISOLATION THE REASON FOR THE TRANSFER OF THE PRISONERS, WHO HAD PREVIOUSLY ESTABLISHED A CHANNEL OF COMMUNICATION WITH THE OUTSIDE. AC-

CORDING TO AMNESTY INTERNATIONAL, THE PRISON IN CHISTOPOL IS SMALLER, MORE ANTIQUATED AND CONDITIONS EVEN MORE SEVERE THAN IN VLADIMIR.¹⁷⁹

ANOTHER FREQUENT PUNISHMENT IN POLITICAL CASES IS EXILE. A 1962 INNOVATION IN THE SOVIET LEGAL CODE, EXILE MAY BE IMPOSED AS A PRIMARY OR SECONDARY PUNISHMENT. IN THE LATTER CASE, IT IS APPENDED TO A REGULAR TERM OF IMPRISONMENT. PERSONS SENTENCED TO TERMS OF EXILE ARE CONFINED TO A SPECIFIED LOCALITY AND SUBJECTED TO A VARIETY OF ADMINISTRATIVE RESTRICTIONS. THEY MUST REPORT REGULARLY TO THE LOCAL BRANCH OF THE MINISTRY OF INTERNAL AFFAIRS, MUST ATTEND POLITICAL EDUCATION SESSIONS AND MUST SUBMIT TO FREQUENT VISITS FROM LOCAL AUTHORITIES. ALTHOUGH THE EXILED PERSON IS EXPECTED TO PERFORM 'SOCIALLY USEFUL' WORK, THERE HAVE BEEN SEVERAL CASES WHERE PRISONERS HAVE BEEN UNABLE TO FIND EITHER WORK OR LODGING. IN ONE RECENT INCIDENT, LOCAL POLICE TRIED TO FORCE 63-YEAR-OLD PETR SARTAKOV -- WHO SPENT SEVEN YEARS IN CAMP FOR GIVING HIS MEMOIRS TO AN AMERICAN -- TO WORK AS A MANUAL LABORER ALTHOUGH HIS HEALTH PRECLUDED SUCH WORK. SARTAKOV WAS FINALLY PERMITTED TO TAKE A JOB AS A NIGHT WATCHMAN.

SOVIET CORRECTIVE LABOR LEGISLATION REGARDS DIET AS A LEGITIMATE WAY OF MODIFYING PRISONERS' BEHAVIOR. HARSHER CAMP AND PRISON REGIMENS PROVIDE PROGRESSIVELY LESS FOOD, THUS CORRELATING THE SEVERITY OF AN INDIVIDUAL'S PUNISHMENT WITH THE AMOUNT OF NOURISHMENT RECEIVED. IN ADDITION, MOST INTERNAL CAMP PUNISHMENTS INVOLVE SOME REDUCTION OF RATIONS.

ADDITIONAL EFFORTS ARE MADE TO ENSURE THAT PRISONERS ARE UNABLE TO IMPROVE THEIR DIETS SUBSTANTIALLY FROM OTHER SOURCES. PERSONAL INCOME A PRISONER MAY SPEND IN THE CAMP STORE IS PRESCRIBED BY REGIMEN, AS ARE THE NUMBER OF PERMITTED FOOD PACKAGES. CERTAIN CALORIC FOODS, SUCH AS BUTTER AND CHOCOLATE, ARE EXCLUDED FROM STORES AND FROM ITEMS PERMITTED IN CARE PACKAGES. IN FACT, PRISON DIETS, WITH OR WITHOUT SUPPLEMENTAL RATIONS, ARE SERIOUSLY LACKING IN BOTH CALORIE CONTENT AND NUTRITIONAL VALUE. AMNESTY INTERNATIONAL HAS FOUND FOR EXAMPLE, THAT EVEN THE MOST GENEROUS CAMP REGIMEN PROVIDES BARELY ENOUGH CALORIES TO SUSTAIN AN ACTIVELY WORKING MAN.¹⁸⁰

SUCH CONDITIONS HAVE IMPROVED LITTLE SINCE 1977 OR, FOR THAT MATTER, SINCE THE SIGNING OF THE FINAL ACT. PRISONERS IN THE PERM CAMP COMPLEX DID REPORT A BRIEF IMPROVEMENT IN THEIR DIETS IN 1978 WHEN HELSINKI MONITOR YURI ORLOV ARRIVED IN CAMP #37. THE IMPROVEMENT DID NOT EXTEND TO OTHER CAMPS, HOWEVER. PRISONERS IN THE NEARBY MORDOVIAN COMPLEX WERE AT THAT TIME STAGING A HUNGER STRIKE TO PROTEST THEIR POOR DIET. THEY WERE

SUPPORTED BY PRISONERS IN A NEARBY CAMP FOR CRIMINAL OFFENDERS -- A DEPARTURE FROM THE HOSTILITY WHICH OFTEN PREVAILS BETWEEN POLITICAL AND CRIMINAL INMATES. BY SEPTEMBER 1979, PERM INMATES WERE AGAIN STRIKING TO PROTEST WORSENERD NUTRITIONAL STANDARDS.

IN EARLY 1978, THE MINISTRY OF INTERNAL AFFAIRS (MVD) -- WHICH ADMINISTERS SOVIET PENAL INSTITUTIONS -- DID PERMIT A SLIGHT IMPROVEMENT IN THE VARIETY OF FOOD IN CARE PACKAGES. MVD ORDER #37, WHICH WENT INTO EFFECT ON MARCH 15, 1978, ALLOWS RELATIVES TO INCLUDE FRESH FRUITS AND VEGETABLES, AS WELL AS CANNED MEAT, IN PARCELS. AS BEFORE, HOWEVER, ONIONS AND GARLIC -- WHICH ARE CONSIDERED TO BE PARTICULARLY HIGH IN NUTRITIONAL CONTENT -- ARE EXCLUDED.

COMPULSORY LABOR IS AN ESSENTIAL ASPECT OF LIFE IN SOVIET PRISONS AND CAMPS. PRISONERS WORK EIGHT HOURS OR MORE A DAY, SIX DAYS A WEEK AND RECEIVE NO LEAVE TIME OR HOLIDAYS. IN ADDITION, THEY MUST ENGAGE IN UP TO TWO HOURS OF 'COMMUNITY WORK' EACH DAY AND ARE REQUIRED TO WORK OVERTIME TO COMPENSATE FOR DAYS LOST IN FAMILY VISITS.

THE IMPORTANCE SOVIET LEGISLATION ATTACHES TO PRISON LABOR IS BASED ON THE SOVIET VIEW THAT WORK PROMOTES A "SOCIALLY CORRECT" ATTITUDE TOWARD LIFE. LABOR "RE-EDUCATES" AND THIS IS ITS PRIMARY PURPOSE.

IN PRACTICE, HOWEVER, LABOR OFTEN BECOMES NOT A MEANS OF EDUCATION, BUT A FORM OF PUNISHMENT AND AN ECONOMIC WINDFALL TO THE STATE -- OR AT LEAST TO THE MVD WHICH IS ENTITLED TO PART OF THE PROCEEDS FROM PRISONERS' OUTPUT. BECAUSE THE MVD HAS A VESTED INTEREST IN SEEING INCREASED PRODUCTION IN CAMPS, PRISONERS' REQUIRED OUTPUT UNDERGOES CONSTANT INFLATION. FOR EXAMPLE, PRISONERS IN PERM CAMP #37 REPORTED THAT NORMS FOR LATHE OPERATORS ROSE BY 45 PERCENT AND FOR STOKERS BY 100 PERCENT IN ONLY ONE MONTH -- DECEMBER 1977.

THE RAISING OF WORK NORMS WITHOUT NECESSARY TECHNICAL AND SAFETY IMPROVEMENTS PLACES AN ADDITIONAL BURDEN ON PRISONERS WHO ARE OLD, IN POOR HEALTH, OR UNUSED TO PHYSICAL LABOR. FAILURE TO FULFILL THE NORMS, HOWEVER, LEADS TO REPRISALS RANGING FROM REDUCTION OF FOOD RATIONS, TO CANCELLATION OF FAMILY VISITS AND ULTIMATELY TO INCARCERATION IN PUNISHMENT CELLS.

FOR EXAMPLE, IGOR OGURTSOV, A PHILOLOGIST WHOSE HEALTH HAS DETERIORATED DRASTICALLY DURING 13 YEARS OF IMPRISONMENT, WAS ONE INMATE WHOSE WORK NORM INCREASED BY 100 PERCENT. PHYSICALLY UNABLE TO MEET SUCH HIGH TARGETS, OGURTSOV REFUSED TO GO TO WORK. FOR THIS, HE RECEIVED SEVEN DAYS IN A PUNISHMENT ISOLATION CELL.

CONDITIONS IN SUCH CELLS FURTHER UNDERMINE PRISONERS' HEALTH. HELSINKI MONITOR YURI ORLOV, FOR EXAMPLE, EMERGED FROM A PUNISHMENT CELL IN 1978 SO WEAKENED THAT HE WAS UNABLE TO FULFILL A WORK PLAN HE HAD BARELY MET BEFORE. AS A RESULT, HE WAS DEPRIVED OF THE RIGHT TO BUY ADDITIONAL FOOD AT THE CAMP STORE.

THUS, PRISONERS ARE CAUGHT IN A VICIOUS CIRCLE. UNDER- NOURISHMENT OR INCARCERATION IN PUNISHMENT CELLS REDUCES IN- MATES' ABILITY TO FULFILL PRODUCTION NORMS; BUT FAILURE TO MEET THESE TARGETS CAN RESULT IN REDUCED FOOD AND REPEATED PUNISHMENT INCARCERATION. UNDER SUCH CONDITIONS, PRISONERS HAVE COMPLAINED THAT LABOR IN SOVIET PENAL INSTITUTIONS IS NOT EDUCATIONAL, BUT A MORALLY AND PHYSICALLY DEGRADING EXPERIENCE.

SOME PRISONERS HAVE FOUND IT PARTICULARLY UNJUST THAT ITEMS THEY HAVE PRODUCED AT FORCED LABOR HAVE COMPRISED PART OF THE SOVIET UNION'S TRADE WITH THE WEST. IN ONE WELL PUBLICIZED EXAMPLE, FORMER PRISONERS OF CONSCIENCE (POC'S) PROTESTED THAT FORCED LABOR HAD BEEN EMPLOYED FOR THE MANUFACTURE OF MISHA BEAR SOUVENIRS FOR THE 1980 MOSCOW OLYMPICS.¹⁸¹ TWO OTHER IN- MATES RECENTLY MANAGED TO CONCEAL AN OPEN LETTER TO THE WEST IN A CONSIGNMENT OF TIMBER SENT TO WEST GERMANY.¹⁸²

AS NOTED ABOVE, CAMP AND PRISON ADMINISTRATORS MAY USE A VARIETY OF DISCIPLINARY MEASURES FOR CHASTISING INMATES. SOME PUNISHMENTS ARE RELATIVELY MILD, FOR EXAMPLE, WARNINGS OR ASSIGNMENT TO CLEAN-UP DETAILS. OTHERS, SUCH AS SOLITARY CONFINEMENT, INVOLVE PHYSICAL DEPRIVATIONS WHICH CAN PERMA- NENTLY DAMAGE PRISONERS' HEALTH.

BY FAR THE HARSHTEST FORMS OF PUNISHMENT IN CORRECTIVE LABOR CAMPS ARE THE PUNISHMENT-ISOLATION CELL (SHIZO) AND THE INTERNAL CAMP PRISON (PKT). PEOPLE IN PRISONS MAY BE SENTENCED TO ISO- LATION (THE KARTSER) OR TO TERMS RANGING FROM TWO TO SIX MONTHS IN STRICT PRISON REGIMEN. THIS REGIMEN, WHICH ALSO PRE- VAILS IN THE CAMP PKT, PROVIDES PRISONERS WITH A DIET THAT DOES NOT EXCEED 1750 CALORIES A DAY. AT THE SAME TIME, PRISONERS ARE REQUIRED TO CONTINUE WORKING, OFTEN MANUALLY PERFORMING TASKS WHICH SHOULD BE DONE BY MACHINE.

THE SHIZO AND THE KARTSER PROVIDE SIMILAR CONDITIONS OF CONFINEMENT: NORMAL CAMP GARB MUST BE EXCHANGED FOR THIN COTTON CLOTHING. PRISONERS ARE NOT PERMITTED WARMER CLOTHES EVEN AT NIGHT WHEN TEMPERATURES DROP AS LOW AS 11 DEGREES CELSIUS (38 DEGREES FAHRENHEIT). UNDER SUCH CONDITIONS, PRISONERS ARE UN- ABLE TO SLEEP AND ARE FORCED TO KEEP MOVING FOR WARMTH. LIKE THE PKT, THE SHIZO AND THE KARTSER ENTAIL REDUCED FOOD RATIONS:

A DAILY FARE OF BREAD AND HOT WATER, SUPPLEMENTED BY A THIN SOUP ON ALTERNATE DAYS.

BECAUSE POLITICAL PRISONERS OFTEN ENGAGE IN PROTESTS, THEY FREQUENTLY SUFFER THE RIGORS OF SUCH CONFINEMENT. ALEKSANDR BOLONKIN, FOR EXAMPLE, SPENT ALMOST NINE MONTHS IN PUNISHMENT CELLS IN 1979. MANY PRISONERS OF CONSCIENCE, HOWEVER, APPEAR TO CONSIDER PROTEST A MORAL OBLIGATION OF THEIR LIFE IN THE CAMPS. ACCORDING TO HELSINKI MONITOR YURI ORLOV:

"...IT MUST BE REMEMBERED THAT THE SOVIET PRISON SYSTEM IS DIRECTED AT THE DESTRUCTION OF THE PERSONALITY, AND THE ONLY WAY TO PRESERVE ONE'S PERSONALITY IS IN OPPOSITION -- IN OPPOSITION DESPITE PUNISHMENTS."¹⁸³

SPECIAL REPRISALS ARE RESERVED FOR THOSE WHO ENCOURAGE OTHER INMATES TO JOIN PROTESTS AND TO SIGN APPEALS. SUCH PRISONERS ARE OFTEN SUBJECTED TO DISCIPLINARY ACTIONS IMPOSED FOR IMAGINARY OR MINOR INFRACTIONS OF CAMP RULES. IOSIF ZISELS' EXPERIENCE IS TYPICAL:

"AFTER WORK ON SEPTEMBER 7, 1979, THE BOSS ANNOUNCED THAT THE BRIGADE WOULD HAVE TO CLEAN POTATOES FOR TWO HOURS AFTER WORK. SOME COULD GO ON THE 7TH, THE OTHERS ON THE 8TH. ZISELS DECIDED TO GO ON THE 8TH. WITHIN AN HOUR, THE CAMP COMMANDANT HAD HIM PUT IN THE SHIZO FOR FIFTEEN DAYS FOR REFUSING TO PEEL POTATOES (OF 18 PEOPLE ONLY 5 WENT ON THE 7TH, BUT NO ONE ELSE WAS PUNISHED.) ON SEPTEMBER 9, A KGB AGENT CAME. HE SAID THAT IF ZISELS CONTINUED TO HELP THE OTHER PRISONERS WRITE COMPLAINTS AND APPEALS, IT COULD END BADLY FOR HIM."¹⁸⁴

PRISONERS ARE SELDOM EXCUSED FROM PUNISHMENTS ON GROUNDS OF HEALTH. IN FACT, NEW REGULATIONS INSTITUTED IN 1978 PERMIT CAMP OFFICIALS TO REMOVE INMATES DIRECTLY FROM HOSPITALS TO PUNISHMENT CELLS. A FURTHER MODIFICATION IN THE REGULATIONS ALLOWS PRISONERS TO SERVE AN UNLIMITED NUMBER OF CONSECUTIVE TERMS IN SUCH CELLS. FORMERLY, REGULATIONS REQUIRED THAT PRISONERS BE ACCORDED AT LEAST ONE-DAY RESPITE BETWEEN SENTENCES -- A RULE, WHICH WAS, HOWEVER, OFTEN OBSERVED IN THE BREACH.

A 1978 REPORT FROM VLADIMIR PRISON TELLS OF ONE INMATE, VLADIMIR POPADYUK, WHO SPENT A TOTAL OF 45 STRAIGHT DAYS IN THE KARTSER. GIVEN THE FREQUENCY AND SEVERITY OF CONDITIONS OF SUCH CONFINEMENT, IT IS NOT SURPRISING THAT MANY PRISONERS SUFFER A COMPLETE BREAKDOWN IN HEALTH.

A CLASSIC EXAMPLE IS IGOR OGURTSOV. AT AGE 28, OGURTSOV WAS IN EXCELLENT HEALTH WHEN HE ENTERED THE PENAL SYSTEM IN 1967. TODAY, HIS HAIR HAS FALLEN OUT, HIS TEETH ARE DECAYING AND HE SUFFERS FROM CONSTANT ABDOMINAL PAIN. ALL ATTEMPTS TO HAVE HIM TRANSFERRED TO THE CENTRAL MVD HOSPITAL FOR DIAGNOSIS AND TREATMENT HAVE BEEN REJECTED.

IN FACT, MOST INMATES SUFFER FROM ILLNESS BROUGHT ON BY LIFE IN THE CAMPS: VITAMIN AND CALCIUM DEFICIENCIES, ULCERS, TUBERCULOSIS AND HEART AILMENTS ARE COMMON. ACCORDING TO ONE REPORT, 80 PERCENT OF THE INMATES IN MORDOVIAN CAMP #19 ARE INVALIDS, CERTIFIED BY THE OFFICIAL SOVIET HEALTH CARE SYSTEM.

DEMANDS ON CAMP MEDICAL PERSONNEL ARE GREAT; THEIR CAPACITY TO DEAL WITH SUCH DEMANDS, HOWEVER, IS LIMITED. MEDICAL UNITS ARE OFTEN UNDERSTAFFED AND UNDERQUALIFIED. CHRONIC SHORTAGES OF MEDICINES AND SUPPLIES ARE WIDELY REPORTED. MANY CAMP AND PRISON DOCTORS REPORTEDLY EXHIBIT HOSTILE ATTITUDES TOWARD POLITICAL PRISONERS WHO REFUSE TO RECAT THEIR VIEWS. FINALLY, MEDICAL CARE, LIKE FOOD, MAY BE USED AS A REWARD FOR GOOD BEHAVIOR. THERE ARE FREQUENT REPORTS OF PRISONERS BEING OFFERED VACATIONS IN CAMP HOSPITALS IN RETURN FOR ACTIVE COLLABORATION.

AS A RESULT, PRISONERS MUST OFTEN RESORT TO EXTREME MEASURES TO RECEIVE MEDICAL ATTENTION. SERGEI KOVALEV, A LEADING BIOLOGIST AND HUMAN-RIGHTS ACTIVIST, WAS FORCED TO CONDUCT A MONTH-LONG HUNGER STRIKE BEFORE HE COULD OBTAIN TREATMENT IN THE MVD CENTRAL HOSPITAL. AN INTERNATIONAL CAMPAIGN MOUNTED BY WESTERN SCIENTISTS ON HIS BEHALF MAY ALSO HAVE FACILITATED HIS TRANSFER. ANOTHER INMATE, MIKHAIL KARPENOK, SUFFERED A WORSE FATE DUE TO INEPT MEDICAL PERSONNEL. COMPLAINING FOR MORE THAN A YEAR OF PAIN IN HIS LEG, KARPENOK WAS GIVEN TREATMENT ONLY WHEN HIS LEG BEGAN TO TURN BLUE. AFTER A HASTY OPERATION PERFORMED IN CAMP, DOCTORS RETURNED THE PRISONER TO HIS BARRACKS GIVING HIM NO FURTHER ATTENTION. WHEN THE LEG TURNED BLACK, 40 PRISONERS, INCLUDING MANY WHO HAD NEVER PARTICIPATED IN PROTESTS, ANNOUNCED A HUNGER STRIKE. ONLY THEN WAS KARPENOK RETURNED TO THE HOSPITAL WHERE IT WAS DISCOVERED THAT HIS BONES WERE DETERIORATING.

PRISONERS FREQUENTLY HAVE COMPLAINED THAT CAMP DOCTORS ACT MORE AS REPRESENTATIVES OF THE CAMP ADMINISTRATION THAN AS MEMBERS OF THE MEDICAL PROFESSION. AND, IN FACT, SUCH DOCTORS ARE RESPONSIBLE NOT TO THE MINISTRY OF HEALTH, BUT TO THE MINISTRY OF INTERNAL AFFAIRS, WHICH ADMINISTERS THE CAMPS. AS A RESULT, DOCTORS REPORTEDLY MAKE DECISIONS OFTEN BASED ON ADMINISTRATIVE, RATHER THAN MEDICAL, CRITERIA.

IN THE PAST THREE YEARS, REPORTS INDICATE A FURTHER INCREASE IN DOCTORS' DEPENDENCE ON CAMP ADMINISTRATORS. FORMERLY EMPOWERED TO ORDER PRISONERS' RELEASE FROM PUNISHMENT CELLS AND FROM WORK ASSIGNMENTS, MEDICAL PERSONNEL NOW HAVE TO DEFER TO CAMP ADMINISTRATORS. THE MOSCOW-HELSINKI GROUP PROVIDES THE FOLLOWING EXAMPLE OF DOCTORS' LOSS OF AUTHORITY.

"IN NOVEMBER 1977, PRISONER NIKOLAI DUDIN WAS CONFINED IN KARTSER #5 (IN VLADIMIR PRISON). DUDIN, WHO SUFFERS FROM TUBERCULOSIS, BEGAN TO CHOKE ON BLOOD RUNNING FROM HIS THROAT. HE CALLED FOR HELP. THE WALLS AND FLOOR OF HIS CELL WERE COVERED WITH BLOOD. INSTEAD OF HELP, HE WAS PERIODICALLY THROWN A RAG -- TO WIPE UP THE BLOOD...A DOCTOR WHO FINALLY EXAMINED DUDIN TOLD HIM THAT SHE WAS UNFORTUNATELY NOT EMPOWERED TO RELEASE HIM FROM THE KARTSER, ALTHOUGH HE BADLY NEEDED THIS. SHE ADVISED HIM TO WAIT A FEW DAYS UNTIL THE END OF HIS SENTENCE. BUT AT THE END OF HIS FIFTEEN DAYS, DUDIN INSTEAD RECEIVED A NEW ORDER: 'CONTINUATION OF PUNISHMENT. YOU GET 15 DAYS FOR SHOUTING AND POUNDING ON THE DOOR.' (THERE IS NO OTHER WAY OF CALLING FOR THE GUARDS -- BELLS ARE NOT PROVIDED.)"185

ACCORDING TO SOVIET CORRECTIVE LABOR LEGISLATION, ALL PRISONERS ARE EXAMINED YEARLY BY A MEDICAL COMMISSION WHICH DETERMINES THEIR FITNESS FOR WORK OR PUNISHMENT. THIS LEGISLATION ALSO ASSERTS THAT EVEN THE MOST SERIOUSLY HANDICAPPED PRISONER IS CAPABLE OF SOME SORT OF WORK. THE COMMENTARY TO ARTICLE 37 OF THE R.S.F.S.R. CORRECTIVE LABOR LEGISLATION STATES:

"MANY EMPLOYEES HAVE THE MISTAKEN OPINION THAT PRISONERS WHO ARE INVALIDS OF THE I AND II GROUPS SUPPOSEDLY CAN BE ASSIGNED TO WORK ONLY WITH THEIR CONSENT. DISABILITY (EVEN SERIOUS DISABILITY) DOES NOT AT ALL EXCLUDE AN ABILITY TO WORK. TAKING INTO ACCOUNT THIS ACTUAL (RESIDUAL) CAPACITY FOR LABOR, CONVICTED INVALIDS ARE TO BE PUT TO WORK UNDER CONDITIONS SUITABLE FOR THEM."

THERE HAVE BEEN SEVERAL CASES, HOWEVER, WHERE SERIOUSLY DISABLED PRISONERS HAVE BEEN ASSIGNED -- OFTEN WITH THE CONCURRENCE OF MEDICAL PERSONNEL -- TO UNSUITABLE TASKS. UKRAINIAN ACTIVIST IVAN SVETLICHNIY, IN THE PERM CAMP COMPLEX, WAS DEPRIVED OF HIS GROUP II INVALID STATUS AND ASSIGNED TO WORK CARRYING LOGS, ALTHOUGH HE LOST ALL HIS FINGERS IN A CHILDHOOD ACCIDENT. ANOTHER PERM INMATE, V. FILONENKO WAS DEPRIVED OF HIS DISABILITY STATUS ALTHOUGH HE SUFFERS FROM PROGRESSIVE DEGRADATION OF THE BONE MARROW. AUTHORITIES REPORTEDLY FALSIFIED HIS MEDICAL RECORD TO JUSTIFY THE RECLASSIFICATION.

IN LATE 1978, PERM MEDICAL CARE, LIKE ITS DIETARY SERVICE, REPORTEDLY UNDERWENT A SLIGHT IMPROVEMENT. PRISONERS WITH HIGH TEMPERATURES OR SERIOUS ILLNESSES WERE RELEASED FROM WORK AND PREVIOUSLY UNAVAILABLE MEDICINES WERE SUPPLIED IN GREATER QUANTITIES AND WITH FEWER DELAYS. THE CHRONICLE OF CURRENT EVENTS ATTRIBUTES THIS IMPROVEMENT TO SHELII, MEDICAL HEAD OF THE PERM CAMPS, WHO RECENTLY HAD APPEARED AS A GOVERNMENT WITNESS AT YURI ORLOV'S TRIAL. SHELII WAS CALLED UPON TO DISPROVE THE ACCURACY OF HELSINKI GROUP DOCUMENTS DESCRIBING POOR CAMP CONDITIONS.

NATIONAL MINORITIES AND RELIGIOUS BELIEVERS COMPRISE THE LARGEST SINGLE GROUP OF SOVIET PRISONERS OF CONSCIENCE. WHILE EXACT STATISTICS ARE NOT AVAILABLE, TOTALS FOR 1979 SHOW THAT 37 PERCENT OF THE ACTIVISTS ARRESTED IN THAT YEAR WERE RELIGIOUS BELIEVERS AND 48 PERCENT WERE REPRESENTATIVES OF VARIOUS NATIONAL MINORITIES, PARTICULARLY UKRAINIANS, LITHUANIANS, LATVIANS AND ESTONIANS. YURI ORLOV ESTIMATED, FOR EXAMPLE, THAT 40 PERCENT OF THE PRISONERS IN THE MORDOVIAN AND URAL CAMP COMPLEXES IN 1978 WERE UKRAINIAN AND THAT 30 PERCENT WERE FROM THE BALTIC STATES.

GIVEN THE NATURE OF THEIR 'CRIMES', BELIEVERS AND MEMBERS OF VARIOUS ETHNIC GROUPS ARE SUBJECT TO NUMEROUS SPECIAL RESTRICTIONS, DIRECTED AGAINST MANIFESTATIONS OF NATIONAL OR RELIGIOUS SENTIMENT. FOR MEMBERS OF ETHNIC GROUPS, THERE ARE PRO-

HIBITIONS ON THE USE ANY LANGUAGE OTHER THAN RUSSIAN. ANATOLY ZDOROVYI, A UKRAINIAN POLITICAL PRISONER IN THE PERM COMPLEX, RECENTLY COMPLAINED THAT UKRAINIANS THERE WERE NOT PERMITTED TO SUBSCRIBE TO UKRAINIAN LANGUAGE JOURNALS, TO LISTEN TO UKRAINIAN RADIO BROADCASTS OR TO WRITE LETTERS AND APPEALS IN THAT LANGUAGE.¹⁸⁶ PRISONERS ARE WARNED -- AS WAS ARMENIAN DISSIDENT, RAZMIK MARKOSYAN IN 1979 -- THAT ONE WORD SPOKEN IN THEIR NATIVE TONGUE WOULD RESULT IN BREAKING OFF FAMILY VISITS. IN SOME CASES, THIS HAS MEANT THAT FAMILY MEMBERS WHO CANNOT SPEAK RUSSIAN HAVE BEEN UNABLE TO COMMUNICATE WITH PRISONERS.

CORRESPONDENCE WRITTEN IN LANGUAGES OTHER THAN RUSSIAN IS FREQUENTLY CONFISCATED SO THAT IT CAN BE TRANSLATED. THIS MEANS THAT, AT BEST, PRISONERS RECEIVE MAIL WITH A DELAY OF A MONTH. AT WORST, LETTERS ARE NEVER DELIVERED. IN EARLY 1978, UKRAINIAN ACTIVIST, ZINOVY ANTONYUK INCLUDED A UKRAINIAN TRANSLATION OF A QUOTE FROM HERODOTUS IN A LETTER TO HIS WIFE -- THE LETTER WAS THEN CONFISCATED.

RELIGIOUS BELIEVERS EXPERIENCE SIMILAR DIFFICULTIES WITH THEIR CORRESPONDENCE. FOR EXAMPLE, BAPTIST MINISTER, PETER PETERS, WAS ORDERED NOT TO MENTION GOD AND HIS CORRESPONDENCE WAS INTERRUPTED. HIS MOTHER'S LETTERS -- WRITTEN IN HER NATIVE GERMAN -- ARE NOT DELIVERED. SIMILARLY, RELATIVES OF BAPTIST, ALEKSANDR KALYASHIN, WERE INFORMED THAT LETTERS WITH BIBLICAL QUOTATIONS WOULD NOT BE DELIVERED.

POSSESSION OF RELIGIOUS ARTICLES, INCLUDING BIBLES, IS STRICTLY FORBIDDEN. IN JULY 1979, PRISONERS IN THE SOSNOVKA SPECIAL REGIMEN CAMP REPORTED THAT AUTHORITIES WERE CONFISCATING CROSSES. RESISTERS WERE HANDCUFFED IN ORDER TO FACILITATE THE OPERATION. OTHER PRISONERS HAVE BEEN DENIED FAMILY VISITS, DEPRIVED OF CARE PACKAGES AND SUBJECTED TO EVEN HARSHER PUNISHMENTS FOR RELIGIOUS OBSERVANCE. FAMILIES OF CONSCIENTIOUS OBJECTORS HELD IN A LABOR CAMP IN KHAIRIUZOVKA, FOR EXAMPLE, RECENTLY COMPLAINED THAT THEIR RELATIVES WERE BEING CONFINED TO PUNISHMENT ISOLATION CELLS ON THE SLIGHTEST PRETEXT. SOME HAVE CONTRACTED TUBERCULOSIS AS A RESULT.

POLITICAL PRISONERS' INVOLVEMENT WITH THE SOVIET PENAL SYSTEM SELDOM ENDS WITH THEIR RELEASE. MANY PRISONERS FIND THAT THEIR FORMER HOMES ARE IN AREAS DECLARED OFF-LIMITS TO PERSONS CONVICTED UNDER ANTI-SOVIET STATUTES. FOR OTHERS, ADMINISTRATIVE SURVEILLANCE MAY IMPOSE LIMITATIONS ON THEIR MOVEMENT SIMILAR TO THOSE UNDER A TERM OF EXILE.

IN 1974, THE U.S.S.R. COUNCIL OF MINISTERS ISSUED A DECREE "CONCERNING SOME RULES ON REGISTRATION (PROPISKA) OF CITIZENS." AN UNPUBLISHED SECTION OF THIS DECREE READS:

"RESOLVED THAT PERSONS REGARDED BY COURTS AS ESPECIALLY DANGEROUS RECIDIVISTS, AND PERSONS WHO SERVED THEIR PUNISHMENT OF DEPRIVATION OF FREEDOM OR EXILE FOR ESPECIALLY DANGEROUS STATE CRIMES...ARE NOT TO BE GRANTED RESIDENCE PERMITS IN CITIES, DISTRICTS AND REGIONS LISTED IN DECISIONS OF U.S.S.R. GOVERNMENT ..."¹⁸⁷

THUS, SINCE 1974, PERSONS CONVICTED OF "ANTI-SOVIET AGITATION AND PROPAGANDA" (AN ESPECIALLY DANGEROUS STATE CRIME OFTEN APPLIED IN POLITICAL CASES) HAVE BEEN BARRED FROM RESIDENCE IN A NUMBER OF MAJOR SOVIET CITIES, INCLUDING MOSCOW, LENINGRAD AND THE CAPITALS OF ALL UNION REPUBLICS. AS A RESULT, FORMER POC'S ARE OFTEN FORCED TO RESIDE IN UNFAMILIAR AREAS, AND, SINCE PRISON TERMS ARE NOTED IN THEIR DOCUMENTS, THEY HAVE DIFFICULTY FINDING WORK AND LODGING.

EVEN PRISONERS WHOSE FORMER HOMES ARE NOT ON THE PROHIBITED LIST MAY ENCOUNTER OFFICIALLY INSPIRED OBSTACLES TO RESETTLEMENT. NIKOLAI KOTS, FOR EXAMPLE, RETURNED TO HIS HOME IN NOVVOVOLYNSK IN SEPTEMBER 1979, BUT COULD FIND NEITHER WORK NOR LODGING. ONE WOMAN WHO FINALLY AGREED TO GIVE HIM A ROOM, WAS FINED 10 RUBLES FOR FAILURE TO REGISTER A TENANT.

PRISONERS OF CONSCIENCE MAY BE CAUGHT IN A BUREAUCRATIC CIRCLE: PROSPECTIVE EMPLOYERS DEMAND TO SEE RESIDENCE PERMITS, BUT PROSPECTIVE LANDLORDS DEMAND TO SEE WORK DOCUMENTS. FREQUENTLY FORMER PRISONERS ARE FORCED TO SPEND THEIR NIGHTS AT LOCAL POLICE STATIONS AND TO LIVE ON HANDOUTS. IN 1979, UKRAINIAN ACTIVIST NIKOLAI BONDAR SPENT SEVERAL MONTHS UNDER SUCH CONDITIONS BEFORE HE FOUND WORK AS A LABORER ON A COLLECTIVE FARM. ULTIMATELY, FORMER PRISONERS MAY BE LIABLE FOR PROSECUTION ON CHARGES OF "PARASITISM."

THE CONDITIONS OF 'ADMINISTRATIVE SURVEILLANCE' (NADZOR) WERE ENUMERATED IN A 1966 DECREE OF THE U.S.S.R. SUPREME SOVIET "ON ADMINISTRATIVE SURVEILLANCE BY THE MILITIA ORGANS OF PEOPLE RELEASED FROM PLACES OF IMPRISONMENT." UNDER THE DECREE, PERSONS SENTENCED FOR 'GRAVE' CRIMES, INCLUDING "ESPECIALLY DANGEROUS CRIME AGAINST THE STATE," OR WHO HAVE SHOWN A "STUBBORN UNWILLINGNESS TO REFORM" MAY BE SUBJECTED TO LIMITATIONS ON MOVEMENT SIMILAR TO THOSE IMPOSED UNDER EXILE. IN THE CASE OF ADMINISTRATIVE SURVEILLANCE, HOWEVER, THESE RESTRICTIONS ARE IMPOSED WITHOUT A TRIAL.

IN 1977, UKRAINIAN DISSIDENT, LEVKO LUKYANENKO (SINCE RE-IMPRISONED FOR JOINING THE UKRAINIAN HELSINKI MONITORING GROUP) GAVE THIS DESCRIPTION OF NADZOR:

"UNDER SURVEILLANCE, I DO NOT HAVE THE RIGHT TO LEAVE TOWN WITHOUT POLICE PERMISSION. FROM EVENING TO MORNING I MAY NOT LEAVE MY APARTMENT, MAY NOT VISIT CITY HOTELS, CAFES, BARS OR RESTAURANTS, I AM OBLIGED TO APPEAR AT THE POLICE STATION EVERY FRIDAY BETWEEN 5 AND 6 TO REGISTER. POLICEMEN AND VOLUNTEER SECURITY GUARDS VISIT MY HOME; THEY CHECK ON ME AT WORK. THIS IS OFFICIAL SURVEILLANCE. BUT UNOFFICIAL SURVEILLANCE -- THE SURVEILLANCE WHICH ALLOWS AUTHORITIES TO FOLLOW MY EVERY STEP -- WHERE IS ITS END? IT ROBS MY WHOLE LIFE OF PRIVACY."¹⁸⁸

FOR LUKYANENKO, ONE OF THE WORST ASPECTS OF THE REGIME WAS THE KNOWLEDGE THAT IT COULD BE EXTENDED INDEFINITELY. FORMER POLITICAL PRISONER, VITALY KALYNCHENKO, FOR EXAMPLE, RECENTLY RECEIVED HIS EIGHTH TERM UNDER SURVEILLANCE -- AN EXTENSION WHICH BRINGS TO FOUR THE NUMBER OF YEARS HE HAS SPENT UNDER THE REGIME.

BY LAW, SURVEILLANCE MAY BE RENEWED AT SIX-MONTH INTERVALS AS LONG AS A FORMER PRISONER'S CRIMINAL CULPABILITY (SUDIMOST') CONTINUES. IF PRISONERS HAVE BEEN SENTENCED TO MORE THAN 10 YEARS IMPRISONMENT, CULPABILITY CAN BE WAIVED ONLY BY COURT ORDER. FOR PRISONERS OF CONSCIENCE, SUCH AN ORDER WOULD REQUIRE A DEMONSTRATION OF CHANGED VIEWS. AND AS LUKYANENKO STATES:

"I WILL NEVER CHANGE MY WORLD VIEW, AND SO WILL REMAIN CULPABLE TO MY DEATH. THIS MEANS THERE WILL ALWAYS BE LEGAL GROUNDS FOR EXTENDING THE NADZOR. AND I WILL NEVER BE FREE OF THIS IRRITATING TUTELAGE. THE PROSPECT OF SUCH A LIFE DOES NOT APPEAL TO ME AT ALL."¹⁸⁹

CONCLUSION

SINCE 1975, CITIZENS OF WARSAW PACT STATES INCREASINGLY HAVE ENGAGED IN NON-VIOLENT PROTEST AGAINST THE VIOLATION OF

THEIR HUMAN RIGHTS GUARANTEED BY PRINCIPLE VII. DISSENT HAS VARIED FROM INDIVIDUAL EXPRESSION OF DISCONTENT TO COLLECTIVE ACTIVITIES OF INTELLECTUALS, WORKERS, RELIGIOUS BELIEVERS AND MINORITY GROUP MEMBERS. OFFICIAL RESPONSE TO DISSENT HAS DIFFERED FROM COUNTRY TO COUNTRY, REFLECTING DISPARATE HISTORICAL EXPERIENCES, GEOPOLITICAL IMPERATIVES AND LEADERSHIP STYLES. IMPLEMENTATION OF PRINCIPLE VII HUMAN-RIGHTS PLEDGES RANGES FROM THE RELATIVE TOLERANCE OF HUNGARY AND POLAND TO THE SEVERE REPRESSION OF CZECHOSLOVAKIA AND THE SOVIET UNION.

SINCE THE INTERNATIONAL OUTCRY OVER THE 1978 TRIALS OF MOSCOW HELSINKI GROUP MEMBERS, YURI ORLOV AND ANATOLY SHCHARANSKY, THE SOVIET AUTHORITIES HAVE STEPPED UP THEIR CAMPAIGN AGAINST THE SOVIET HUMAN-RIGHTS MOVEMENT. POST-1975 STATISTICS OF SOVIET IMPRISONED HUMAN-RIGHTS ADVOCATES (PROVIDED BY LYUDMILA ALEXEEVA, OFFICIAL REPRESENTATIVE OF THE MOSCOW HELSINKI GROUP) CONFIRMS THE INCREASE -- 1975: 68 ARRESTS; 1976: 88 ARRESTS; 1977: 86 ARRESTS; 1978: 113 ARRESTS; 1979: 112 ARRESTS; AS OF JULY 1, THERE WERE ALREADY 57 ARRESTS IN 1980. THE ILLEGAL BANISHMENT OF NOBEL PEACE PRIZE LAUREATE ANDREI SAKHAROV FROM MOSCOW TO THE CLOSED CITY OF GORKY IN JANUARY 1980 SERVES TO HIGHLIGHT SYSTEMATIC SOVIET HUMAN RIGHTS VIOLATIONS.

THE NEED TO DOCUMENT OFFICIAL REPRESSION, HOWEVER, HAS ALL TOO OFTEN PREVENTED THE WEST FROM LOOKING AT THE ISSUES RAISED BY CITIZENS CRITICAL OF THEIR SOCIETIES. THE DOCUMENTATION PROVIDED BY SUCH GROUPS PROVIDES A NEEDED COUNTER-BALANCE TO OFFICIAL VIEWS. FOR EXAMPLE, ONE OF THE MOST DISTURBING ACTIONS BY A WARSAW PACT GOVERNMENT IS THE 1978 SUPREME SOVIET DECREE WHICH LEGALIZED ETHNIC DISCRIMINATION AGAINST THE CRIMEAN TATARS. OTHER ISSUES RAISED BY SUCH GROUPS CONCERN VIOLATIONS OF ECONOMIC AND SOCIAL RIGHTS, SUCH AS GROSSLY INADEQUATE PENSIONS AND THE ARRESTS OF ORGANIZERS OF INDEPENDENT LABOR UNIONS.

SO FAR, OFFICIAL SOVIET RESPONSE TO CRITICISM IS EITHER BLANKET DENIALS OR AD HOMINEM ATTACKS. SINCE THE NOTION OF A CANDID EXCHANGE OF VIEWS ON HUMAN RIGHTS PROBLEMS BETWEEN SOVEREIGN NATIONS IS AN ESSENTIAL PART OF THE HELSINKI PROCESS, IT IS THE COMMISSION'S HOPE THAT EVENTUALLY THE WARSAW PACT COUNTRIES WILL RECOGNIZE NOT ONLY THIS PRINCIPLE BUT THE RIGHTS OF THEIR CITIZENS TO "KNOW THEIR RIGHTS AND TO ACT ON THEM."

LOOKING AT DEVELOPMENTS IN EASTERN EUROPE AND THE U.S.S.R. SINCE 1975, THE FINAL ACT CLEARLY HAS HAD AN ENERGIZING EFFECT ON THE CIVIC AWARENESS OF GROUPS OF CITIZENS WHICH, IN TURN, HAVE SET OFF VARIOUS GOVERNMENTAL RESPONSES. THE DIVERSITY

AND. COMPLEXITY OF THE ISSUES RAISED IN THE CURRENT MOVEMENTS FOR NATIONAL, RELIGIOUS, CIVIL, ETHNIC, POLITICAL, CULTURAL AND ECONOMIC RIGHTS IN WARSAW PACT COUNTRIES ARE TESTIMONY TO A YEARNING FOR INDIVIDUAL FREEDOM BEHIND THE OFFICIAL PARTY MONOLITHS.

CHAPTER THREE - FOOTNOTES

1. THE NEW YORK TIMES, MAY 4, 1980.
2. THE NEW YORK TIMES, DECEMBER 17, 1979.
3. THE NEW YORK TIMES, NOVEMBER 30, 1979.
4. IBID.
5. THE CHRISTIAN SCIENCE MONITOR, MAY 6, 1980.
6. BOHDAN BOCIURKIW, RELIGION AND THE LAW IN COMMUNIST EASTERN EUROPE, TESTIMONY BEFORE THE CSCE COMMISSION, MAY 21, 1980.
7. RADIO FREE EUROPE RESEARCH REPORT, CHURCH-STATE RELATIONS IN POLAND AFTER THE POPE'S VISIT, SEPTEMBER 25, 1979.
8. THE NEW YORK TIMES, MAY 4, 1980.
9. THE DEPARTMENT OF STATE.
10. AMNESTY INTERNATIONAL, AMNESTY INTERNATIONAL REPORT 1979, P. 123.
11. RADIO FREE EUROPE RESEARCH REPORT, AUGUST 24, 1979.
12. NEUES DEUTSCHLAND, DECEMBER 18, 1971.
13. AUTHOR JOACHIM SEYPPPEL IS IN THE F.R.G. UNDER A THREE-YEAR TRAVEL VISA.
14. THE WASHINGTON POST, SEPTEMBER 5, 1979.
15. SEE FRANKFURTER ALLGEMEINE ZEITUNG, APRIL 20, 1977.
16. AMNESTY INTERNATIONAL, AMNESTY INTERNATIONAL REPORT 1979, P. 137.

17. CSCE REPORT, IMPLEMENTATION OF THE FINAL ACT OF THE CONFERENCE ON SECURITY AND COOPERATION IN EUROPE: FINDINGS AND RECOMMENDATIONS TWO YEARS AFTER HELSINKI, P. 41.

18. GOMA LEFT ROMANIA RELUCTANTLY ON A ONE-YEAR TOURIST VISA WITH HIS FAMILY ON NOVEMBER 20, 1977, TO ACCEPT AN INVITATION OF THE FRENCH SECTION OF THE INTERNATIONAL PEN CLUB. THE FOLLOWING MARCH HE ASKED FOR POLITICAL ASYLUM IN FRANCE, HAVING DECIDED HE HAD NO VIABLE ALTERNATIVE. FIVE OF HIS ORIGINAL CO-SIGNATORIES HAD LONG SOUGHT TO EMIGRATE ANYWAY. IT IS IMPORTANT TO DISTINGUISH BETWEEN THE "PASSPORT DISSIDENT" -- AN INDIVIDUAL WHOSE PRIMARY MOTIVATION FOR DEFYING THE AUTHORITIES IS TO OBTAIN A PASSPORT -- AND A DISSIDENT SUCH AS GOMA, WHOSE MOTIVATION IS TO BRING REFORM, AND WHO LEAVES THE COUNTRY AS A LAST RESORT. FOR A MORE DETAILED DESCRIPTION OF THE "PASSPORT DISSIDENT" PHENOMENON, SEE RADIO FREE EUROPE RESEARCH, RAD. BACKGROUND REPORT/112 (ROMANIA), JUNE 5, 1978 ARTICLE ENTITLED "DISSENT IN ROMANIA: AN OVERVIEW", BY PATRICK MOORE, P. 5.

19. ALAN SCARFE, "DISMANTLING A HUMAN RIGHTS MOVEMENT," RELIGION IN COMMUNIST LANDS, VOL. 7, NO. 3, KESTON COLLEGE, AUTUMN 1979, P. 166.

20. SEE ARTICLES 1 AND 2 OF THE CONSTITUTION OF THE SOCIALIST REPUBLIC OF ROMANIA.

21. OP. CIT., F.18, P. 7.

22. RADIO FREE EUROPE RESEARCH BULLETIN, ROMANIAN SITUATION REPORT/32, "MORE DEVELOPMENTS IN THE JIU VALLEY," OCTOBER 1977, P. 4.

23. THE STATE DEPARTMENT ESTIMATES THE GERMAN AND HUNGARIAN POPULATION TO BE ROUGHLY 350,000 AND 1,700,000, RESPECTIVELY. THE FEDERATION OF JEWISH COMMUNITIES OF ROMANIA RECENTLY UNDERTOOK A CENSUS AND ARRIVED AT A FIGURE OF SLIGHTLY LESS THAN 35,000 ROMANIAN JEWS AS OF LATE 1979. THE HUNGARIAN AND JEWISH POPULATION FIGURES ARE CONTROVERSIAL. SOME ACCOUNTS SAY THERE ARE AS MANY AS 2.5 MILLION HUNGARIANS IN ROMANIA. THE JEWISH POPULATION HAS BEEN ESTIMATED BY SOME TO BE AS LARGE AS 70,000.

24. IN JANUARY 1967, ROMANIA BECAME THE SECOND WARSAW PACT COUNTRY (THE SOVIET UNION BEING THE FIRST) TO ESTABLISH DIPLOMATIC RELATIONS WITH THE FEDERAL REPUBLIC. THEIR SUBSEQUENT BILATERAL RELATIONS HAVE INCLUDED FREQUENT HIGH-LEVEL MEETINGS. IN 1973, ROMANIA SIGNED AN AGREEMENT ON CULTURAL AND SCIENTIFIC COOPERATION WITH WEST GERMANY, BECOMING THE FIRST EAST BLOC STATE TO DO SO.

25. FOR MORE INFORMATION ABOUT THE CULTURAL INSTITUTE SEE RADIO FREE EUROPE, ROMANIAN SITUATION REPORT/22, "WEST GERMAN CULTURAL INSTITUTE OPENED IN BUCHAREST," NOVEMBER 30, 1979. PP. 5-8.

26. ACCORDING TO THE CONTROVERSIAL CENSUS FIGURES CITED BY THE ROMANIAN FEDERATION OF JEWISH COMMUNITIES IN LATE 1979, ALMOST 52 PERCENT OF ROMANIA'S JEWS ARE OVER 60 YEARS OLD AND ONLY 7.2 PERCENT ARE 20 YEARS OLD OR YOUNGER. ABOUT ONE-HALF OF THE TOTAL NUMBER OF JEWS (APPROXIMATELY 35,000) RECORDED BY THE CENSUS-TAKERS REPORTEDLY RESIDE IN BUCHAREST.

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CHAPTER FOUR - BASKET II (ECONOMIC AND SCIENTIFIC COOPERATION)

INTRODUCTION

AS NOTED IN THE IMPLEMENTATION REPORT PUBLISHED IN 1977, THE WEST IS PARTICULARLY CONCERNED ABOUT LACK OF IMPLEMENTATION OF PROVISIONS OF BASKET II THAT DEAL WITH TRADE; WITH ECONOMIC AND MARKETING INFORMATION; WITH FACILITATION OF BUSINESS CONTACTS; WITH ACCESS TO INDUSTRIAL AND COMMERCIAL END-USERS; AND WITH FREER SCIENTIFIC EXCHANGE. PROGRESS BY THE EASTERN COUNTRIES IN THESE AREAS SINCE THE LAST REPORT HAS BEEN UNEVEN. IN SOME CASES, THE SITUATION IS NOW WORSE THAN IT WAS THREE YEARS AGO. NEVERTHELESS, THE COMMISSION BELIEVES THE SITUATION AS A WHOLE HAS IMPROVED.

THE SOVIET INVASION OF AFGHANISTAN IN DECEMBER 1979 HAS LED TO THE IMPOSITION OF SANCTIONS AGAINST THAT COUNTRY BY THE UNITED STATES AND OTHER WESTERN COUNTRIES. MANY OF THESE SANCTIONS ARE RELATED TO BASKET II ISSUES, ALTHOUGH NONE OF THEM VIOLATE SPECIFIC PROVISIONS OF THE FINAL ACT. THE SANCTIONS APPLY ONLY TO THE U.S.S.R. AND ARE DISCUSSED LATER IN THIS CHAPTER UNDER THE HEADING OF "U.S. COMPLIANCE."

ECONOMIC COOPERATION

COMMERCIAL RELATIONS BETWEEN EAST AND WEST HAVE CONTINUED TO EXPAND DESPITE THE SLUGGISH PERFORMANCE OF BOTH THE EASTERN AND WESTERN ECONOMIES, AND THE DEBT PROBLEMS FACED BY SOME OF THE EASTERN COUNTRIES.

EASTERN COMPLIANCE: ECONOMICS

COMMERCIAL EXCHANGES

THE EAST EUROPEAN COUNTRIES HAVE MADE SOME PROGRESS DURING THE LAST THREE YEARS IN IMPLEMENTING CERTAIN PROVISIONS OF THE

FINAL ACT WHICH RELATE TO COMMERCIAL EXCHANGES, BUT THERE HAS BEEN DETERIORATION IN OTHER AREAS.

IN HIS TESTIMONY BEFORE THE COMMISSION ON MARCH 6, 1980, DR. JOHN P. HARDT NOTED THAT THERE HAS BEEN IMPROVEMENT IN THE AREA OF BUSINESS CONTACTS:

"THE QUANTITY AND QUALITY OF CONTACTS HAVE INCREASED MORE RAPIDLY THAN THE TRADE TURNOVER BETWEEN THE NATIONS OF EAST AND WEST. GOVERNMENTAL COMMISSIONS, CHAMBERS OF COMMERCE, ACCREDITATION AND IN-COUNTRY FACILITIES (INCLUDING TRADE CENTERS), HAVE ALL MOVED FORWARD. THE NUMBER OF SPECIALISTS ON VARIOUS ASPECTS OF EAST-WEST COMMERCIAL RELATIONSHIPS HAS EXPERIENCED A QUANTUM JUMP."

THERE ARE MANY EXAMPLES OF SUCH FORWARD STEPS SINCE THE LAST IMPLEMENTATION REVIEW. THE U.S.-HUNGARIAN JOINT ECONOMIC COMMITTEE WAS ESTABLISHED FOLLOWING THE SIGNING OF A BILATERAL TRADE AGREEMENT IN 1978, AND HELD ITS FIRST MEETING IN MARCH 1979. THE COMMITTEE'S SECOND MEETING WAS HELD IN APRIL 1980. THE BILATERAL COMMISSIONS WITH ROMANIA AND POLAND ALSO CONTINUED UED TO MEET ON AN APPROXIMATELY ANNUAL SCHEDULE, MOST RECENTLY IN THE SPRING OF 1980. THE SOVIET BILATERAL COMMISSION MEETING, ORIGINALLY SCHEDULED FOR APRIL 1980, HAS BEEN POSTPONED INDEFINITELY AS A RESULT OF THE AFGHANISTAN INVASION.

THE BILATERAL TRADE COUNCILS WHICH BRING TOGETHER OFFICIALS OF BUSINESS FIRMS FROM BOTH EAST AND WEST ALSO CONTINUED THEIR ACTIVITIES. THESE COUNCILS CONDUCTED DISCUSSIONS OF IMPORTANT BILATERAL ISSUES, SUCH AS INDUSTRIAL COOPERATION, TRADE FINANCING ARRANGEMENTS, MARKET ACCESS QUESTIONS AND ISSUES IN COMPARATIVE COMMERCIAL LAW.

THE U.S.-SOVIET TRADE AND ECONOMIC COUNCIL, AN ORGANIZATION WHICH HAS A BINATIONAL STAFF IN BOTH THE SOVIET UNION AND THE UNITED STATES, HAD BEEN SCHEDULED TO HOLD A MEETING OF BUSINESS REPRESENTATIVES FROM THE TWO COUNTRIES IN APRIL 1980. THIS MEETING HAS BEEN POSTPONED, BUT THE COUNCIL IS CONTINUING ITS ASSISTANCE TO BUSINESS REPRESENTATIVES IN THE TWO COUNTRIES.

FURTHER PROGRESS WAS MADE IN THE AREA OF BUSINESS FACILITIES. NEW TRADE CENTERS PROVIDING OFFICE SPACE AND OTHER BUSINESS FACILITIES WERE OPENED IN MOSCOW AND BERLIN. MORE WESTERN FIRMS HAVE OPENED OFFICES IN EASTERN EUROPE. FOR EXAMPLE, THERE ARE 28 ACCREDITED U.S. BUSINESS OFFICES OPERATING IN MOSCOW. MANY NEW HOTELS WERE OPENED IN THE REGION DURING THE LAST THREE

YEARS. THE EASTERN COUNTRIES HAVE ALSO EXPANDED THEIR PRESENCE IN THE WEST. HUNGARY OPENED A NEW COMMERCIAL OFFICE IN CHICAGO IN 1979, AND ROMANIA OPENED COMMERCIAL OFFICES IN ATLANTA AND HOUSTON IN 1980.

NEVERTHELESS, PROBLEMS REMAIN. SOME WESTERN FIRMS THAT HAVE ESTABLISHED OFFICES IN MOSCOW HAVE COMPLAINED THAT THEY ARE BEING PRESSURED TO MOVE INTO THE NEW TRADE CENTER WHERE THEY WILL BE REQUIRED TO PAY MUCH HIGHER RENTS. MAJOR PROBLEMS CONTINUE IN CZECHOSLOVAKIA WHERE HOTEL ROOMS MUST BE BOOKED MONTHS IN ADVANCE, AND OFFICE AND LIVING SPACE FOR RESIDENT BUSINESS REPRESENTATIVES IS EXTREMELY DIFFICULT TO FIND. IF SOVIET ACTIONS IN AFGHANISTAN AND ELSEWHERE REQUIRE LONG-TERM SANCTIONS, SOME U.S. FIRMS MAY LEAVE MOSCOW AND TERMINATE THEIR ACCREDITATION.

THERE HAS BEEN LITTLE OR NO PROGRESS IN OBTAINING REGULAR AND COMMERCIALY HELPFUL ACCESS FOR BUSINESS REPRESENTATIVES TO EASTERN END-USERS OF THEIR PRODUCTS. THIS PROBLEM ARISES BECAUSE OF THE RIGID BUREAUCRATIC STRUCTURES OF THESE ECONOMIES -- A STRUCTURE DESIGNED PRINCIPALLY TO IMPLEMENT THE CENTRAL DIRECTIVES LAID OUT IN THE PLAN, RATHER THAN TO TAKE ADVANTAGE OF COMMERCIAL OPPORTUNITIES WHEN AND WHERE THEY ARISE. IN SEVERAL EASTERN ECONOMIES, INCLUDING THE SOVIET UNION, THERE EXIST FOREIGN TRADING ORGANIZATIONS (FTO'S) WHICH, IN MOST CASES, HAVE BEEN GIVEN MONOPOLY IMPORT OR EXPORT PRIVILEGES FOR CERTAIN PRODUCTS. THESE FTO'S SOMETIMES ACCORD PREFERENTIAL ACCESS TO END-USERS TO CERTAIN WESTERN FIRMS WHILE DENYING SUCH ACCESS TO OTHERS. GENERALLY THE WESTERN FIRM MUST RELY ON THE FTO TO TRANSMIT COMMUNICATIONS TO POTENTIAL CUSTOMERS. THIS ARRANGEMENT INCREASES THE COST OF THE MARKETING COMMUNICATIONS PROCESS AND THE RISK THAT THE WESTERN FIRM'S MESSAGE WILL NOT BE TRANSMITTED ACCURATELY. IT IS ALSO CONTRARY TO GENERALLY ACCEPTED TRADING PRACTICES.

THE EXTENT OF THIS PROBLEM DIFFERS FROM COUNTRY TO COUNTRY. ACCESS TO END-USERS IS REASONABLY GOOD IN POLAND AND ROMANIA, BUT REMAINS QUITE POOR IN THE SOVIET UNION. THE OTHER EASTERN EUROPEAN COUNTRIES LIE SOMEWHERE BETWEEN THESE EXTREMES IN THE MATTER OF ACCESS.

ALTHOUGH THE SOVIET INVASION OF AFGHANISTAN HAS LED TO A SUSPENSION OF MANY U.S. TRADE PROMOTION ACTIVITIES IN THE SOVIET UNION, THE UNITED STATES HAS CONTINUED ITS EFFORTS TO DEVELOP MARKETS IN THE OTHER EAST EUROPEAN COUNTRIES. HOWEVER, EASTERN PERFORMANCE IS STILL INADEQUATE WITH REGARD TO THE BASKET, II PROVISION OF COMMERCIAL AND ECONOMIC INFORMATION. THERE ARE A VARIETY OF REASONS FOR THIS, INCLUDING AN EXAGGERATED CONCERN

FOR NATIONAL SECURITY, AND A DESIRE TO AVOID THE EMBARRASSMENT OF REVEALING PUBLICLY POOR PERFORMANCE IN PARTICULAR SECTORS OF THE ECONOMY. INADEQUATE INFORMATION INCREASES THE COST AND UNCERTAINTY OF DEALING IN EASTERN MARKETS AND NECESSARILY RESULTS IN HIGHER COSTS OF GOODS, SERVICES AND CREDITS.

IN THE SOVIET UNION, PUBLICATION OF ECONOMIC INFORMATION HAS CONTINUED TO DETERIORATE FROM ITS ALREADY POOR STATE. MONTHLY PRODUCTION STATISTICS ARE NO LONGER PUBLISHED. CERTAIN ITEMS ARE NO LONGER PUBLISHED IN THE "FOREIGN TRADE YEARBOOK" WHILE OTHERS HAVE BEEN AGGREGATED INTO LESS USEFUL CATEGORIES. SOME ARE NOW REPORTED BY VALUE ONLY, WITH QUANTITIES OMITTED. PUBLICATION OF ECONOMIC INFORMATION ALSO WORSENEDED IN THE G.D.R., CZECHOSLOVAKIA AND BULGARIA. ROMANIAN PERFORMANCE HAS BEEN ONLY A LITTLE BETTER. ON THE OTHER HAND, RELATIVELY GOOD INFORMATION CONTINUES TO BE PUBLISHED IN POLAND AND HUNGARY.

EASTERN PERFORMANCE ON BUSINESS VISAS HAS SHOWN ONLY A LITTLE PROGRESS DURING THE PAST THREE YEARS. THERE HAVE BEEN NO SIGNIFICANT CHANGES IN PROCEDURES FOR OBTAINING VISAS FOR BUSINESS TRAVEL TO EASTERN COUNTRIES, BUT THE NUMBER OF BUSINESS VISAS BEING ISSUED HAS EXPANDED IN KEEPING WITH THE EXPANSION OF TRADE CONTRACTS. AGREEMENT WAS REACHED IN 1978 BETWEEN THE UNITED STATES AND THE G.D.R. CONCERNING THE RECIPROCAL PROVISION OF MULTIPLE ENTRY VISAS FOR BUSINESS REPRESENTATIVES.

MULTILATERAL COMPLIANCE; ECONOMICS AND ENVIRONMENT

UNITED NATIONS ECONOMIC COMMISSION FOR EUROPE (UNECE)

THE UNITED NATIONS ECONOMIC COMMISSION FOR EUROPE (ECE) HAS WORKED TOWARDS IMPLEMENTATION OF THE FINAL ACT IN SEVERAL AREAS OF BASKET II. ISSUES SUCH AS OBSTACLES TO TRADE, MARKETING, AND LONG-TERM TRADE AND ECONOMIC PROSPECTS HAVE BEEN REVIEWED IN DETAIL AT ECE EXPERTS MEETINGS.

AT THE 34TH SESSION OF THE ECE PLENARY IN APRIL 1979, THE PARTICIPATING MEMBERS PROPOSED AND ACCEPTED THE HOLDING OF FOUR AD HOC EXPERTS MEETINGS UNDER THE AUSPICES OF THE COMMITTEE FOR THE DEVELOPMENT OF TRADE. THESE MEETINGS WERE TO DISCUSS THE IMPORTANT ISSUES OF COUNTERTRADE; ECONOMIC, COMMERCIAL AND ADMINISTRATIVE INFORMATION EXCHANGE; INDUSTRIAL COOPERATION; AND OBSTACLES TO TRADE. IN DECEMBER 1979, AT THE ANNUAL MEETING OF THE TRADE COMMITTEE, TWO OF THESE AD HOC EXPERTS MEETINGS WERE POSTPONED AT THE REQUEST OF THE EAST, LED BY THE SOVIET UNION. THE REMAINING TWO AD HOC MEETINGS HELD IN JUNE AND JULY, 1980, REVIEWED THE ISSUES OF INFORMATION EXCHANGE (GENEVA) AND INDUS-

TRIAL COOPERATION (BULGARIA). THE TIME AND PLACE FOR THE OTHER TWO MEETINGS ON COUNTERTRADE AND OBSTACLES TO TRADE WILL BE RESOLVED AT THE NOVEMBER 1980 MEETING OF THE TRADE COMMITTEE. THE TRADE COMMITTEE HAS MADE PROGRESS IN AT LEAST THREE OTHER AREAS. THESE INCLUDE: THE HARMONIZATION OF STANDARDS; THE FACILITATION OF INTERNATIONAL TRADE PROCEDURES; AND DEVELOPING GUIDELINES FOR INTERNATIONAL CONTRACT PRACTICES.

AS WAS MENTIONED IN THE COMMISSION'S 1977 REPORT, THE DOMINANT POLITICAL DEBATE IN THE ECE HAS REVOLVED AROUND THE HOLDING OF HIGH LEVEL MEETINGS (HLM). AS A RESULT, AN HLM ON THE ENVIRONMENT CONCLUDED THE CONVENTION ON LONG-RANGE TRANSBOUNDARY AIR POLLUTION AND CONSIDERABLE DEBATE REVOLVED AROUND THE FEASIBILITY OF AN HLM ON ENERGY. THE TRANSBOUNDARY AIR POLLUTION CONVENTION WAS THE FIRST CONCRETE RESULT OF THE ECE WORK ON THE ENVIRONMENT. A CONTINUING REVIEW OF ADDITIONAL ENVIRONMENTAL ISSUES, SUCH AS WATER POLLUTION, WAS EMPHASIZED AT THE 35TH PLENARY SESSION. THE AD HOC SENIOR ADVISERS TO ECE GOVERNMENTS ON ENERGY HELD TWO MEETINGS PURSUANT TO THE TASKS ENTRUSTED TO THEM BY THE 34TH SESSION OF THE ECE. INCREASED COOPERATION IN THE FIELD OF ENERGY CONTINUES TO BE A MAJOR OBJECTIVE OF THIS GROUP BUT CANNOT BE ACHIEVED UNTIL A FIRM FOUNDATION FOR EXTENSIVE EXCHANGE OF INFORMATION, VIEWS AND EXPERIENCES AMONG THE MEMBER STATES HAS BEEN ESTABLISHED.

AT THE 35TH PLENARY SESSION OF THE ECE IN APRIL 1980, THE UNITED STATES AND OTHER PARTICIPANTS AGREED THAT CONSIDERATION OF A HIGH LEVEL MEETING ON ENERGY, AS PROPOSED BY THE SOVIET UNION, WOULD HAVE TO BE DEFERRED. THIS DECISION REFLECTED THE INCREASED TENSION IN INTERNATIONAL RELATIONS ENGENDERED BY THE SOVIET INVASION OF AFGHANISTAN.

THE FINAL RESOLUTIONS OF THE 35TH SESSION RECOMMENDED CONTINUED PROGRESS TOWARDS COOPERATION IN THE FIELDS OF ENERGY; TRADE AND INDUSTRIAL COOPERATION; SCIENCE AND TECHNOLOGY; ECONOMIC COOPERATION IN THE MEDITERRANEAN; PREVENTION AND CONTROL OF WATER POLLUTION, INCLUDING TRANSBOUNDARY POLLUTION; AND INTEGRATION OF WORK ON THE ENVIRONMENT WITH VARIOUS SUBGROUPS OF THE ECE. THE FINAL OMNIBUS RESOLUTION NOTED INTER ALIA, THE HOLDING OF THE CSCE SCIENTIFIC FORUM AND CALLED FOR SUPPORT FOR THE UPCOMING CSCE REVIEW MEETING AT MADRID IN NOVEMBER 1980.

ALTHOUGH THERE SEEMS TO HAVE BEEN SOME PROGRESS IN THE IMPLEMENTATION OF THE FINAL ACT PROVISIONS, IT IS QUITE EVIDENT THAT PROGRESS HAS SLOWED IN CERTAIN AREAS, PARTICULARLY ENERGY.

U.S. COMPLIANCE: ECONOMICSIMPOSITION OF SANCTIONS ON THE U.S.S.R.

ALTHOUGH NOT A TREATY ITSELF, THE HELSINKI FINAL ACT IS BASED ON PRINCIPLES OF INTERNATIONAL LAW PRIMARILY EMBODIED IN THE CHARTER OF THE UNITED NATIONS. AS CLEARLY STATED IN PRINCIPLE II OF THE FINAL ACT AND ARTICLE 2 OF THE CHARTER: "THE PARTICIPATING STATES WILL REFRAIN IN THEIR MUTUAL RELATIONS, AS WELL AS IN THEIR INTERNATIONAL RELATIONS IN GENERAL, FROM THE THREAT OR USE OF FORCE AGAINST THE TERRITORIAL INTEGRITY OR POLITICAL INDEPENDENCE OF ANY STATE..." THIS GUIDING PRINCIPLE, ALONG WITH OTHERS RELATING SPECIFICALLY TO THE OBLIGATIONS OF ALL NATIONS, ESPECIALLY THOSE SIGNATORY TO THE FINAL ACT, WAS AND IS BEING VIOLATED BY THE SOVIET UNION IN ITS UNLAWFUL INVASION AND OCCUPATION OF AFGHANISTAN.

EARLY IN 1980, THE UNITED STATES TOOK A SERIES OF ACTIONS DESIGNED BOTH TO SHOW ITS DISPLEASURE WITH THE SOVIET AGGRESSION AND TO IMPOSE A COST ON THE SOVIETS FOR TAKING THAT ACTION. NONE OF THE ACTIONS TAKEN BY THE UNITED STATES IS EXPRESSLY PROHIBITED BY THE FINAL ACT. FURTHERMORE, THIS MEASURED REACTION OF RESTRICTING ECONOMIC COOPERATION ON A BILATERAL BASIS IS IN COMPLIANCE WITH ACCEPTED PRINCIPLES OF RECOURSE UNDER INTERNATIONAL LAW AS EMBODIED IN RESOLUTIONS OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

IN SUPPLEMENTARY TESTIMONY SUBMITTED TO THE CSCE COMMISSION ON MARCH 6, 1980, ACTING DEPUTY ASSISTANT SECRETARY OF COMMERCE J. MISHALL GEORGE STATED:

"THE HELSINKI ACCORDS PROVIDE A BLUEPRINT FOR STEADILY INCREASING ECONOMIC COOPERATION ON THE BASIS OF RESPECT FOR THE NORMS OF INTERNATIONAL CONDUCT. SOVIET ACTIONS HAVE REGRETTABLY UNDERMINED THE POSSIBILITIES FOR EXPANDING OUR ECONOMIC AND COMMERCIAL COOPERATION WITH THE SOVIET UNION AT THIS TIME, WHILE UNDERLINING THE NEED FOR US TO CONTINUE WITH OUR COOPERATIVE ENDEAVORS WITH THE EASTERN EUROPEAN COUNTRIES."

THE PRINCIPAL ACTIONS TAKEN BY PRESIDENT CARTER INCLUDE AN EMBARGO ON THE EXPORT OF SOME AGRICULTURAL GOODS; A TIGHTENING OF EXPORT CONTROLS; AN EMBARGO ON THE EXPORT OF PHOSPHATE AND PHOSPHATE PRODUCTS; AND RESTRICTIONS ON SOVIET FISHING IN U.S.

WATERS. IN THE AREA OF SCIENTIFIC COOPERATION, THE PRESIDENT HAS POSTPONED INDEFINITELY ALL OFFICIAL HIGH LEVEL MEETINGS AND HAS ASKED THAT LOWER LEVEL MEETINGS BE EXAMINED ON A CASE-BY-CASE BASIS. LOWER LEVEL MEETINGS ARE TO BE POSTPONED UNLESS THERE IS A PARTICULAR SCIENTIFIC BENEFIT ON THE U.S. SIDE, OR UNLESS THE MEETING WOULD CONSIDER MATTERS OF A HUMANITARIAN NATURE.

THE ACTIONS TAKEN BY THE PRESIDENT DO NOT MOVE THE BILATERAL RELATIONSHIP IN THE DIRECTION IN WHICH THE COMMISSION WOULD HAVE PREFERRED TO SEE IT DEVELOP, EITHER IN AREAS COVERED BY THE FINAL ACT OR IN OTHER AREAS. BUT GIVEN THE SOVIET ACTION IN AFGHANISTAN, THE COMMISSION SUPPORTED THE PRESIDENT'S COUNTER-MEASURES BY ADOPTING A RESOLUTION, PROPOSED AT A JANUARY 24, 1980 HEARING, BY REPRESENTATIVE AND CSCE COMMISSIONER MILLICENT FENWICK (R-N.J.). REFERRING TO THE INVASION OF AFGHANISTAN, AS WELL AS TO THE SOVIET EXILE OF ANDREI SAKHAROV AND THE CONTINUING VIOLATIONS OF BOTH PRINCIPLE VII AND BASKET III, THE RESOLUTION SAYS IN PART:

"...THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE CALLS UPON THE PRESIDENT OF THE UNITED STATES AND THE SECRETARY OF STATE TO PROTEST IN THE STRONGEST POSSIBLE TERMS AND AT THE HIGHEST LEVELS, THESE UNWARRANTED AND INEXCUSABLE BREACHES OF THE PROMISES THAT WERE MADE AT HELSINKI; AND

"BE IT FURTHER RESOLVED THAT THE COMMISSION URGES THE PRESIDENT AND SECRETARY OF STATE TO CALL UPON ALL OTHER SIGNATORY NATIONS OF THE FINAL ACT TO JOIN IN SUCH PROTESTS AND TO TAKE SIMILAR ACTIONS, INCLUDING REFUSAL TO PARTICIPATE IN THE MOSCOW OLYMPICS, SUSPENSION OF APPROPRIATE TRADE, ECONOMIC AND COMMERCIAL ACTIVITIES WITH THE SOVIET UNION, AND SUCH OTHER SANCTIONS AGAINST THE SOVIET UNION AS MAY BE AVAILABLE TO THEM ..."

AT THE SAME TIME, THE COMMISSION SUPPORTS THE ADMINISTRATION'S EFFORTS TO LEAVE INTACT THE AGREEMENTS AND INSTITUTIONS THAT HAVE BEEN SO ARDUOUSLY NEGOTIATED WITH THE SOVIET UNION IN RECENT YEARS. IT IS THE HOPE OF THE COMMISSION THAT SOVIET ACTIONS IN FULFILLMENT OF ITS COMMITMENTS UNDER THE HELSINKI FINAL ACT WILL MAKE IT POSSIBLE TO RESUME POSITIVE DEVELOPMENT

OF THE BILATERAL RELATIONSHIP BOTH WITHIN THE HELSINKI PROCESS AND IN OTHER AREAS.

THE TRADE AGREEMENTS ACT OF 1979

THE PASSAGE OF PUBLIC LAW 96-39 -- THE TRADE AGREEMENTS ACT OF 1979 -- WAS A SIGNIFICANT STEP TOWARD GREATER U.S. PARTICIPATION IN A MORE LIBERAL WORLD TRADING SYSTEM. THE ACT APPROVES AND IMPLEMENTS THE TRADE AGREEMENTS NEGOTIATED BY THE UNITED STATES IN THE TOKYO ROUND OF MULTILATERAL TRADE NEGOTIATIONS (MTN). THE ACT EFFECTS A NUMBER OF CHANGES IN EXISTING U.S. TRADE LAWS NECESSARY TO IMPLEMENT THE AGREEMENTS. IN PARTICULAR, IT EFFECTS MAJOR CHANGES IN EXISTING U.S. TRADE LAWS PERTAINING TO COUNTERVAILING AND ANTIDUMPING DUTIES; CUSTOMS VALUATION; AND GOVERNMENT PROCUREMENT. FINALLY, THE ACT MANDATES THE REORGANIZATION OF THE U.S. GOVERNMENT'S INTERNATIONAL TRADE FUNCTIONS.

THE BENEFICIAL EFFECTS OF THE MTN ARE NOT CONFINED TO MARKET ECONOMY COUNTRIES. THE TARIFF REDUCTIONS WILL BE EXTENDED TO THOSE EASTERN COUNTRIES THAT ARE MEMBERS OF THE GENERAL AGREEMENT ON TARIFFS AND TRADE (GATT) -- POLAND, HUNGARY AND ROMANIA. IN ADDITION, HUNGARY AND ROMANIA ARE EXPECTED TO SIGN SOME OF THE CODES AND ARRANGEMENTS WHICH WERE NEGOTIATED TO REDUCE NON-TARIFF BARRIERS IN SUCH AREAS AS LICENSING, STANDARDS AND TRADE IN MEAT AND DAIRY PRODUCTS. BULGARIA, WHICH IS NOT A GATT MEMBER ALSO MAY BE WILLING TO TAKE ON THE RIGHTS AND OBLIGATIONS INHERENT IN PARTICIPATION IN SOME OF THE CODES. POLAND HAS NOT SIGNED ANY OF THE CODES, BUT IS AN OBSERVER IN THE COMMITTEES WHICH WERE SET UP TO OVERSEE MOST OF THEM.

ON JANUARY 2, 1980, PRESIDENT CARTER SIGNED THE EXECUTIVE ORDER IMPLEMENTING A MAJOR REORGANIZATION AND STRENGTHENING OF THE U.S. GOVERNMENT'S INTERNATIONAL TRADE FUNCTIONS. THE REORGANIZATION WAS DESIGNED TO EXPAND EXPORTS, IMPROVE ENFORCEMENT OF U.S. TRADE LAWS, AND UPGRADE GOVERNMENT TRADE ACTIVITIES. THESE CHANGES CHIEFLY AFFECTED THE OPERATIONS OF THE SPECIAL TRADE REPRESENTATIVE -- NOW THE U.S. TRADE REPRESENTATIVE -- AND THE DEPARTMENT OF COMMERCE.

UNDER THE REORGANIZATION PLAN, THE OFFICE OF THE U.S. TRADE REPRESENTATIVE ASSUMED LEADERSHIP IN TRADE POLICY, BOTH INDUSTRIAL AND AGRICULTURAL, AND HAS LEAD RESPONSIBILITY FOR TRADE NEGOTIATIONS. THE DEPARTMENT OF COMMERCE, IN ADDITION TO ITS MAJOR RESPONSIBILITIES IN TRADE PROMOTION, TRADE ADJUSTMENT ASSISTANCE, AND EXPORT CONTROL, BECAME RESPONSIBLE UNDER THE REORGANIZATION FOR NON-AGRICULTURAL TRADE POLICY IMPLEMENTATION IN GENERAL. THE INTERNATIONAL TRADE ADMINISTRATION WAS CREATED

WITHIN THE DEPARTMENT OF COMMERCE TO ASSURE COORDINATION OF ALL FUNCTIONS RELATED TO INTERNATIONAL TRADE.

IMPORT POLICY

No new market disruption or injury complaints have been brought against the East European countries since the Commission published its November 1979 domestic compliance report. The market disruption case against Soviet ammonia which was in progress at the time of that report has since been resolved in favor of continued trade. This case is significant because it is the largest transaction between the United States and the Soviet Union. Total trade under this agreement was expected to reach 20 billion dollars during the next 20 years.

In July 1979, U.S. ammonia producers filed a petition with the U.S. International Trade Commission (USITC) asking for relief from imports of Soviet ammonia. These imports had increased significantly in accordance with an agreement signed by the Occidental Petroleum Company and the U.S.S.R. several years earlier. In October 1979, the ITC agreed that relief was warranted, and recommended to the President that quotas be imposed on the import of Soviet ammonia in each of the years 1980, 1981 and 1982. On December 11, 1979, the President decided that relief would not be in the best interests of the United States.

However, on January 18, 1980, President Carter stated that events had changed international economic conditions and he imposed, on a temporary basis, the quota that had been recommended earlier for 1980. The President then asked the ITC to re-examine the situation and to submit its further recommendations. On March 28, the ITC found that imports of Soviet ammonia were not causing market disruption. The temporary quota was lifted in April 1980.

BUSINESS VISAS

In January 1980, American Embassies began implementing new procedures for processing business visas to East European travelers. Prospective visitors are now required to file a detailed itinerary and specify the nature of their discussions with U.S. firms. The decision to go forward with these procedures was based on long-standing national security concerns, and was unrelated to the Soviet invasion of Afghanistan. The criteria for the issuance of business visas have not been

CHANGED, AND THE NEW REQUIREMENTS DO NOT APPEAR TO HAVE AFFECTED THE LEVEL OF BUSINESS TRAVEL TO THE UNITED STATES.

IN ADDITION, THERE HAVE BEEN COMPLAINTS ABOUT THE ISSUANCE OF L-1 VISAS TO BUSINESS VISITORS ON INTRACOMPANY TRANSFER TO THE UNITED STATES. SUCH VISAS ARE SOMETIMES DELAYED FOR LONG PERIODS WITHIN THE IMMIGRATION AND NATURALIZATION SERVICE (INS), PRINCIPALLY BECAUSE THERE IS A LACK OF GOOD INFORMATION ON U.S. FIRMS THAT ARE OWNED OR CONTROLLED BY THE EAST EUROPEAN COUNTRIES.

THE UNITED STATES HAS ATTEMPTED TO EASE THIS PROBLEM BY OFFERING TO ISSUE MULTIPLE ENTRY VISAS FOR BUSINESS VISITORS FROM COUNCIL FOR MUTUAL ECONOMIC ASSISTANCE (CMEA) STATES ON A RECIPROCAL BASIS.

UNDER THE EXISTING REGULATIONS, ECONOMIC OR FOREIGN POLICY CONCERNS MAY NOT BE CONSIDERED IN MAKING DECISIONS ON VISA APPLICANTS WHO MAY POSE A NATIONAL SECURITY RISK. THE COMMISSION CONTINUES TO BELIEVE THAT THE APPROPRIATE BODIES IN CONGRESS SHOULD RE-EXAMINE THE RELEVANT PROVISIONS OF THE IMMIGRATION AND NATIONALITY ACT TO ALLOW FOR CONSIDERATION OF OTHER CRITERIA AND TO ENSURE THAT VISA REQUESTS ARE PROCESSED AS EXPEDITIOUSLY AS POSSIBLE.

MULTILATERAL ACTIVITIES

THE UNITED STATES CO-SPONSORED A RESOLUTION IN 1979 RELATING TO THE EFFICIENT USE OF ECONOMIC COMMISSION FOR EUROPE RESOURCES. AS A RESULT, THE ECE SECRETARIAT HAS TAKEN SEVERAL STEPS. THE BUDGET SUBMITTED BY THE ECE REPRESENTED AN EXAMPLE OF SOUND FINANCIAL MANAGEMENT. EFFICIENCIES HAVE BEEN ACHIEVED BY BETTER UTILIZATION OF STAFF RESOURCES AND IN REDUCING THE NUMBERS OF MEETINGS HELD THROUGHOUT THE YEAR.

AT THE SAME TIME, THE UNITED STATES HAS ACTIVELY PARTICIPATED IN THE ACTIVITIES OF ALL 15 PRINCIPAL SUBSIDIARY BODIES OF THE ECE. SPECIAL NOTE WAS MADE BY THE U.S. DELEGATION AT THE 35TH PLENARY SESSION OF THE WORK ACCOMPLISHED THROUGH THE COMMITTEE ON INLAND TRANSPORT; THE TIMBER COMMITTEE; THE AD HOC SENIOR ADVISORS TO ECE GOVERNMENTS ON ENERGY; THE HIGH LEVEL MEETING ON THE ENVIRONMENT; AND THE ECE'S CONTRIBUTION TO THE WORLD CONFERENCE OF THE UNITED NATIONS DECADE FOR WOMEN.

TOURISM

ALTHOUGH BASKET II AND BASKET III OF THE FINAL ACT COMMIT THE SIGNATORIES TO COOPERATION IN THE FIELD OF TOURISM PROMOTION

AND FACILITATION, PROGRESS HAS BEEN SLOW; TANGIBLE RESULTS HAVE BEEN LIMITED.

TOURISM OFFICIALS FROM THE UNITED STATES AND THE U.S.S.R. MET SEVERAL TIMES PRIOR TO THE SOVIET INVASION OF AFGHANISTAN. A TOURISM COMMITTEE, ESTABLISHED UNDER THE AEGIS OF THE U.S.-SOVIET TRADE AND ECONOMIC COUNCIL, MET IN MARCH AND DECEMBER 1978. THE COMMITTEE DISCUSSED SUCH MATTERS AS NON-CURRENCY TOURIST EXCHANGE AND HOTEL COOPERATION. DURING THESE DISCUSSIONS, IT BECAME APPARENT THAT IT WOULD BE NECESSARY TO WORK TOWARD HARMONIZATION OF THE TWO COUNTRIES' TOURISM STATISTICS. A FIRST STEP IN THIS DIRECTION WAS TAKEN IN OCTOBER 1979 WHEN OFFICIALS FROM THE U.S. TRAVEL SERVICE, THE CUSTOMS SERVICE AND INS TRAVELED TO MOSCOW FOR DISCUSSIONS WITH THEIR COUNTERPARTS. UNFORTUNATELY, THE COOPERATIVE ACTIVITIES AGREED ON AT THAT MEETING HAVE BEEN INTERRUPTED BY THE SOVIET OCCUPATION OF AFGHANISTAN.

SOVIET UNWILLINGNESS TO ALLOCATE CONVERTIBLE CURRENCY FOR TOURIST TRAVEL ABROAD AND TO PERMIT SOVIET CITIZENS TO TRAVEL FREELY OUTSIDE THE U.S.S.R. HAVE CONSTITUTED A MAJOR IMPEDIMENT TO THE DEVELOPMENT OF SOVIET TRAVEL TO THE UNITED STATES. THESE TWO FACTORS ALSO CONTRIBUTED TO THE DECISION OF PAN AMERICAN AIRWAYS TO WITHDRAW IN OCTOBER 1978 FROM THE U.S.-SOVIET MARKET.

SCIENTIFIC COOPERATION

EAST-WEST SCIENTIFIC INTERCHANGE HAS BROADENED CONSIDERABLY SINCE THE CONCLUSION OF THE FINAL ACT. IN THE YEARS SINCE THE BELGRADE REVIEW CONFERENCE, THE UNITED STATES HAS DEVELOPED PROGRAMS OF COOPERATION WITH HUNGARY AND BULGARIA (TO IMPLEMENT UMBRELLA AGREEMENTS CONCLUDED WITH THESE COUNTRIES IN 1977) AND HAS DISCUSSED NEGOTIATIONS ON A CULTURAL AND SCIENTIFIC AGREEMENT WITH THE GERMAN DEMOCRATIC REPUBLIC. IN 1978, A MODEST EXCHANGE PROGRAM WAS DEVELOPED BETWEEN THE U.S. NATIONAL ACADEMY OF SCIENCES AND ITS G.D.R. COUNTERPART.

ACTIVITIES HAVE CONTINUED UNDER THE 11 U.S.-SOVIET BILATERAL SCIENTIFIC EXCHANGE AGREEMENTS AS WELL. SINCE BELGRADE, FOUR OF THESE -- IN AGRICULTURE, TRANSPORTATION, WORLD OCEANS AND ENERGY -- HAVE BEEN RENEWED. HOWEVER, THE SOVIET INVASION OF AFGHANISTAN RECENTLY CAUSED A SIGNIFICANT REDUCTION IN THE LEVEL OF SUCH CONTACTS.

A PARTICULARLY NOTEWORTHY EVENT IN THE PERIOD UNDER REVIEW WAS THE CSCE SCIENTIFIC FORUM, A MEETING MANDATED BY THE FINAL ACT AND HELD IN HAMBURG, F.R.G., IN FEBRUARY 1980. AT THE FORUM, SCIENTISTS FROM ALL THIRTY-FIVE PARTICIPATING STATES MET FOR TWO

WEEKS TO DISCUSS OPPORTUNITIES FOR INCREASED COLLABORATION, AS WELL AS CURRENT DEVELOPMENTS IN FOUR SPECIFIC SCIENTIFIC AREAS: ENERGY, FOOD PRODUCTION, MEDICINE AND THE HUMANITIES AND SOCIAL SCIENCES. THE U.S. DELEGATION WAS LED BY DR. PHILIP HANDLER, PRESIDENT OF THE NATIONAL ACADEMY OF SCIENCES.

MEETING JUST WEEKS AFTER THE EXILE OF ANDREI SAKHAROV, SCIENTISTS AT THE FORUM VOICED DISMAY AT SOVIET TREATMENT OF THEIR COLLEAGUE AND AT SOVIET PRACTICES RESTRICTING SCIENTIFIC INTERCHANGE IN GENERAL. THE RESULT WAS A FINAL DOCUMENT WHICH ASSERTED THAT "RESPECT FOR HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS BY ALL STATES REPRESENTS ONE OF THE FOUNDATIONS FOR A SIGNIFICANT IMPROVEMENT OF THEIR MUTUAL RELATIONS, AND OF INTERNATIONAL SCIENTIFIC COOPERATION AT ALL LEVELS." THE SCIENTISTS ALSO CALLED FOR "EQUITABLE OPPORTUNITIES FOR SCIENTIFIC RESEARCH AND FOR WIDER COMMUNICATION AND TRAVEL..."

WHILE SOME PROGRESS HAS BEEN REGISTERED IN EXPANDING RELATIONS WITH EASTERN EUROPE, LITTLE HAS BEEN MADE IN RESOLVING THESE THORNIER ISSUES OF EAST-WEST EXCHANGE AND CSCE IMPLEMENTATION. THE PROBLEMS ARE PARTICULARLY ACUTE IN THE U.S.-SOVIET RELATIONSHIP. THE EXCHANGE OF SCIENTIFIC DATA AND INFORMATION CONTINUES TO BE HAMPERED BY THE BROAD SOVIET DEFINITION OF "STATE SECURITY" AND U.S. SCIENTIFIC JOURNALS STILL EXPERIENCE EXTENSIVE CENSORSHIP IN THE U.S.S.R. SOVIET AUTHORITIES REFUSE TO PERMIT JEWISH REFUSENIK SCIENTISTS EITHER TO EMIGRATE OR TO WORK IN THEIR PROFESSIONS. THIS, COUPLED WITH THE ARRESTS AND IMPRISONMENT OF SOVIET SCIENTISTS FOR "ACTS OF CONSCIENCE," HAS TURNED MANY U.S. SCIENTISTS AGAINST COLLABORATION WITH SOVIET COLLEAGUES. IN FACT, THE DISILLUSIONMENT OF INDIVIDUAL AMERICAN SCIENTISTS POSES PERHAPS THE GREATEST THREAT TO THE CONTINUED VIABILITY OF U.S.-SOVIET SCIENTIFIC COOPERATION.

SUCH DISILLUSIONMENT HAS YET TO STRIKE THE EAST EUROPEAN PROGRAMS. TO SOME EXTENT THIS MAY BE A FUNCTION OF THE RELATIVELY LOW LEVEL OF EXCHANGES WHICH CURRENTLY TAKE PLACE BETWEEN U.S. SCIENTISTS AND THEIR COUNTERPARTS IN THESE COUNTRIES; AMERICANS MAY SIMPLY BE UNAWARE OF RESTRICTIONS PLACED ON EASTERN COLLEAGUES. ON THE OTHER HAND, MANY OF THESE COUNTRIES, PARTICULARLY HUNGARY AND POLAND, APPEAR TO PURSUE POLICIES WHICH ARE MORE LIBERAL THAN THOSE OF THEIR SOVIET ALLY.

EASTERN COMPLIANCE: SCIENCEINFORMATION

OPENNESS IN SCIENTIFIC INFORMATION AND DATA EXCHANGE HAS REMAINED A PROBLEM OF U.S.-SOVIET COOPERATION IN THE LAST THREE YEARS. WHILE AN EXCESSIVE SENSE OF NATIONAL SECURITY CAN EXPLAIN MUCH OF THE SOVIET RESERVE IN THIS AREA, UNILATERAL RESTRICTIONS ON DATA EXCHANGE ARE, NONETHELESS, INCONSISTENT WITH THE FINAL ACT AND DETRIMENTAL TO THE CONDUCT OF EXCHANGES.

SOVIET FAILURE TO COMPLY WITH COMMITMENTS TO PROVIDE DATA ON THE SOVIET ENERGY BALANCE FOR THE YEARS 1980-2000 LED THE UNITED STATES IN THE LATTER PART OF 1979 TO SUSPEND ACTIVITY IN TWO AREAS OF THE BILATERAL ENERGY AGREEMENT.¹ ANALOGOUS INFORMATION FOR THE UNITED STATES WAS AVAILABLE TO THE SOVIET SIDE -- IN A LARGE MEASURE BECAUSE THE UNITED STATES GENERALLY IMPOSES NO RESTRICTIONS ON SUCH DATA. FOR EXAMPLE, THE NATIONAL TECHNICAL INFORMATION SERVICE (NTIS) HAS GENERALLY MADE ITS HOLDINGS AVAILABLE -- FOR A FEE -- TO ANY INTERNATIONAL SUBSCRIBERS. IN CONTRAST, THE SOVIET SCIENTIFIC INFORMATION CENTER, VINITSI, HAS REMAINED CLOSED TO WESTERN SCIENTISTS, DESPITE REPEATED REQUESTS FOR RECIPROCITY. HOWEVER, SINCE THE INVASION OF AFGHANISTAN RESTRICTIONS ALSO HAVE BEEN PLACED ON SOVIET ACCESS TO NTIS DATA.

FINALLY, SOVIET AUTHORITIES HAVE CONTINUED THEIR PRACTICE OF CENSORING WESTERN SCIENTIFIC JOURNALS REPRINTED FOR DISTRIBUTION IN THE U.S.S.R. THE FEBRUARY 9, 1979, EDITION OF SCIENCE MAGAZINE -- AN ISSUE DEVOTED TO CHINESE SCIENCE -- EMERGED WITH ONLY 12 OF 35 PAGES INTACT.

MOVEMENT OF SCIENTISTS

OBSTACLES TO TRAVEL BY SOVIET SCIENTISTS HAVE CONTINUED TO BE A PROBLEM OF COOPERATION IN THE PERIOD UNDER REVIEW. IN 1978, FOR EXAMPLE, THE INSTITUTE FOR ELECTRICAL AND ELECTRONICS ENGINEERS' (IEEE) INFORMATION THEORY GROUP SUSPENDED ITS U.S.S.R. PROGRAM WHEN THE SOVIETS WITHDREW THEIR TWO LEADING SPECIALISTS (ONE OF WHOM WAS JEWISH) FROM A WORKSHOP DELEGATION. IEEE IRE WAS AROUSED WHEN THE SOVIETS ATTEMPTED TO ARRIVE IN THE UNITED STATES WITHOUT INFORMING WORKSHOP ORGANIZERS OF THE CHANGE. ALTHOUGH SUCH INCIDENTS HAVE BECOME LESS FREQUENT IN RECENT YEARS, THE FACT THAT THEY OCCUR AT ALL IS INCONSISTENT WITH THE STANDARDS OF THE FINAL ACT.

THE IEEE EXPERIENCE WAS TYPICAL IN ONE SENSE. SOVIET AUTHORITIES HAVE CONTINUED TO DEMONSTRATE A SYSTEMATIC RELUC-

TANCE TO GIVE JEWISH SCIENTISTS PERMISSION TO TRAVEL OR INDEED TO EMIGRATE. AT THE SAME TIME, IT SHOULD BE NOTED THAT JEWISH SCIENTISTS HAVE AT LEAST SOME CHANCE OF LEAVING THE U.S.S.R. THIS IS AN OPTION WHICH IS VIRTUALLY CLOSED TO SCIENTISTS OF OTHER ETHNIC BACKGROUNDS.

SOVIET TREATMENT OF JEWISH REFUSENIK SCIENTISTS HAS UNDERGONE LITTLE CHANGE IN THE LAST THREE YEARS. LONGSTANDING CASES OF VISA DENIAL, SUCH AS THOSE OF ALEKSANDR LERNER AND VLADIMIR PRESTIN, BOTH OF WHOM HAVE BEEN REFUSED EXIT PERMISSION FOR NINE YEARS, REMAIN UNRESOLVED. SUCH SCIENTISTS ARE STILL DENIED THE RIGHT TO WORK IN THEIR PROFESSIONS, TO PARTICIPATE IN SCIENTIFIC CONFERENCES, OR TO MAINTAIN CONTACTS WITH COLLEAGUES ABROAD. DELIVERY OF BOTH SCIENTIFIC AND PERSONAL MAIL IS BLOCKED AND TELEPHONES ARE OFTEN DISCONNECTED.

THE EXPERIENCE OF PROFESSOR NAUM MEIMAN IS SHARED BY MANY REFUSENIK SCIENTISTS. REFUSED EXIT PERMISSION FOR FOUR AND ONE-HALF YEARS ON GROUNDS OF STATE SECRECY, MEIMAN LAST HAD ACCESS TO CLASSIFIED MATERIAL 25 YEARS AGO. SINCE THAT TIME, HIS RESEARCH HAS BEEN OPENLY PUBLISHED IN INTERNATIONAL SCIENTIFIC JOURNALS. BARRED FROM SCIENTIFIC PURSUITS AND SUBJECT TO SUCH HARASSMENT AS FREQUENT HOUSE ARREST, MEIMAN IS THE LAST OF HIS IMMEDIATE FAMILY TO REMAIN IN THE U.S.S.R. HIS POOR HEALTH, AS WELL AS HIS ADVANCED AGE (69), HAVE AROUSED THE CONCERN OF FOREIGN COLLEAGUES. OVER 800 AMERICAN SCIENTISTS RECENTLY ANNOUNCED A DAY OF INTERNATIONAL SOLIDARITY WITH PROFESSOR MEIMAN, ADDRESSING APPEALS ON HIS BEHALF TO SECRETARY BREZHNEV AND SOVIET ACADEMY OF SCIENCES PRESIDENT ALEKSANDROV.

TWO RECENT ACTIONS BY SOVIET AUTHORITIES ARE RARE, BUT NOTABLE EXCEPTIONS TO THE TREATMENT NORMALLY ACCORDED REFUSENIK SCIENTISTS.

IN 1978, PROFESSOR BENJAMIN LEVICH, A RESPECTED PHYSICIST, WAS GIVEN PERMISSION TO JOIN HIS FAMILY IN ISRAEL. THE LEVICH CASE HAD BEEN THE SUBJECT OF WIDESPREAD PROTEST BY SCIENTISTS IN THE UNITED STATES AND WESTERN EUROPE, WHO DECRIED HIS SEVEN-YEAR WAIT.

THEN, IN APRIL 1980, AUTHORITIES DECIDED NOT TO BLOCK THE FOURTH INTERNATIONAL CONFERENCE OF THE MOSCOW SUNDAY SEMINAR, A MEETING HOSTED BY REFUSENIK SCIENTISTS TO ENABLE THEM TO KEEP ABREAST OF CURRENT SCIENTIFIC DEVELOPMENTS. THE DECISION TO ALLOW THE MEETING TO PROCEED SEEMS TO HAVE BEEN A REVERSAL OF EARLIER POLICY AS SIGNALLED BY THE ARREST, THEN SUDDEN RELEASE, OF CONFERENCE ORGANIZER, DR. VIKTOR BRAILOVSKY.² ALTHOUGH A LARGER NUMBER OF WESTERN SCIENTISTS THAN EVER BEFORE WERE GIVEN VISAS TO ATTEND THE MEETING, SOVIET CONDUCT WAS STILL

FAR FROM THAT SUGGESTED BY THE FINAL ACT. IN ADDITION TO BRAILOVSKY'S ARREST, 19 WESTERN SCIENTISTS (INCLUDING SEVEN AMERICANS) WERE BARRED FROM ENTERING THE U.S.S.R. AND KGB SEARCHES BEFORE THE MEETING RESULTED IN CONFISCATION OF SEVERAL RESEARCH PAPERS. IN PAST YEARS, HOWEVER, THE SEMINAR HAS BEEN ENTIRELY ABORTED -- OR FOREIGN ATTENDEES HAVE BEEN TURNED BACK UPON REACHING THE U.S.S.R. THUS, THE SOVIET DECISION TO RELEASE BRAILOVSKY AND TO ALLOW THE SEMINAR TO TAKE PLACE WAS SEEN BY SOME AS A POSITIVE STEP AND AS AN INDICATION OF THE IMPORTANCE OF SCIENTIFIC EXCHANGE TO THE SOVIETS.

RECENT REPORTS INDICATE THAT SOVIET AUTHORITIES MAY BE CONTEMPLATING A TACTICAL CHANGE IN POLICY TOWARD REFUSENIKS, AMONG THEM REFUSENIK SCIENTISTS. IN JULY 1980, MOSCOW SOURCES REPORTED THAT PROFESSOR YURI GOLFAND, A PHYSICIST RECENTLY THREATENED WITH ARREST ON CHARGES OF PARASITISM, HAD BEEN INVITED TO RETURN TO HIS OLD JOB AT MOSCOW'S LEBEDEV INSTITUTE. HOWEVER, GOLFAND REPORTEDLY WAS ALSO ADVISED THAT HIS ACTUAL PRESENCE AT WORK WAS NOT NECESSARY. A SLIGHTLY DIFFERENT SITUATION HAS BEEN OBSERVED IN UKRAINE. THERE AUTHORITIES HAVE INFORMED REFUSENIKS THAT THEIR JOBS WOULD BE RETURNED BUT ONLY UPON WITHDRAWAL OF THEIR EMIGRATION REQUESTS.

HUMAN RIGHTS OF SCIENTISTS

SCIENTISTS COMPRISE AN UNUSUALLY HIGH PERCENTAGE OF THOSE SOVIET CITIZENS WHO HAVE SPOKEN OUT ON BEHALF OF CIVIL AND NATIONAL RIGHTS IN THE U.S.S.R. THE REASONS FOR THIS ARE A MATTER OF DEBATE. THE RESULT, HOWEVER, HAS BEEN AN INCREASING INCIDENCE OF ARRESTS AND CONVICTIONS OF SCIENTISTS ON POLITICAL GROUNDS.

THIS TREND HAS INTENSIFIED SINCE THE CLOSE OF THE BELGRADE CONFERENCE. THE COMMISSION IS AWARE OF AT LEAST 20 SCIENTISTS WHO HAVE BEEN ARRESTED OR SENTENCED TO TERMS RANGING FROM EXILE TO 13 YEARS IMPRISONMENT. MANY OF THESE CASES ARE WELL-KNOWN AND HAVE BEEN TREATED ELSEWHERE IN THIS REPORT: NOBEL LAUREATE ANDREI SAKHAROV, EXILED WITHOUT TRIAL TO THE CLOSED CITY OF GORKY; PHYSICIST YURI ORLOV, SEVEN YEARS LABOR CAMP AND FIVE YEARS EXILE; AND ANATOLY SHCHARANSKY, A CYBERNETICIST, THREE YEARS PRISON AND 10 YEARS CAMP.

OTHER CASES ARE LESS WELL-KNOWN. DR. YURI KUKK, A PHYSICAL CHEMIST AND LECTURER AT TARTU UNIVERSITY, ESTONIA, WAS ARRESTED ON MARCH 13, 1980. AT LAST REPORT, HE WAS UNDERGOING PSYCHIATRIC INVESTIGATION. DR. ROLLAN KADYEV, A PHYSICIST AND LECTURER AT SAMARKAND STATE UNIVERSITY, WAS SENTENCED TO THREE YEARS

STRICT REGIMEN CAMP ON JANUARY 4, 1980. ON APRIL 25, 1980, GEOPHYSICIST IOSIF DYADKIN WAS ARRESTED IN KALININ AND CHARGED WITH DISSEMINATION OF ANTI-SOVIET FABRICATIONS. FINALLY, MATHEMATICIAN ALEKSANDR LAVUT WAS ARRESTED ON APRIL 29, 1980.

ACTIONS SUCH AS THESE HAVE LED U.S. SCIENTISTS TO CANCEL TRIPS TO THE SOVIET UNION, TO BREAK OFF JOINT PROJECTS, AND TO DECLARE PERSONAL AND INSTITUTIONAL MORATORIA ON EXCHANGES WITH THE U.S.S.R. IN THE WAKE OF THE TRIALS OF ANATOLY SHCHARANSKY AND YURI ORLOV IN THE SPRING OF 1978, SOME 2,400 AMERICAN SCIENTISTS SIGNED A PLEDGE NOT TO PARTICIPATE IN CONFERENCES IN THE U.S.S.R. SOME 1,700 OF THE GROUP -- WHICH DUBBED ITSELF SCIENTISTS FOR ORLOV AND SHCHARANSKY (SOS) -- FURTHER DECLARED THAT THEY WOULD ENGAGE IN NO COOPERATIVE ACTIVITY WITH SOVIET SCIENTISTS UNTIL THEIR COLLEAGUES WERE RELEASED.

AS WIDESPREAD AS THIS PROTEST WAS, IT HAS BEEN OVERSHADOWED BY THE ACTIONS U.S. SCIENTISTS TOOK FOLLOWING ANDREI SAKHAROV'S FORCED EXILE TO GORKY. SOS, RENAMED SCIENTISTS FOR SAKHAROV, ORLOV AND SHCHARANSKY, ISSUED AN APPEAL TO U.S. AND WEST EUROPEAN SCIENTISTS TO JOIN AN EXCHANGE MORATORIUM BEGINNING MAY 12, 1980 (THE FOURTH ANNIVERSARY OF THE MOSCOW HELSINKI MONITORING GROUP) AND ENDING WITH THE CLOSE OF THE MADRID MEETING. IN THE FIRST THREE WEEKS OF THE CAMPAIGN, 26 NOBEL LAUREATES AND SEVERAL THOUSAND U.S. AND EUROPEAN SCIENTISTS HAD RESPONDED TO THE APPEAL.

PROFESSIONAL SCIENTIFIC SOCIETIES AND INSTITUTIONS HAVE ALSO REACTED SHARPLY TO THE ACTION AGAINST SAKHAROV. IN AN UNPRECEDENTED GESTURE, THE NATIONAL ACADEMY OF SCIENCES ANNOUNCED A SIX-MONTH SUSPENSION OF JOINT SEMINARS AND SYMPOSIA WITH THE SOVIETS. THE SUSPENSION WAS THE FIRST SUCH ACTION IN THE HISTORY OF THE ACADEMY. IN A SIMILAR VEIN, THE INSTITUTE OF ELECTRICAL AND ELECTRONICS ENGINEERS SUSPENDED ITS ANNUAL PROGRAM WITH THE SOVIET POPOV SOCIETY. THE EXCHANGE HAD BEEN IN OPERATION FOR 20 YEARS. AT THE SAME TIME, ADMINISTRATORS OF SCIENTIFIC EXCHANGES WERE REPORTED TO BE EXPERIENCING INCREASED DIFFICULTY FINDING LABORATORIES AND UNIVERSITIES WILLING TO ACCEPT SOVIET EXCHANGEES.

GRASSROOTS PROTESTS SUCH AS THESE HAVE RAISED DOUBTS ABOUT THE FUTURE OF U.S.-SOVIET COOPERATION. WITH FEWER AMERICAN SCIENTISTS WILLING TO ENGAGE IN COLLABORATIVE WORK WITH SOVIET COLLEAGUES, THE FRAMEWORK FOR EXCHANGES COULD SUFFER SERIOUS DAMAGE. IN THE WORDS OF PHILIP HANDLER, PRESIDENT OF THE NATIONAL ACADEMY OF SCIENCES AND CHAIRMAN OF THE U.S. DELEGATION TO THE CSCE SCIENTIFIC FORUM:

"IN OUR COUNTRY, IN A SPONTANEOUS UPWELLING WITHOUT PRECEDENT, THOUSANDS OF SCIENTISTS HAVE BEEN DECLARING THEMSELVES UNWILLING TO ENGAGE IN SCIENTIFIC INTERCHANGE WITH COLLEAGUES IN THE SOVIET UNION...IF DISAFFECTION CONTINUES TO SPREAD AMONG WESTERN SCIENTISTS, IF THE MATTERS THAT TROUBLE US ARE NOT RECTIFIED, IF WE ARE CONFRONTED WITH YET FURTHER CRISES OF CONSCIENCE, THE INTERCHANGES WE HAVE GATHERED HERE TO FOSTER WILL, INSTEAD, SOON DISSOLVE IN BITTERNESS AND ANGER."

SUCH A STATE OF AFFAIRS IS FAR FROM THAT ENVISIONED BY THE HELSINKI FINAL ACT. WHILE THE COMMISSION WOULD DEPLORE AN OUTCOME SUCH AS THAT FORESEEN BY DR. HANDLER, WE MUST NONETHELESS RECOGNIZE THE DIFFICULTIES HUMAN-RIGHTS ABUSES AND UNILATERAL RESTRICTIONS POSE FOR FRUITFUL COOPERATION.

U.S. COMPLIANCE: SCIENCE

U.S. COMPLIANCE WITH THE SCIENTIFIC EXCHANGE PROVISIONS OF THE FINAL ACT HAS NOT BEEN FREE FROM CRITICISM IN THE PERIOD SINCE THE COMMISSION PUBLISHED ITS NOVEMBER 1979 DOMESTIC COMPLIANCE REPORT. ONE ISSUE OF CONCERN HAS BEEN THE REDUCTION IN BILATERAL U.S.-SOVIET EXCHANGES WHICH FOLLOWED THE SOVIET INVASION OF AFGHANISTAN. ANOTHER, AND POTENTIALLY MORE SERIOUS CRITICISM, HAS BEEN DIRECTED AGAINST U.S. ACTIONS BARRING SEVERAL SOVIET AND HUNGARIAN SCIENTISTS FROM TWO SCIENTIFIC CONFERENCES IN CALIFORNIA IN FEBRUARY 1980. THESE ACTS SPARKED A STORM OF PROTEST FROM THE U.S. SCIENTIFIC COMMUNITY, AS WELL AS THE SOVIET GOVERNMENT, WHICH ACCUSED THE U.S. OF "CENSORING SCIENTIFIC THOUGHT."³ HOWEVER, BOTH ACTIONS WERE CONSONANT WITH BASIC U.S. POLICY ENCOURAGING FREE INTERNATIONAL SCIENTIFIC EXCHANGE EXCEPT IN CASES WHERE U.S. NATIONAL SECURITY INTERESTS MAY BE INVOLVED.

FOR EXAMPLE, ONE OF THE MEETINGS IN QUESTION PLANNED TO DEAL WITH COMPUTER TECHNOLOGY USED IN GUIDED MISSILE SYSTEMS. WHILE THE OTHER CONFERENCE DID NOT QUALIFY FOR EXPORT CONTROLS, IT TOO CONCERNED A TOPIC -- LASER TECHNOLOGY -- WHICH HAS MANIFOLD MILITARY APPLICATIONS. HOWEVER, RESTRICTIONS PLACED ON SOVIET ATTENDANCE AT THIS CONFERENCE WERE MOTIVATED MORE BY CONCERN FOR TRAVEL RESTRICTIONS ON U.S. SCIENTISTS IN THE U.S.S.R. THAN BY SECURITY CONSIDERATIONS. U.S. ACTIONS WERE PART OF A

GENERAL POLICY DESIGNED TO ENCOURAGE EQUAL ACCESS TO SCIENTIFIC ESTABLISHMENTS IN BOTH COUNTRIES.

THE TENSION IN THE U.S.-SOVIET RELATIONSHIP OCCASIONED BY THE INVASION OF AFGHANISTAN HAS NOT BEEN WITNESSED IN U.S. SCIENTIFIC RELATIONS WITH EASTERN EUROPE. AS MENTIONED ABOVE, SCIENTIFIC COOPERATION WITH MANY OF THESE COUNTRIES HAS INCREASED SINCE THE CLOSE OF THE BELGRADE MEETING.

CONCLUSION

PROGRESS IN IMPLEMENTING THE PROVISIONS OF BASKET II HAS BEEN UNEVEN DURING THE LAST THREE YEARS, BUT THE COMMISSION BELIEVES THAT THERE HAS BEEN SOME IMPROVEMENT. EAST-WEST COMMERCIAL RELATIONS HAVE CONTINUED TO EXPAND. THE MULTILATERAL TRADE NEGOTIATIONS HAVE BEEN SUCCESSFULLY CONCLUDED. THE UNITED STATES HAS SIGNED A BILATERAL TRADE AGREEMENT WITH HUNGARY AND NEW SCIENTIFIC AGREEMENTS HAVE LED TO AN EXPANSION OF CONTACTS BETWEEN THE UNITED STATES AND HUNGARY AND BULGARIA. IN ADDITION, A HIGH LEVEL MEETING ON THE ENVIRONMENT LED TO THE CONCLUSION OF A TRANSBOUNDARY AIR POLLUTION CONVENTION. THESE POSITIVE ACHIEVEMENTS HAVE BEEN OFFSET, HOWEVER, BY THE NEED TO IMPOSE TRADE AND SCIENTIFIC SANCTIONS ON THE SOVIET UNION BECAUSE OF THAT COUNTRY'S INVASION OF AFGHANISTAN.

THE COMMISSION SUPPORTS THE SANCTIONS ON THE SOVIET UNION BY PRESIDENT CARTER AS A NECESSARY REACTION TO EGREGIOUS SOVIET BEHAVIOR IN AFGHANISTAN. AT THE SAME TIME, THE COMMISSION HOPES THAT THE SOVIET UNION WILL TAKE ACTION TO MAKE IT POSSIBLE TO RESUME POSITIVE DEVELOPMENT OF THE BILATERAL RELATIONSHIP WITHIN THE HELSINKI PROCESS.

CHAPTER IV - FOOTNOTES

1. U.S. DEPARTMENT OF STATE, SIXTH SEMIANNUAL REPORT BY THE PRESIDENT TO THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE, JULY 1979.
2. THE WASHINGTON POST, APRIL 15, 1980.
3. THE WASHINGTON POST, FEBRUARY 27, 1980.

CHAPTER FIVE - BASKET III (HUMAN CONTACTS)

INTRODUCTION

THE SECTION ON BASKET III DEALING WITH HUMAN CONTACTS IS ONE AREA OF THE FINAL ACT WHERE THE EMPHASIS IS SHIFTED TO THE NEEDS OF THE INDIVIDUAL. INDEED, IT IS IN THE HUMAN CONTACTS SECTION THAT THE CSCE SIGNATORIES ACKNOWLEDGE -- IN VERY SPECIFIC DETAIL -- THE IMPORTANCE OF THE INDIVIDUAL IN FOSTERING BETTER RELATIONS AMONG STATES.

THE ACHIEVEMENTS ENVISIONED IN THE HUMAN CONTACTS SECTION ARE, FROM A WESTERN VIEWPOINT, NOT EARTH-SHATTERING. RATHER, THEY ENCOMPASS ACTIVITIES THAT ARE TAKEN FOR GRANTED IN DAILY LIFE IN WESTERN EUROPE OR THE UNITED STATES. BUT IN THE COUNTRIES OF EASTERN EUROPE, THE OBLIGATIONS UNDERTAKEN IN THE HUMAN CONTACTS PROVISIONS -- TO FACILITATE THE REUNIFICATION OF FAMILIES, BINATIONAL MARRIAGES, TRAVEL IN AND OUTSIDE THEIR COUNTRIES -- REQUIRE MASSIVE RESTRUCTURING OF OFFICIAL ATTITUDES AND SYSTEMS. THE IMPACT THAT THESE PROVISIONS HAVE HAD ON THE ASPIRATIONS OF PEOPLE IN EASTERN EUROPE CANNOT BE OVERESTIMATED. UNFORTUNATELY, THERE HAS NOT BEEN A COMPARABLE EFFECT ON THE PRACTICES OF EASTERN GOVERNMENTS.

THE RECORD OF SOVIET AND EASTERN IMPLEMENTATION OF THESE PROVISIONS REMAINS MIXED. SOME COUNTRIES -- SUCH AS HUNGARY AND POLAND -- TAKE A MORE LIBERAL ATTITUDE TOWARD TEMPORARY TRAVEL ABROAD. AT THE SAME TIME, POLAND HAS THE LARGEST NUMBER OF UNRESOLVED FAMILY REUNIFICATION CASES WITH THE UNITED STATES. ROMANIA, WHILE MAINTAINING A VERY STRICT OFFICIAL POLICY TOWARDS EMIGRATION, OFTEN RESPONDS FAVORABLY TO AMERICAN REPRESENTATIONS IN BEHALF OF INDIVIDUAL FAMILIES. THE SOVIET UNION HARASSES AND ARRESTS WOULD-BE EMIGRANTS WHILE, AT THE SAME TIME, ALLOWING CONSIDERABLE NUMBERS OF PEOPLE TO LEAVE.

IN GENERAL, HOWEVER, THE COUNTRIES OF EASTERN EUROPE HAVE MAINTAINED A POLICY OF STRINGENTLY LIMITING AND CONTROLLING THEIR CITIZENS MOVEMENT ABROAD. DESPITE THE FINAL ACT'S PLEDGE

TO "MAKE IT THEIR AIM TO FACILITATE FREER MOVEMENT AND CONTACTS," THE SOVIET UNION AND, TO VARYING DEGREES, ITS ALLIES CONTINUE TO MAINTAIN RESTRICTIVE POLICIES FIVE YEARS AFTER THE SIGNING OF THE HELSINKI ACCORDS.

SOVIET UNION

REUNIFICATION OF FAMILIES

LAWS AND REGULATIONS

SOVIET LAWS IN REGARD TO EMIGRATION AND TRAVEL -- AT LEAST THOSE THAT ARE PUBLISHED AND THEREFORE AVAILABLE IN THE WEST -- HAVE NOT BEEN MODIFIED SINCE THE CSCE REVIEW CONFERENCE IN BELGRADE. DESPITE THE SOVIET GOVERNMENT'S LEGALLY BINDING COMMITMENT TO GUARANTEE THE RIGHT OF EVERYONE TO "LEAVE ANY COUNTRY, INCLUDING HIS OWN,"¹ EMIGRATION IS STILL CONSIDERED A PRIVILEGE TO BE BESTOWED ON A CHOSEN FEW BY THE STATE. SOVIET AUTHORITIES CONTINUE TO ALLOW EMIGRATION ONLY ON THE BASIS OF FAMILY REUNIFICATION; THE FIRST REQUIRED DOCUMENT FOR A WOULD-BE EMIGRANT REMAINS AN INVITATION FROM A RELATIVE ABROAD.

ONE POSITIVE DEVELOPMENT IN SOVIET EMIGRATION POLICY SINCE THE COMMISSION'S 1977 IMPLEMENTATION REPORT WAS THE FURTHER REDUCTION IN THE FEE CHARGED FOR TRAVEL TO CAPITALIST COUNTRIES. ANNOUNCED DURING THE BELGRADE REVIEW CONFERENCE AS A UNILATERAL MEASURE IN KEEPING WITH THE HELSINKI PLEDGE TO "LOWER WHERE NECESSARY THE FEES CHARGED...TO ENSURE THAT THEY ARE AT A MODERATE LEVEL,"² THE SOVIETS REDUCED THAT FEE IN 1978 FROM 300 TO 200 RUBLES. EMIGRANTS LEAVING WITH VISAS FOR ISRAEL, HOWEVER, ARE STILL REQUIRED TO PAY AN ADDITIONAL 500 RUBLES FOR MANDATORY RENUNCIATION OF SOVIET CITIZENSHIP. IT IS QUESTIONABLE WHETHER THE COST OF 700 RUBLES FOR EACH ADULT EMIGRANT CAN BE CONSIDERED "MODERATE" IN A COUNTRY WHOSE AVERAGE MONTHLY WAGE IS APPROXIMATELY 166 RUBLES.³

WHILE THE RATE OF JEWISH EMIGRATION ROSE SIGNIFICANTLY IN LATE 1978 AND THROUGHOUT 1979, SOVIET AUTHORITIES RECENTLY BEGAN ENFORCING A REGULATION LIMITING EMIGRATION TO APPLICANTS WITH PRIMARY RELATIVES IN ISRAEL. THE EFFECT OF THIS REQUIREMENT -- ASIDE FROM CURTAILING THE EMIGRATION RATE -- IS TO REINFORCE THE PRINCIPLE THAT EMIGRATION IS NOT A LEGAL RIGHT OF SOVIET CITIZENS BUT A MEASURE ALLOWABLE ONLY FOR THE PURPOSE OF FAMILY REUNIFICATION.

PROCEDURES AND PRACTICES

THE EMIGRATION PROCESS ITSELF HAS NOT ALTERED SINCE THE COMMISSION'S 1977 REPORT. THE PROCEDURE REMAINS LENGTHY, COSTLY, BURDENSOME AND ARBITRARY. HOWEVER, IN SOME RESPECTS, SOVIET PRACTICES BECAME MORE LIBERAL, AT LEAST TEMPORARILY. IN 1979, THE NUMBER OF JEWS EMIGRATING WITH ISRAELI VISAS TOOK A WELCOME UPTURN, REACHING A TOTAL OF MORE THAN 51,000 -- THE HIGHEST RATE EVER AND A 77 PERCENT INCREASE OVER 1978. THE MAJORITY OF THESE EMIGRANTS WERE FIRST-TIME APPLICANTS WHO EXPERIENCED LITTLE DIFFICULTIES AND WHO RECEIVED PERMISSION WITHIN A RELATIVELY SHORT TIME.

THE RATE OF EMIGRATION TO THE UNITED STATES ALSO ROSE SHARPLY IN 1979, TOTALING 4,146, A 142 PERCENT INCREASE OVER THE PREVIOUS YEAR. SOME 86 PERCENT OF THE EMIGRANTS BOUND FOR THE UNITED STATES WERE ARMENIANS. THE INCREASED RATE OF ARMENIAN EMIGRATION TO THE UNITED STATES APPEARS TO BE CONTINUING IN THE FIRST HALF OF 1980. UNFORTUNATELY, IN RECENT MONTHS, THE RATE OF SOVIET JEWISH EMIGRATION HAS BEEN DRASTICALLY REDUCED.

THE MONTHLY RATE OF JEWISH EMIGRATION FELL TO 1,767 IN JUNE 1980, FOLLOWING A PATTERN OF DECLINE WHICH BEGAN IN NOVEMBER 1979. THE DECREASE IN EMIGRATION CAN BE ATTRIBUTED TO THE INTRODUCTION OF A REQUIREMENT THAT APPLICATIONS BE ACCOMPANIED BY AN INVITATION FROM A RELATIVE OF THE FIRST DEGREE. WHILE, SINCE THE SIGNING OF THE FINAL ACT, SOVIET AUTHORITIES HAVE CITED "INSUFFICIENT CLOSENESS OF KIN" AS A BASIS FOR DENYING EMIGRATION, IT WAS NEVER APPLIED ON A WIDE SCALE. THE BROAD APPLICATION OF THIS REQUIREMENT BEGAN IN MAY 1979 IN ODESSA AND SLOWLY SPREAD TO KIEV AND KHARKOV, THEN TO KISHINEV, TASHKENT AND LENINGRAD. IN EARLY 1980, REPORTS REACHED THE WEST THAT THIS RESTRICTION WAS BEING IMPOSED SPORADICALLY IN MINSK AND MOSCOW AS WELL.⁴

THOSE MOST SEVERELY AFFECTED BY THIS NEW REGULATION ARE INDIVIDUALS WHO DO NOT HAVE FIRST-DEGREE RELATIVES LIVING ABROAD. THIS IS INTERPRETED BY THE SOVIETS AS SPOUSES, CHILDREN, PARENTS AND, IN SOME CASES, SIBLINGS. IN FACT, BECAUSE 240,045 JEWS HAVE LEFT THE SOVIET UNION SINCE 1968, MANY SOVIET JEWS DO HAVE CLOSE RELATIVES LIVING OUTSIDE THE U.S.S.R. IN THE PAST FEW YEARS, MORE AND MORE JEWS LEAVING THE SOVIET UNION WITH VISAS FOR ISRAEL HAVE SETTLED INSTEAD IN THE UNITED STATES. LAST YEAR, IN FACT, 66 PERCENT OF THE SOVIET JEWISH EMIGRANTS DID NOT SETTLE IN ISRAEL. AS A RESULT, THESE INDIVIDUALS CANNOT PROVIDE THEIR CLOSEST RELATIVES STILL IN THE U.S.S.R. WITH ISRAELI INVITATIONS. WHILE IT IS UNCLEAR WHETHER SOVIET AUTHOR-

ITIES WILL ALLOW LARGE-SCALE JEWISH EMIGRATION TO THE UNITED STATES ON THE BASIS OF REUNIFICATION WITH FIRST-DEGREE RELATIVES THERE, IT IS EVIDENT FROM THE 1979 FIGURES THAT MANY MORE JEWS ARE ALLOWED TO EMIGRATE VIA THE ISRAELI CHANNEL THAN VIA THE U.S. CHANNEL. SOME 51,320 JEWS WERE ALLOWED TO EMIGRATE WITH VISAS FOR ISRAEL IN 1979, WHILE ONLY 345 JEWS WERE GIVEN PERMISSION TO LEAVE THE U.S.S.R. FOR THE UNITED STATES. UNDERSTANDABLY THEN, IT IS FEARED THAT THE WIDESPREAD IMPOSITION OF THE FIRST-DEGREE RELATIVE RULE WILL, IN EFFECT, CUT OFF THE FLOW OF EMIGRATION.

IN ADDITION, THE SOVIET RECORD OF RESOLVING LONG-STANDING FIRST-DEGREE FAMILY REUNIFICATION CASES WITH THE UNITED STATES REMAINS MIXED AT BEST. SINCE THE CSCE REVIEW CONFERENCE IN BELGRADE, THE SOVIET UNION HAS FAVORABLY RESOLVED APPROXIMATELY 20 PERCENT OF ITS DIVIDED FAMILY CASES WITH THE UNITED STATES. THE U.S. LIST OF SEPARATED FAMILIES CONTAINS 97 CASES INVOLVING 305 INDIVIDUALS AS OF JUNE 1, 1980.

IN 1978 AND 1979, THE SOVIET GOVERNMENT DID RESOLVE A NUMBER OF LONG-STANDING U.S. FAMILY REUNIFICATION CASES. THE CASE OF THE KARGOL FAMILY HAD BEEN A SUBJECT OF U.S. REPRESENTATIONS (FORMAL STATEMENT OF INTEREST) SINCE 1947, AND THE KACHURAK FAMILY CASE SINCE 1963. BOTH WERE FAVORABLY RESOLVED IN 1979. JOHN JODWALIS AND HIS OLDER SISTER LORRAINE, AMERICAN-BORN CITIZENS OF LITHUANIAN DESCENT, AND THEIR FAMILIES, WERE FINALLY ALLOWED TO LEAVE LITHUANIA AND REJOIN THEIR RELATIVES IN THE UNITED STATES IN JANUARY 1979 AFTER A 40-YEAR WAIT. JOHN'S 24-YEAR-OLD SON GEDIMINAS AND HIS WIFE JURATE, WHO WERE NOT INCLUDED IN THE ORIGINAL EMIGRATION PERMISSION, WERE ALLOWED TO REJOIN THE REST OF THE FAMILY IN CHICAGO IN APRIL 1980.

SOME OF THE CASES ON THE U.S. REPRESENTATIONAL LIST -- WHICH IS PRESENTED REGULARLY TO SOVIET OFFICIALS IN MOSCOW -- HAVE BEEN UNRESOLVED FOR OVER 10 YEARS. THE LONGEST STANDING U.S.-SOVIET DIVIDED FAMILY CASE INVOLVES 62-YEAR-OLD ANATOL MICHELSON OF SARASOTA, FLORIDA, HIS WIFE GALINA GOLSMAN MICHELSON, AND THEIR 32-YEAR-OLD DAUGHTER OLGA. THE MICHELSON FAMILY HAS BEEN SEPARATED FOR 24 YEARS. REPEATEDLY, SINCE 1956, MICHELSON HAS COMPLETED THE TEDIOUS PROCEDURE REQUIRED BY THE SOVIET GOVERNMENT TO INVITE A RELATIVE TO EMIGRATE. ON THEIR END, HIS WIFE AND DAUGHTER HAVE UNDERTAKEN THE LABORIOUS TASK OF PREPARING THE DOCUMENTS NECESSARY TO SUBMIT AN APPLICATION FOR EMIGRATION EVERY SIX MONTHS. ON EVERY OCCASION, FOR THE PAST 24 YEARS, THEIR APPLICATIONS HAVE BEEN DENIED.

OTHER FAMILIES HAVE ENDURED, IF NOT AS LONG, EQUALLY PAINFUL SEPARATIONS. MARIJA JURGUTIS AND HER TEENAGE DAUGHTER DAINA

HAVE BEEN TRYING TO LEAVE LITHUANIA SINCE 1974 TO REJOIN HUSBAND AND FATHER, ALOYIUS, IN CHICAGO. SOVIET PHYSICIST EDUARD LOZANSKY, WHO EMIGRATED IN 1977, HAS BEEN ATTEMPTING SINCE THEN TO GET PERMISSION FOR HIS WIFE TATYANA AND THEIR EIGHT-YEAR-OLD DAUGHTER TANYA TO LEAVE MOSCOW AND JOIN HIM IN ROCHESTER, NEW YORK, WHERE HE NOW RESIDES. NEW YORK RESIDENT BRONISLAVA TONKONOGAYA AND HER SON ALEXANDER HAVE BEEN SEPARATED FROM THEIR HUSBAND AND FATHER, GRIGORY GIMPELSON, OF LENINGRAD SINCE 1977.

NOT ALL UNRESOLVED FAMILY REUNIFICATION CASES INVOLVE AMERICANS. JEWS WITH RELATIVES IN ISRAEL AND ETHNIC GERMANS WITH FAMILY MEMBERS IN THE FEDERAL REPUBLIC OF GERMANY (F.R.G.) CONTINUE TO BE SEPARATED FROM THEIR FAMILIES. MARAT OSNIS, AN ENGINEER FROM CHERNOVTSY, HIS WIFE, SON, AND IN-LAWS, HAVE BEEN ATTEMPTING TO REJOIN MARAT'S PARENTS IN ISRAEL SINCE 1972. IN A MORE PROLONGED CASE, BORIS AND SVETLANA NAIGAUZEN AND THEIR DAUGHTER BEGAN APPLYING IN 1967 TO LEAVE RIGA AND BE REUNITED WITH BORIS' PARENTS IN ISRAEL. ON MARCH 31, 1980, FIVE ETHNIC GERMANS DEMONSTRATED IN RED SQUARE FOR THE RIGHT TO REJOIN THEIR FAMILIES IN WEST GERMANY. THE FIVE -- LYDIA AND VIKTOR EBEL, ALVINA AND VIKTOR FRIZLER AND GOTTFRIED OBLINDER -- ALL OF WHOM HAVE FIRST-DEGREE RELATIVES LIVING IN THE F.R.G., HAD REQUESTED PERMISSION TO EMIGRATE 19 TIMES.⁵ THUS, IN CERTAIN CASES INVOLVING RELATIVES OF THE FIRST-DEGREE, SOVIET AUTHORITIES HAVE HONORED NEITHER THEIR HELSINKI COMMITMENTS NOR THEIR OWN REGULATIONS.

WHILE THE IMPOSITION OF THE FIRST-DEGREE RELATIVE REQUIREMENT IS THE NEWEST HINDRANCE TO EMIGRATION, IT IS BUT ONE IN A LONG SERIES OF OBSTACLES. MANY BUREAUCRATIC AND ADMINISTRATIVE MEASURES WERE IN EFFECT IN LOCAL OFFICES OF VISAS AND REGISTRATION (OVIR) THROUGHOUT THE SOVIET UNION IN 1979 AND 1980. THESE INCLUDE THE LIMITING OF THE HOURS OR DAYS IN WHICH EMIGRATION APPLICATIONS COULD BE SUBMITTED. IN SOME PARTS OF UKRAINE AND BYELORUSSIA, THE LOCAL OVIR'S BEGAN TO LIMIT RECEIPT OF APPLICATIONS TO ONE OR TWO DAYS A WEEK.⁶ OFFICIAL FORMS HAD TO BE FILED IN LEGAL ADVICE BUREAUS OR TYPING OFFICES WHICH WERE SOMETIMES LOCATED A DISTANCE FROM THE LOCAL OVIR.

ONE MAJOR OBSTACLE TO EMIGRATION WILL BE IMPOSED DURING THE 1980 SUMMER OLYMPIC GAMES IN MOSCOW. SOVIET CITIZENS WHO HAVE APPLIED TO LEAVE THE COUNTRY HAVE BEEN TOLD THAT THEY WILL NOT BE PERMITTED IN MOSCOW, OR ANY OF THE OTHER CITIES WHERE OLYMPIC EVENTS ARE PLANNED -- TALLINN, MINSK, KIEV AND LENINGRAD. THE REPORTED RESTRICTION WILL TAKE EFFECT ON JUNE 19, 1980, AND LAST UNTIL SEPTEMBER 3, 1980, A MONTH AFTER THE OLYMPICS CEASE.⁷ IT IS ASSUMED THAT WORKERS IN LOCAL OVIR'S MAY BE INVOLVED IN

OLYMPIC-RELATED BUSINESS, SUCH AS ISSUANCE OF VISITOR VISAS, AND WILL BE SHIFTED FROM PROCESSING EMIGRATION APPLICATIONS DURING THIS PERIOD. THERE HAVE BEEN REPORTS OF EMIGRATION OFFICIALS TELLING APPLICANTS TO RE-APPLY AFTER THE OLYMPICS.

ANOTHER ONEROUS EMIGRATION OBSTACLE RECENTLY WAS IMPOSED ON A SOVIET JEWISH COUPLE WHO HAD RECEIVED THEIR EXIT VISAS AND WERE, IN FACT, ON THE CUSTOMS LINE AT THE MOSCOW SHEREMETOVO AIRPORT. ANDREI REZNITSKY, A MOSCOW ARTIST, AND HIS WIFE NADEZHDA ZAKHAROV WERE TOLD THAT THEY COULD NOT LEAVE THE SOVIET UNION FOR ISRAEL UNTIL THEY HAD REPAID NADEZHDA'S SISTER 8,000 RUBLES THE SISTER CLAIMED WAS OWED TO HER. THE SISTER CLAIMS THAT THE MONEY IS THE VALUE OF PRESENTS SHE HAD GIVEN THEM OVER THE YEARS AND WANTS COMPENSATION FOR THESE GIFTS. OVIR AUTHORITIES STATED THAT, INSOFAR AS THE COUPLE HAD RECEIVED EXIT VISAS AND RENOUNCED THEIR SOVIET CITIZENSHIP (A SOVIET REQUIREMENT OF ANY EMIGRANT BOUND FOR ISRAEL), THEY WERE NOT ENTITLED TO ANY LEGAL RECOURSE, BUT THEY CANNOT LEAVE UNTIL THE DEBT IS PAID.⁸ WHILE THE IMPOSITION OF SUCH BURDENS IS NOT WIDESPREAD, IT IS ALARMING THAT EVEN ONE FAMILY HAS BEEN SUBJECTED TO IT.

APPLICANTS FOR EMIGRATION ARE STILL SUBJECTED TO A WIDE RANGE OF RETALIATORY ACTIONS DESPITE FINAL ACT ASSURANCES THAT "PRESENTATION OF AN APPLICATION...WILL NOT MODIFY THE RIGHTS AND OBLIGATIONS OF THE APPLICANT OR MEMBERS OF HIS FAMILY." THESE INCLUDE THE LOSS OF APARTMENT, EXPULSION FROM THE UNIVERSITY, DEMOTION OR LOSS OF JOB, HARASSMENT BY OFFICIALS, AND, IN SOME CASES, ARREST AND EXILE OR IMPRISONMENT. WHILE FIVE IMPRISONED SOVIET JEWISH ACTIVISTS WERE RELEASED IN APRIL 1979 AND ALLOWED TO EMIGRATE, AND TWO OTHERS WERE PART OF THE U.S.-SOVIET DISSIDENT-SPY SWAP THE SAME MONTH, CURRENTLY THERE ARE AT LEAST 15 SOVIET JEWS -- ALL APPLICANTS FOR EMIGRATION -- INCARCERATED IN THE U.S.S.R. THE CHARGES AGAINST THEM RANGE FROM TREASON AND ANTI-SOVIET AGITATION AND PROPAGANDA TO PARASITISM, MALICIOUS HOOLIGANISM AND DRAFT EVASION. THEIR SENTENCES RUN FROM ONE TO 13 YEARS. SOME SUCH AS IOSIF MENDELEVICH, HAVE BEEN IMPRISONED FOR ACTIONS PREDATING HELSINKI. TWO NON-JEWS, YURI FEDOROV AND ALEKSEI MURZHENKO, WERE SENTENCED WITH MENDELEVICH AND REMAIN INCARCERATED. OTHER JEWS, SUCH AS ANATOLY SHCHARANSKY, VLADIMIR SLEPAK, IOSIF BEGUN, IDA NUDEL, BORIS KALENDAROV, SIMON SHNIRMAN AND ALEKSANDR VILIG, HAVE BEEN TRIED AND SENTENCED SINCE THE 1977 REVIEW CONFERENCE. STILL OTHERS, INCLUDING IGOR GUBERMAN, MOISEI ZATS, SHMEIL ROSENBERG, VALERY PILNIKOV, IVAN OLEINIK, AND MOISEI TONKONOGY, WERE CONVICTED IN 1980. LEONID VOLVOVSKY AND GRIGORY GEISHIS HAVE CHARGES PENDING AGAINST THEM NOW.

MANY OTHERS HAVE RUN AFOUL OF THE SOVIET LEGAL SYSTEM AFTER APPLYING OR ANNOUNCING THEIR INTENTION TO EMIGRATE. IGOR KORCHNOI IS NOW SERVING A TWO AND ONE-HALF YEAR SENTENCE FOR ALLEGEDLY RESISTING CONSCRIPTION INTO THE MILITARY AFTER HE AND HIS MOTHER APPLIED TO EMIGRATE TO THE WEST TO JOIN HIS FATHER, CHESS-PLAYER VIKTOR KOCHNOI. A SIMILAR FATE BEFELL PENTECOSTAL SASHA VASHCHENKO, WHO IS NOW IN A SIBERIAN LABOR CAMP FOR REFUSING COMPULSORY MILITARY SERVICE. VASHCHENKO'S PARENTS HAVE BEEN SEEKING EMIGRATION PERMISSION FOR THEIR FAMILY SINCE 1961 AND HAVE BEEN IN THE AMERICAN EMBASSY IN MOSCOW SINCE JUNE 1978. ETHNIC GERMAN PAVEL PLECHKO WAS SENTENCED TO ONE YEAR IMPRISONMENT FOR PARASITISM IN THE SUMMER OF 1979 AFTER HE VOLUNTARILY GAVE UP HIS JOB, HIS SOVIET CITIZENSHIP, SOLD HIS CAR, AND WITHDREW HIS SONS FROM SCHOOL IN THE HOPE THAT HE WOULD BE ALLOWED TO EMIGRATE TO WEST GERMANY.⁹ A LITHUANIAN WHO SPENT OVER 32 YEARS IN SOVIET PRISONS AND LABOR CAMPS, JUSTAS GIMBUTAS, WAS SENTENCED IN FEBRUARY 1980 TO ANOTHER YEAR IN CAMP FOR VIOLATIONS OF PASSPORT REGULATIONS. HE HAD REFUSED TO ACCEPT THE RETURN OF HIS SOVIET PASSPORT AFTER HIS LAST IMPRISONMENT CLAIMING THAT HE WAS RENOUNCING HIS SOVIET CITIZENSHIP AND INTENDED TO EMIGRATE.¹⁰

IVAN MATVEJUK, A PENTECOSTAL LIVING IN NARVA, ESTONIA, WAS SENTENCED TO TWO YEARS IMPRISONMENT IN AUGUST 1979 AFTER HE ATTEMPTED TO EMIGRATE.¹¹ A 22-YEAR-OLD RUSSIAN, VASILY SHATALOV, WAS ARRESTED ON NOVEMBER 21, 1979, ON CHARGES OF DRAFT EVASION AFTER HIS FAMILY APPLIED TO EMIGRATE TO THE UNITED STATES. SHATALOV HAS ALREADY SPENT TWO YEARS -- FROM 1976 TO 1978 -- IN CAMP FOR THE SAME OFFENSE. A UKRAINIAN, IGOR KUSHNIRENKO AND HIS WIFE, APPLIED TO EMIGRATE ON JANUARY 11, 1979. FIFTEEN DAYS LATER, 27-YEAR-OLD KUSHNIRENKO WAS ORDERED TO UNDERGO A PHYSICAL EXAMINATION FOR THE MILITARY, DESPITE THE FACT THAT HE HAD PREVIOUSLY BEEN EXEMPTED FROM SERVICE ON MEDICAL GROUNDS. AT THAT EXAM, HE WAS DEEMED FIT FOR MILITARY SERVICE AND TOLD TO REPORT FOR INDUCTION ON JUNE 4, 1979. HE REFUSED TO APPEAR AND HIS CASE WAS TURNED OVER TO THE REGIONAL PROCURACY WHO ORDERED ANOTHER MEDICAL EXAMINATION. THAT EXAM RESULTED IN KUSHNIRENKO BEING EXEMPTED FROM SERVICE. ON SEPTEMBER 17, THE KIEV OVIR GAVE HIM AND HIS WIFE PERMISSION TO EMIGRATE. A FEW DAYS LATER, THE PROCURACY CLOSED THE CASE AGAINST HIM. HOWEVER, ON NOVEMBER 21, 1979, HE WAS ARRESTED AT HIS HOME -- UNDER THE ORDERS OF THE KIEV PROCURATOR WHO REVERSED THE FINDINGS OF THE SECOND MEDICAL EXAM -- AND DRAGGED OFF TO A MILITARY BASE IN KHARKOV WHERE HE APPARENTLY STILL REFUSED TO SERVE BECAUSE OF HIS POOR HEALTH.

AS OF MAY 15, 1980, HE WAS REPORTED TO BE INCARCERATED IN A PSYCHIATRIC HOSPITAL.¹²

WHILE THE MAJORITY OF EMIGRATION APPLICANTS DO NOT MEET SUCH TRAGIC FATES, THE POSSIBILITY THAT ONE MIGHT BE AMONG THE UNLUCKY CERTAINLY MUST HAVE THE EFFECT OF DETERRING MANY FROM EVEN APPLYING. YET, DESPITE THIS DISMAL PROSPECT, MANY SOVIET CITIZENS ARE WILLING TO RISK ALL TO EMIGRATE. ACCORDING TO OFFICIAL SOVIET PROCLAMATIONS, "AS OF JANUARY 1, 1980, OUR MINISTRY (OVIR) CONSIDERED ONLY 11,845 APPLICANTS FROM JEWS WHO WANTED TO LEAVE THE COUNTRY."¹³ WHILE IT IS DIFFICULT TO REFUTE THESE FIGURES -- ONLY THE SOVIET GOVERNMENT KNOWS HOW MANY PEOPLE HAVE ACTUALLY SUBMITTED EMIGRATION APPLICATIONS -- A SURVEY OF PEOPLE WHO HAVE REQUESTED AND BEEN SENT INVITATIONS FROM THEIR RELATIVES IN ISRAEL INDICATE THAT THERE ARE AT LEAST 10 TIMES THAT NUMBER. IN 1979 ALONE, APPROXIMATELY 128,900 SOVIET JEWS REQUESTED AND WERE SENT INVITATIONS FROM RELATIVES IN ISRAEL.¹⁴ THE FIGURE IN 1978 WAS 107,212.¹⁵ THERE HAS BEEN A DECREASE IN THE NUMBER OF INVITATIONS SENT IN THE FIRST HALF OF 1980, REFLECTING THE AUTHORITIES' DEMAND FOR INVITATIONS FROM PRIMARY RELATIVES. YET, CONSIDERING THAT 80,184 JEWS LEFT THE SOVIET UNION WITH VISAS FOR ISRAEL IN 1978 AND 1979, THERE WERE STILL OVER 155,000 JEWS WHO EXPRESSED AN INTEREST IN EMIGRATING BY REQUESTING A VYZOV -- A CERTIFIED INVITATION FROM A RELATIVE ABROAD -- AND WHO HAVE NOT EMIGRATED.

THE BACKLOG IS NOT LIMITED TO JEWS ALONE. WHILE THERE ARE NO OFFICIAL FIGURES AVAILABLE ON THE NUMBER OF ARMENIANS APPLYING TO EMIGRATE, RECENT ESTIMATES RANGE FROM 50,000 TO 150,000.¹⁶ WHILE NOWHERE NEAR THOSE NUMBERS ARE BEING ALLOWED TO LEAVE, ARMENIAN EMIGRATION TO THE UNITED STATES IN 1980 IS CONTINUING AT A RATE EVEN HIGHER THAN 1979 -- A RECORD YEAR. NEARLY 3,600 ARMENIANS WERE ALLOWED TO REJOIN RELATIVES IN THE UNITED STATES IN 1979 AND SOME REPORTS INDICATE THAT THE FIGURE MAY REACH 6,000 IN 1980.¹⁷ NEARLY 90 PERCENT OF THE EMIGRATING ARMENIANS ARE FROM FAMILIES OF THE APPROXIMATELY 250,000 IMMIGRANTS WHO CAME TO SOVIET ARMENIA FROM THE MIDDLE EAST IN THE YEARS IMMEDIATELY FOLLOWING WORLD WAR II.¹⁸

ETHNIC GERMAN EMIGRATION TOOK A FURTHER DROP IN 1979, CONTINUING A PATTERN OF DECLINE THAT BEGAN IN 1977. THE TOTAL NUMBER OF ETHNIC GERMANS ALLOWED TO EMIGRATE FROM THE SOVIET UNION TO THE FEDERAL REPUBLIC OF GERMANY LAST YEAR WAS 7,224, A 15 PERCENT DECREASE OVER 1978 AND 25 PERCENT LESS THAN THE RECORD YEAR OF 1976. PERHAPS AS A RESULT OF THE DECLINE IN THE NUMBER OF PERMISSIONS, THE NUMBER OF PROTESTS AND DEMONSTRATIONS APPEAR TO HAVE INCREASED. IN MARCH 1979, THREE ETHNIC GERMANS

FROM TADZHIKISTAN -- FRIEDA PLETSCHKO AND HER TEENAGE SONS PAUL AND ARTHUR -- DISPLAYED PROTEST SLOGANS DURING A DEMONSTRATION IN RED SQUARE IN MOSCOW. AS MENTIONED EARLIER, FIVE GERMANS DEMONSTRATED IN RED SQUARE ON MARCH 31, 1980. THE SECOND DEMONSTRATION OF ETHNIC GERMANS IN RED SQUARE WITHIN THREE WEEKS TOOK PLACE APRIL 21, 1980. FOUR WOMEN CARRIED PLACARDS DEMANDING THE RIGHT TO EMIGRATE TO THE FEDERAL REPUBLIC OF GERMANY. THIS DEMONSTRATION LASTED ONLY 20 SECONDS BEFORE THE WOMEN WERE TAKEN AWAY IN A SMALL BUS BY THE MILITIA.¹⁹ THE NUMBER OF ETHNIC GERMANS PERMITTED TO EMIGRATE IN APRIL 1980 ROSE TO 707, COMPARED TO 507 IN MARCH AND 381 IN FEBRUARY 1980.²⁰ HOWEVER, THAT FIGURE DROPPED TO 536 IN MAY AND 459 IN JUNE.

ONE GROUP OF SOVIET CITIZENS WHO HAVE NOT MET WITH MUCH SUCCESS IN EMIGRATION EFFORTS ARE THE EVANGELICAL CHRISTIANS. ACCORDING TO SOURCES IN THE SOVIET UNION AND IN THE WEST, OVER 30,000 PENTECOSTALS AND BAPTISTS HAVE APPLIED TO EMIGRATE.²¹ WHILE ONE FAMILY, THAT OF VIKTOR AND NINA VASILIEV OF VILNIUS, WAS ALLOWED TO EMIGRATE IN DECEMBER OF 1979 AFTER A FOUR-YEAR WAIT, THE VAST MAJORITY OF EVANGELICAL CHRISTIANS HAVE BEEN DENIED PERMISSION TO LEAVE. IN MANY CASES, THE AUTHORITIES REFUSE TO EVEN CONSIDER THEIR APPLICATIONS, INSISTING FIRST THAT THE CHRISTIANS PRODUCE INVITATIONS FROM RELATIVES ABROAD. WHILE MOST EVANGELICAL CHRISTIANS DO NOT HAVE CLOSE RELATIVES LIVING OUTSIDE THE SOVIET UNION, EVEN THOSE WHO DO HAVE FAMILY ABROAD EXPERIENCE DIFFICULTIES. FEDOR SIDENKO, A PENTECOSTAL FROM SIBERIA, REPORTED TO THE MOSCOW HELSINKI MONITORING GROUP IN JUNE 1979 THAT 53 FAMILIES WHO HAD RECEIVED VYZOVS AND SUBMITTED THE NECESSARY DOCUMENTS STILL HAD NOT BEEN GIVEN PERMISSION TO EMIGRATE.²²

PERHAPS THE MOST VIVID EXAMPLE OF THE PENTECOSTAL'S PLIGHT IS THE GROUP LIVING UP IN THE AMERICAN EMBASSY IN MOSCOW. SEVEN PERSONS -- MEMBERS OF THE VASHCHENKO AND CHMYKHALOV FAMILIES FROM THE SIBERIAN CITY OF CHERNOGORSK -- HAVE BEEN LIVING IN CRAMPED QUARTERS IN THE BASEMENT OF THE EMBASSY SINCE JUNE 27, 1978, WHEN THEY RUSHED PAST SOVIET GUARDS AND ENTERED THE CONSULAR SECTION. THE VASHCHENKOS -- WHO HAVE BEEN TRYING TO EMIGRATE SINCE 1961 -- AND THE CHMYKHALOV FAMILY REFUSE TO LEAVE THE EMBASSY UNTIL THEIR DEMANDS FOR EXIT VISAS ARE MET. THEY WANT OTHER FAMILY MEMBERS -- SOME 40 IN ALL -- TO BE ALLOWED TO EMIGRATE WITH THEM.

ASIDE FROM RELIGIOUS BELIEVERS, THERE ARE MANY OTHER INDIVIDUALS AND GROUPS OF PEOPLE WHO WOULD LIKE TO EXERCISE THE UNIVERSALLY-RECOGNIZED RIGHT TO EMIGRATE BUT, BECAUSE OF SOVIET INSISTENCE ON FAMILY REUNIFICATION, ARE PROHIBITED FROM DOING

SO. POLITICAL DISSIDENTS AND HUMAN-RIGHTS ACTIVISTS OFTEN ATTEMPT TO EMIGRATE IN AN EFFORT TO ESCAPE THE HARASSMENT AND LONG TERMS OF IMPRISONMENT WHICH ARE INEVITABLE FOR THEM. IN MAY OF 1979, THE FREE TRADE UNION LEADER, BORIS EVDOKIMOV, WHO HAD RECENTLY BEEN RELEASED FROM PRISON AND WAS SUFFERING FROM HEART DISEASE AND LUNG CANCER APPEALED TO THE WEST TO ASSIST HIM IN LEAVING THE SOVIET UNION.²³ EVDOKIMOV DIED BEFORE THAT DREAM WAS REALIZED. ANOTHER ACTIVIST, UKRAINIAN HELSINKI GROUP MEMBER IVAN KANDYBA, WHO SPENT 15 YEARS IN SOVIET LABOR CAMPS, HAS BEEN TRYING TO EMIGRATE SINCE 1976.

THE NOW IMPRISONED MOSCOW HELSINKI GROUP MEMBER AND FORMER PRISONER OF CONSCIENCE VIKTOR NEKIPELOV AND HIS WIFE NINA KOMAROVA SUBMITTED APPLICATIONS TO EMIGRATE TO ISRAEL IN MARCH 1977. AFTER SEVERAL VERBAL REFUSES, NEKIPELOV RECEIVED THE FIRST RECORDED INSTANCE OF A WRITTEN REJECTION TO AN EMIGRATION REQUEST IN 1979.²⁴ THE UKRAINIAN ACTIVIST, NADIA SVITLICHNA, WHO WAS ALLOWED TO EMIGRATE TO THE UNITED STATES IN 1978 AFTER SPENDING FOUR YEARS IN LABOR CAMP, HAS APPEALED TO WESTERN GOVERNMENTS TO AID HER IN HER EFFORTS TO BE REUNITED WITH HER BROTHER IVAN, WHO IS SERVING THE EIGHTH YEAR OF A 10-YEAR SENTENCE.

ARTISTS SEEKING MORE ARTISTIC FREEDOM HAVE ALSO MADE EFFORTS TO EMIGRATE. THE MOSCOW SCULPTOR VADIM KOSMACHEV AND HIS WIFE ELENA KONEVA HAVE UNSUCCESSFULLY SOUGHT PERMISSION TO LEAVE THE U.S.S.R. SINCE 1977. DURING THAT TIME, THEY HAVE BEEN UNABLE TO WORK IN THEIR CHOSEN FIELDS BECAUSE THEY WERE EXPELLED FROM THE ARTIST'S UNION WHEN THEY APPLIED TO EMIGRATE. IN A MAY 1979 LETTER TO SECRETARY LEONID BREZHNEV, KOSMACHEV SAID: "IN OUR HOUSE LIE DOZENS OF INVITATIONS FROM VARIOUS COUNTRIES FOR US TO EXHIBIT OUR WORKS THERE, BUT WE HAVE BEEN UNABLE TO TAKE THEM UP."²⁵ ANOTHER ARTIST, LEONID SOKOV, A FORMER MEMBER OF THE BUREAU OF SCULPTURE OF THE MOSCOW SECTION OF THE ARTIST'S UNION, APPLIED TO EMIGRATE AND WAS REFUSED ON THE GROUNDS THAT HIS MOTHER-IN-LAW HAD MATERIAL CLAIMS AGAINST HIM.

WORKERS HAVE AS MANY PROBLEMS AS ARTISTS IN TRYING TO EMIGRATE FROM THE SOVIET UNION FOR PURPOSES OTHER THAN FAMILY REUNIFICATION. LEONID SERY, A LATHE OPERATOR FROM ODESSA, APPEALED IN 1976 TO THE MOSCOW HELSINKI GROUP FOR ASSISTANCE IN HIS EFFORTS TO EMIGRATE. SINCE THAT TIME, SERY, HIS WIFE AND THEIR SIX CHILDREN HAVE BEEN SUBJECTED TO THREATS AND HARASSMENT. THE FAMILY RECEIVED ITS MOST RECENT REFUSAL IN NOVEMBER 1979.

IN DOCUMENT 91 OF THE MOSCOW HELSINKI GROUP, DATED APRIL 1979, THE AUTHORS ASSERT THAT "THE RIGHT TO EMIGRATE CANNOT

BE SUBJECT TO RESTRICTIONS OTHER THAN THOSE PROVIDED BY LAW." NOTING THAT THE U.S.S.R. HAS NO LAW REGULATING EMIGRATION PROCEDURES, THE GROUP SAID THAT "INSTEAD OF THE LAW, THE ARBITRARY RULE OF OVIR OFFICIALS -- SOMETIMES OF HIGHER RANKING GOVERNMENT BUREAUCRATS -- REIGNS SUPREME." THE MOSCOW GROUP URGED THAT THE SOVIET UNION MEET THEIR INTERNATIONAL OBLIGATIONS BY ALLOWING FREE EMIGRATION.

A SPECIAL ORGANIZATION TO PROMOTE THE RIGHT OF FREE EMIGRATION WAS FOUNDED IN 1979 IN MOSCOW. CALLING THEMSELVES THE "PUBLIC GROUP FOR THE RIGHT OF FREE EMIGRATION," THE GROUP IS COMPRISED OF FIVE INDIVIDUALS -- SOME OF WHOM HAVE THEMSELVES APPLIED TO EMIGRATE TO REJOIN FAMILY MEMBERS ABROAD. LYUDMILA AGAPOVA, WHOSE HUSBAND LIVES IN SWEDEN, AND MARK NOVIKOV, WHOSE WIFE AND SONS RESIDE IN ISRAEL, WERE JOINED BY IVAN LUPACHEV, VYACHESLAV REPNIKOV AND VLADIMIR SHEPELOV. THE ORGANIZATION RECENTLY WAS ENLARGED WHEN 200 IRANIANS -- WHO ARE NOT SOVIET CITIZENS AND ARE LIVING WITHOUT PASSPORTS IN DUSHANBE, TADZHIKISTAN -- ANNOUNCED THEIR INTENTION TO JOIN THE GROUP. THE IRANIANS, REPRESENTED BY BEYBUT SAMAN, HAVE BEEN TRYING TO RETURN TO THEIR HOMETLAND AND HAVE BEEN PREVENTED BY SOVIET AUTHORITIES FROM DOING SO.

BINATIONAL MARRIAGES

THE SOVIET RECORD ON BINATIONAL MARRIAGES ALSO REMAINS MIXED. ACCORDING TO SOVIET OFFICIALS, "15,000 SOVIET CITIZENS HAVE ENTERED INTO BINATIONAL MARRIAGES WITH 10,500 LEAVING THE SOVIET UNION"²⁶ IN RECENT YEARS. THE SOVIET CLAIM THAT BINATIONAL MARRIAGES TAKE PLACE UNIMPEDED IS CONFIRMED BY THE EXPERIENCE OF MOST AMERICANS. IN FACT, THE MAJORITY OF U.S.-SOVIET COUPLES ENCOUNTER LITTLE OR NO DIFFICULTIES IN GETTING MARRIED OR IN LIVING TOGETHER AFTER THE WEDDING. HOWEVER, THERE IS A SMALL AND GROWING MINORITY -- PERHAPS 20 PERCENT OF THE TOTAL, ACCORDING TO STATE DEPARTMENT OFFICIALS -- WHO RUN INTO ALL SORTS OF OBSTACLES TO THEIR MARRIAGES.

THESE PROBLEMS ARE ENCOUNTERED BOTH BEFORE AND AFTER THE WEDDING. OF THE 15 AMERICAN-SOVIET CASES PENDING AS OF JUNE 1, 1980, SIX INVOLVE ENGAGED COUPLES WHO HAVE BEEN DENIED VISAS TO ENTER OR LEAVE THE U.S.S.R. IN ORDER TO BE MARRIED. THE OTHER NINE CASES INVOLVE INDIVIDUALS, ALREADY MARRIED, WHO ARE UNABLE TO EMIGRATE TO JOIN THEIR SPOUSES IN THE UNITED STATES.

ACCORDING TO DEPARTMENT OF STATE OFFICIALS, BINATIONAL MARRIAGES SEEM TO BE FOLLOWING THE OVERALL PATTERN OF EMIGRATION SINCE THE CSCE REVIEW CONFERENCE IN BELGRADE. STARTING IN MID-

1978 AND CONTINUING THROUGH THE END OF 1979, SOVIET AUTHORITIES RESPONDED TO REQUESTS FOR MARRIAGE TO SOVIET CITIZENS -- AND SUBSEQUENT EMIGRATION -- IN A REGULAR AND POSITIVE FASHION. SINCE EARLY 1980, HOWEVER, THE SITUATION APPEARS TO HAVE DETERIORATED. OVER HALF OF THE U.S.-SOVIET "PROBLEM" CASES ARE NEW AS OF MARCH 1, 1980.

SOME, UNFORTUNATELY, ARE LONG-STANDING. THE LONGEST UNRESOLVED BINATIONAL MARRIAGE CASE INVOLVES PROFESSOR WOODFORD McCLELLAN OF VIRGINIA AND HIS WIFE, IRINA ASTAKHOVA McCLELLAN, OF MOSCOW. MARRIED IN MOSCOW IN MAY 1974 WHILE PROFESSOR McCLELLAN WAS TEACHING IN THE SOVIET UNION, MRS. McCLELLAN APPLIED FOR AN EXIT VISA TO LEAVE THE U.S.S.R. WHEN HER HUSBAND'S VISA EXPIRED IN AUGUST OF THAT YEAR. THE McCLELLANS HAVE BEEN FORCED TO LIVE APART SINCE THEN BECAUSE THE SOVIET AUTHORITIES REFUSE TO ALLOW MRS. McCLELLAN AND HER DAUGHTER BY A FIRST MARRIAGE PERMISSION TO LEAVE. AT THE SAME TIME, THE SOVIETS DENY PROFESSOR McCLELLAN PERMISSION TO ENTER THE SOVIET UNION TO LIVE WITH HIS FAMILY THERE. ANOTHER TRAGIC CASE INVOLVES 24-YEAR-OLD LISA ALEINER OF PENNSYLVANIA WHO MET HER HUSBAND, BORIS, IN LENINGRAD IN 1976. MARRIED IN 1978, LISA WAS PREGNANT WHEN SHE RETURNED TO THE UNITED STATES IN APRIL 1979. BORIS, WHO APPLIED TO EMIGRATE ON MARCH 12, 1979, AND RECEIVED HIS SECOND REFUSAL ON MAY 25, 1980, HAS NEVER SEEN THEIR SON, ALEXANDER.

FAMILY VISITS, TRAVEL AND TOURISM

THE NUMBER OF SOVIET CITIZENS ALLOWED TO VISIT THEIR RELATIVES OR TRAVEL ON PERSONAL BUSINESS IN THE UNITED STATES ROSE IN 1979 TO 2,283, AS COMPARED TO 1,977 IN 1978 -- AN INCREASE OF 15 PERCENT. HOWEVER, IN THE FIRST FOUR MONTHS OF 1980, THE NUMBER OF SOVIET VISITORS HAS DROPPED TO 435 OR A MONTHLY AVERAGE OF JUST UNDER 110.

MANY FAMILY VISIT REQUESTS -- ESPECIALLY THOSE INVOLVING WELL-KNOWN DEFECTORS OR FORMER POLITICAL ACTIVISTS -- ARE DENIED. THE MOTHER, SISTER AND NIECE OF BALLET STAR RUDOLF NUREYEV HAVE BEEN ATTEMPTING TO VISIT HIM IN THE WEST SINCE 1961. THE MOTHER OF POET JOSEF BRODSKY HAS BEEN DENIED PERMISSION TO VISIT HER SON IN NEW YORK SINCE 1970. SIMILARLY, THE MOTHER OF WRITER VICTOR SOKOLOV WAS REFUSED PERMISSION FOR THE SECOND TIME IN OCTOBER 1979 TO VISIT HER SON, DAUGHTER-IN-LAW AND GRANDCHILDREN IN LOS ANGELES.

EVEN THOSE WHO ARE NOT POLITICALLY INVOLVED MAY HAVE DIFFICULTIES OBTAINING PERMISSION TO TRAVEL. THE ESTONIAN POETESS

EHA LATTEMAE'S VISA APPLICATION TO VISIT HER BROTHER IN SWEDEN REPEATEDLY HAS BEEN TURNED DOWN. NOR HAS SHE BEEN PERMITTED TO TRAVEL TO FINLAND, EVEN THOUGH THE FINNISH WRITERS ASSOCIATION SENT HER AN OFFICIAL INVITATION AND PROMISED TO PAY ALL TRAVEL COSTS. HER LATEST REQUEST TO GO TO FINLAND SIMPLY AS A TOURIST WAS DENIED ON NOVEMBER 1, 1979.²⁷

HOWEVER, SOVIET SATIRIST VLADIMIR VOINOVICH AND WELL-KNOWN PROSE WRITER VASILII AKSENOV RECENTLY RECEIVED PERMISSION FROM SOVIET AUTHORITIES TO TRAVEL TO THE WEST AND TO RETURN TO THE SOVIET UNION "IF THEY BEHAVE THEMSELVES CORRECTLY."²⁸ PERHAPS HOPING THAT HE WOULD RECEIVE THE SAME RESPONSE, WRITER LEV KOPELEV RECENTLY APPLIED FOR PERMISSION TO TRAVEL TO WEST GERMANY TO VISIT HIS FRIEND HEINRICH BOLL.

U.S. TOURISM TO THE SOVIET UNION IN THE FIRST QUARTER OF 1980 IS DOWN ABOUT 30 PERCENT COMPARED TO THE SAME PERIOD IN 1979. THIS FACT WAS CONFIRMED BY VALENTIN LEBEDEV, THE HEAD OF INTOURIST, THE OFFICIAL SOVIET TOURIST AGENCY.²⁹ MOREOVER, LEBEDEV INDICATED THAT THE SOVIETS EXPECTED THE NUMBER OF AMERICAN VISITORS FOR THE OLYMPICS TO FALL BELOW THE 15,000 TO 20,000 ORIGINALLY EXPECTED. ACCORDING TO LEBEDEV, DESPITE THE AMERICAN-LED BOYCOTT, THE 1980 SUMMER OLYMPICS WILL BE A SUCCESS, INDICATED BY THE FACT THAT INTOURIST HAS ALREADY SOLD 1,300,000 TICKETS FOR VARIOUS EVENTS TO FOREIGN CUSTOMERS; INCLUDING 480,000 TO SOCIALIST COUNTRIES, 490,000 TO WEST EUROPE, 260,000 TO THE UNITED STATES, AND 70,000 TO AFRICAN AND ASIAN COUNTRIES.³⁰

WHILE INTOURIST HAS REFUSED TO REFUND ADVANCE PAYMENTS BY THOUSANDS OF U.S. TOURISTS WHO HAVE CANCELLED TRIPS TO THE OLYMPICS, THE SOVIET PRESS IS ALLEGING THAT ANTI-SOVIET ORGANIZATIONS ADVISED BY THE CIA ARE PLANNING TO SEND THEIR EMISSARIES INTO THE U.S.S.R. DURING THE GAMES.³¹

IN AUGUST 1978, A SPOKESMAN FOR RADIO MINSK CLAIMED, IN A BROADCAST FOR BELORUSSIANS ABROAD, THAT:

"WE HAVE NO POLITICAL RESTRICTIONS WHATSOEVER ON TRAVEL BY SOVIET PEOPLE ABROAD OR CONCERNING FOREIGN TOURISTS WHO COME TO OUR COUNTRY WITH GOOD INTENTIONS."³²

THERE HAVE BEEN SEVERAL INSTANCES IN THE LAST FEW MONTHS OF AMERICAN TOURISTS BEING HARASSED BY CUSTOMS OFFICIALS AND ASSAULTED ON SOVIET STREETS THAT CONTRADICT THIS STATEMENT. IN THREE SEPARATE INCIDENTS IN CENTRAL ASIA AND UKRAINE, SIX AMERICAN JEWS WERE PUSHED AROUND BY GROUPS OF MENACING SOVIETS.³³ IN APRIL 1980, TWO CHICAGO AREA WOMEN AND TWO WASHINGTON, D.C.,

CLERGYMEN WERE SUBJECTED TO RIGOROUS SEARCHES UPON ENTERING THE SOVIET UNION AND HAD PERSONAL AND RELIGIOUS ITEMS CONFISCATED.³⁴ THESE AND SIMILAR INCIDENTS, APPARENTLY ARE DESIGNED TO DISCOURAGE CONTACTS AND INTERCHANGE BETWEEN U.S. VISITORS AND SOVIET JEWS AND POLITICAL OR RELIGIOUS ACTIVISTS.

BULGARIA

REUNIFICATION OF FAMILIES, BINATIONAL MARRIAGES

LAWS AND REGULATIONS

BULGARIA'S 1977 CONSTITUTION DOES NOT DEAL DIRECTLY WITH THE QUESTION OF EMIGRATION. THOSE PROVISIONS WHICH HAVE A BEARING ON THE PROCESS OF LEAVING THE COUNTRY HAVE NOT BEEN SIGNIFICANTLY AMENDED SINCE THE COMMISSION'S 1977 IMPLEMENTATION REPORT. IN ORDER TO LEAVE BULGARIA ON A PERMANENT BASIS, THE ORDINARY BULGARIAN MUST BE RELEASED FROM BULGARIAN CITIZENSHIP, FULFILL SEVERAL OBLIGATIONS TO THE STATE AND LOCAL AUTHORITIES AND ACQUIRE A NUMBER OF DOCUMENTS, INCLUDING AN EMIGRATION PASSPORT AND AN EXIT VISA.³⁵

TWO CHANGES IN THE LAW HAVE BEEN MADE SINCE 1977. EMIGRATION PASSPORTS ISSUED TO THOSE LEAVING THE COUNTRY OR CHANGING THEIR CITIZENSHIP CURRENTLY ARE ISSUED ONLY BY THE "DEPARTMENT OF PASSPORTS FOR USE ABROAD" OF THE MINISTRY OF THE INTERIOR OR BY THE MINISTRY'S OFFICES AT THE DISTRICT OR REGIONAL ADMINISTRATIVE LEVEL. MANY BULGARIAN EMIGRANTS PREVIOUSLY HAD BEEN ABLE TO LEAVE THE COUNTRY WITH ORDINARY PASSPORTS. THE OTHER CHANGE SPECIFIES THAT THE EXIT VISA REQUIRED FROM THE MINISTRY OF INTERIOR IS NOW VALID FOR USE ONLY ONCE AND WITHIN 30 DAYS FOLLOWING ITS ISSUANCE.

PROCEDURES AND PRACTICES

CURRENT BULGARIAN EMIGRATION PRACTICE IS SIMILAR TO THE SITUATION BEFORE THE BELGRADE CONFERENCE. BULGARIA'S PRACTICES IN THE GRANTING OF EXIT DOCUMENTS CONFORMS FAITHFULLY TO ITS RATHER STRICT LAWS IN THIS AREA. NO STEPS HAVE BEEN TAKEN SINCE THE BELGRADE CONFERENCE TO EITHER SIMPLIFY OR RELAX THE PROCEDURE FOR EXIT AND ENTRY. THE APPLICATION PROCESS IS STILL COMPLEX AND INFORMATION ON THE DETAILS OF THAT PROCESS ARE STILL NOT WIDELY AVAILABLE. DECISIONS ARE STILL LEFT TO THE WHIMS OF THE AUTHORITIES WHO APPLY RESTRICTIVE POLICIES, PARTICULARLY AGAINST THOSE WHO WISH TO VISIT OR BE REUNITED

WITH RELATIVES IN THE WEST WHO LEFT BULGARIA ILLEGALLY OR WHO WERE POLITICALLY ACTIVE IN PRE-COMMUNIST BULGARIA.

THE BULGARIAN RECORD ON THE RESOLUTION OF FAMILY REUNIFICATION CASES HAS BEEN MIXED SINCE THE TIME OF THE COMMISSION'S 1977 IMPLEMENTATION REPORT. ALL BUT TWO OF THE 72 CASES WHICH THE UNITED STATES HAD RAISED BEFORE THE BELGRADE MEETING WERE RESOLVED BY AUGUST 1977. AFTER THE BELGRADE MEETING IN 1978, THE BULGARIAN AUTHORITIES GAVE U.S. OFFICIALS ASSURANCES OF FAVORABLE ACTION ON THE REMAINING PROBLEM CASES STILL ON THE EMBASSY'S REPRESENTATION LIST. THE BULGARIAN RECORD FROM 1978 TO 1980, HOWEVER, HAS NOT FULFILLED THE EXPECTATIONS OF MORE EXPEDITIOUS HANDLING OF FAMILY REUNIFICATION CASES. AS OF MARCH 31, 1980, 32 CASES INVOLVING 84 INDIVIDUALS WERE STILL PENDING. SOME OF THEM ARE "PROBLEM" CASES WHICH HAVE APPEARED ON MORE THAN ONE REPRESENTATION LIST. FROM OCTOBER 1979 UNTIL THE END OF MARCH 1980, ONLY TWO FAMILY REUNIFICATION CASES WERE RESOLVED. WHILE 25 "PROBLEM" CASES, INVOLVING 30 INDIVIDUALS, HAD BEEN RESOLVED IN 1977, ONLY SEVEN SUCH CASES, INVOLVING EIGHT INDIVIDUALS, WERE RESOLVED IN 1978. BETWEEN APRIL 1979 AND MARCH 1980, ONLY FIVE CASES WERE RESOLVED.

ONE OF THE CASES RESOLVED IN 1979 INVOLVED THE FAMILY OF WRITER ATANAS SLAVOV. THE CASE HAD BEEN THE SUBJECT OF REPEATED REPRESENTATIONS BY SENIOR U.S. OFFICIALS. SLAVOV HAD BEEN TRYING SINCE 1976 TO BE REUNITED WITH HIS WIFE AND TWO CHILDREN, WHO HAD BEEN SUBJECTED TO VARIOUS FORMS OF HARASSMENT IN THEIR EFFORTS TO LEAVE BULGARIA. FINALLY, AFTER THE SLAVOV CASE WAS RAISED DURING A U.S.-BULGARIAN CSCE BILATERAL MEETING IN SOFIA, MRS. SLAVOV AND HER CHILDREN WERE ISSUED EXIT DOCUMENTS. THEY DEPARTED BULGARIA IN JUNE 1979.

A CASE WHICH HAS NOT YET BEEN SUCCESSFULLY RESOLVED INVOLVES LUDMILLA GABROVSKA, HER HUSBAND, TODOR, AND THEIR TWO TEENAGE CHILDREN, JULIA AND ALEXANDER. SINCE SEPTEMBER 1977, MR. GABROVSKA AND THE CHILDREN HAVE BEEN TRYING TO REJOIN MRS. GABROVSKA IN BALTIMORE, WHERE SHE NOW LIVES.

FAMILY VISITS

THE RECORD ON TRAVEL FOR TEMPORARY FAMILY VISITS ALSO HAS BEEN MIXED. FROM OCTOBER 1979 TO THE END OF MARCH 1980, THE UNITED STATES ISSUED 108 TEMPORARY VISAS TO BULGARIANS WISHING TO VISIT THEIR FAMILIES IN AMERICA; A CONSIDERABLE DECREASE FROM THE 173 VISAS ISSUED IN THE PREVIOUS SIX-MONTH PERIOD.

BULGARIA HAS FOLLOWED A COMPARATIVELY LIBERAL POLICY IN PERMITTING AMERICAN CITIZENS TO VISIT THEIR FAMILIES IN BUL-

GARIA. IN RECENT MONTHS, NO REFUSALS HAVE BEEN NOTED TO AMERICANS DESIRING TO TRAVEL TO BULGARIA FOR THIS PURPOSE. ANOTHER POSITIVE DEVELOPMENT IS THAT NO OUTSTANDING CASES INVOLVING UNRESOLVED BINATIONAL MARRIAGES OF U.S. AND BULGARIAN CITIZENS HAVE BEEN RECORDED IN THE TIME SINCE THE COMPLETION OF THE BELGRADE CONFERENCE.

RELIGIOUS CONTACTS, TRAVEL AND TOURISM

RELIGIOUS CONTACTS WITH BULGARIA CONTINUE, BUT THEY ARE MINIMAL. IN SEPTEMBER 1978, HIS HOLINESS MAXIM, PATRIARCH OF THE BULGARIAN EASTERN ORTHODOX CHURCH, VISITED THE UNITED STATES TO CONSECRATE TWO NEW CHURCHES AND MEET WITH CONGREGATIONS OF THE CHURCH. THE APPEAL OF CONSCIENCE FOUNDATION SENT A DELEGATION TO BULGARIA DURING THE SUMMER OF 1979, AS PART OF ITS CONTINUING EFFORT TO PROMOTE CONTACTS WITH RELIGIOUS ORGANIZATIONS THERE.

IN RECENT YEARS, BULGARIA HAS MADE EFFORTS TO OPEN ITS BORDERS TO FOREIGN TOURISTS. IN 1979, ACCORDING TO THE BULGARIAN TELEGRAPH AGENCY (BTA), APPROXIMATELY FIVE MILLION TOURISTS VISITED BULGARIA, MARKING A FIVE PERCENT INCREASE OVER 1978. WHILE THE VAST MAJORITY OF TOURISTS WERE FROM NEIGHBORING COUNTRIES, OR WARSAW PACT ALLIES, THE NUMBERS FROM WESTERN EUROPE MARKED SIGNIFICANT INCREASES OVER PREVIOUS YEARS. IN AN EFFORT TO ENCOURAGE TOURISM, BULGARIA PROVIDES A VISA-FREE REGIME AND A PREMIUM OF 50 PERCENT ON "THE OFFICIAL RATE OF EXCHANGE OF CONVERTIBLE CURRENCIES" FOR TOURISTS. IT ALSO ADOPTED A DECREE, DATED JANUARY 11, 1979, WHICH IS DESIGNED TO INCREASE THE EFFICIENCY OF COMMERCIAL TOURISM FACILITIES IN THE COUNTRY BY ENCOURAGING THE INCREASE OF PRIVATE INITIATIVE TO SUPPLEMENT THE STILL INSUFFICIENT TOURIST SERVICES PROVIDED BY THE STATE.

CZECHOSLOVAKIA

REUNIFICATION OF FAMILIES, BINATIONAL MARRIAGES

PROCEDURES AND PRACTICES

THERE HAS BEEN NEGLIGIBLE CHANGE IN THE CZECHOSLOVAK LAWS GOVERNING TRAVEL AND IMMIGRATION TO THE WEST SINCE THE COMMISSION'S 1977 REPORT. PROCEDURES FOR APPLYING CONTINUE TO BE CUMBERSOME, BUREAUCRATIC, AND ARE CHARACTERIZED BY FREQUENT REFUSALS AND LENGTHY DELAYS.

DURING THE LAST THREE YEARS, THE ONE BRIGHT SPOT IN CZECHOSLOVAKIA'S IMPLEMENTATION OF THE HUMAN CONTACT PROVISIONS OF THE FINAL ACT HAS BEEN THE STEADY PROGRESS IN RESOLVING U.S. FAMILY REUNIFICATION CASES. AS OF JUNE 1, 1980, THE AMERICAN EMBASSY'S DIVIDED FAMILY LIST CONSISTED OF THREE NUCLEAR CASES, INVOLVING SIX PERSONS; AND FIVE NON-NUCLEAR CASES, INVOLVING 13 PERSONS. JUNE 1978 FIGURES CONSISTED OF 16 NUCLEAR CASES, INVOLVING 31 INDIVIDUALS; AND THREE NON-NUCLEAR CASES, INVOLVING 16 INDIVIDUALS. CZECHOSLOVAKIA HAS IMPROVED ITS RECORD IN FAMILY REUNIFICATION THROUGH A MORE LIBERAL INTERPRETATION OF REGULATION No. 58 WHICH REQUIRES INDIVIDUALS WHO LEFT CZECHOSLOVAKIA WITHOUT PERMISSION TO LEGALIZE THEIR STATUS PRIOR TO FAMILY REUNIFICATION OR VISITS.

FEES CHARGED IN CONNECTION WITH EMIGRATION -- REIMBURSEMENT OF THE STATE FOR EDUCATIONAL EXPENSES PLUS RESTRICTIONS ON THE AMOUNT OF HARD CURRENCY A CITIZEN OF CZECHOSLOVAKIA MAY TAKE ABROAD -- AS WELL AS OTHER GOVERNMENT REGULATIONS, MAKE IT ALMOST IMPOSSIBLE FOR THE GREAT MAJORITY OF CZECHOSLOVAK CITIZENS TO EITHER EMIGRATE OR TRAVEL ABROAD. FEES FOR EMIGRATION CAN RANGE UP TO SEVERAL THOUSAND DOLLARS, DEPENDING ON THE EDUCATION LEVEL OF THE EMIGRANT.

ON MARCH 26, 1979, THE HUMAN-RIGHTS GROUP CHARTER '77 ISSUED DOCUMENT No. 24 ON THE FREEDOM TO TRAVEL ABROAD. THIS DOCUMENT CITES AND ANALYZES ALL GOVERNMENT REGULATIONS WHICH RESTRICT TRAVEL ABROAD AND TO THE WEST IN PARTICULAR. AMONG THE REGULATIONS IS THE REQUIREMENT THAT AN APPLICANT OBTAIN PERMISSION FROM HIS EMPLOYER FOR AN EXIT PERMIT. NO RULES OR REGULATIONS GOVERN THE DECISIONS OF THE EMPLOYER AND THUS A POTENTIAL EMIGRANT OR TRAVELER IS AT THE MERCY OF HIS OR HER EMPLOYER'S WHIMS. THERE IS NO APPEAL OR LEGAL RECOURSE TO A NEGATIVE RESPONSE.

DOCUMENT No. 24 ALSO STATES THAT CITIZENS WHO WISH TO EMIGRATE HAVE TO SIGN A SO-CALLED "RENUNCIATION STATEMENT" WHEREBY THESE CITIZENS LEAVE ALL THEIR PROPERTIES TO THE STATE AND WAIVE ALL CLAIMS AGAINST THE STATE, INCLUDING THE RIGHT TO SOCIAL SECURITY PENSION.

CZECHOSLOVAK AUTHORITIES ROUTINELY REFUSE EXIT PERMITS TO RELATIVES OF THOSE WHO ARE ENGAGED IN ACTIVITIES OR WORK FOR ORGANIZATIONS THEY CONSIDER CRITICAL OF THE GOVERNMENT. IN ONE CASE, PAVEL BUCHLER, A 26-YEAR-OLD ARTIST TRYING TO REJOIN HIS FAMILY IN BRITAIN WAS REFUSED PERMISSION TO EMIGRATE BY THE CZECH AUTHORITIES. PRIOR TO HIS ATTEMPT TO EMIGRATE, BUCHLER HAD BEEN EXPELLED FROM HIS STUDIES AT THE ACADEMY OF ARTS AND SCIENCES, ALLEGEDLY FOR POLITICAL REASONS. DRIVEN BY A DESPER-

ATE DESIRE TO REJOIN HIS FAMILY, HE ATTEMPTED TO BOARD A PLANE FOR BUDAPEST ON DECEMBER 29, 1978, AND WAS DETAINED ALONG WITH A FRENCH CITIZEN, MARIE CHRISTINE HALOVA, THE WIFE OF FORMER CZECH CITIZEN, JIRI HALA, WHO NOW LIVES IN FRANCE. BUCHLER IS BEING HELD IN THE RUZYNE PRISON FOR ATTEMPTING TO LEAVE THE COUNTRY WITH FALSE DOCUMENTS. MARIE-CHRISTINE HALOVA WAS GIVEN AN EIGHT MONTH SENTENCE. ANOTHER CASE INVOLVES 31-YEAR-OLD JAROSLAV JAVORSKY. JAVORSKY, WHO WITH HIS FAMILY EMIGRATED TO WEST GERMANY, LATER RETURNED TO CZECHOSLOVAKIA TO GAIN PERMISSION FOR HIS FIANCEE TO EMIGRATE. AFTER FOLLOWING THE NORMAL PROCEDURE AND BEING REFUSED, HE TRIED TO SMUGGLE HIS FIANCEE OUT BUT WAS CAUGHT AND ARRESTED AT THE BULGARIAN-TURKEY BORDER. JAVORSKY WAS EXTRADITED TO PRAGUE, TRIED AND CONVICTED OF ESPIONAGE AND IS CURRENTLY SERVING A 13-YEAR SENTENCE.

THE BUCHLER, HALOVA AND JAVORSKY CASES ARE BUT THREE EXAMPLES OF THE EFFORTS OF MANY WHO TRY TO LEAVE CZECHOSLOVAKIA LEGALLY, BUT ARE REFUSED FOR THEIR POLITICAL BELIEFS OR THOSE OF THEIR SPOUSE. AS A RESULT, THEY ATTEMPT TO LEAVE ILLEGALLY, ARE CAUGHT, AND SUFFER FOR TRYING TO EXERCISE A UNIVERSALLY RECOGNIZED HUMAN RIGHT.

FAMILY VISITS

CZECHOSLOVAKIA CONTINUES TO HAVE ONE OF THE STRICTEST POLICIES REGARDING TEMPORARY REUNIFICATION THROUGH VISITS AND REGULAR MEETINGS ON THE BASIS OF FAMILY TIES. THE AMERICAN EMBASSY IN PRAGUE ISSUED AN ESTIMATED 800 VISAS TO CZECHOSLOVAK CITIZENS WHO WANTED TO VISIT THEIR RELATIVES IN THE UNITED STATES.³⁶ APPLICATIONS FOR VISITS TO THE UNITED STATES CONTINUE TO BE CAREFULLY SCRUTINIZED BY CZECHOSLOVAK GOVERNMENT AUTHORITIES. SOME AMERICANS OF CZECHOSLOVAK ORIGIN ARE DENIED VISAS TO VISIT THEIR RELATIVES IN CZECHOSLOVAKIA IF THEY LEFT THE COUNTRY WITHOUT GOVERNMENT PERMISSION. ALTHOUGH A "NORMALIZATION" PROGRAM OF THE CZECHOSLOVAK GOVERNMENT HAS ENABLED SOME ILLEGAL EMIGRANTS TO RETURN FOR VISITS TO RELATIVES, CZECHOSLOVAK AUTHORITIES CONTINUE TO BLOCK MANY ENTRY VISA APPLICATIONS.

RELIGIOUS CONTACTS, TRAVEL AND TOURISM

SINCE THE SIGNING OF THE FINAL ACT IN 1975, THERE APPEARS TO BE AN INCREASE IN OVERALL TOLERANCE OF CONTROLLED RELIGIOUS ACTIVITY IN CZECHOSLOVAKIA. IN JANUARY 1978, THE INVESTITURE OF FRANTISEK CARDINAL TOMASEK AS ARCHBISHOP OF PRAGUE WAS ALLOWED. HOWEVER, THE CZECH GOVERNMENT PREVENTED THE ATTENDANCE OF AN

AUSTRIAN BISHOP AT THE EVENT. IN JUNE 1978 RABBI ARTHUR SCHNEIER LED A DELEGATION FROM THE APPEAL OF CONSCIENCE FOUNDATION TO CZECHOSLOVAKIA IN AN EFFORT TO BROADEN THE EXPOSURE OF CZECHOSLOVAKIAN CHURCH OFFICIALS TO WESTERN RELIGIOUS ORGANIZATIONS.

CZECHOSLOVAKIA CONTINUES TO REGARD FOREIGN TRAVEL AS A PRIVILEGE, NOT A RIGHT. OPPORTUNITIES TO TRAVEL ABROAD ARE RESTRICTED, AND THOSE WHO DO OBTAIN PERMISSION TO TRAVEL OFTEN MUST LEAVE BEHIND MEMBERS OF THEIR FAMILIES TO ENSURE THEIR RETURN. IN 1978, MORE THAN 94 PERCENT OF ALL TRAVELERS FROM CZECHOSLOVAKIA VISITED OTHER SOCIALIST COUNTRIES. OF THESE, 94.6 PERCENT WERE TOURISTS, WHILE ONLY 5.4 PERCENT WERE ON OFFICIAL BUSINESS. IN THE CASE OF NONSOCIALIST COUNTRIES, THE MAJORITY OF CZECHOSLOVAK VISITORS -- SOME 192,533 PERSONS OR 53 PERCENT -- TRAVELED THERE ON OFFICIAL BUSINESS.

IN 1979, THE NUMBER OF CZECHOSLOVAKS VISITING THE "CAPITALIST" COUNTRIES ROSE BY 10 PERCENT OVER THE PREVIOUS YEAR. HOWEVER, THE NUMBER TRAVELING TO THE WEST FOR TOURISM OR RECREATIONAL PURPOSES WAS CONSIDERABLY LOWER. THE INFORMATION AVAILABLE INDICATES THAT THE NUMBER OF CZECH CITIZENS VISITING THE NON-SOCIALIST COUNTRIES IS RISING MUCH MORE SLOWLY THAN THE NUMBER VISITING SOCIALIST COUNTRIES.

GERMAN DEMOCRATIC REPUBLIC

REUNIFICATION OF FAMILIES, BINATIONAL MARRIAGES, FAMILY VISITS, TRAVEL AND TOURISM

LAWS AND REGULATIONS

THE GERMAN DEMOCRATIC REPUBLIC'S STIFF ORDINANCES GOVERNING EMIGRATION AND FOREIGN TRAVEL HAVE NOT BEEN EASED SINCE THE COMMISSION'S 1977 IMPLEMENTATION REPORT. THE STATE'S OFFICIAL AND NONOFFICIAL DISCOURAGEMENT OF EMIGRATION HAS NOT WAVERED, AND ALTHOUGH AN ENCOURAGINGLY LENIENT ATTITUDE TOWARD REQUESTS FOR TRAVEL VISAS WAS BRIEFLY PERCEPTIBLE DURING 1978, IT HAS SINCE BEEN CURBED.

THE GOVERNMENT HAS NOT ALTERED ITS POSITION THAT IT MAY, WITHOUT OFFERING ANY JUSTIFICATION, DENY OR REVOKE VISAS, TRAVEL AUTHORIZATIONS AND PASSPORTS. EMIGRATION OR FOREIGN TRAVEL WITHOUT THE APPROVAL OF THE REQUISITE STATE AGENCIES IS CONSIDERED A SERIOUS CRIME. VIOLATIONS ARE PUNISHED ACCORDINGLY. INDEED, PENALTIES FOR UNAUTHORIZED EMIGRATION AND OTHER CONTRAVENTIONS OF THE G.D.R.'S HUMAN CONTACTS POLICIES ARE HIGHER THAN EVER: THE THIRD AMENDMENT TO THE CRIMINAL CODE,

WHICH WENT INTO EFFECT IN AUGUST 1979, IS THE HARSHTEST LEGISLATION YET ENACTED TO DEFINE AND PENALIZE OFFENSES OF THIS NATURE. PARAGRAPH 105 OF THE NEW CODE STIPULATES THAT PERSONS WHO ENGAGE IN "HUMAN TRAFFIC", THAT IS, THOSE WHO "LURE" OR "ENTICE" G.D.R. CITIZENS INTO LEAVING THEIR COUNTRY, OR THOSE WHO PREVENT OR HINDER CITIZENS FROM RETURNING FROM FOREIGN SOJOURNS, WILL BE SUBJECT TO IMPRISONMENT FOR NOT LESS THAN TWO YEARS. PERSONS WHO ILLEGALLY CROSS THE BORDERS OF THE G.D.R., OR WHO VIOLATE THE RESIDENCE OR TRANSIT REGULATIONS OF THE COUNTRY, ARE LIABLE FOR UP TO TWO YEARS IN PRISON. UNDER PARAGRAPH 213, THIS SAME PENALTY CAN BE METED OUT TO ANY G.D.R. CITIZEN WHO VIOLATES HIS OR HER FOREIGN RESIDENCE OR TRAVEL AUTHORIZATIONS BY NOT RETURNING TO HIS OR HER COUNTRY BY THE PRESCRIBED TIME.

SHOULD THESE EMIGRATION AND TRAVEL REGULATIONS BE BROKEN, IN WHAT THE EAST GERMANS REGARD AS A PARTICULARLY SERIOUS FASHION, SENTENCES CAN EXTEND UP TO EIGHT YEARS. A SERIOUS CASE IS ONE IN WHICH, FOR INSTANCE, THE LIFE OR THE HEALTH OF SOMEONE HAS BEEN PUT AT RISK, WEAPONS OR DANGEROUS METHODS WERE USED, THE ACT WAS COMMITTED USING FALSE DOCUMENTS, IN COLLABORATION WITH ANOTHER PERSON, OR IN WHICH THE PERPETRATOR HAD PREVIOUSLY BEEN PUNISHED FOR ATTEMPTING TO CROSS THE BORDER ILLEGALLY.³⁷

DESPITE THE RISKS, SO MANY PEOPLE TRY TO EMIGRATE ILLEGALLY THAT SOME WESTERN OBSERVERS CALCULATE THAT APPROXIMATELY 60 PERCENT OF THE ESTIMATED FIVE TO SEVEN THOUSAND POLITICAL PRISONERS IN THE G.D.R. PRIOR TO THE 1979 AMNESTY WERE INCARCERATED FOR THIS CRIME.³⁸

PROCEDURES AND PRACTICES

ALTHOUGH ITS IN-COUNTRY AND EAST-BLOC TRAVEL POLICIES ARE QUITE LIBERAL, THE G.D.R. CONTINUES TO RESTRICT EMIGRATION AND TRAVEL TO THE WEST. MOST OF THE RECIPIENTS OF G.D.R. TRAVEL VISAS ARE PENSIONERS. ABOUT 1.3 MILLION PENSIONERS WERE PERMITTED TO VISIT THE FEDERAL REPUBLIC OF GERMANY OR WEST BERLIN DURING 1979. HOWEVER, THE NUMBER HAS REMAINED APPROXIMATELY THE SAME SINCE 1974 AND 1975. BY CONTRAST, ONLY ABOUT 50,000 NON-PENSIONERS WERE GIVEN TRAVEL VISAS IN 1978 AND ONLY 40,000 IN 1979. THE 1978 STATISTIC FOR THIS GROUP WAS 20 PERCENT HIGHER THAN THAT OF THE PREVIOUS YEAR -- EVIDENCE OF A SLIGHTLY MORE RELAXED GOVERNMENT ATTITUDE TOWARD WESTERN TRAVEL -- BUT THE 1979 FIGURE DEMONSTRATES A RETURN TO THE STRICTER POLICIES.

DURING THE BRIEF PERIOD OF LENIENCY IN 1978, LARGE NUMBERS OF SCIENTISTS, ARTISTS AND AUTHORS WERE PERMITTED TO VISIT THE

WEST. THESE AND OTHER WORKING-AGE PEOPLE ARE GENERALLY REQUIRED TO LEAVE MEMBERS OF THEIR FAMILIES BEHIND IN THE G.D.R. AS HOSTAGES GUARANTEEING THEIR RETURN. FEW YOUNG PEOPLE OR VALUED WORKERS ARE PERMITTED TO TRAVEL IN THE WEST.

OBTAINING A VISA FOR TRAVEL OR EMIGRATION IS GENERALLY A LENGTHY AND NERVE-RACKING PROCEDURE. BUREAUCRATIC DELAYS ARE COMMON. INFORMATION IS HARD TO GET. DENIALS ARE UNEXPLAINED. IN ADDITION, PRESSURE TO CONVINCE A PROSPECTIVE EMIGRANT/TRAVELER TO WITHDRAW HIS OR HER APPLICATION MAY TAKE THE FORM OF JOB DEMOTIONS OR EVEN IMPRISONMENT.

THE MOST NOTORIOUS MEASURE ADOPTED BY THE G.D.R. TO BRAKE EMIGRATION AND TO HINDER CONTACTS WITH THE WEST IS THE PHYSICAL BARRIER ALONG THE G.D.R.-F.R.G. BORDER. ALONG THIS 857-MILE ZONE ARE OVER A MILLION LAND MINES, SOME 34,800 SELF-FIRING MACHINE GUNS, ABOUT 1,000 WATCH DOGS, AND A LARGE, IMPRESSIVELY EQUIPPED BORDER PATROL. MAINTAINING AND IMPROVING THE BORDER COSTS THE G.D.R. ABOUT \$500 MILLION A YEAR. THE INCREASINGLY SOPHISTICATED BARRIER MAY BE LARGELY RESPONSIBLE FOR THE DECLINING NUMBER OF SUCCESSFUL ESCAPES TO THE F.R.G. IN 1977, 636 PERSONS SUCCEEDED IN CROSSING THE BARRIER, BUT ONLY 275 DID SO IN 1978.

IN RECENT YEARS, BOTH ILLEGAL AND LEGAL EMIGRATION TO THE F.R.G. HAS FALLEN. IN 1975, A TOTAL OF 16,285 G.D.R. CITIZENS ENTERED THE F.R.G. THE FIGURE IN 1978 WAS 12,117; AND IN 1979, 12,515. MANY, HOWEVER, LEFT WITHOUT THE PERMISSION OF THE G.D.R. AUTHORITIES. THE OFFICIAL STATISTICS FOR LEGAL EMIGRATION FROM THE G.D.R. TO THE F.R.G. WAS 10,274 IN 1975. THE NUMBER FELL TO 8,271 IN 1978, AND HAD REACHED ONLY 7,126 THROUGH OCTOBER 1979. SINCE 1975, ALMOST ONE-THIRD OF TOTAL ANNUAL EMIGRATION TO THE F.R.G. HAS BEEN ILLEGAL.³⁹

THE F.R.G. GOVERNMENT ACKNOWLEDGED IN 1979 THAT SINCE 1962, IT HAS "BOUGHT" ABOUT 16,000 G.D.R. PRISONERS, INCLUDING MANY ARRESTED FOR ATTEMPTING TO EMIGRATE ILLEGALLY. THE FEDERAL REPUBLIC CURRENTLY BUYS ABOUT 1,500 PRISONERS ANNUALLY. THE PRICE PAID BY THE F.R.G. FOR EACH PRISONER DEPENDS UPON HIS OR HER EDUCATION, REPUTATION AND IMPORTANCE TO THE G.D.R. GOVERNMENT.

THE VAST MAJORITY OF G.D.R. CITIZENS ASKING FOR EMIGRATION OR TRAVEL VISAS STATE THAT THEY WISH TO LIVE IN OR VISIT THE FEDERAL REPUBLIC. RELATIVELY FEW APPLY FOR PERMISSION TO ENTER THE UNITED STATES. THE UNITED STATES ISSUED FIVE IMMIGRANT VISAS IN 1978, 17 IN 1979, AND SEVEN THROUGH MARCH 1980. SOME 2,749 NON-IMMIGRANT VISAS WERE ISSUED IN 1979, AND 612 THROUGH MARCH 1980.⁴⁰

HUNGARYREUNIFICATION OF FAMILIES, BINATIONAL MARRIAGES
AND FAMILY VISITS

LAWS AND REGULATIONS

THERE HAS BEEN SIGNIFICANT PROGRESS IN HUNGARIAN IMPLEMENTATION OF THE HUMAN CONTACTS PROVISIONS DURING THE LAST THREE YEARS.

IN THE FALL OF 1978, THE HUNGARIAN PRESIDENTIAL COUNCIL ADOPTED A DECREE ON THE "FOREIGN TRAVEL AND PASSPORTS OF HUNGARIAN CITIZENS." THE NEW FEATURES OF THE REGULATIONS LIE IN TWO AREAS: A MORE PERMISSIVE APPROACH TO THE ISSUANCE OF PASSPORTS, AND A MORE EQUITABLE TREATMENT OF HUNGARIAN CITIZENS WHO EITHER WISH TO EMIGRATE OR ARE PERMANENTLY LIVING ABROAD.

THE NEW PASSPORT REGULATION MAKES IT MANDATORY TO REFUSE THE ISSUANCE OF A PASSPORT ON THREE GROUNDS ONLY, AS OPPOSED TO SIX IN THE EARLIER PROVISIONS OF THE 1970 LAW:

1. IF THE INDIVIDUAL'S TRAVEL ABROAD IMPAIRS OR ENDANGERS THE INTERNAL OR EXTERNAL SECURITY OF THE REPUBLIC, PUBLIC ORDER, OTHER IMPORTANT PUBLIC INTERESTS, OR THE LEGITIMATE INTEREST OF OTHERS;

2. IF SOMEONE WISHES TO VISIT AN AGENCY OR PERSON ENGAGED IN HOSTILE ACTIVITY AGAINST A SOCIALIST STATE;

3. IF THE APPLICANT'S ECONOMIC RESOURCES FOR A STAY ABROAD ARE NOT GUARANTEED.

POINTS TWO AND THREE ARE IDENTICAL WITH THE PERTINENT PROVISIONS OF THE 1970 PASSPORT REGULATIONS; WHILE THE FIRST POINT IS AN ELABORATION OF AN ORIGINAL STIPULATION. THE OTHER THREE CATEGORIES FROM THE 1970 LAW CAN STILL BE CITED FOR REFUSING A PASSPORT, BUT ARE NO LONGER MANDATORY REFUSAL CLASSIFICATIONS. PREVIOUSLY, AN APPLICANT WHOSE CLOSE RELATIVE WAS ABROAD ILLEGALLY WOULD HAVE BEEN AUTOMATICALLY DENIED A VISA, BUT NOW IT IS LEFT TO THE DISCRETION OF THE OFFICIAL AGENCY.

WHERE A SIZABLE NUMBER OF REFUSALS UNDER THE OLD LAW WERE ASSOCIATED WITH ILLEGAL RELATIVES ABROAD, IT NOW APPEARS THAT THE FOUR PERCENT REFUSAL RATE IS MORE A RESULT OF INADEQUATE FINANCIAL RESOURCES OR LACK OF HARD CURRENCY.

ANOTHER LIBERALIZATION INVOLVED PASSPORTS FOR HUNGARIAN CITIZENS LIVING ABROAD LEGALLY. PREVIOUSLY, A "CONSULAR" PASSPORT WAS ISSUED, AND A VISA WAS REQUIRED FOR ANY SUBSEQUENT VISIT TO HUNGARY. UNDER THE NEW LAW, THE "CONSULAR" PASSPORT AND THE VISA REQUIREMENT HAVE BEEN ABOLISHED. HUNGARIAN RESIDENTS ABROAD NOW CAN RECEIVE A "BLUE" PASSPORT REGULARLY ISSUED FOR WESTERN VISITS. VISAS ARE NO LONGER REQUIRED FOR RETURN VISITS.

PRACTICES AND PROCESS

HUNGARY'S PERFORMANCE IN RESOLVING FAMILY REUNIFICATION CASES CONTINUES TO BE RELATIVELY GOOD. ACCORDING TO THE DEPARTMENT OF STATE, AT THE END OF JULY 1980, FIVE CASES REMAINED ON THE AMERICAN EMBASSY'S DIVIDED FAMILY LIST. THE LONGEST-STANDING UNRESOLVED CASE DATES BACK TO AUGUST 1977. ALTHOUGH THE NUMBER OF DIVIDED-FAMILY CASES ARE NEVER LARGE, NEW CASES CONSISTENTLY HAVE ARISEN AS OLD ONES ARE RESOLVED.

OVERALL HOWEVER, HUNGARY'S POLICY ON FAMILY REUNIFICATION HAS BEEN POSITIVE SINCE HELSINKI. BOTH THE HELSINKI FINAL ACT AND THE ASSURANCES OF LIBERALIZED EMIGRATION REQUIRED FOR RENEWAL OF MOST-FAVORED-NATION (MFN) TRADING STATUS (UNDER THE TERMS OF THE JACKSON-VANIK AMENDMENT), HAS HAD A BENEFICIAL EFFECT ON WOULD-BE HUNGARIAN EMIGRANTS. THE HUNGARIAN GOVERNMENT DOES NOT PENALIZE ITS CITIZENS WHO APPLY FOR EMIGRATION AND ONLY REFUSES ABOUT 10 PERCENT OF APPLICATIONS FOR PERMISSION TO EMIGRATE. HOWEVER, APPLICANTS WHO PERSIST USUALLY OBTAIN PERMISSION EVENTUALLY.

RELIGIOUS CONTACTS, TRAVEL AND TOURISM

IN FEBRUARY 1978, THE UNITED STATES AND HUNGARY AGREED TO FACILITATE, ON A RECIPROCAL BASIS, THE ISSUANCE OF VISAS TO DIPLOMATS AND OFFICIALS. MULTIPLE ENTRY VISAS WERE GRANTED FOR THE DURATION OF STAYS UP TO 48 MONTHS. HUNGARY STILL REMAINS THE EXCEPTION TO THE RULE FOR EASTERN RESTRICTIONS ON OVERSEAS TRAVEL. ABOUT FOUR AND ONE-HALF MILLION HUNGARIANS TRAVEL ABROAD ANNUALLY. NEARLY 400,000 TRAVEL TO THE WEST EACH YEAR AND THE GOVERNMENT HAS A FLEXIBLE POLICY ON ALLOWING WHOLE FAMILIES TO LEAVE TOGETHER. GOING ONE STEP FURTHER, HUNGARY EVEN HAS ALLOWED FOR PAYMENT IN ITS OWN CURRENCY FOR TRAVEL DESTINED FOR AREAS OUTSIDE EUROPE, INCLUDING THE UNITED STATES. IN 1979, 10,671 HUNGARIANS VISITED THE UNITED STATES; OF THESE, 8,884 CAME FOR THE PURPOSES OF TOURISM AND FAMILY VISITS.

HUNGARY HAS BEEN AT THE FOREFRONT OF TOURISM ACTIVITY DURING THE PAST THREE YEARS. TOURS HAVE BEEN ORGANIZED FROM HUNGARY TO THE UNITED STATES WITH COSTS PAYABLE IN FORINT. TOURISM FROM THE NON-SOCIALIST COUNTRIES GREW CONSIDERABLY LAST YEAR -- BY 15 PERCENT.⁴¹ THIS YEAR, HOTEL ACCOMMODATIONS ARE BEING INCREASED, ALONG WITH EXCURSIONS ARRANGED THROUGH TRAVEL AGENCIES, FOR CONVERTIBLE-CURRENCY COUNTRIES.

TOURISTS FROM HUNGARY TO THE WEST ALSO INCREASED IN 1979. FROM 1978 TO 1979, AN ADDITIONAL 51,000 HUNGARIANS VISITED NON-SOCIALIST COUNTRIES.⁴² THE HOPE IS THAT WITH TOURISM PLAYING SUCH AN INCREASING ROLE IN GENERATING HARD CURRENCY, IT WILL AT LEAST PRESERVE CURRENT HUNGARIAN TRAVEL OPPORTUNITIES, IF NOT IMPROVE THEM.

RELIGIOUS CONTACTS AND INFORMATION EXCHANGE HAVE BROUGHT LEADERS OF THE VARIOUS FAITHS PRACTICED IN HUNGARY TOGETHER WITH THEIR WESTERN COLLEAGUES. HUNGARY PARTICIPATED IN AN EASTERN TOUR OF THE APPEAL OF CONSCIENCE FOUNDATION IN 1979 AND SENT AN INTERFAITH DELEGATION OF HUNGARIAN RELIGIOUS LEADERS TO THE UNITED STATES FOR TWO WEEKS IN OCTOBER AND NOVEMBER 1979. IN FEBRUARY 1979, AMERICAN JEWISH REPRESENTATIVES HELD PRODUCTIVE DISCUSSIONS IN BUDAPEST WITH HUNGARIAN GOVERNMENT AND JEWISH COMMUNITY OFFICIALS ON THE FACILITATION OF FINANCIAL AID TO HUNGARIAN JEWS FROM ABROAD. LATER THAT SAME YEAR, THE APPEAL OF CONSCIENCE FOUNDATION PRESENTED THEIR MAN-OF-THE-YEAR AWARD TO THE CATHOLIC PRIMATE OF HUNGARY, LASZLO CARDINAL LEKAI, FOR HIS CONTRIBUTION TO THE IMPROVED ECUMENICAL CLIMATE IN HUNGARY.

POLAND

REUNIFICATION OF FAMILIES, BINATIONAL MARRIAGES AND FAMILY VISITS

PROCEDURES AND PRACTICES

POLISH PERFORMANCE IN THE AREA OF HUMAN CONTACTS HAS BEEN MIXED. FOR EXAMPLE, PERFORMANCE ON THE MATTER OF DIVIDED FAMILIES HAS BEEN POOR, WHILE ITS RECORD IN THE AREA OF BINATIONAL MARRIAGES HAS BEEN QUITE GOOD.

THE POLISH APPROACH TO HUMAN CONTACT ISSUES HAS NOT CHANGED SINCE THE COMMISSION'S 1977 REPORT. THE POLISH GOVERNMENT REFUSES TO ACCEPT THE PRINCIPLE OF FREE EMIGRATION, APPARENTLY BECAUSE IT FEARS THE DETRIMENTAL EFFECTS THAT SUCH A POLICY MIGHT HAVE ON POLISH SOCIETY. THUS, POLAND CONTINUES TO CONTROL CLOSELY THE NUMBER AND TYPE OF PERSONS PERMITTED TO LEAVE. HOW-

EVER, POLAND HAS BEEN RELATIVELY LIBERAL ABOUT THE NUMBER OF PERSONS PERMITTED TO TRAVEL TO THE WEST FOR BUSINESS OR AS TOURISTS.

POLISH VISAS HAVE BEEN AVAILABLE TO ALMOST ALL U.S. CITIZENS. IN RECENT MONTHS, POLISH POLICIES TOWARD THOSE FEW AMERICANS WHO HAD ROUTINELY BEEN DENIED VISAS HAS ALSO IMPROVED.

WHETHER COUNTED BY CASES OR BY INDIVIDUALS INVOLVED, POLAND CONTINUES TO HAVE, BY FAR, THE WORST DIVIDED FAMILY FIGURES OF ANY EASTERN COUNTRY. THIS IS PARTLY DUE TO THE LARGE NUMBER OF PERSONS OF POLISH HERITAGE WHO NOW LIVE IN THE UNITED STATES AND TO POLAND'S RELATIVELY LIBERAL TRAVEL POLICIES. POLISH OFFICIALS SOMETIMES COMPLAIN THAT ALMOST EVERY POLISH CITIZEN HAS A RELATIVE IN THE UNITED STATES, AND THAT WHENEVER A POLISH CITIZEN IS ALLOWED TO LEAVE FOR FAMILY REUNIFICATION PURPOSE, A NEW DIVIDED FAMILY CASE MAY BE CREATED. NEVERTHELESS, IT IS CLEAR THAT POLAND'S POLICY ON EMIGRATION FOR THE PURPOSE FAMILY REUNIFICATION FALLS FAR SHORT OF THE IDEAL ENVISIONED IN THE FINAL ACT.

THE AMERICAN EMBASSY IN WARSAW MAKES FREQUENT REPRESENTATIONS TO THE POLISH GOVERNMENT ON BEHALF OF THE PERSONS ON ITS DIVIDED FAMILY LIST. REPRESENTATIONS ALSO ARE MADE BY OTHER U.S. GOVERNMENT OFFICIALS AND BY MEMBERS OF CONGRESS. UNFORTUNATELY, THE POLISH RESPONSE TO THESE REPRESENTATIONS HAS BEEN DISAPPOINTING.

THE POLISH AUTHORITIES HAVE ISSUED PASSPORTS IN ONLY ABOUT ONE-THIRD OF THE CASES RAISED BY THE U.S. GOVERNMENT. BETWEEN OCTOBER 1, 1979 AND MARCH 31, 1980, THE AMERICAN EMBASSY ISSUED 844 VISAS TO POLISH CITIZENS FOR FAMILY REUNIFICATION PURPOSES. DURING THAT SAME PERIOD, THE EMBASSY ADDED 516 PERSONS TO ITS LIST OF DIVIDED FAMILIES. THE EMBASSY ALSO REVIEWED THE LIST CAREFULLY IN APRIL 1980 AND ELIMINATED THE NAMES OF POLISH CITIZENS WHO WERE NO LONGER ACTIVELY INTERESTED IN EMIGRATING. THE LIST AT THE END OF APRIL 1980 CONSISTED OF 842 CASES AND INVOLVED 2,343 INDIVIDUALS.

ONE PARTICULARLY DISTURBING FAMILY REUNIFICATION CASE IS THAT OF THE KENNEDY-STROJEK FAMILY WHICH HAS BEEN PRESSED BY THE U.S. GOVERNMENT WITHOUT SUCCESS FOR ABOUT FIVE YEARS. THE POLISH GOVERNMENT MAINTAINS THAT STROJEK CANNOT BE ALLOWED TO LEAVE THE COUNTRY BECAUSE HE HAD ACCESS TO CLASSIFIED INFORMATION WHILE SERVING WITH THE POLISH MILITARY MORE THAN FIVE YEARS AGO.

MORE POSITIVE RESULTS HAVE BEEN ACHIEVED UNDER A 1976 F.R.G.-POLISH AGREEMENT IN WHICH THE POLES AGREED TO ALLOW THE EMIGRATION OF 125,000 ETHNIC GERMANS DURING THE SUCCEEDING FOUR

YEARS. THE POLES HAVE FULFILLED THIS AGREEMENT ON SCHEDULE. SOME 36,274 ETHNIC GERMANS EMIGRATED FROM POLAND TO THE FEDERAL REPUBLIC OF GERMANY IN 1979.⁴³ HOWEVER, THE ECONOMIST MAGAZINE HAS REPORTED THAT THERE MAY BE AS MANY AS ANOTHER 100,000 ETHNIC GERMANS WHO WOULD LIKE TO EMIGRATE FROM POLAND.⁴⁴

POLISH PERFORMANCE IN OTHER AREAS OF HUMAN CONTACTS HAS BEEN MIXED. UNTIL A FEW MONTHS AGO, THERE WERE FORTY CASES IN WHICH VISAS HAD BEEN DENIED TO AMERICAN CITIZENS WHO WISHED TO RETURN TO POLAND TO VISIT RELATIVES. MOST OF THE PERSONS WHO WERE DENIED WERE JEWISH AND HAD LEFT POLAND IN 1968 OR 1969. IN THE PAST FEW MONTHS, HOWEVER, OVER HALF OF THESE CASES HAVE BEEN RESOLVED.

THE POLISH RECORD IN RESOLVING BINATIONAL MARRIAGES HAS BEEN GOOD. SINCE THE BELGRADE CONFERENCE IN 1977, THERE HAVE BEEN NO OUTSTANDING UNRESOLVED MARRIAGE CASES.

TRAVEL, TOURISM AND RELIGIOUS CONTACTS

THE POLISH GOVERNMENT HAS RESTRICTED THE TRAVEL OF CERTAIN POLISH SCHOLARS WHO DO NOT CONFORM TO THE OFFICIAL VIEWS OF THE POLISH COMMUNIST PARTY. THE POLISH GOVERNMENT HAS REFUSED TO ISSUE EXIT VISAS TO SEVEN INTELLECTUALS INVITED BY THE U.S. GOVERNMENT OR BY PRESTIGIOUS U.S. INSTITUTIONS DURING THE LAST FEW YEARS. THESE INCLUDE STANISLAW BARANCZAK, A POET AND LECTURER ON POLISH LITERATURE WHO WAS INVITED BY HARVARD TO ACCEPT A CHAIR IN SLAVIC LITERATURE; ANDRZEJ MICEWSKI, A WRITER FOR THE CATHOLIC WEEKLY TYGODNIK POWSZECHNY WHO WAS DENIED PERMISSION TO VISIT THE UNITED STATES ON A GRANT FROM THE U.S. GOVERNMENT; WLADYSLAW BARTOSZEWSKI, A LUBLIN UNIVERSITY EXPERT ON POLISH-JEWISH RELATIONS WHO WAS INVITED TO LECTURE BY THE KOSCIUSZKO FOUNDATION AND BY B'NAI B'RITH. PROFESSOR BARTOSZEWSKI, A SURVIVOR OF AUSCHWITZ, WAS ALSO DENIED PERMISSION IN JANUARY OF 1980 TO SPEAK IN VIENNA.

POLAND IS OTHERWISE RELATIVELY LENIENT IN PERMITTING ITS CITIZENS TO TRAVEL TO NON-COMMUNIST COUNTRIES. BETWEEN OCTOBER 1979 AND MARCH 1980, THE AMERICAN EMBASSY ISSUED 16,488 NON-IMMIGRANT VISAS. THE POLISH PRESS HAS REPORTED THAT THE NUMBER OF POLISH CITIZENS WHO TRAVELED TO CAPITALIST COUNTRIES INCREASED BY 10 PERCENT IN 1979 TO 635,000, WHILE THE NUMBER OF VISITORS FROM CAPITALIST COUNTRIES EXCEEDED ONE MILLION FOR THE FIRST TIME.⁴⁵

POLAND HAS TAKEN A NUMBER OF POSITIVE STEPS WITH REGARD TO RELIGIOUS CONTACTS AND INFORMATION SINCE THE CSCE REVIEW MEETING IN BELGRADE. THE PRINCIPAL STEP WAS THE ACCEPTANCE OF A VISIT

BY POPE JOHN PAUL II IN JUNE 1979. OTHER SIGNIFICANT ACTIONS INCLUDED THE VISIT OF AMERICAN EVANGELIST BILLY GRAHAM IN OCTOBER 1978, AND AN INVITATION FROM POLISH LEADERS TO JEWISH LEADERS, INCLUDING MANY FROM ISRAEL, TO PARTICIPATE IN THE COMMEMORATION OF THE 35TH ANNIVERSARY OF THE WARSAW GHETTO UPRISING. THE PRESIDENT'S COMMISSION ON THE HOLOCAUST WAS GIVEN AN EXCELLENT RECEPTION BY POLISH OFFICIALS IN JULY 1979.

ROMANIA

REUNIFICATION OF FAMILIES AND BINATIONAL MARRIAGES

LAWS AND REGULATIONS

ROMANIA'S BASIC ATTITUDE TOWARD EMIGRATION -- ONE OF DISCOURAGEMENT BORDERING ON HOSTILITY -- HAS REMAINED UNCHANGED DURING THE PAST THREE YEARS. THE ROMANIAN STATE DOES NOT RECOGNIZE THE RIGHT TO FREE MOVEMENT, RATHER IT CLAIMS THE RIGHT TO CONTROL THE MOVEMENT OF CITIZENS. ROMANIA REGARDS EMIGRATION AND FOREIGN TRAVEL AS PRIVILEGES THE STATE BESTOWS AND ASSERTS THAT IT IS EACH CITIZEN'S DUTY TO REMAIN IN HIS OR HER HOMELAND AND CONTRIBUTE TO ITS DEVELOPMENT. CONSEQUENTLY, THE LAWS AND REGULATIONS GOVERNING THE MOVEMENT OF CITIZENS OUT OF ROMANIA ARE DESIGNED TO RESTRICT, RATHER THAN FACILITATE, TRAVEL ACROSS THE BORDERS. LEAVING OR ATTEMPTING TO LEAVE THE COUNTRY WITHOUT OFFICIAL PERMISSION IS REGARDED AS A CRIME AGAINST THE STATE.

PROCEDURES AND PRACTICES

AS A GENERAL RULE, THESE RESTRICTIVE LAWS AND REGULATIONS ARE INTERPRETED NARROWLY AND APPLIED STRICTLY BY THE AUTHORITIES. HOWEVER, THE ROMANIAN GOVERNMENT HAS BEEN RESPONSIVE TO OFFICIAL FOREIGN INTERCESSIONS IN BEHALF OF SPECIFIC EXIT VISA CASES.

THE WOULD-BE EMIGRANT FROM ROMANIA MUST FACE SEEMINGLY INSURMOUNTABLE PROCEDURAL DIFFICULTIES AND ENDURE PSYCHOLOGICAL AND MATERIAL PRESSURES IMPOSED BY THE GOVERNMENT TO DETER HIM OR HER FROM ATTEMPTING TO LEAVE THE COUNTRY. IF A ROMANIAN PERSISTS IN HIS HER DETERMINATION TO EMIGRATE DESPITE THE CONSIDERABLE OBSTACLES PLACED IN HIS OR HER PATH -- NO SMALL FEAT -- AND CAN COUNT ON PERSISTENT EXPRESSIONS OF HIGH-LEVEL SUPPORT FROM THE WEST, CHANCES ARE GOOD THAT HE OR SHE WILL EVENTUALLY RECEIVE PERMISSION TO EMIGRATE.

SINCE THE SIGNING OF THE HELSINKI FINAL ACT AND THE U.S.-ROMANIA TRADE AGREEMENT⁴⁶ IN 1975, THE ROMANIAN GOVERNMENT HAS PERVERSELY INCREASED, RATHER THAN REDUCED, THE PROCEDURAL DIFFICULTIES FACED BY WOULD-BE EMIGRANTS, AND THEREBY SHOWN CONSISTENCY IN ITS RESTRICTIVE ATTITUDE TOWARD THE FREE MOVEMENT OF ITS PEOPLE. THE FORMIDABLE PROCEDURAL OBSTACLES IMPOSED BY THE STATE ON ROMANIAN CITIZENS WHO SOLICIT EXIT VISAS INCLUDE: (1) THE NECESSITY TO APPLY FOR AN APPLICATION FORM AND THE FREQUENT DELAYS AND REFUSALS AN APPLICANT EXPERIENCES IN OBTAINING A PRELIMINARY FORM; (2) THE NEED TO APPEAR BEFORE SPECIAL "PEOPLE'S COMMISSIONS" MADE UP OF PARTY OFFICIALS, POLICE AUTHORITIES, NEIGHBORS, EMPLOYERS, AND CO-WORKERS WHO OFTEN GRILL PROSPECTIVE APPLICANTS ON THEIR REASONS FOR LEAVING AND ATTEMPT TO DISSUADE THEM FROM DOING SO; (3) OTHER PSYCHOLOGICAL AND MATERIAL PRESSURES WHICH ARE APPLIED AGAINST PEOPLE REQUESTING EXIT PERMISSION SUCH AS JOB DEMOTIONS OR DISMISSALS, EVICTIONS FROM APARTMENTS, EXPULSIONS FROM SCHOOLS OR UNIVERSITIES, DELAYS AND UNCERTAINTIES IN RECEIVING FINAL APPROVAL; AND (4) THE INSISTENCE THAT THE COUNTRY OF DESTINATION BE STAMPED ON THE EXIT VISA BEFORE THE APPLICANT HAS DETERMINED HIS OR HER ELIGIBILITY TO ENTER THAT COUNTRY.

THESE PRACTICES, WHEN TAKEN TOGETHER, CONTINUE TO BE A SEVERE DETERRENT TO ROMANIAN CITIZENS WHO WOULD LIKE TO LEAVE ROMANIA AND CAUSE SERIOUS, EMOTIONAL HARDSHIPS FOR THOSE WHO TAKE THE BOLD STEP OF SUBMITTING AN APPLICATION REQUEST. PROCEDURES FOR OBTAINING A TRAVEL VISA ARE EQUALLY DIFFICULT.⁴⁷

THE ONLY JUSTIFICATIONS FOR LEAVING THE COUNTRY WHICH ARE RECOGNIZED BY THE ROMANIAN GOVERNMENT ARE FAMILY VISITS OR FAMILY REUNIFICATION INVOLVING CLOSE RELATIVES. THE ROMANIAN GOVERNMENT IS PARTICULARLY RELUCTANT TO APPROVE REQUESTS FOR BINATIONAL MARRIAGES, SINCE SUCH UNIONS TYPICALLY RESULT IN THE EMIGRATION OF THE ROMANIAN SPOUSE. ROMANIAN PRACTICES REGARDING BINATIONAL MARRIAGES ARE AMONG THE MOST SEVERE OF THE WARSAW PACT STATES. A ROMANIAN WISHING TO MARRY A FOREIGNER MUST FILE A PETITION WITH THE HIGHEST EXECUTIVE BODY IN THE COUNTRY, THE COUNCIL OF STATE, WHICH MUST EVENTUALLY BE APPROVED AND SIGNED BY PRESIDENT CEAUDESCU HIMSELF. AT PRESENT, WAITING PERIODS FOR MARRIAGE APPROVAL OF A YEAR OR LONGER ARE THE RULE, BUT PERMISSION IS VIRTUALLY ALWAYS GIVEN IN THE END.⁴⁸

WITHIN THIS VERY RESTRICTIVE CONTEXT, THE ROMANIAN GOVERNMENT HAS SHOWN SENSITIVITY TO THE EMIGRATION-RELATED CONCERNS OF OTHER FOREIGN GOVERNMENTS. EMIGRATION FROM ROMANIA TO THE UNITED STATES HAS, FOR THE MOST PART, STEADILY INCREASED OVER THE YEARS, LARGELY DUE TO THE PROVISIONS OF THE JACKSON-VANIK

AMENDMENT TO THE 1974 TRADE ACT. IN 1975, FOR EXAMPLE, 890 ROMANIANS WERE GIVEN PERMISSION TO LEAVE FOR THE UNITED STATES; IN 1976 THAT NUMBER ROSE TO 1,021; IN 1977, 1,240; IN 1978, 1,775, AND; IN 1979 THE NUMBER WAS MORE THAN 1,600. FIGURES FOR THE FIRST HALF OF 1980 INDICATE MORE THAN A 260 PERCENT INCREASE IN DEPARTURES OVER THOSE RECORDED IN THE SAME PERIOD OF 1978. THIS SUGGESTS THAT THE HIGHER MONTHLY EMIGRATION TOTALS ACHIEVED IN THE LAST HALF OF 1979 ARE BEING SUSTAINED.

THE RESOLUTION RATES OF QUALIFIED IMMIGRANT AND BINATIONAL MARRIAGE CASES ON THE U.S. REPRESENTATION LISTS HAVE BEEN HIGH DURING THE PAST THREE YEARS, ALTHOUGH THESE CASES GENERALLY INVOLVE A WAIT OF ONE YEAR TO 16 MONTHS. AT THE SAME TIME, THE RATE OF RESOLUTION OF DUAL NATIONAL CASES HAS BEEN LOW.

ROMANIA'S GERMAN AND JEWISH POPULATIONS HAVE EXTENSIVE FAMILY AND ETHNIC TIES TO THE FEDERAL REPUBLIC AND ISRAEL AND PRESENT MAJOR EMIGRATION PROBLEMS FOR THE ROMANIAN GOVERNMENT. THE FEDERAL REPUBLIC OF GERMANY AND THE ROMANIAN GOVERNMENT HAVE WORKED OUT BILATERAL METHODS AND MECHANISMS WHICH HAVE RESULTED IN HIGH LEVELS OF EMIGRATION SINCE 1977, USUALLY AMOUNTING TO 10,000 TO 12,000 LEGAL DEPARTURES FOR THE F.R.G. EACH YEAR. IN 1977, 10,990 ETHNIC GERMANS FROM ROMANIA EMIGRATED TO WEST GERMANY, AS COMPARED TO PREVIOUSLY LOW YEARLY TOTALS IN 1975 OF 3,870 AND 2,720 IN 1976. IN 1978, A RECORD 12,121 ETHNIC GERMANS EMIGRATED TO THE FEDERAL REPUBLIC. WHILE IN 1979, ONLY 9,681 LEFT FOR WEST GERMANY, ARRIVAL FIGURES FOR THE FIRST SIX MONTHS OF 1980 SUGGEST THAT A YEARLY EMIGRATION TOTAL OF 10,000 TO 12,000 DEPARTURES FOR THE F.R.G. WILL AGAIN BE ATTAINED THIS YEAR.

A SIGNIFICANT DEVELOPMENT WITH RESPECT TO JEWISH EMIGRATION OCCURRED IN THE SUMMER OF 1979. IN THE COMMISSION'S LAST ACCOUNT OF THE SITUATION IN 1977, IT WAS REPORTED THAT EMIGRATION TO ISRAEL HAD STEADILY DECLINED IN THE POST-HELSINKI YEARS FROM 2,140 IN 1975, TO 2,034 IN 1976, AND FURTHER TO 1,334 IN 1977. THIS DISTURBING DOWNWARD TREND CONTINUED INTO 1978, WHEN ONLY 1,200 JEWS LEFT FOR ISRAEL. IN THE FIRST SIX MONTHS OF 1979, JEWISH EMIGRATION RAN AT APPROXIMATELY ONE-HALF THE PREVIOUS YEAR'S RATE. CONCERN AMONG AMERICAN JEWISH LEADERS AND OTHERS MOUNTED. HOWEVER, AN UNDERSTANDING DESIGNED TO ALLAY THESE CONCERNS WAS REACHED BETWEEN AMERICAN REPRESENTATIVES OF THE CONFERENCE OF PRESIDENTS OF MAJOR AMERICAN JEWISH ORGANIZATIONS AND CHIEF RABBI MOSES ROSEN, PRESIDENT OF THE ROMANIAN FEDERATION OF JEWISH COMMUNITIES. THEIR AGREEMENT WAS ENDORSED BY THE U.S. AND ROMANIAN GOVERNMENTS. THE NEW UNDERSTANDING SET IN MOTION A PLAN, WHEREBY ALL ROMANIAN JEWS WISHING TO DEPART

FOR ISRAEL COULD BOTH REGISTER THEIR INTENTION TO DO SO WITH THE ROMANIAN FEDERATION OF JEWISH COMMUNITIES AND MAKE APPLICATIONS IN THE NORMAL WAY. NO STIGMA WAS TO BE ATTACHED TO REGISTRATION. THE REGISTRATION PROCESS BEGAN IN SEPTEMBER 1979 AND IS CONTINUING. PERIODICALLY, RABBI ROSEN REPORTS ON THE STATUS OF THE CASES ON THE REGISTRATION LISTS TO INTERESTED PARTIES ABROAD.

THE IMPACT OF THE NEW REGISTRATION SYSTEM IS DIFFICULT TO ASCERTAIN. ARRIVAL FIGURES FOR JULY THROUGH DECEMBER 1979, AFTER THE REGISTRATION PLAN WENT INTO EFFECT, SHOW AN INCREASE OF APPROXIMATELY 220 PERCENT OVER THOSE RECORDED FOR THE PREVIOUS SIX MONTHS OF THAT YEAR. HOWEVER, THE MONTHLY FIGURES FOR THE FIRST HALF OF 1979 WERE EXCEPTIONALLY LOW AND ARE THUS NOT A SUITABLE BASIS OF COMPARISON. ARRIVAL TOTALS FOR JANUARY THROUGH JUNE 1980 ARE 37 PERCENT LESS THAN THOSE ACHIEVED IN THE LAST HALF OF 1979. IN THE FIRST HALF OF 1980, 22 PERCENT LESS ROMANIAN JEWS RECEIVED APPROVAL TO EMIGRATE TO ISRAEL THAN HAD BEEN GIVEN PERMISSION IN THE PREVIOUS SIX-MONTH PERIOD.

THE REGISTRATION PLAN IS STILL TOO NEW TO GIVE CAUSE TO BELIEVE THAT PROCEDURAL AND NUMERICAL IMPROVEMENTS IN THE AREA OF JEWISH EMIGRATION ARE NOW ASSURED. THE NEW SYSTEM IS, NEVERTHELESS, A SIGNIFICANT AND CREATIVE FORWARD STEP TAKEN BY THE ROMANIAN GOVERNMENT -- A GESTURE THAT THE GOVERNMENT UNFORTUNATELY HAS FAILED TO MAKE FOR OTHER CATEGORIES OF CITIZENS WHO DESIRE TO LEAVE THE COUNTRY.

FAMILY VISITS, TRAVEL AND TOURISM

TRAVEL OPPORTUNITIES FOR ROMANIAN CITIZENS DESIRING TO GO ABROAD FOR WHATEVER REASON HAVE NOT IMPROVED DURING THE PAST THREE YEARS. OBTAINING A TRAVELER'S VISA IS STILL A LENGTHY AND UNCERTAIN PROCESS AND SUCCESS IS WON THROUGH PERSISTENCE AND REPEATED EXPRESSIONS OF INFLUENTIAL FOREIGN CONCERN. DELAYS ARE PROTRACTED. PASSPORTS ARE LIMITED AS TO DURATION AND DESTINATION. FAMILY MEMBERS HAVE TO STAY BEHIND AS HOSTAGES. CURRENCY REGULATIONS ARE PROHIBITIVELY STRICT. SUPERVISORS ARE OFTEN REQUIRED TO SIGN STATEMENTS GUARANTEEING THEIR EMPLOYEE'S RETURN (WHICH THEY ARE RELUCTANT TO DO, GIVEN THE HIGH RATE OF NO RETURNS) AND REFUSALS ARE OFTEN CAPRICIOUS.

WESTERNERS TRAVELING TO ROMANIA CAN EASILY OBTAIN VISAS AT POINTS OF ENTRY FOR NO CHARGE. FIRST-DEGREE RELATIVES OF ROMANIAN CITIZENS ARE EXEMPT FROM THE USUAL REQUIREMENT THAT FOREIGN TRAVELERS STAY AT GOVERNMENT-RUN FACILITIES AND PURCHASE UPON ARRIVAL \$10 OF LOCAL CURRENCY FOR EACH DAY OF THEIR INTENDED STAY IN THE COUNTRY. WESTERN TOURISTS MAY TRAVEL FREELY ABOUT

THE COUNTRY, BUT THE ROMANIAN CITIZENS THEY ENCOUNTER -- EVEN ON A CASUAL BASIS -- CAN SUFFER HARASSMENT AND LEGAL ACTION FOR ASSOCIATING WITH FOREIGNERS WITHOUT FIRST OBTAINING OFFICIAL PERMISSION.

RELIGIOUS CONTACTS

THE 14 OFFICIALLY RECOGNIZED RELIGIOUS DENOMINATIONS ARE PERMITTED TO MAINTAIN CONTACTS WITH CO-RELIGIONISTS ABROAD AS ONE OF THE PERQUISITES GIVEN TO RELIGIOUS GROUPS WHO ACCEPT TIGHT GOVERNMENT CONTROL OVER THEIR INSTITUTIONAL AFFAIRS. SOME NOTEWORTHY CONTACTS OF THIS KIND ARE DESCRIBED BELOW.

ARCHBISHOP POGGI, THE VATICAN'S ITINERANT PLENIPOTENTIARY FOR EAST EUROPEAN AFFAIRS, TRAVELED TO ROMANIA IN 1977 AND 1978. RECIPROCAL VISITS OF ROMANIAN AND U.S. CLERGYMEN WERE SPONSORED BY THE NEW YORK-BASED APPEAL FOR CONSCIENCE FOUNDATION, AN ORGANIZATION DEDICATED TO THE PROMOTION OF INTERNATIONAL INTER-FAITH CONTACTS AND RELIGIOUS FREEDOM. IN 1978, THE AMERICAN DELEGATION, LED BY A.C.F. PRESIDENT RABBI ARTHUR SCHNEIER, WENT TO BUCHAREST. THE FOLLOWING YEAR, A ROMANIAN DELEGATION PAID A RETURN CALL TO THE UNITED STATES. THE HIGH-LEVEL DELEGATION FROM ROMANIA WAS COMPRISED OF REPRESENTATIVES FROM SEVEN OF THE 14 RECOGNIZED RELIGIOUS SECTS, INCLUDING THE ROMANIAN ORTHODOX, CATHOLIC AND PROTESTANT CHURCHES, AND THE MOSLEM AND JEWISH FAITHS. IT WAS DURING THIS TRIP THAT CHIEF RABBI MOSES ROSEN, PRESIDENT OF THE ROMANIAN FEDERATION OF JEWISH COMMUNITIES, MET WITH U.S. REPRESENTATIVES OF THE CONFERENCE OF PRESIDENTS OF MAJOR AMERICAN JEWISH ORGANIZATIONS AND WORKED OUT THE NEW AGREEMENT ABOUT JEWISH EMIGRATION FROM ROMANIA. PATRIARCH OF THE ROMANIAN ORTHODOX CHURCH, JUSTIN MOISESCU, VISITED THE UNITED STATES IN 1979 AND MET WITH PRESIDENT CARTER. HIS TRIP MARKED THE FIRST TIME A REIGNING ROMANIAN PATRIARCH HAS COME TO THE UNITED STATES.

CONCLUSION

THE HUMAN CONTACTS PROVISIONS OF THE HELSINKI FINAL ACT HAVE HAD A LIMITED IMPACT ON THE SOVIET UNION AND ITS EAST EUROPEAN ALLIES. THOSE COUNTRIES HAVE BECOME AWARE OF THE CONTINUING WESTERN INTEREST IN THIS AREA AND, IN SOME SMALL AND OFTEN COSMETIC GESTURES, HAVE BECOME RESPONSIVE TO THAT INTEREST. MANY DIVIDED FAMILIES HAVE BEEN REUNITED. MORE EAST EUROPEANS ARE TRAVELING OUTSIDE THEIR COUNTRIES THAN EVER BEFORE. CONTACTS BETWEEN RELIGIOUS INSTITUTIONS IN THE EAST

AND WEST HAVE INCREASED. YET, FIVE YEARS AFTER THE FINAL ACT WAS SIGNED, THE HUMAN CONTACTS PROVISIONS OF THAT DOCUMENT ARE NOT BEING IMPLEMENTED FULLY IN ANY EAST EUROPEAN COUNTRY.

EMIGRATION IS STILL NOT RECOGNIZED AS A BASIC HUMAN RIGHT IN ANY OF THE EASTERN NATIONS, DESPITE EACH COUNTRY'S LEGAL OBLIGATIONS TO COMPLY WITH THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS. IN MANY COUNTRIES, APPLICANTS ARE STILL SUBJECTED TO HARASSMENT AND RECRIMINATION FOR THEIR ATTEMPTS TO LIVE WITH THEIR SPOUSES OR REJOIN FAMILY MEMBERS ABROAD. THE FEES CHARGED FOR PASSPORTS, VISAS AND OTHER TRAVEL DOCUMENTS ARE OFTEN EXHORBITANT. IN SEVERAL NATIONS, THE PROCEDURE REMAINS LENGTHY, CUMBERSOME AND FRAUGHT WITH BUREAUCRATIC OBSTACLES. FOR THOUSANDS, PERHAPS MILLIONS, OF EAST EUROPEANS, THE POSSIBILITY OF TRAVELING TO THE WEST OR LIVING ABROAD -- FOR WHATEVER REASON -- SIMPLY DOES NOT EXIST. THE PROMISE TO "FACILITATE THE FREER MOVEMENT OF PEOPLE ACROSS NATIONAL BORDERS," WHILE SHOWING MINOR IMPROVEMENTS IN CERTAIN AREAS, REMAINS LARGELY UNKEPT.

FOOTNOTES - CHAPTER V

1. INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS, ADOPTED BY THE UNITED NATIONS GENERAL ASSEMBLY ON DECEMBER 16, 1966, AND RATIFIED BY THE SOVIET UNION IN 1973.

2. FINAL ACT OF THE CONFERENCE ON SECURITY AND COOPERATION IN EUROPE, BASKET III, P. 17 IN DEPARTMENT OF STATE'S BULLETIN REPRINT.

3. TIME MAGAZINE, JUNE 23, 1980.

4. ELIE VALK, JEWISH EMIGRATION FROM THE U.S.S.R. IN 1979, SOVIET JEWRY RESEARCH BUREAU OF THE NATIONAL CONFERENCE ON SOVIET JEWRY, MARCH 1980, PG. 1.

5. FRANKFURTER ALLGEMEINE ZEITUNG, APRIL 10, 1980, AS REPORTED IN CSCE WEEKLY REVIEW, PUBLISHED BY CENTRUM EUROPESE VEILIGHEID EN SAMENWERKING, APRIL 4-10, 1980.

6. FINAL ACT OF THE CONFERENCE ON SECURITY AND COOPERATION IN EUROPE, BASKET III, PG. 2 IN DEPARTMENT OF STATE'S BULLETIN REPRINT.

7. THE CHICAGO TRIBUNE, "RUSS OLYMPIC CURBS BARED," MARCH 4, 1980.

8. LE MONDE, APRIL 1, 1980 AS REPORTED IN CSCE WEEKLY REVIEW, MARCH 28-APRIL 3, 1980 AND CRONID LUBARSKY, USSR NEWS BRIEF, APRIL 30, 1980.

9. KOMMUNIST TADSCHIKISTANA, JULY 13, 1979, AS CITED IN FRANKFURTER ALLGEMEINE ZEITUNG, SEPTEMBER 1, 1979, AS REPORTED IN CSCE WEEKLY REVIEW, AUGUST 31-SEPTEMBER 6, 1979.

10. LUBARSKY, USSR NEWS BRIEF, MARCH 31, 1980.

11. TESTIMONY OF JURI LINA BEFORE THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE, APRIL 29, 1980.

12. LUBARSKY, USSR NEWS BRIEF, DECEMBER 15, 1979 AND MAY 15, 1980.

13. KONSTATIN ZOTOV, HEAD OF OVIR, AS QUOTED BY AVTANDIL RUKHADZE OF NOVOSTI PRESS AGENCY ON APRIL 10, 1980.

14. ELIE VALK, JEWISH EMIGRATION FROM THE USSR IN 1979, SOVIET JEWRY RESEARCH BUREAU OF THE NATIONAL CONFERENCE ON SOVIET JEWRY, MARCH, 1980, PG. 3.

15. IBID.

16. DAN FISHER, "SOVIET ARMENIAN EMIGRES POURING INTO L.A. AREA," LOS ANGELES TIMES, MARCH 30, 1980.

17. IBID.

18. IBID.

19. DPA, APRIL 21, 1980, AS REPORTED IN RADIO LIBERTY RESEARCH BULLETIN, 145/80, APRIL 23, 1980.

20. DPA, MAY 5, 1980, AS REPORTED IN RADIO LIBERTY RESEARCH BULLETIN 169/80, MAY 5, 1980.

21. THE CHRISTIAN SCIENCE MONITOR, APRIL 9, 1980.

22. ARKHIV SAMIZDATA, 3664, JUNE 5, 1979.

23. NEUE ZURCHER ZEITUNG, MAY 9, 1979.

24. ARKHIV SAMIZDATA, 3660, MAY, 1979.

25. ARKHIV SAMIZDATA, 3662, MAY 27-28, 1979.

26. ZOTOV, OP CIT.

27. LINA, OP CIT.

28. UPI, MAY 11, 1980.

29. THE NEW YORK TIMES, APRIL 18, 1980.

30. AP, REUTERS, APRIL 18, 1980.

31. THE FINANCIAL TIMES, APRIL 16, 1980.

32. VLADIMIR MELESHKO, RADIO MINSK, 2230 CET, AUGUST 25, 1978: AS CITED BY ANDREAS TENSION, "SOME INS AND OUTS OF TRAVEL ABROAD FOR SOVIET CITIZENS", RADIO LIBERTY RESEARCH 381/79, DECEMBER 21, 1979.

33. THE CHICAGO TRIBUNE, APRIL 12, 1980.

34. THE CHICAGO SUN-TIMES, APRIL 20, 1980.

35. CSCE COMMISSION, IMPLEMENTATION OF THE FINAL ACT OF THE CONFERENCE ON SECURITY AND COOPERATION IN EUROPE: FINDINGS AND RECOMMENDATIONS TWO YEARS AFTER HELSINKI, 1977, PG. 93-95.

36. U.S. DEPARTMENT OF STATE, EIGHTH SEMIANNUAL REPORT BY THE PRESIDENT TO THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE, JUNE 1980.

37. GESETZBLATT DER DEUTSCHEN DEMOKRATISCHEN REPUBLIK, BERLIN, JULY 2, 1979: GESETZ ZUR AENDERUNG UND ERGAENZUNG STRAF-UND STRAFVERFAHRENSRECHTLICHER BESTIMMUNGEN UND DES GESETZES ZUR BEKAEMPfung VON ORDNUNGSWIDRIGKEITEN (3. STRAFRECHTSAENDERUNGSGESETZ) VON JUNE 28, 1979.

38. DIE GESELLSCHAFT FUER MENSCHENRECHTE, AMNESTY INTERNATIONAL.

39. FIGURES SUPPLIED BY REPORTS ISSUED BY THE BUNDESAUSGLEICHAMT OF THE FEDERAL REPUBLIC OF GERMANY.

40. THE DEPARTMENT OF STATE.

41. RFE-RL HUNGARIAN SITUATION REPORT/5, MARCH 11, 1980, PG. 9.

42. RFE-RL HUNGARIAN SITUATION REPORT/5, MARCH 11, 1980.

43. FIGURES RELEASED BY THE FRG MINISTER OF INTERIOR AND MADE AVAILABLE TO THE COMMISSION BY THE FRG EMBASSY IN WASHINGTON, D.C.

44. THE ECONOMIST, AUGUST 25, 1979.

45. ZYCIE WARSZAWY, FEBRUARY 23, 1980.

46. THIS BROUGHT ROMANIA UNDER THE TERMS OF SECTION 402 OF THE 1974 TRADE ACT. SECTION 402 IS COMMONLY REFERRED TO AS THE JACKSON-VANIK AMENDMENT, WHICH EMPOWERS THE U.S. CONGRESS TO DISAPPROVE MOST FAVORED NATION TRADING STATUS TO NON-MARKET ECONOMIES THAT DENY THEIR CITIZENS "THE RIGHT OR OPPORTUNITY TO EMIGRATE."

47. THE LENGTHY AND COMPLICATED APPLICATION PROCESS HAS REMAINED UNCHANGED SINCE THE COMMISSION'S 1977 IMPLEMENTATION REPORT, AND IS DESCRIBED IN DETAIL ON PP. 111-115.

48. U.S. DEPARTMENT OF STATE, EIGHTH SEMIANNUAL REPORT BY THE PRESIDENT TO THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE, JUNE 1980.

CHAPTER SIX - BASKET III (INFORMATION)

INTRODUCTION

THE FUNDAMENTAL OBLIGATION OF THE BASKET III PROVISIONS ON INFORMATION IS TO "FACILITATE THE FREER AND WIDER DISSEMINATION OF INFORMATION OF ALL KINDS." MORE SPECIFIC GOALS -- EXPANDING THE FLOW OF PRINTED, FILMED AND BROADCAST INFORMATION, ENCOURAGING MEDIA COOPERATION AND EXCHANGES AND IMPROVING THE WORKING CONDITIONS OF JOURNALISTS -- ARE ALSO IDENTIFIED.

THE WAYS IN WHICH THESE PROVISIONS SHOULD BE IMPLEMENTED HAVE BEEN SUBJECT TO DEBATE BETWEEN EAST AND WEST. ACCORDING TO THE EASTERN VIEW, ENUNCIATED AT HELSINKI, BELGRADE AND NUMEROUS FORUMS THEREAFTER, INFORMATION MUST CONTRIBUTE TO THE GOAL OF MUTUAL UNDERSTANDING: A GOVERNMENT HAS A RESPONSIBILITY TO PROTECT ITS CITIZENS FROM "THE PROPAGANDA OF THE WAR OF RACIAL SUPERIORITY, OF THE HUMILIATION OF HUMAN DIGNITY AND OF AMORAL PHENOMENA."¹ THE STATE IS BOUND ONLY TO MAKE AVAILABLE INFORMATION THAT IS NONCONTROVERSIAL AND POSITIVE BY ITS OWN STANDARDS AND DEFINITIONS. THE WESTERN INTERPRETATION, SUMMARIZED IN THE COMMISSION'S 1977 IMPLEMENTATION REPORT, MAINTAINS THAT THE EXCHANGE OF INFORMATION AS DESCRIBED BY THE FINAL ACT MUST BE UNHINDERED AND UNCENSORED. COMPLIANCE WITH THE HELSINKI ACCORDS REQUIRES THE REMOVAL OF ALL ARTIFICIAL OBSTACLES TO THE FREE FLOW OF IDEAS AND FACTS AS WELL AS THE UNRESTRICTED ACCESS OF CITIZENS TO THESE IDEAS AND FACTS.

IN THE YEARS SINCE THE CSCE REVIEW CONFERENCE IN BELGRADE, EASTERN COMPLIANCE WITH THE INFORMATION PROVISIONS HAS NOT IMPROVED TO ANY SIGNIFICANT DEGREE. IN SOME INSTANCES, NOTABLY IN PROVIDING AN ACCEPTABLE WORKING ENVIRONMENT FOR JOURNALISTS, IT DETERIORATED SERIOUSLY. THE PERFORMANCES OF HUNGARY AND POLAND ARE SOMEWHAT BETTER THAN THOSE OF OTHER WARSAW PACT COUNTRIES.

NEWSPAPERS AND PERIODICALS

IN ORDER TO COMPLY WITH THE FINAL ACT PROVISIONS CALLING FOR THE WIDER DISSEMINATION OF NEWSPAPERS AND PERIODICALS, THE PARTICIPATING STATES SHOULD "EXPRESS THEIR INTENTION" TO TAKE TWO ACTIONS: (1) "GRADUALLY TO INCREASE THE QUANTITIES AND THE NUMBERS OF TITLES..." OF PUBLICATIONS IMPORTED FROM OTHER SIGNATORIES; AND (2) "TO CONTRIBUTE TO THE IMPROVEMENT OF ACCESS BY THE PUBLIC..." TO THESE PUBLICATIONS. THUS, COMPLIANCE IS DEFINED IN TERMS OF A TWO-FOLD PROCESS, IN WHICH SIMPLY IMPORTING MORE PUBLICATIONS IS ONLY HALF THE TASK; THERE ALSO MUST BE COMPARABLE PROGRESS IN MAKING SUCH PUBLICATIONS MORE ACCESSIBLE TO THE MAJORITY OF CITIZENS.

QUANTITY

A SURVEY OF SIX SELECTED U.S. PUBLICATIONS INDICATES THAT SINCE THE BELGRADE CONFERENCE, THE SOVIET UNION AND THE OTHER WARSAW PACT NATIONS, WITH THE EXCEPTION OF CZECHOSLOVAKIA, HAVE SUCCEEDED IN INCREASING THE NUMBER OF U.S. PERIODICALS THEY IMPORT.

IN THE ABSENCE OF A COMPREHENSIVE AND DEFINITIVE MEASUREMENT OF THE FLOW OF NEWSPAPERS AND PERIODICALS BETWEEN EAST AND WEST, THE 1979 EAST EUROPEAN SALES OF ONE U.S. DAILY NEWSPAPER (THE INTERNATIONAL HERALD TRIBUNE); FOUR NEWS MAGAZINES (U.S. NEWS AND WORLD REPORT, NEWSWEEK, TIME AND BUSINESS WEEK); AND ONE TECHNICAL JOURNAL (SCIENTIFIC AMERICAN) WERE COMPARED WITH THE 1976, OR PRE-BELGRADE SALES. WHILE SOME PUBLICATIONS TO WARSAW PACT COUNTRIES EXPERIENCED A CONSIDERABLE DECLINE IN CIRCULATION AFTER 1976, THERE WAS AN OVERALL OR NET INCREASE IN THE AMOUNT OF COPIES IMPORTED BY ALL BUT ONE OF THE COUNTRIES IN 1979.

IT IS IMPORTANT TO POINT OUT, HOWEVER, THAT THESE CIRCULATION FIGURES PROVIDE ONLY BALLPARK ESTIMATES OF THE NUMBER OF COPIES INTENDED FOR PUBLIC OR EVEN LOCAL CONSUMPTION. HALF OF THE PUBLICATIONS HAD NO NEWSSTAND SALES IN THE AREAS, AND AN EXAMINATION OF THE PAID SUBSCRIBERS LISTS OF TWO OF THE PERIODICALS CONFIRMS THE OBSERVATION MADE IN THE COMMISSION'S 1977 REPORT: THE OVERWHELMING MAJORITY OF SUBSCRIBERS ARE FOREIGN EMBASSIES, CORPORATIONS OR NEWS AGENCIES. THE BULK OF THE REMAINDER ARE OFFICIAL INSTITUTIONS OF THE IMPORTING COUNTRY.

THESE CAVEATS BEING DULY NOTED, THE SURVEY REVEALS THAT IN 1979, THE SOVIET UNION IMPORTED 192 COPIES, OR 13 PERCENT, MORE OF THE PUBLICATIONS POLLED THAN IT DID IN 1976. NEWSWEEK ALONE

ACCOUNTED FOR 141 OF THE ADDITIONAL COPIES ENTERING THE SOVIET UNION. DESPITE THE MAGAZINE'S IMPRESSIVE GAINS, THE NUMBER OF ISSUES TARGETED FOR NEWSSTAND SALES IS STILL ONLY HALF (50 ISSUES) OF WHAT IT WAS BEFORE BELGRADE.

AMONG THE OTHER WARSAW PACT NATIONS, HUNGARY, ROMANIA, BULGARIA AND POLAND REGISTERED SUBSTANTIAL NET INCREASES IN THE NUMBER OF THESE PUBLICATIONS SHIPPED INTO THEIR COUNTRIES IN 1979. BULGARIA'S IMPORTS WERE 47 PERCENT MORE IN 1979 THAN THEY WERE IN 1976, THOUGH ITS TOTAL NUMBER OF IMPORTS IN 1979, 506 COPIES, WAS A GOOD DEAL LESS THAN THAT OF POLAND WHICH IS CONSISTENTLY THE LARGEST IMPORTER OF THESE PERIODICALS IN THE WARSAW PACT WITH 3,112 COPIES.

IN THE G.D.R., 1979 SALES WERE AGAIN THE LOWEST IN EASTERN EUROPE. THERE IS, HOWEVER, A POSSIBILITY THAT SOME PUBLICATIONS, AS IS TRUE FOR THE INTERNATIONAL HERALD TRIBUNE, COULD HAVE BEEN PURCHASED INDIRECTLY THROUGH F.R.G. WHOLESALERS. THE LOW GRAND TOTAL IN 1979, NONETHELESS, REPRESENTS A VERY LARGE NET INCREASE OVER THE 1976 TOTAL, CHIEFLY BECAUSE AN ORDER OF 62 MORE COPIES OF TIME FOR NEWSSTAND DISTRIBUTION AMOUNTED TO ALMOST AS MUCH AS SALES IN THE G.D.R. OF ALL SIX PUBLICATIONS PUT TOGETHER IN 1976 (71 COPIES).

CZECHOSLOVAKIA WAS THE SOLE COUNTRY TO SHOW A NET DECREASE IN IMPORTS FROM 1976 TO 1979. AFTER INITIALLY FALLING IN 1977, OVERALL CIRCULATION OF THE SIX PERIODICALS IN 1979 WAS DOWN BY 120 ISSUES FROM THE 1976 TOTAL, OR BY 13 PERCENT.

ACCESS

NO MATTER HOW MANY MORE U.S. NEWSPAPERS AND PERIODICALS THE WARSAW PACT MAY BE ALLOWING TO PASS THROUGH ITS BORDERS, THE ACCESS OF THE AVERAGE CITIZEN TO WESTERN PUBLICATIONS IS VIRTUALLY NO BETTER THAN IT WAS BEFORE THE BELGRADE CONFERENCE. IN FACT, THE EAST HAS MADE NO SIGNIFICANT PROGRESS SINCE THE SIGNING OF THE HELSINKI FINAL ACT IN COMPLYING WITH THE DOCUMENT'S INJUNCTIONS TO INCREASE THE NUMBER OF PLACES WHERE IMPORTED PUBLICATIONS ARE SOLD; TO PROVIDE EASIER ACCESS THROUGH PUBLIC LIBRARIES AND READING ROOMS; TO EXPAND SUBSCRIPTION OPPORTUNITIES; AND TO ENCOURAGE THE USE OF INFORMATION DISPENSED BY DIPLOMATIC MISSIONS. JUST AS BEFORE BELGRADE, HUNGARIAN AND POLISH PERFORMANCES IN THESE AREAS ARE CONSIDERABLY BETTER THAN THOSE OF THE REST OF THE WARSAW PACT.

OBSERVERS CONTINUE TO REPORT THAT WESTERN PUBLICATIONS CAN BE FOUND ONLY IN THE MAJOR HOTELS OF THE LARGEST CITIES, USUALLY JUST IN THE CAPITAL CITY AND OCCASIONALLY IN THE MAIN TOURIST

CENTERS AS WELL. THEY ARE SOLD ALMOST EXCLUSIVELY TO FOREIGN TOURISTS WHO PAY IN HARD CURRENCY. IN EVERY COUNTRY BUT POLAND, THEY ARE HELD IN "CLOSED STACKS" OF PUBLIC AND UNIVERSITY LIBRARIES, RESERVED FOR THOSE WHO HAVE SPECIAL PASSES TO READ THEM. FEW, IF ANY, INDIVIDUAL CITIZENS TAKE OUT SUBSCRIPTIONS, PRIMARILY BECAUSE RESTRICTIVE HARD CURRENCY REGULATIONS POSE ALMOST INSURMOUNTABLE DIFFICULTIES FOR POTENTIAL SUBSCRIBERS. SOME EASTERN EUROPE STATES EFFECTIVELY DISCOURAGE ORDINARY CITIZENS FROM USING AMERICAN EMBASSY AND CONSULATE LIBRARIES AND READING ROOMS. THIS IS ESPECIALLY TRUE IN SOFIA, WHERE BULGARIAN AUTHORITIES HAVE POSTED AN ARMED GUARD AT THE LIBRARY ENTRANCE. IN CONTRAST, THE U.S. FACILITIES IN POLAND AND HUNGARY ATTRACT A STEADY STREAM OF VISITORS.

THERE ARE EXCEPTIONS TO THE GENERAL CONDITION. POLAND CONTINUES TO PROVIDE THE BRIGHT SPOT BY MAKING WESTERN PERIODICALS MORE ACCESSIBLE THAN IN ANY OTHER WARSAW PACT COUNTRY. PUBLICATIONS ARE AVAILABLE AT AIRPORT NEWSSTANDS AND RECEIVE RELATIVELY OPEN DISTRIBUTION IN GOVERNMENT READING ROOMS. IN THE AFTERMATH OF POPE JOHN PAUL II'S VISIT IN JUNE 1979, THE POLISH GOVERNMENT GAVE THE CATHOLIC CHURCH PERMISSION TO DISTRIBUTE A NEW POLISH-LANGUAGE EDITION OF THE VATICAN NEWSPAPER. SIX THOUSAND COPIES OF THE FIRST ISSUE WERE IMPORTED INTO POLAND.

OTHER IMPROVEMENTS IN ACCESS HAVE BEEN LESS DRAMATIC. FOR EXAMPLE, OFFICIALS OF ONE U.S. NEWS MAGAZINE HAVE PREVAILED UPON SOVIET HOTEL KIOSK OPERATORS TO PUT COPIES OF THE JOURNAL ON PUBLIC DISPLAY, RATHER THAN KEEP THEM HIDDEN UNDER THE COUNTERS. IN THE G.D.R., WHERE VERY LITTLE WESTERN MEDIA IS OFFERED FOR PUBLIC SALE, WESTERN PUBLICATIONS CAN NOW BE SEEN IN A FEW HOTELS AND AT THE TOURIST RECEPTION CENTER IN LEIPZIG DURING THE SPRING AND FALL LEIPZIG FAIRS. IN ADDITION, A SLIGHT RISE IN THE NUMBER OF WESTERN NEWSPAPERS AND PERIODICALS AVAILABLE AT PRAGUE HOTEL NEWSSTANDS HAS BEEN NOTICED.

UNFORTUNATELY, THESE SMALL STEPS FORWARD HAVE BEEN BALANCED BY A VARIETY OF ACTIONS THAT PATENTLY IMPEDE THE FREE FLOW OF INFORMATION. SEVERAL U.S. PRESS ACCOUNTS HAVE QUOTED THE HEAD OF THE POLITICAL DEPARTMENT OF THE MOSCOW CUSTOMS BUREAU TO THE EFFECT THAT SOVIET CUSTOMS INSPECTORS RECENTLY HAVE STEPPED UP EFFORTS TO SEIZE WHAT THEY DEEM TO BE "ANTI-SOVIET LITERATURE" FROM WESTERN TOURISTS. EACH WEEK, THE OFFICIAL BOASTED, INSPECTORS IN THE MOSCOW AREA ALONE CONFISCATE APPROXIMATELY 1,500 BOOKS, PAMPHLETS, MAGAZINES AND NEWSPAPERS FROM FOREIGN VISITORS. THERE IS EVIDENCE THAT WITHIN THE LAST YEAR, SOVIET AUTHORITIES HELD BACK AT KIOSKS, COPIES OF THE U.S. INTERNATIONAL COMMUNICATION AGENCY'S (USICA) MAGAZINE, AMERICA ILLUSTRATED.

THIS MAGAZINE IS DISTRIBUTED IN THE SOVIET UNION IN SPECIFIED AMOUNTS ACCORDING TO AN AGREEMENT BETWEEN THE UNITED STATES AND THE U.S.S.R. ON TWO OCCASIONS -- IN 1978 AND 1979 -- THE G.D.R. FOREIGN MINISTRY VETOED THE AMERICAN EMBASSY'S ROUTINE PRACTICE OF DISTRIBUTING THE TEXTS OF PRESIDENT CARTER'S SPEECHES DIRECTLY TO SELECTED G.D.R. OFFICIALS BECAUSE THE SPEECHES CONTAINED CRITICISM OF SOVIET POLICIES. FOR THE SAME REASON, BULGARIAN AUTHORITIES PROTESTED WHEN THE AMERICAN EMBASSY IN SOFIA CIRCULATED THE TEXT OF ONE OF THE SPEECHES. MOREOVER, BULGARIA'S MUCH TOUTED DECISION PRIOR TO THE BELGRADE CONFERENCE TO PLACE WESTERN NEWSPAPERS, INCLUDING THE INTERNATIONAL HERALD TRIBUNE, ON SALE FOR THE FIRST TIME AT HOTEL NEWSSTANDS PROVED TO BE SHORT-LIVED. TOKEN COPIES APPEAR TO HAVE BEEN REMOVED FROM THE STANDS ONCE THE CONFERENCE CONCLUDED, AND ONLY ONE OR TWO OUTDATED ISSUES OF THE PAPER CAN NOW BE FOUND IN SOFIA.

BECAUSE THE WEST BELIEVES THAT ALL FACTS AND OPINIONS SHOULD BE AVAILABLE UNCENSORED TO ITS CITIZENS, FREE ACCESS TO ANY FORM OF INFORMATION IS GUARANTEED BY LAW. AS STATED IN THE COMMISSION'S 1979 REPORT ON U.S. COMPLIANCE WITH THE HELSINKI ACCORDS, EASTERN PUBLICATIONS CAN BE OBTAINED AT PUBLIC AND UNIVERSITY LIBRARIES IN OPEN STACKS AND SUBSCRIPTIONS TO SOVIET AND EAST EUROPEAN JOURNALS ARE EASILY ARRANGED. INDEED, THE SOVIET UNION'S AGGRESSIVE DIRECT-MAIL ADVERTISING CAMPAIGN IN THE UNITED STATES FOR ITS ENGLISH-LANGUAGE MAGAZINES CONTINUES AT A HIGH PACE. IF PRAYDA CANNOT BE BOUGHT AT EVERY CORNER NEWSSTAND IN THE UNITED STATES, IT IS DUE TO THE FACT THAT IN THE WEST, PUBLICATIONS ARE DISTRIBUTED ACCORDING TO THE FREE MARKET LAWS OF SUPPLY AND DEMAND, NOT BECAUSE THE GOVERNMENT HAS IMPOSED ANY RESTRICTIONS ON THE CIRCULATION OF SOVIET NEWSPAPERS. THE SALES FIGURES OF INDIVIDUAL SOVIET AND EAST EUROPEAN PERIODICALS IN THE UNITED STATES ARE NOT AVAILABLE. AGGREGATE FIGURES, SUCH AS THOSE THAT ARE PRESUMABLY KEPT BY THE MAIN SOVIET IMPORTING AGENCY, ALSO ARE NOT READILY PROVIDED.

BUT, AS IS OFTEN THE CASE, STATISTICAL COMPARISONS CAN OBSCURE THE REAL ISSUE. DOUBTLESSLY, ANY SIGN THAT EFFORTS ARE BEING MADE TO COMPLY WITH THE FINAL ACT IS WELCOMED. THE FACT THAT CIRCULATION IS UP FOR SOME U.S. PUBLICATIONS IN THE EASTERN COUNTRIES IS ENCOURAGING. NONETHELESS, THERE HAS BEEN NO CONCOMITANT FORWARD MOVEMENT IN IMPROVING ACCESS TO THESE PUBLICATIONS DURING THE PAST THREE YEARS, AND THE GOVERNMENT POLICY OF CENSORSHIP OF WESTERN INFORMATION IN THE SOVIET UNION AND IN MOST EAST EUROPEAN STATES HAS NOT BEEN RELAXED.

BROADCAST AND FILMED INFORMATION

THE BASKET III SECTION RELATING TO RADIO AND TELEVISION SIMPLY URGES THE SIGNATORIES TO IMPROVE THE DISSEMINATION OF INFORMATION BY THESE MEANS.

RADIO

THE SPECIFIC REFERENCE TO RADIO BROADCASTS IS EQUALLY SUCCINCT AND IT OFFERS NO DETAILED RECOMMENDATIONS FOR ACTION:

"THE PARTICIPATING STATES NOTE THE EXPANSION IN THE DISSEMINATION OF INFORMATION BROADCAST BY RADIO, AND EXPRESS THE HOPE FOR THE CONTINUATION OF THIS PROCESS SO AS TO MEET THE INTEREST OF MUTUAL UNDERSTANDING AMONG PEOPLES AND THE AIMS SET FORTH BY THIS CONFERENCE..."

THE EASTERN STATES' PERFORMANCE IN THIS AREA HAS BEEN COLORED BY THEIR SINGULAR INTERPRETATION OF THE GENERAL BASKET III EXHORTATION TO DISSEMINATE "INFORMATION OF ALL KINDS" AND THEIR INSISTENCE THAT THEY ARE ONLY OBLIGED TO EXPOSE THEIR CITIZENS TO POSITIVE, UNCITICAL BROADCAST INFORMATION. JUST AS BEFORE BELGRADE, CERTAIN WARSAW PACT COUNTRIES REMAIN HOSTILE TOWARD INFORMATION BEAMED INTO THEIR TERRITORY BY PARTICULAR WESTERN RADIO SERVICES. EFFORTS TO COMBAT THESE BROADCASTS, SUCH AS BY JAMMING AND DISCREDITING WESTERN RADIO ORGANIZATIONS IN THE LOCAL PRESS, HAVE NOT CEASED. EVEN MORE OMINOUSLY, CZECHOSLOVAKIA AND THE SOVIET UNION HAVE USED THE ACT OF LISTENING TO OR SERVING AS AN INVOLUNTARY SOURCE FOR RADIO STATIONS AS EVIDENCE AGAINST ACTIVISTS ACCUSED OF POLITICAL CRIMES.

IN A POSITIVE ACTION, THE G.D.R. HALTED ALL JAMMING OF RADIO IN THE AMERICAN SECTOR (RIAS) IN BERLIN ON NOVEMBER 23, 1978, THE DATE THAT THE GENEVA AGREEMENT ON LONG AND MEDIUM RANGE FREQUENCY ASSIGNMENTS WENT INTO EFFECT. THE U.S.S.R. CONTINUES TO JAM RADIO LIBERTY (RL) AND BULGARIA, CZECHOSLOVAKIA AND -- SPORADICALLY -- POLAND CONTINUE TO JAM RADIO FREE EUROPE (RFE). BULGARIA (IN 1977) AND CZECHOSLOVAKIA (IN 1979) ALSO INTERFERED BRIEFLY WITH VOICE OF AMERICA (VOA) TRANSMISSIONS. HUNGARY AND ROMANIA HAVE NOT JAMMED WESTERN RADIO STATIONS FOR OVER 15 YEARS.

JAMMING -- THE PHYSICAL OBSTRUCTION OF THE DISSEMINATION OF INFORMATION -- IS CONSIDERED A BREACH OF NOT ONLY THE HELSINKI

FINAL ACT, BUT ALSO THE U.N. DECLARATION ON HUMAN RIGHTS AND THE MONTREUX CONVENTION OF THE INTERNATIONAL TELECOMMUNICATIONS UNION (ITU). JAMMING WAS CONDEMNED BY THE ITU IN 1977 AND DENOUNCED BY THE UNITED STATES AT THE 1979 WORLD ADMINISTRATIVE RADIO CONFERENCE.

THE SOVIET UNION AND CZECHOSLOVAKIA HAVE CARRIED THEIR EFFORTS TO DISCOURAGE CITIZENS FROM LISTENING TO RFE/RL A STEP FURTHER. IN 1979, CHARTER '77 DEFENDANTS WERE FOUND GUILTY OF SUBVERSIVE ASSOCIATION WITH FOREIGN "HOSTILE FORCES" BECAUSE RFE HAD REPEATED THE MOVEMENT'S STATEMENTS ON THE AIR. MIKHAIL KUKOBKA, A SOVIET ACTIVIST AND RELIGIOUS BELIEVER, WAS SENTENCED IN JUNE 1979 TO THREE YEARS IN LABOR CAMP FOR "SLANDERING THE SOVIET STATE." ONE OF THE MANY CHARGES LEVELLED AGAINST HIM WAS THE ACCUSATION THAT HE HAD TAPED FOREIGN RADIO BROADCASTS AND THEN REPLAYED THEM FOR FRIENDS.

EASTERN MEDIA DIATRIBES AGAINST RFE/RL AND VOA REMAIN AS VIRULENT AS EVER. ATTACKS USUALLY CLAIM THAT U.S. STATIONS INTERFERE IN THE INTERNAL AFFAIRS OF WARSAW PACT COUNTRIES BY BROADCASTING ANTAGONISTIC, AND THEREFORE, SUBVERSIVE AND PERNICIOUS REPORTS. ON MARCH 20, 1980, TASS PROMISED THAT A NEW SOVIET DOCUMENTARY FILM ON THE EMPLOYEES AND ACTIVITIES OF RL WILL "SHOW INDISPUTABLY THAT MANY OF THE EMPLOYEES OF THE SUBVERSIVE RADIO STATIONS ARE WAR CRIMINALS AND COMMON CRIMINAL OFFENDERS...SUPPORTED BY THE CIA." THE COMMISSION'S 1979 REPORT ON U.S. COMPLIANCE ATTEMPTED TO ADDRESS EASTERN ALLEGATIONS THOROUGHLY. IT CONCLUDED THAT THERE IS "NO OBJECTIVE EVIDENCE" TO SUPPORT SUCH ACCUSATIONS AND THAT THERE IS NOTHING IN THE OPERATION OF VOA AND RFE/RL THAT IS INCONSISTENT WITH THE SPIRIT AND LETTER OF THE HELSINKI ACCORDS.

FOR ITS PART, THE WEST HAS NEVER ALLEGED THAT THE FAR-FLUNG ENTERPRISES OF SOVIET RADIO SERVICES VIOLATE THE CSCE FINAL ACT, NOR DOES IT INTERFERE WITH SOVIET RADIO TRANSMISSIONS. RADIO MOSCOW IS THE LEADER IN INTERNATIONAL SHORT-WAVE BROADCASTING. THE STATION IS ON THE AIR 24 HOURS A DAY, BROADCASTING WORLDWIDE IN 84 LANGUAGES FOR APPROXIMATELY 2,000 HOURS PER WEEK. IN ADDITION, 1978 WEEKLY INTERNATIONAL BROADCASTING FROM THE OTHER WARSAW PACT STATES TOTALED OVER 1,500 HOURS.

IN 1978, THE SOVIET UNION BEGAN THE OPERATION OF 29 OF THE MOST POWERFUL SHORTWAVE TRANSMITTERS BEING USED IN THE WORLD TODAY. RADIO MOSCOW HAS GARNERED AN EVEN LARGER AUDIENCE BY PROVIDING SOME 400 U.S. RADIO STATIONS WITH PRETAPED, ENGLISH-LANGUAGE PROGRAMS FREE OF CHARGE. ITS WORLD AND NORTH AMERICAN SERVICES, BROADCASTING FROM CUBA, CAN NOW BE RECEIVED ON THE STANDARD AM FREQUENCY BAND THROUGHOUT FLORIDA. MUCH OF RADIO

MOSCOW'S BROADCASTING TO NORTH AMERICA IS UNADULTERATED PROPAGANDA. IT IS INTERESTING THAT CONDUCT LABELED "PSYCHOLOGICAL WARFARE" WHEN PERFORMED BY THE WEST, BECOMES "IDEOLOGICAL STRUGGLE" WHEN INDULGED IN BY THE EAST.

TELEVISION

THE BASKET III SECTION PERTAINING TO TELEVISION PLEDGES THE PARTICIPATING STATES TO ENCOURAGE THE "WIDER SHOWING AND BROADCASTING" OF A VARIETY OF RECORDED AND FILMED INFORMATION FROM OTHER SIGNATORIES AND TO ENGAGE IN ANY COOPERATIVE VENTURES NECESSARY TO ACCOMPLISH THIS GOAL. SINCE THE BELGRADE CONFERENCE, VIEWERS IN CERTAIN EASTERN STATES HAVE GAINED BROADER EXPOSURE TO U.S. TELEVISION, AND THERE HAVE BEEN SEVERAL NOTE-WORTHY JOINT PROJECTS. BUT, WITHOUT QUESTION, BOTH SIDES COULD DO FAR MORE TO DISCHARGE THEIR RESPONSIBILITIES IN THIS AREA.

STATE TELEVISION NETWORKS IN MOST WARSAW PACT COUNTRIES AIRED ONLY A HANDFUL OF U.S. FEATURE FILMS WHICH, LIKE THOSE SHOWN AT THE MOVIE THEATERS, FREQUENTLY PRESENTED A DECIDEDLY NEGATIVE VIEW OF LIFE IN THE UNITED STATES. CZECHOSLOVAKIA SEEMED TO BE THE WORST OFFENDER IN THIS REGARD.

POLAND MAINTAINED ITS GOOD RECORD OF REGULARLY FEATURING U.S. FILMS, SERIALS AND DOCUMENTARIES. FROM OCTOBER 1979 THROUGH MARCH 1980, POLISH TV PURCHASED ROUGHLY 70 U.S. TELEVISION PROGRAMS AND FILMS.⁴ SIMILARLY, HUNGARIAN AND ROMANIAN TELEVISION FREQUENTLY BROADCAST AMERICAN FILMS AND SERIALS, USUALLY CRIME DRAMAS. DURING THE LATTER HALF OF 1979, G.D.R. TELEVISION BEGAN TO MAKE USE OF PROGRAMS PROVIDED BY USICA. UNTIL THEN, THE ONLY U.S. PRODUCTIONS AIRED WERE A FEW FEATURE FILMS THAT PLACED THE UNITED STATES IN AN UNFAVORABLE LIGHT. VIEWERS IN BOTH THE G.D.R. AND HUNGARY CAN RECEIVE TELEVISION TRANSMISSIONS FROM NEIGHBORING WESTERN NATIONS.

TELEVISION NEWSCASTS IN THE WARSAW PACT COUNTRIES CONTINUED TO PAINT A GROSSLY DISTORTED PICTURE OF EVENTS IN THE WEST. COVERAGE WAS MORE MODERATE IN HUNGARY, WHERE PANEL SHOWS INCLUDED WESTERN COMMENTATORS, AND SOME RADIO AND TELEVISION CALL-IN PROGRAMS PERMITTED QUESTIONS ABOUT THE SOVIET INVASION OF AFGHANISTAN.⁵

THE SOVIET INVASION OF AFGHANISTAN IN DECEMBER 1979 AND THE SUBSEQUENT U.S. DECISION TO BOYCOTT THE 1980 SUMMER OLYMPICS IN MOSCOW SPILLED THE END FOR WHAT WOULD HAVE BEEN ONE OF THE MOST EXTENSIVE COOPERATIVE UNDERTAKINGS BETWEEN EAST AND WEST TELEVISION: THE TELEVISIONING OF THE OLYMPICS BY THE NBC TELEVISION NETWORK. NBC'S ORIGINAL PLAN CALLED FOR 150 HOURS OF PROGRAM-

MING, INVOLVING AN ESTIMATED 600 EXPERTS FROM NBC, WITH A SUPPORT STAFF OF 100 TO 175 SOVIET NATIONALS.⁶ THE NETWORK CANCELED THE MAMMOTH PROJECT AFTER THE U.S. OLYMPIC COMMITTEE VOTED IN APRIL 1980 NOT TO ATTEND THE GAMES.

ONE OF THE MOST OUTSTANDING DEMONSTRATIONS OF EAST-WEST COOPERATION WAS THE JOINT U.S.-SOVIET FILM PRODUCTION, "THE UNKNOWN WAR." THIS 20-PART SERIES ON THE SOVIET-GERMAN FRONT DURING WORLD WAR II WAS AIRED ON U.S. COMMERCIAL TELEVISION STATIONS IN LATE 1978 AND BEGAN A SUCCESSFUL RUN IN SOVIET THEATERS IN MARCH OF THE FOLLOWING YEAR. IT WAS ALSO SHOWN IN THE G.D.R. SIGNIFICANTLY, THE PROGRAM UTILIZED FOOTAGE FROM SOVIET FILM ARCHIVES THAT PREVIOUSLY HAD BEEN INACCESSIBLE TO WESTERN SCHOLARS.

OTHER POSITIVE DEVELOPMENTS INCLUDED A MARCH 1980 AGREEMENT BETWEEN THE UNITED STATES AND POLAND TO ESTABLISH A COMMERCIAL OFFICE OF POLISH RADIO AND TELEVISION IN NEW YORK. THE POLISH GOVERNMENT REQUESTED THE OFFICE IN ORDER TO FACILITATE JOINT PRODUCTION AND PROGRAMMING EXCHANGES WITH THE UNITED STATES. ALSO, IN 1980, THE CHICAGO SYMPHONY ORCHESTRA, WFMT RADIO IN CHICAGO AND THE U.S.S.R. STATE COMMITTEE ON RADIO AND TELEVISION ARRANGED TO EXCHANGE TAPED CONCERT PROGRAMS. IN 1979, THE U.S. PUBLIC BROADCASTING SERVICE (PBS) BEGAN CONSULTATIONS WITH BULGARIAN TELEVISION OFFICIALS ON WAYS TO DEVELOP COOPERATIVE ACTIVITIES. IN A SIMILAR VEIN, SEVERAL SOVIET, POLISH, HUNGARIAN AND ROMANIAN BROADCAST JOURNALISTS HAVE PARTICIPATED IN MULTI-REGIONAL MEDIA PROJECTS SPONSORED BY USICA.

BEGINNING IN JULY 1979, MORE THAN 100 U.S. TELEVISION STATIONS CARRIED A SERIES OF 20 PROGRAMS FROM MOSCOW ON THE PRE-OLYMPIC SPARTAKIAD ATHLETIC COMPETITION. NBC ALSO TELEVISED A BOLSHOI BALLET PERFORMANCE OF "GISELLE" THAT WAS TAPED IN MOSCOW. PUBLIC BROADCASTING STATIONS OFFERED A NUMBER OF SELECTIONS, FOCUSING ON SUCH TOPICS AS RUSSIAN THEATER, THE TOURING ART EXHIBIT FROM DRESDEN, "PRACTICAL MARXISM" IN CZECHOSLOVAKIA AND THE SOVIET TELEVISION INDUSTRY.

PROGRAMS FROM AND ABOUT THE WARSAW PACT COUNTRIES WERE FEW AND FAR BETWEEN. U.S. TELEVISION NETWORKS DO NOT ROUTINELY AIR SHOWS PRODUCED IN FOREIGN COUNTRIES -- WHETHER THEY EMANATE FROM EAST OR WEST EUROPE. GIVEN THE INTENSE COMPETITION AMONG THE COMMERCIAL U.S. NETWORKS, AND THE ENORMOUS FINANCIAL INVESTMENTS AT STAKE, MANY TELEVISION EXECUTIVES CONCEDE THAT THERE IS LITTLE ROOM LEFT FOR EXPERIMENTATION WITH PROGRAMS THAT ARE NOT GEARED TO THE TASTES OF AN AMERICAN MASS AUDIENCE. PUBLIC TELEVISION EXECUTIVES ECHO THE VIEW THAT THE TYPICAL, SLOWER-PACED IMPORT HOLDS LITTLE APPEAL FOR AMERICAN VIEWERS.

WORKING CONDITIONS FOR JOURNALISTS

THE FINAL ACT ASSERTS THAT JOURNALISTS' WORKING CONDITIONS CAN BE IMPROVED BY FACILITATING THE FREER MOVEMENT OF JOURNALISTS AND BY ASSISTING THEM IN THE PERFORMANCE OF THEIR WORK AND PROTECTING THEM FROM GOVERNMENT INTERFERENCE AND PENALTIES. SOVIET AND EAST EUROPEAN COMPLIANCE WITH THESE PROVISIONS DETERIORATED PRECIPITOUSLY AFTER THE BELGRADE CONFERENCE, AS THE U.S.S.R., CZECHOSLOVAKIA AND THE GDR REDOUBLED EFFORTS TO SEVER CONTACTS BETWEEN WESTERN REPORTERS AND HUMAN-RIGHTS ACTIVISTS IN THEIR COUNTRIES. ALL THREE STATES EXPELLED WESTERN JOURNALISTS OR OTHERWISE IMPEDED "THE LEGITIMATE PURSUIT OF THEIR PROFESSIONAL ACTIVITIES."

UP UNTIL THE LATTER PART OF 1979, THE SOVIET UNION'S PERFORMANCE IN GUARANTEEING FREEDOM OF MOVEMENT FOR JOURNALISTS AND IMPROVING THEIR WORK ENVIRONMENT WAS CONSISTENTLY POOR. IMPLEMENTATION IN THE TWO AREAS VARIED FROM ONE EASTERN COUNTRY TO ANOTHER, WITH ONLY HUNGARY REMAINING IN ESSENTIAL COMPLIANCE WITH ALL PROVISIONS.

U.S. RESTRICTIONS ON AND WARNINGS TO RESIDENT SOVIET JOURNALISTS DURING THE PAST THREE YEARS WERE EITHER IN RETALIATION FOR SIMILAR ACTIONS TAKEN BY SOVIET AUTHORITIES AGAINST AMERICAN JOURNALISTS OR IN RESPONSE TO VIOLATIONS BY SOVIET JOURNALISTS OF CLOSED AREA RESTRICTIONS IN THE UNITED STATES. THE UNITED STATES MAINTAINS THESE CLOSED AREAS BECAUSE THE SOVIET UNION CONTINUES TO DENY U.S. REPORTERS ACCESS TO CERTAIN AREAS. THE U.S. VISA POLICY, WITH REGARD TO EASTERN JOURNALISTS, ALSO IS BASED STRICTLY ON RECIPROCITY.

FREEDOM OF MOVEMENT

THE FINAL ACT OUTLINES A NUMBER OF STEPS THAT SHOULD BE TAKEN TO EASE THE TRAVEL OF JOURNALISTS INTO, OUT OF AND WITHIN A COUNTRY. THE PARTICIPATING STATES ARE ENJOINED TO:

"...EXAMINE...WITHIN A...REASONABLE TIME SCALE REQUESTS FROM JOURNALISTS FOR VISAS...GRANT TO PERMANENTLY ACCREDITED JOURNALISTS, ON THE BASIS OF ARRANGEMENTS, MULTIPLE ENTRY AND EXIT VISAS...FACILITATE THE ISSUE TO ACCREDITED JOURNALISTS...OF PERMITS FOR STAY IN THEIR COUNTRY OF TEMPORARY RESIDENCE... (AND) EASE, ON A BASIS OF RECIPROCITY, PROCEDURES FOR ARRANGING TRAVEL BY JOURNALISTS...IN THE

COUNTRY WHERE THEY ARE EXERCISING THEIR PROFESSION ..."

AS MANDATED BY CSCE, THE UNITED STATES HAS CONCLUDED MULTIPLE ENTRY AND EXIT VISA AGREEMENTS WITH THE U.S.S.R., CZECHOSLOVAKIA AND POLAND. (THE UNITED STATES DOES NOT REQUIRE EXIT VISAS.) ACCORDINGLY, ALL U.S. REPORTERS PERMANENTLY ACCREDITED TO THE SOVIET UNION HAVE BEEN GRANTED MULTIPLE RETURN VISAS. HOWEVER, IN THE PAST THREE YEARS, SOVIET OFFICIALS INTERMITTENTLY HAVE REFUSED PERMANENT ACCREDITATION TO WESTERN JOURNALISTS AND ARBITRARILY DENIED OR DELAYED REQUESTS FOR VISAS AND VISA EXTENSIONS. THE SOVIET UNION GRANTS MULTIPLE ENTRY AND EXIT VISAS ONLY TO PERMANENTLY ACCREDITED JOURNALISTS.

FOR EXAMPLE, IN THE LAST HALF OF 1979, A UPI CORRESPONDENT WAS REFUSED PERMANENT ACCREDITATION; AN ITALIAN REPORTER AND FOUR NORWEGIAN JOURNALISTS WERE NOT GIVEN ENTRY VISAS IN 1978; AND A VOA CORRESPONDENT'S REQUEST FOR A SHORT-TERM VISA TO ATTEND THE 1979 MOSCOW BOOK FAIR WAS DELAYED UNTIL THE EVENT WAS ALMOST OVER.

MOREOVER, THE U.S.S.R. IS THE ONLY EAST EUROPEAN COUNTRY THAT CONTINUES TO DENY ACCESS TO CERTAIN CLOSED AREAS OF THE COUNTRY. IN 1978, THE SOVIET FOREIGN MINISTRY EITHER REFUSED OR MODIFIED ABOUT ONE-FOURTH OF ALL TRAVEL REQUESTS BY U.S. JOURNALISTS. AT THE SAME TIME, THERE HAS BEEN AN INCREASE IN THE AMOUNT OF FOREIGN MINISTRY-SPONSORED TRIPS FOR REPORTERS.

VISA PROBLEMS ALSO OCCURRED IN CZECHOSLOVAKIA. MICHAEL GETLER, THE WASHINGTON POST WRITER WHOSE DIFFICULTIES WITH PRAGUE AUTHORITIES WERE DESCRIBED IN THE COMMISSION'S 1977 REPORT, WAS REPEATEDLY BARRED FROM RE-ENTRY IN 1977, 1978 AND 1979. ACCORDING TO SEVERAL ACCOUNTS, CZECHOSLOVAK AUTHORITIES ARE STILL WARNING ENTERING WESTERN JOURNALISTS THAT IF THEY CONTACT HUMAN-RIGHTS ACTIVISTS, THEY WILL NOT RECEIVE FUTURE ENTRY VISAS.

POLAND ALSO DELAYED SOME VISA REQUESTS. NEVERTHELESS, APPARENTLY CONCERNED OVER THE CRY RAISED IN THE WEST THAT CSCE PROVISIONS WERE BEING VIOLATED, POLAND DROPPED IN MAY 1979 A MANDATORY \$350 "ACCREDITATION FEE" THAT IT HAD PLANNED TO LEVY ON WESTERN JOURNALISTS COVERING POPE JOHN PAUL II'S TRIP TO POLAND. INSTEAD, POLAND CHARGED THE PRESS FOR INDIVIDUAL "SERVICES" OR A "PACKAGE OF SERVICES." FOLLOWING THE TRAGIC CRASH IN MARCH 1980 OF A POLISH AIRLINER CARRYING MANY U.S. PASSENGERS, POLISH OFFICIALS WAIVED VARIOUS REQUIREMENTS TO SPEED THE ENTRANCE OF U.S. TELEVISION NEWS TEAMS.

WHILE THE G.D.R. HAS PROPOSED THE RECIPROCAL ISSUANCE OF MULTIPLE RETURN VISAS TO THE UNITED STATES, IT STEADFASTLY REFUSES TO GRANT ACCREDITATION TO U.S. JOURNALISTS LIVING IN WEST BERLIN OR IN ANY OTHER F.R.G. CITY. CONSEQUENTLY, U.S. JOURNALISTS ENCOUNTER FEW DIFFICULTIES IN ACQUIRING ONE-DAY VISAS TO EAST BERLIN, BUT TRAVEL ELSEWHERE IN THE G.D.R. IS SEVERELY HAMPERED. AS "VISITING JOURNALISTS," CORRESPONDENTS MUST PRESENT MINUTELY DETAILED ITINERARIES AND HIRE A CAR, A DRIVER AND AN ESCORT-INTERPRETER, THROUGH THE INTERNATIONAL PRESS SERVICE. MANY GERMAN-SPEAKING REPORTERS COMPLAIN THAT NOT ONLY ARE THESE SERVICES UNNECESSARY AND CUMBERSOME, BUT THEY ALSO ARE EXPENSIVE. U.S. JOURNALISTS HAVE REPORTED NO MAJOR TROUBLE ENTERING OR TRAVELING IN HUNGARY, ROMANIA AND BULGARIA. HOWEVER, THERE WAS A REPORT THAT PETER RISTIC OF THE LONDON OBSERVER, WAS DENIED ENTRY INTO ROMANIA DUE TO PREVIOUS REPORTING ON DISSIDENCE.⁸

WORKING ENVIRONMENT

IN ORDER TO PROVIDE A SUITABLE WORKING ENVIRONMENT FOR JOURNALISTS, BASKET III SPECIFICALLY ENGAGES THE PARTICIPATING STATES TO:

"...INCREASE THE OPPORTUNITIES OF THE PARTICIPATING STATES TO COMMUNICATE PERSONALLY WITH THEIR SOURCES...GRANT TO JOURNALISTS... THE RIGHT TO IMPORT, SUBJECT ONLY TO ITS BEING TAKEN OUT AGAIN, THE TECHNICAL EQUIPMENT NECESSARY FOR THE EXERCISE OF THEIR PROFESSION...ENABLE JOURNALISTS...WHETHER PERMANENTLY OR TEMPORARILY ACCREDITED, TO TRANSMIT COMPLETELY, NORMALLY AND RAPIDLY BY MEANS RECOGNIZED BY THE PARTICIPATING STATES TO THE INFORMATION ORGANS WHICH THEY REPRESENT THE RESULTS OF THEIR PROFESSIONAL ACTIVITY..."

FURTHERMORE, IT EXPLICITLY STATES:

"THE PARTICIPATING STATES REAFFIRM THAT THE LEGITIMATE PURSUIT OF THEIR PROFESSIONAL ACTIVITY WILL NEITHER RENDER JOURNALISTS LIABLE TO EXPULSION NOR OTHERWISE PENALIZE THEM. IF AN ACCREDITED JOURNALIST IS

EXPELLED, HE WILL BE INFORMED OF THE REASONS FOR THIS ACT AND MAY SUBMIT AN APPLICATION FOR REEXAMINATION OF HIS CASE."

JUST AFTER THE BELGRADE CONFERENCE CONCLUDED, THE SOVIET REGIME EMBARKED ON A CAMPAIGN OF INTENSIFIED HARASSMENT OF JOURNALISTS, APPARENTLY DESIGNED TO DISCOURAGE CONTACT BETWEEN WESTERN CORRESPONDENTS AND SOVIET HUMAN-RIGHTS ACTIVISTS. WESTERN JOURNALISTS WERE EXPELLED, DEFAMED IN THE SOVIET PRESS, CALLED ON-THE-CARPET BY SOVIET OFFICIALS AND PHYSICALLY ASSAULTED. THE TREATMENT OF JOURNALISTS IN THE SOVIET UNION WAS POOR THROUGHOUT THE SUMMERS OF 1978 AND 1979 -- UPI CLOSED ITS TWO-YEAR-OLD LENINGRAD BUREAU IN 1978 -- AND ONLY RECENTLY HAVE THERE BEEN SIGNS OF IMPROVEMENT.

THE MOST ALARMING VIOLATION OF THE SPIRIT AND LETTER OF THE FINAL ACT OCCURRED WHEN THE SOVIET GOVERNMENT INITIATED LEGAL PROCEEDINGS AGAINST TWO FOREIGN CORRESPONDENTS. ON JUNE 28, 1978, THE SOVIET STATE COMMITTEE FOR RADIO AND TELEVISION BROUGHT CIVIL SLANDER CHARGES AGAINST HAROLD PIPER, OF THE BALTIMORE SUN, AND CRAIG WHITNEY, OF THE NEW YORK TIMES, FOR ARTICLES THAT HAD BEEN PUBLISHED IN THEIR U.S. NEWSPAPERS. IN STORIES ABOUT THE TELEVISED CONFESSION OF GEORGIAN NATIONALIST ZVIAD GAMSAKHURDIA, PIPER AND WHITNEY CITED THE OPINIONS OF FRIENDS AND RELATIVES OF THE ACTIVIST WHO QUESTIONED THE AUTHENTICITY OF THE CONFESSION. THE PAIR WERE EVENTUALLY CONVICTED IN ABSENTIA AND FINED, BUT THEY REFUSED TO PRINT RETRACTIONS AS ORDERED BY THE SOVIET COURT.

OTHER REPORTERS SINGLED OUT FOR GOVERNMENT REPRISALS INCLUDE A F.R.G. TELEVISION CORRESPONDENT AND HIS CAMERAMAN, AND AN AUSTRIAN BROADCAST JOURNALIST, WHO WERE EXPELLED IN 1979 AND 1978 RESPECTIVELY. BOTH WERE ACCUSED, AMONG OTHER THINGS, OF ANTI-SOVIET REPORTING. ROBIN KNIGHT, OF U.S. NEWS AND WORLD REPORT, WAS CENSURED SEVERAL TIMES IN THE SOVIET PRESS IN LATE 1978 FOR HIS STORIES ABOUT SOVIET INTERNAL PROBLEMS. IN APRIL 1979, HE REPORTED THAT HE HAD BEEN DRUGGED IN TASHKENT BY HIS OFFICIAL GUIDE IN AN APPARENT ATTEMPT TO DISCREDIT HIS PROFESSIONAL REPUTATION.⁹ DAVID SATTER, AN AMERICAN WORKING FOR LONDON'S FINANCIAL TIMES, WAS ALSO ATTACKED IN THE SOVIET MEDIA. THEN, IN JUNE AND JULY OF 1979, HIS CAR AND OFFICE WERE VANDALIZED, AND THE SOVIETS INITIALLY AGREED TO EXTEND HIS ACCREDITATION FOR ONLY SIX WEEKS, INSTEAD OF THE USUAL SIX MONTHS.¹⁰

THERE WERE SEVERAL INCIDENTS INVOLVING INTERFERENCE WITH THE TRANSMISSION OF MATERIALS TO PARENT ORGANIZATIONS AS WELL.

IN APRIL 1978, SOVIET TECHNICIANS REFUSED TO TRANSMIT FOOTAGE OF A SOVIET CITIZEN'S DEMONSTRATION IN FRONT OF THE AMERICAN EMBASSY IN MOSCOW; SATELLITE FACILITIES WERE DENIED TO NBC AND ABC DURING THE TRIAL OF ANATOLY SHCHARANSKY LATER THAT SUMMER; AND IN JUNE 1979, TASS WOULD NOT TRANSMIT AP AND UPI WIRE SERVICE PHOTOGRAPHS OF A DEMONSTRATION OUTSIDE THE AMERICAN EMBASSY.

SOVIET OFFICIALS EMPLOYED A VARIETY OF TACTICS TO BLOCK COVERAGE OF CERTAIN EVENTS. IN THE MOST HEAVY-HANDED EFFORT, A CBS CORRESPONDENT WAS ASSAULTED BY THE KGB AFTER HE FILMED A GUN BATTLE AT THE FINNAIR OFFICE IN MOSCOW ON APRIL 24, 1978. HE AND A REUTERS REPORTER WERE DETAINED AND ORDERED TO HAND OVER THEIR FILM OF THE INCIDENT. A UPI PHOTOGRAPHER WAS LATER MAN-HANDLED BY THE PLAINCLOTHES POLICE WHEN HE TRIED TO PHOTOGRAPH THE SCENE.¹¹

IN THE OPINION OF MANY OBSERVERS, THE PIPER-WHITNEY EPISODE AS WELL AS OTHERS LIKE IT REPRESENTED AN ATTEMPT TO CENSOR FOREIGN JOURNALISTS INDIRECTLY THROUGH INTIMIDATION. WHILE PERIODIC SOVIET DENUNCIATIONS OF THE WESTERN PRESS CORPS AND ACCUSATIONS OF CIA LINKS HAVE NOT SUBSIDED, THERE ARE INDICATIONS THAT WORKING CONDITIONS IN THE SOVIET UNION HAVE RECENTLY IMPROVED. WESTERN JOURNALISTS HAD NO COMPLAINTS ABOUT FACILITIES AND SERVICES AT THE SPARTAKIAD GAMES IN JULY 1979 AND GENERALLY HAVE PRAISED THEIR ACCESS TO SOURCES OF NON-POLITICAL INFORMATION. DURING HIGH-LEVEL VISITS BY U.S. OFFICIALS, JOINT PRESS CONFERENCES WERE ARRANGED AND THE "POOLING" OF COVERAGE WAS ALLOWED.

CZECHOSLOVAKIA CONDUCTED A SIMILAR POST-BELGRADE CAMPAIGN TO PENALIZE JOURNALISTS WHO SOUGHT OUT ACTIVISTS. IN 1977, AT LEAST FOUR REPORTERS WERE OUSTED. AP'S CORRESPONDENT IN BONN, ROBERT REID, WAS EXPELLED IN 1978 AFTER AN INTERVIEW WITH A CZECHOSLOVAK ACTIVIST AS WERE A F.R.G. AND A BELGIAN JOURNALIST. VISITING JOURNALISTS REGULARLY NOTICED HEAVY OFFICIAL SURVEILLANCE WHEN THEY TRIED TO TALK TO CHARTER '77 SIGNATORIES. THEY WERE OCCASIONALLY SUBJECTED TO BRIEF DETENTIONS AND SEARCHES. EVEN SO, THE PRESS COVERING THE CHARTER '77 TRIALS DID NOT APPEAR TO FACE AS MANY PROBLEMS AS THEIR COLLEAGUES HAD EARLIER IN REPORTING THE SHCHARANSKY-ORLOV TRIALS IN THE SOVIET UNION.

IN A STEP IMMEDIATELY CRITICIZED BY THE WEST AS CONTRARY TO THE HELSINKI ACCORDS, THE G.D.R. PASSED NEW ORDINANCES RESTRICTING THE ACTIVITY OF THE PRESS ON APRIL 11, 1979. THE NEW LAWS REQUIRED THAT AN ACCREDITED JOURNALIST TRAVELING OUTSIDE EAST BERLIN MUST GIVE 24 HOURS OF PRIOR NOTICE TO THE MINISTRY OF FOREIGN AFFAIRS, AND DETAILED INFORMATION ON THE DESTINATION AND OBJECTIVE OF THE JOURNEY. ADDITIONALLY, ALL INTERVIEWS AND POLLS

AS WELL AS ALL INQUIRIES INTO MATTERS CONCERNING STATE, ECONOMIC AND SOCIAL INSTITUTIONS AND ENTERPRISES, MUST BE AUTHORIZED BY THE GOVERNMENT. MOST REPORTERS BELIEVE THAT THESE RESTRICTIONS HAVE CIRCUMSCRIBED ACCESS TO SOURCES, REDUCED THE CHANCES FOR INTERVIEWS WITH NON-OFFICIALS, AND PRECLUDED THE RAPID REPORTING OF FAST-BREAKING NEWS. THE FIRST CASUALTY OF THE NEW REGULATIONS WAS F.R.G. CORRESPONDENT PETER VAN LOYEN, WHO WAS EXPELLED ON MAY 14, 1979, FOR ALLEGEDLY NOT OBTAINING THE NECESSARY PERMISSION TO INTERVIEW A WELL-KNOWN G.D.R. ACTIVIST AND AUTHOR. THE NEW G.D.R. PENAL CODE ANNOUNCED IN JUNE 1979 MADE IT A CRIMINAL OFFENSE TO TO PASS ON ANY UNCLASSIFIED INFORMATION CONSIDERED DETRIMENTAL TO STATE INTERESTS. THIS ACTION INCREASES THE RISKS THAT A G.D.R. CITIZEN TAKES WHEN HE OR SHE ASSOCIATES WITH WESTERN, AND PARTICULARLY F.R.G., CORRESPONDENTS.

IN OTHER COUNTRIES, WESTERN REPORTERS FOUND POLISH MEDIA OFFICIALS COOPERATIVE DURING POPE JOHN PAUL II'S TOUR. WORKING CONDITIONS WERE DEEMED ACCEPTABLE IN ROMANIA, EVEN THOUGH THERE WERE ISOLATED INCIDENTS OF HARASSMENT AND HEAVY SURVEILLANCE. CONTACT BETWEEN ROMANIAN CITIZENS AND FOREIGNERS IS SEVERELY RESTRICTED AND SUBJECT TO OFFICIAL APPROVAL.

CONCLUSION

IN THE AREA OF WORKING CONDITIONS FOR JOURNALISTS, PROBLEMS ARISE PARTIALLY FROM THE DIFFERENCE IN EASTERN AND WESTERN PERCEPTIONS OF THE ROLE OF NEWS MEDIA. IN THE SOVIET UNION, A JOURNALIST HAS BEEN TRADITIONALLY VIEWED AS AN INSTRUMENT OF THE STATE, SERVING PRIMARILY A PROPAGANDISTIC FUNCTION. INDEPENDENT, COMPREHENSIVE AND OBJECTIVE NEWSGATHERING BY THE PRESS, SO HIGHLY VALUED IN THE WEST, IS INTOLERABLE TO GOVERNMENTS THAT ENDEAVOR TO CONTROL COMPLETELY WHAT THEIR CITIZENS READ IN THE NEWSPAPERS, WATCH ON TELEVISION OR HEAR ON THE RADIO. DESPITE THE CSCE CALL FOR THE FREE FLOW OF INFORMATION, SOME WARSAW PACT COUNTRIES CONTINUE TO RESTRICT AND PENALIZE JOURNALISTS WHO ARE SIMPLY PERFORMING THEIR JOBS.

THE EASTERN APPROACH TO THE DISSEMINATION OF INFORMATION COMPLICATES ALL ASPECTS OF THE BASKET III INFORMATION PROVISIONS. CONSEQUENTLY, POSITIVE DEVELOPMENTS IN THE EXCHANGE OF INFORMATION BETWEEN EAST AND WEST HAVE BEEN OVERSHADOWED BY THE SEVERAL FORMS OF CENSORSHIP -- RESTRICTED, ALMOST NON-EXISTENT ACCESS TO WESTERN NEWSPAPERS AND PERIODICALS, JAMMING OF WESTERN RADIO STATIONS, AND CONSTRAINT ON JOURNALISTS' ACTIVITIES -- THAT STILL WIDELY PREVAIL IN EASTERN EUROPE AND THE SOVIET UNION.

CHAPTER VI - FOOTNOTES

1. MIKHAIL DOBROV, "EXCHANGE OF INFORMATION -- ON WHAT BASIS?" RADIO MOSCOW TO ITALY, OCTOBER 5, 1978, IN FOREIGN BROADCAST INFORMATION SERVICE, DAILY REPORT: SOVIET UNION, OCTOBER 10, 1978.
2. ERIC BOURNE, "POLAND YIELDS GROUND ON CHURCH DEMANDS," THE CHRISTIAN SCIENCE MONITOR, MAY 5, 1980.
3. ANTHONY BARBIERI, JR., "SOVIET CUSTOMS MEN WAGE WAR ON ALIEN IDEAS," THE BALTIMORE SUN, DECEMBER 3, 1979, AND CRAIG R. WHITNEY, "EXPLANATION OF OLYMPIC BOYCOTT PUZZLES ORDINARY SOVIET CITIZENS," THE NEW YORK TIMES, APRIL 17, 1980.
4. U.S. DEPARTMENT OF STATE, EIGHTH SEMIANNUAL REPORT BY THE PRESIDENT TO THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE, JUNE 1980.
5. JOHN DANTON, "HUNGARY WIELDS ONE WEAPON AGAINST MOSCOW: HUMOR," THE NEW YORK TIMES, APRIL 26, 1980.
6. THE CHRISTIAN SCIENCE MONITOR, AUGUST 29, 1979.
7. U.S. DEPARTMENT OF STATE, SIXTH SEMIANNUAL REPORT BY THE PRESIDENT TO THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE, JULY 1979.
8. MICHAEL DOBBS, "ROMANIAN AGENTS BLUNDER AFTER VISITING NEWSMEN," THE WASHINGTON POST, JUNE 13, 1980.
9. THE WASHINGTON POST, APRIL 24, 1979.
10. THE FINANCIAL TIMES, JULY 27, 1979.
11. THE NEW YORK TIMES, MAY 25, 1978.

CHAPTER SEVEN - BASKET III (CULTURAL AND EDUCATIONAL EXCHANGES)

INTRODUCTION

SECTIONS 3 AND 4 OF BASKET III CALL UPON THE PARTICIPATING STATES TO DEVELOP CONTACTS AND COOPERATION IN THE FIELDS OF CULTURE AND EDUCATION. SUCH ACTIVITIES, TO A GREAT EXTENT, ACTUALLY PREDATE THE SIGNATURE OF THE FINAL ACT. THESE EXCHANGES BEGAN IN THE LATE 1950'S BETWEEN THE UNITED STATES (AND OTHER WESTERN STATES) AND THE SOVIET UNION (AND SEVERAL EAST EUROPEAN STATES) AND WERE WELL ESTABLISHED BY 1975. THEY WERE EARLY EVIDENCE THAT COOPERATION WAS POSSIBLE BETWEEN STATES WITH DIFFERENT POLITICAL, ECONOMIC AND SOCIAL SYSTEMS, AND THEY SERVED AS FORERUNNERS OF OTHER COOPERATIVE ACTIVITIES WHICH EVOLVED IN THE 1970'S DURING THE PERIOD OF DETENTE. THE FINAL ACT, HOWEVER, RECONFIRMED THE PARTICIPATING STATES' COMMITMENTS TO CULTURAL AND EDUCATIONAL EXCHANGES, AND SPELLED OUT THE VARIOUS FORMS OF ACTIVITIES TO BE CONDUCTED. MOREOVER, THE FINAL ACT PROVIDED A NEW IMPETUS TO EXPANSION OF THESE ACTIVITIES, PARTICULARLY WITH BULGARIA, CZECHOSLOVAKIA, THE GERMAN DEMOCRATIC REPUBLIC (G.D.R.) AND HUNGARY WHOSE RELATIONS WITH THE UNITED STATES IN CULTURE AND EDUCATION HAD BEEN SEVERELY LIMITED PRIOR TO HELSINKI.

FINAL ACT IMPLEMENTATION

FIVE YEARS AFTER HELSINKI THE UNITED STATES CAN REPORT SUBSTANTIAL PROGRESS IN EXPANDING CULTURAL AND EDUCATIONAL EXCHANGES WITH THE EAST. U.S. EFFORTS HAVE BEEN CONCENTRATED IN THE PRIVATE SECTOR, WITH GOVERNMENT AGENCIES ENCOURAGING AND ASSISTING PRIVATE U.S. INSTITUTIONS IN ESTABLISHING CONTACTS AND DEVELOPING COOPERATIVE ACTIVITIES WITH THEIR COUNTERPARTS IN THE EAST. WHILE CONSIDERABLE PROGRESS CAN BE REPORTED, IT SHOULD BE NOTED THAT, WHERE THE U.S. PRIVATE SECTOR IS INVOLVED,

THE SUCCESS OF CULTURAL, EDUCATIONAL AND SCIENTIFIC EXCHANGES CANNOT BE MANDATED BY THE U.S. GOVERNMENT. PROGRESS WILL COME ONLY WHERE THERE IS MUTUAL INTEREST AND BENEFIT TO THE PARTNERS IN THE EXCHANGES.

WHEREAS IN THE UNITED STATES THERE IS A CLEAR DISTINCTION BETWEEN PRIVATE AND GOVERNMENTAL ACTIVITIES, THE SOVIETS AND SOME OF THE EAST EUROPEANS DO NOT ALWAYS MAKE THIS DISTINCTION. THEY GENERALLY REGARD MOST EXCHANGES IN CULTURE AND EDUCATION AS FALLING WITHIN THE FRAMEWORK OF INTERGOVERNMENTAL CULTURAL AGREEMENTS. THE UNITED STATES AND THE SOVIET UNION IN 1958 SIGNED THE FIRST IN A SERIES OF CULTURAL AGREEMENTS WHICH HAVE PROVIDED THE BASIS FOR A BROAD RANGE OF CULTURAL AND EDUCATIONAL EXCHANGES BETWEEN THE TWO COUNTRIES, SOME OF WHICH ARE PRIVATE AND OTHERS GOVERNMENTAL.

NEGOTIATIONS FOR A NEW U.S.-U.S.S.R. CULTURAL AGREEMENT WERE HELD IN MOSCOW IN EARLY DECEMBER 1979 TO REPLACE THE SIX-YEAR AGREEMENT WHICH WAS TO EXPIRE ON DECEMBER 31. THE NEGOTIATIONS WERE SUSPENDED AFTER TWO WEEKS TO ALLOW EACH SIDE TO REVIEW ITS POSITIONS. AFTER THE SOVIET INVASION OF AFGHANISTAN IN LATE DECEMBER, THE UNITED STATES ANNOUNCED, AS ONE OF ITS COUNTERMEASURES, THAT IT HAD NO PLANS TO REOPEN THE NEGOTIATIONS, AND THE OLD AGREEMENT EXPIRED ON DECEMBER 31, 1979. IN THE ABSENCE OF AN AGREEMENT, THE SOVIET UNION SUSPENDED PERFORMING ARTS AND SEVERAL OTHER CULTURAL EXCHANGES, BUT MOST OF THE EDUCATIONAL EXCHANGES ARE CONTINUING.

IN CULTURE AND EDUCATION THE MAJOR IMPACT OF THE FINAL ACT HAS BEEN IN BULGARIA, CZECHOSLOVAKIA, THE G.D.R. AND HUNGARY WHERE EXCHANGES WITH THE UNITED STATES HAD BEEN MINIMAL OR NON-EXISTENT PRIOR TO HELSINKI. APPARENTLY, THE FINAL ACT GAVE THESE COUNTRIES THE GREEN LIGHT TO IMPROVE RELATIONS WITH THE UNITED STATES. A CULTURAL/SCIENTIFIC AGREEMENT WAS SIGNED WITH BULGARIA IN 1976, AND A SIMILAR AGREEMENT WITH HUNGARY IN 1977. A NEW PROGRAM OF EXCHANGES WAS SIGNED WITH BULGARIA FOR 1979-80 WHICH PROVIDES FOR INCREASED ACTIVITY INCLUDING AN ANNUAL EXCHANGE OF TWO U.S. AND TWO BULGARIAN UNIVERSITY LECTURERS IN LANGUAGE AND LITERATURE. WITH HUNGARY, THE FIRST TWO-YEAR PROGRAM OF EXCHANGES WAS SIGNED IN 1979 INITIATING FORMAL CULTURAL, EDUCATIONAL AND SCIENTIFIC EXCHANGES BETWEEN THE TWO GOVERNMENTS, INCLUDING AN EXCHANGE OF UNIVERSITY LECTURERS IN LANGUAGE AND CIVILIZATION. PRELIMINARY TALKS WITH THE G.D.R. ON A CULTURAL/SCIENTIFIC AGREEMENT WERE HELD IN 1979. DRAFTS HAVE BEEN EXCHANGED, BUT NO DATE HAS BEEN SET FOR THE NEGOTIATIONS. IN THE MEANTIME, A SMALL PROGRAM OF CULTURAL EXCHANGE WITH THE G.D.R. HAS BEGUN. WITH CZECHOSLOVAKIA, A CULTURAL/SCIENTIFIC AGREEMENT

WAS NEGOTIATED IN 1976, BUT IT WAS NOT SIGNED PENDING NEGOTIATION OF A PROGRAM OF EXCHANGES. PROGRAM NEGOTIATIONS WITH CZECHOSLOVAKIA WERE HELD IN 1977 BUT FULL AGREEMENT WAS NOT REACHED. SUBSEQUENTLY, HUMAN-RIGHTS PROBLEMS IN CZECHOSLOVAKIA INTERVENED AND THE NEGOTIATIONS WERE NOT REOPENED. WITH POLAND IT HAS BEEN POSSIBLE, BY MUTUAL AGREEMENT, TO CONDUCT EXCHANGES WITHOUT FORMAL INTERGOVERNMENTAL AGREEMENTS. IT SHOULD BE NOTED THAT, WITHOUT AGREEMENTS, EXCHANGES WITH POLAND HAVE BEEN MUCH MORE NUMEROUS AND COMPREHENSIVE THAN WITH OTHER EAST EUROPEAN COUNTRIES.

ONE INDICATOR OF THE HIGH LEVEL OF ACTIVITY DURING THE PAST THREE YEARS IS THE NUMBER OF VISITS TO THE UNITED STATES BY CABINET-LEVEL CULTURE AND EDUCATION OFFICIALS FROM THE EAST. WHILE SUCH VISITS ARE OFTEN OF A PROTOCOL NATURE -- TO OPEN AN EXHIBIT OR TO SIGN AN AGREEMENT -- THEY DO INDICATE OFFICIAL INTEREST IN EXCHANGES AND ARE CONSIDERED POLITICALLY SIGNIFICANT. THESE VISITS INCLUDE:

- BORIS STUKALIN, CHAIRMAN, U.S.S.R. STATE COMMITTEE FOR PUBLISHING HOUSES, PRINTING PLANTS AND THE BOOK TRADE, 1977;
- GEORGHE TACHE, ROMANIAN DEPUTY MINISTER OF EDUCATION, 1977;
- YURI BARABASH, U.S.S.R. DEPUTY MINISTER OF CULTURE, 1978;
- HANS-JOACHIM HOFFMANN, G.D.R. MINISTER OF CULTURE, 1978;
- ALEKSANDR BULGAKOV, CHAIRMAN, U.S.S.R. STATE COMMITTEE FOR VOCATIONAL AND TECHNICAL EDUCATION, 1978;
- ANDRAS KOPP, HUNGARIAN DEPUTY MINISTER OF EDUCATION, 1978;
- PYOTR DEMICHEV, U.S.S.R. MINISTER OF CULTURE, 1979;
- LYUDMILA ZHIVKOVA, CHAIRPERSON, BULGARIAN COMMITTEE ON ART AND CULTURE, 1979;
- RUDOLF RONAI, PRESIDENT, HUNGARIAN INSTITUTE FOR CULTURAL RELATIONS, 1979;
- MIECZYSLAW KAZIMIERCZUK, POLISH DEPUTY MINISTER OF SCIENCE, HIGHER EDUCATION AND TECHNOLOGY, 1979.

THE FOLLOWING EXAMPLES OF EXCHANGES SHOULD NOT BE SEEN AS A COMPLETE LISTING OF EVERYTHING THAT OCCURRED DURING THE PAST THREE YEARS, BUT RATHER AS ILLUSTRATIONS OF HOW THE FINAL ACT HAS BEEN IMPLEMENTED. PARTICULAR ATTENTION HAS BEEN GIVEN TO ACTIVITIES WHICH TOOK PLACE IN 1979. U.S. COMPLIANCE WITH THE FINAL ACT IS ALSO INCLUDED.

PERFORMING ARTS

SOVIET AND EAST EUROPEAN PERFORMING ARTS GROUPS AND INDIVIDUAL ARTISTS CONTINUED TO TOUR THE UNITED STATES IN INCREASING NUMBERS THROUGH 1979 AND IT IS LIKELY THAT THE FIGURES FOR 1977-79 REACHED AN ALL-TIME HIGH, ALTHOUGH THE FLOW OF SOVIET ARTISTS TO THE UNITED STATES PRACTICALLY CEASED IN JANUARY 1980.

LONG CONSIDERED THE PROTOTYPE OF CULTURAL EXCHANGES, PERFORMING ARTS TOURS IN THE WEST HAVE ALWAYS HAD A HIGH PRIORITY FOR THE EASTERN COUNTRIES. THEY EARN MUCH-NEEDED FOREIGN CURRENCY WHICH ACCRUES TO THE EASTERN GOVERNMENT TREASURIES RATHER THAN TO THE BANK ACCOUNTS OF THE ARTISTS. THEY ADD TO THE PRESTIGE OF THE EASTERN STATES ABROAD BY PRESENTING THE BEST OF THEIR NATIONAL CULTURAL ACHIEVEMENTS. THEY ALSO SERVE A POLITICAL PURPOSE BY PRESENTING AN IMAGE ABROAD OF PEACE-LOVING NATIONS WHICH SUPPORT THE ARTS AND PRACTICE DETENTE WITH OTHER COUNTRIES. IN THE UNITED STATES, THE EAST HAS A HUGE AUDIENCE WITH AN INTEREST IN THE ARTS, WITH AFFLUENCE TO PURCHASE TICKETS FOR PERFORMANCES, AND U.S. CONCERT AGENCIES WITH THE KNOW-HOW TO ARRANGE EXTENSIVE TOURS EFFICIENTLY. EASTERN COUNTRIES, WHICH HAVE MANY WORLD-CLASS ARTISTS, HAVE KNOWN HOW TO MAKE THE BEST OF THESE OPPORTUNITIES.

U.S. PERFORMING ARTS GROUPS GENERALLY HAVE A HIGH INTEREST IN PERFORMING IN EASTERN COUNTRIES WHERE AUDIENCE RESPONSE HAS BEEN CONSISTENTLY ENTHUSIASTIC. HOWEVER, BECAUSE OF FINANCIAL CONSIDERATIONS, AS WILL BE EXPLAINED BELOW, THE NUMBER THAT ACTUALLY TRAVEL IS NOT LARGE.

PERFORMING ARTS EXCHANGES GENERALLY TAKE PLACE WITHIN THE FRAMEWORK OF BILATERAL CULTURAL AGREEMENTS, ALTHOUGH THE ABSENCE OF SUCH AGREEMENTS WITH CZECHOSLOVAKIA, THE G.D.R. AND POLAND HAS NOT PREVENTED THOSE COUNTRIES FROM SENDING THEIR ARTISTS TO THE UNITED STATES. IN THE CASE OF THE SOVIET UNION, WHICH PROBABLY SENDS MORE ARTISTS TO THE UNITED STATES THAN ANY OTHER COUNTRY, THE U.S.-U.S.S.R. CULTURAL AGREEMENT PROVIDED FOR EACH SIDE TO SEND AT LEAST 10 GROUPS AND 35 INDIVIDUAL ARTISTS DURING THE 1977-79 PERIOD. DURING THIS THREE-YEAR TIME, THE SOVIETS SENT 21 GROUPS AND, DURING ONE YEAR ALONE (1979), 33 INDIVIDUAL ARTISTS. DURING THE SAME THREE-YEAR PERIOD, THE UNITED STATES SENT EIGHT GROUPS TO THE SOVIET UNION. TWO U.S. GROUPS TOURED THE SOVIET UNION UNDER PRIVATE AUSPICES, AS DID APPROXIMATELY 20 INDIVIDUAL ARTISTS.

THIS IMBALANCE CAN BE EXPLAINED BY THE ECONOMICS OF THESE EXCHANGES. SOVIET ARTISTS PERFORM IN THE UNITED STATES UNDER CONTRACTS ARRANGED DIRECTLY BETWEEN THE SOVIET STATE CONCERT AGENCY, GOSKONTSERT, AND PRIVATE U.S. CONCERT AGENCIES. THESE ARE COMMERCIAL AS WELL AS CULTURAL ENDEAVORS, TO WHICH THE U.S. GOVERNMENT IS NOT A PARTY. THE FINANCIAL GAIN TO THE SOVIETS FOR THESE "EXPORTS" IS NOT KNOWN BUT IS BELIEVED TO BE SUBSTANTIAL.

BY CONTRAST, U.S. GROUPS WHICH PERFORM IN THE SOVIET UNION UNDER THE INTERGOVERNMENTAL PROGRAM (AND WITH FEW EXCEPTIONS, THIS MEANS MOST OF THEM) PERFORM UNDER CONTRACTS ARRANGED BETWEEN THE U.S. INTERNATIONAL COMMUNICATION AGENCY (USICA) AND GOSKONTSERT. FEES ARE PAID TO USICA BY GOSKONTSERT, PARTLY IN DOLLARS AND PARTLY IN RUBLES. USICA, IN TURN, CONTRACTS WITH THE U.S. ARTISTS TO WHOM IT PAYS A FEE IN DOLLARS. AMERICANS WHO PERFORM IN THE SOVIET UNION OUTSIDE THE INTERGOVERNMENTAL PROGRAM MAKE THEIR ARRANGEMENTS DIRECTLY WITH GOSKONTSERT, AND THE U.S. GOVERNMENT IS NOT A PARTY TO THESE CONTRACTS.

ONE OF THE DISPARITIES IN THESE EXCHANGES IS THEREFORE FINANCIAL. WHEREAS THE SOVIET ARTISTS IN THE UNITED STATES ARE PAID THE CUSTOMARY COMMERCIAL FEE IN DOLLARS FOR ARTISTS OF THEIR CALIBRE, THE FEES PAID BY THE SOVIETS FOR THE U.S. ARTISTS ARE FAR LESS THAN WHAT THEY WOULD RECEIVE IN OTHER FOREIGN COUNTRIES, AND THE ACTUAL PAYMENT TO THE U.S. ARTISTS IS MADE BY AN AGENCY OF THE U.S. GOVERNMENT.

A SECOND DISPARITY IS THE LENGTH OF THE TOURS AND THE EXTENT OF GEOGRAPHIC COVERAGE OF THE COUNTRIES VISITED. SOVIET ARTISTS TOUR THE UNITED STATES FOR UP TO TWO MONTHS OR MORE ON EXTENSIVE TOURS, OFTEN COAST-TO-COAST. AMERICAN GROUPS GENERALLY PERFORM IN THE SOVIET UNION FOR TWO TO THREE WEEKS, AND THEIR PERFORMANCES ARE LIMITED TO A FEW SELECT CITIES.

ARTISTS FROM EASTERN EUROPE ALSO CONTINUE TO ENJOY CRITICAL AND BOX OFFICE SUCCESS IN THE UNITED STATES. HOWEVER, THERE IS ALSO AN IMBALANCE IN NUMBERS. FAR FEWER AMERICANS PERFORM IN THE EAST, ALTHOUGH IT IS RECOGNIZED THAT THE SMALL SIZE OF THE EAST EUROPEAN COUNTRIES AND THEIR SHORTAGE OF FOREIGN CURRENCY LIMIT THE NUMBER OF FOREIGN ARTISTS THEY CAN ACCEPT. MOST EAST EUROPEAN COUNTRIES ARE INTERESTED IN RECEIVING U.S. ARTISTS. BULGARIA, HOWEVER, WHICH SENT THE SOFIA PHILHARMONIC AND THE PIRIN FOLK DANCE ENSEMBLE TO THE UNITED STATES DURING 1977-79, WAS UNABLE TO ACCEPT A U.S. GROUP DURING THE SAME TIME PERIOD ALTHOUGH SEVERAL WERE OFFERED.

THE FOLLOWING SOVIET AND EAST EUROPEAN GROUPS PERFORMED IN THE UNITED STATES DURING 1979:

FROM THE SOVIET UNION:

ARMENIAN ART SINGERS
 UZBEK DANCE ENSEMBLE
 BOLSHOI BALLET
 CHELYABINSK DANCERS
 MOSCOW CIRCUS
 FESTIVAL OF RUSSIAN DANCE
 LITHUANIAN ORCHESTRA OF VILNIUS
 MOSCOW PHILHARMONIC ORCHESTRA
 BORODIN QUARTET
 MOSCOW RADIO AND TV (POPS) ORCHESTRA

FROM EASTERN EUROPE:

BULGARIAN NATIONAL FOLK ENSEMBLE, "PIRIN"
 BULGARIAN YOUTH SYMPHONY ORCHESTRA
 CZECHOSLOVAK MIXED MEDIA PRESENTATION, "THE ENCHANTED CIRCUS"
 JANACEK CHAMBER ORCHESTRA (CZECHOSLOVAKIA)
 PRAGUE CHAMBER ORCHESTRA
 BOHEMIAN STATE FOLK BALLET OF PRAGUE
 DRESDEN STATE ORCHESTRA, G.D.R.
 BUDAPEST RADIO AND TV SYMPHONY ORCHESTRA
 HUNGARIAN "RAJKO" GYPSY ENSEMBLE
 POLISH THEATER "CRICOT-TWO"
 POLISH CHAMBER ORCHESTRA
 GDANSK MEDICAL ACADEMY CHORUS (POLAND)
 ROMANIAN FOLK ENSEMBLE

IN ADDITION, SOVIET AND EAST EUROPEAN SINGERS REGULARLY PERFORM IN LEADING ROLES AT THE METROPOLITAN OPERA AND OTHER U.S. OPERA COMPANIES.

THE FINAL ACT ALSO CALLS UPON THE PARTICIPATING STATES TO PROMOTE INTERNATIONAL CULTURAL EVENTS. IN THIS CONNECTION, AN INTERNATIONAL BALLET COMPETITION WAS HELD IN JACKSON, MISSISSIPPI, IN 1979. PARTICIPATING WERE JUDGES FROM THE SOVIET UNION, BULGARIA, CZECHOSLOVAKIA AND HUNGARY, AND CONTESTANTS FROM POLAND AND CZECHOSLOVAKIA.

THREE BOLSHOI BALLET DANCERS DEFECTED DURING THAT COMPANY'S 1979 SUMMER TOUR OF THE UNITED STATES, AND SEVERAL OTHER SOVIET ARTISTS DEFECTED IN OTHER COUNTRIES DURING THE SAME YEAR. THESE DEFLECTIONS ARE BELIEVED TO BE A MAJOR FACTOR IN THE SOVIET

DECISION IN EARLY JANUARY 1980, JUST AFTER THEIR INVASION OF AFGHANISTAN, TO SUSPEND PERFORMING ARTS TOURS TO THE UNITED STATES AND OTHER WESTERN COUNTRIES. OFFICIALLY, THE SOVIETS HAVE CITED THE EXPIRATION OF THE U.S.-U.S.S.R. CULTURAL AGREEMENT AS THE REASON FOR THE SUSPENSION.¹ HOWEVER, THE SOVIETS, IMMEDIATELY FOLLOWING THE BOLSHOI SUMMER DEFECTIONS, CANCELLED A U.S. TOUR BY THE U.S.S.R. STATE SYMPHONY ONE WEEK BEFORE ITS SCHEDULED OPENING IN SEPTEMBER 1979 WHEN THE CULTURAL AGREEMENT WAS STILL IN EFFECT. SEVERAL SOVIET TOURS OF WESTERN EUROPE WERE ALSO CANCELLED.

ACCORDING TO PRESS REPORTS, THE SOVIETS, IN THE NEGOTIATIONS FOR A NEW CULTURAL AGREEMENT, HAD SOUGHT TO RECEIVE U.S. GUARANTEES OF "SECURITY" FOR SOVIET VISITORS TO THE UNITED STATES UNDER THE AGREEMENT.² IT IS BELIEVED THAT "SECURITY" IS INTENDED BY THE SOVIETS TO MEAN GUARANTEES AGAINST FUTURE DEFECTIONS.

PERFORMING ARTS EXCHANGES WITH EASTERN EUROPE HAVE NOT BEEN AFFECTED BY AFGHANISTAN OR DEFECTIONS, AND EASTERN EUROPEAN ARTISTS CONTINUE TO PERFORM WITH SUCCESS IN THE UNITED STATES.

THE FINAL ACT ALSO CALLS FOR INCLUDING WORKS BY COMPOSERS FROM THE OTHER PARTICIPATING STATES IN THE REPERTOIRES OF SOLOISTS AND ARTISTIC ENSEMBLES. U.S. ORCHESTRAS, WITH INCREASING FREQUENCY, PERFORM WORKS BY SOVIET AND EAST EUROPEAN COMPOSERS. FOR EXAMPLE, POLISH COMPOSER WITOLD LUTOSLAWSKI IN JANUARY 1980 CONDUCTED THE NATIONAL SYMPHONY ORCHESTRA WHILE THE ORCHESTRA'S REGULAR CONDUCTOR, MSTISLAV ROSTROPOVICH, PERFORMED LUTOSLAWSKI'S CELLO CONCERTO WITH THE ORCHESTRA. AND, THE BOSTON SYMPHONY ORCHESTRA, IN PLANNING FOR ITS 1981 CENTENARY, HAS COMMISSIONED WORKS BY SANDOR BALASSA OF HUNGARY AND ANDRZEJ PANUFNIK OF POLAND.³

EXHIBITS

A NEW DEVELOPMENT HAS BEEN THE EXPANSION OF EXHIBIT EXCHANGES BETWEEN MUSEUMS OF THE UNITED STATES AND THE EASTERN COUNTRIES IN THE POST-HELSINKI YEARS.

THE ANNUAL EXCHANGE OF MAJOR EXHIBITS BETWEEN NEW YORK'S METROPOLITAN MUSEUM AND THE U.S.S.R. MINISTRY OF CULTURE CONTINUED UNDER THE FIVE-YEAR AGREEMENT SIGNED IN 1975. SIMILAR EXCHANGES OF EXHIBITS WERE CONDUCTED BY THE NATIONAL GALLERY OF ART AND OTHER U.S. MUSEUMS WITH THE HERMITAGE AND PUSHKIN MUSEUMS. AN EXHIBIT OF "ELEVEN RENAISSANCE PAINTINGS FROM THE HERMITAGE" WAS SHOWN AT THE NATIONAL GALLERY, THE LOS ANGELES COUNTY MUSEUM AND NEW YORK'S KNOEDLER GALLERY, AND "ELEVEN

PAINTINGS FROM 15TH AND 17TH CENTURY ITALIAN ART" WERE SENT TO MOSCOW AND LENINGRAD IN RETURN.

A MAJOR SOVIET EXHIBIT, "THE ART OF RUSSIA 1800-1850," ORGANIZED BY THE UNIVERSITY OF MINNESOTA, WAS SHOWN IN MINNEAPOLIS, EAST LANSING (MICHIGAN), MADISON (WISCONSIN), CHICAGO AND WASHINGTON, D.C. IN MINNEAPOLIS, A MONTH-LONG FESTIVAL OF RUSSIAN ART AND CULTURE WAS HELD IN CONJUNCTION WITH THE EXHIBIT. THIS OTHERWISE SUCCESSFUL TOUR WAS MARRED BY TWO EVENTS. A SCHEDULED SHOWING OF THE EXHIBIT IN ANN ARBOR WAS CANCELLED BY THE SOVIETS AFTER THE UNIVERSITY OF MICHIGAN, WHICH WAS TO HOST THE EXHIBIT, HAD INCLUDED A QUOTATION FROM ALEXANDER SOLZHENITSYN IN THE EXHIBIT BROCHURE AND HAD SCHEDULED A LECTURE ON CAMPUS BY SOVIET EMIGRE POET JOSEF BRODSKY. AND, THE FINAL SHOWING OF THE EXHIBIT AT WASHINGTON, D.C.'S RENWICK GALLERY WAS CURTAILED WHEN THE SOVIETS PREMATURELY CLOSED THE EXHIBIT AFTER THE RENWICK HAD SCHEDULED A CONCERT, IN CONJUNCTION WITH THE EXHIBIT, FEATURING A SINGER WHO HAD EARLIER DEFECTED FROM THE BOLSHOI OPERA.⁴

EASTERN EUROPEAN EXHIBITS ALSO ENJOYED GREAT POPULARITY IN THE UNITED STATES. THE G.D.R.'S "SPLENDOR OF DRESDEN", ACHIEVED A SPECTACULAR SUCCESS IN WASHINGTON, D.C., SAN FRANCISCO AND NEW YORK. A HUNGARIAN EXHIBIT, "ART NOUVEAU," WAS SHOWN IN 10 U.S. CITIES DURING 1978/79. A POLISH POSTER EXHIBIT TOURED THE UNITED STATES IN 1979, AND "FOTOGRAFIA POLSKA (1839-1979)," A RETROSPECTIVE ON POLISH PHOTOGRAPHY, OPENED AN EXTENSIVE U.S. TOUR IN NEW YORK IN THE SUMMER OF 1979. BULGARIA'S FIRST MAJOR EXHIBIT IN THE UNITED STATES, "THRACIAN TREASURES," WAS SHOWN IN NEW YORK AND BOSTON IN 1977. A BULGARIAN CHILDREN'S ART EXHIBIT WAS SHOWN IN WASHINGTON, D.C. IN 1979.

THE EXCHANGE OF OFFICIAL GOVERNMENT EXHIBITS UNDER THE U.S.-U.S.S.R. CULTURAL AGREEMENT, WHICH BEGAN IN 1959, CONTINUED DURING THE 1977-79 PERIOD. EACH SIDE SHOWED TWO EXHIBITS: USICA SENT "PHOTOGRAPHY USA" AND "AGRICULTURE USA," AND THE SOVIETS SENT "SOVIET WOMAN" AND "SOVIET SPORT." THE SOVIETS ALSO MOUNTED A NATIONAL EXHIBIT IN LOS ANGELES IN 1978, IN EXCHANGE FOR A U.S. BICENTENNIAL EXHIBIT WHICH USICA HAD MOUNTED IN MOSCOW IN 1976. THESE OFFICIAL EXHIBITS WERE SUSPENDED AFTER THE SOVIET INVASION OF AFGHANISTAN.

THESE OFFICIAL EXHIBIT EXCHANGES, PRIMARILY INFORMATIONAL IN NATURE, HAVE SELDOM BEEN WITHOUT DIFFICULTIES. SOVIET AUTHORITIES IN ROSTOV/DON LIMITED THE U.S. GUIDES AND STAFF OF "AGRICULTURE USA" TO TRAVEL WITHIN THE CITY LIMITS, ALTHOUGH PREVIOUSLY THE STAFFS OF THESE EXHIBITS HAD BEEN ALLOWED TO TRAVEL WITHIN A 25-MILE RADIUS OF THE CITIES IN WHICH THE

EXHIBIT WAS BEING SHOWN. THE UNITED STATES, AFTER UNSUCCESSFULLY PROTESTING THIS NEW SOVIET TRAVEL RESTRICTION, IMPOSED A SIMILAR TRAVEL LIMITATION ON THE SOVIET STAFF OF "SOVIET WOMAN."

UNDER USICA SPONSORSHIP, SEVERAL MAJOR EXHIBITS WERE SHOWN IN EASTERN EUROPE DURING THE PAST THREE YEARS. THESE INCLUDE: "THE ARTIST AT WORK IN AMERICA," IN ROMANIA AND BULGARIA; "REFLECTIONS: IMAGES OF AMERICA," A PHOTO EXHIBIT, IN POLAND, BULGARIA, ROMANIA, HUNGARY AND THE G.D.R.; "BALTIMORE RENAISSANCE," IN POLAND; AND "THE COMPUTER IN AMERICA" AND "LASER WORLD USA," AT THE LEIPZIG FAIR, G.D.R.

ANOTHER CASUALTY OF THE SOVIET INVASION OF AFGHANISTAN WAS THE MAJOR SOVIET EXHIBIT, "ART FROM THE HERMITAGE MUSEUM IN LENINGRAD." SPONSORED BY THE CONTROL DATA CORPORATION, THE EXHIBIT WAS SCHEDULED TO OPEN IN WASHINGTON IN MAY 1980 AND WAS THEN TO BE SHOWN IN FOUR OTHER CITIES. THE TOUR WAS CANCELLED AFTER THE U.S. GOVERNMENT DECLINED TO SIGN A LEGAL WAIVER OF JUDICIAL SEIZURE WHICH WOULD HAVE REQUIRED A CERTIFICATION THAT THE EXHIBIT WAS IN THE NATIONAL INTEREST.⁵ WITHOUT SUCH A WAIVER THE SOVIET UNION WOULD NOT PERMIT THE ART OBJECTS TO BE SHIPPED ABROAD. THE SOVIETS CITED THIS U.S. ACTION IN REFUSING TO LEND SEVERAL PICASSO PAINTINGS TO THE MUSEUM OF MODERN ART IN NEW YORK FOR ITS MAJOR PICASSO EXHIBIT IN MAY 1980.

FILMS

THE EASTERN STATES CHARGE THAT U.S. FILMS ARE OFTEN SHOWN IN THEIR COUNTRIES, WHEREAS THEIR FILMS ARE SELDOM SHOWN IN THE UNITED STATES. THE FINAL ACT CALLS FOR "WIDER DISTRIBUTION OF FULL-LENGTH AND DOCUMENTARY FILMS BETWEEN COUNTRIES AND THE PROMOTION OF NON-COMMERICAL SHOWINGS SUCH AS PREMIERES, FILM WEEKS AND FESTIVALS."

U.S. FILMS ARE VERY POPULAR WITH EASTERN AUDIENCES. BY CONTRAST, EASTERN FILMS HAVE LIMITED APPEAL TO THE BROAD U.S. AUDIENCE BECAUSE OF THEIR SUBJECT MATTER OR STYLE, ALTHOUGH SOME RECENT EAST EUROPEAN FILMS HAVE BEEN SUCCESSFUL. IN THE EAST THERE IS AN IDEOLOGICAL BARRIER TO THE SALE OF U.S. FILMS. EASTERN COUNTRIES GENERALLY PURCHASE ONLY THOSE FILMS WHICH CONFIRM THE COMMUNIST VIEW OF THE WEST, OR WHOSE SUBJECT MATTER IS REMOTE FROM WESTERN CONTEMPORARY LIFE. BY CONTRAST, IN THE UNITED STATES, THERE ARE NO IDEOLOGICAL BARRIERS TO THE SALE OF EASTERN FILMS. IT IS SIMPLY A QUESTION OF BOX-OFFICE APPEAL.

THERE ARE THREE MAIN AVENUES FOR SHOWING FOREIGN FILMS IN THE UNITED STATES: INTERNATIONAL FILM FESTIVALS, FILM WEEKS SPONSORED BY MUSEUMS AND OTHER CULTURAL OR EDUCATIONAL INSTITU-

TIONS, AND COMMERCIAL SHOWINGS. THESE AVENUES ARE RELATED, AND FILMS SHOWN AT FESTIVALS ARE OFTEN RELEASED COMMERCIALY AT A LATER DATE.

WHILE THERE ARE NO CENTRAL STATISTICS FOR FOREIGN FILMS SHOWN IN THE UNITED STATES, THE FOLLOWING ARE A FEW EXAMPLES OF FILMS SHOWN THROUGH THESE THREE AVENUES.

IN CELEBRATION OF 60 YEARS OF SOVIET FILM, SIX CONTEMPORARY SOVIET FILMS WERE SHOWN COMMERCIALY IN NEW YORK, CHICAGO AND LOS ANGELES IN 1979, SPONSORED BY SOVEXPORTFILM AND THE SATRA CORPORATION. IN A "BOLSHOI BALLET FILM FESTIVAL," FOUR SOVIET FILMS WERE SHOWN IN NEW YORK IN 1979. OTHER SOVIET COMMERCIAL SHOWINGS IN 1979 INCLUDE "GAYANE," "SWEET WOMAN," "THE WHITE SHIP," "THE STEPPE," "THEY FOUGHT FOR THEIR MOTHERLAND" AND "DERSU UZALA." THE LATTER FILM, A SOVIET-JAPANESE CO-PRODUCTION, RECEIVED THE AMERICAN ACADEMY AWARD FOR THE BEST FOREIGN FILM IN 1975 AND WAS SHOWN AT THE NEW YORK FILM FESTIVAL BEFORE BEING RELEASED COMMERCIALY IN 1978.

ALSO NOMINATED FOR AN ACADEMY AWARD WERE: THE SOVIET FILM, "WHITE BIM, BLACK EAR" IN 1978, AND THE POLISH FILM, "THE MAIDENS OF WILKO" IN 1980. HUNGARIAN FILMS HAVE ENJOYED RECENT SUCCESS IN U.S. COMMERCIAL SHOWINGS. "WOMEN" AND "RAIN AND SHINE" WERE RELEASED IN 1978, AND "MY FATHER'S HAPPY YEARS," "JUST LIKE AT HOME," AND "ANGI VERA" WERE RELEASED IN 1979. THE LATTER WAS SHOWN AT THE 1979 NEW YORK FILM FESTIVAL AND WAS AWARDED THE GRAND PRIZE AT THE 1979 CHICAGO INTERNATIONAL FILM FESTIVAL. THE FIRST CZECHOSLOVAK FILM TO MAKE ITS COMMERCIAL DEBUT IN THE UNITED STATES IN A DECADE, "THE APPLE GAME," OPENED IN NEW YORK IN JANUARY 1980, AFTER HAVING BEEN SHOWN AT THE 1978 NEW YORK FILM FESTIVAL. ANOTHER CZECHOSLOVAK FILM, "DINNER FOR ADELE," OPENED IN NEW YORK IN JUNE 1980. THE G.D.R. FILM, "JACOB THE LIAR," WAS RELEASED COMMERCIALY IN 1977.

IN THE WORLD OF FILM FESTIVALS, WHERE ARTISTIC MERIT RATHER THAN BOX-OFFICE APPEAL IS THE MAJOR CONSIDERATION, SOVIET AND EAST EUROPEAN FILMS RECEIVED EXTRAORDINARY ATTENTION IN THE UNITED STATES. WASHINGTON, D.C.'S AMERICAN FILM INSTITUTE (AFI) SHOWED 33 SOVIET FILMS BETWEEN OCTOBER AND DECEMBER OF 1977 IN A FESTIVAL TITLED "SOVIET CINEMA YESTERDAY AND TODAY, A MAJOR RETROSPECTIVE ON THE SIXTIETH ANNIVERSARY OF THE REVOLUTION." AFI ALSO SHOWED FOUR RECENT FILMS FROM SOVIET GEORGIA IN 1979. TEN SOVIET SILENT FILM CLASSICS, FROM 1923-1927, WERE SHOWN AT NEW YORK'S MUSEUM OF MODERN ART (MOMA) DURING AUGUST AND SEPTEMBER OF 1979.

"NEW FILMS FROM EASTERN EUROPE" WAS THE SUBJECT OF A FESTIVAL HELD JOINTLY IN OCTOBER 1978 BY THE PACIFIC FILM

ARCHIVE AND THE SAN FRANCISCO FILM FESTIVAL. THE FESTIVAL FEATURED ONE FILM EACH FROM BULGARIA, CZECHOSLOVAKIA, HUNGARY, POLAND, ROMANIA, THE SOVIET UNION AND YUGOSLAVIA. (THE G.D.R. WAS NOT INCLUDED BECAUSE THE PACIFIC FILM ARCHIVE ALSO SHOWED A SPECIAL SERIES OF G.D.R. DOCUMENTARIES BY ANDREW AND ANNELIE THORNDIKE.) AFI SHOWED EIGHT BULGARIAN FILMS DURING SEPTEMBER 1977 IN A FESTIVAL TITLED "BULGARIA TODAY," AND 30 CZECHOSLOVAK FILMS DURING MAY AND JUNE 1978 IN A FESTIVAL "THE CZECH SPRING, 1963-1967." TWENTY-ONE HUNGARIAN FILMS WERE SHOWN AT MOMA IN 1979 DURING A FESTIVAL, "HUNGARIAN CINEMA, 1972-1979." A FESTIVAL OF NINE POLISH FILMS WAS ORGANIZED IN 1980 BY AMERICAN UNIVERSITY WITH SHOWINGS IN WASHINGTON, D.C., CAMBRIDGE (MASS.), MINNEAPOLIS, DETROIT, ANN ARBOR (MICHIGAN), DENVER, LOS ANGELES, SAN FRANCISCO, SEATTLE AND PORTLAND (OREGON). THESE POLISH FILMS WERE ALSO SHOWN IN FIVE CANADIAN CITIES.

NEW FILMS FROM THE EASTERN SIGNATORIES ALSO HAVE BEEN SHOWN BY MOMA IN ITS ANNUAL FESTIVAL, "NEW DIRECTORS, NEW FILMS," WHICH IS STAGED IN CONJUNCTION WITH THE FILM SOCIETY OF LINCOLN CENTER IN NEW YORK. IN THIS SERIES, MOMA SHOWED "FOUL PLAY" (POLAND) IN 1978, "MANLY TIMES" (BULGARIA) IN 1979, AND "TOP DOG" (POLAND) AND "INTERVIEWS ON PERSONAL PROBLEMS" (SOVIET UNION) IN 1980.

MEANWHILE, IN THE SOVIET UNION, 11 U.S. ACADEMY AWARD-WINNING FILMS WERE SHOWN IN MOSCOW AND KIEV IN EARLY 1979 IN A FESTIVAL JOINTLY SPONSORED BY THE AMERICAN EMBASSY AND SOVIET FILM AUTHORITIES.

WHILE THE ABOVE COMPILATION IS NOT COMPLETE, IT IS CLEAR THAT EASTERN FILMS HAVE BEEN RECEIVING A MUCH BROADER DISTRIBUTION IN THE UNITED STATES IN RECENT YEARS. IN FACT, IT IS LIKELY THAT RECENT SOVIET FILMS ARE RECEIVING BROADER DISTRIBUTION IN THE UNITED STATES THAN RECENT U.S. FILMS IN THE SOVIET UNION.

THEATER

BEFORE 1975, THE SOVIETS CONTRASTED THE LARGE NUMBER OF U.S. PLAYS BEING PRODUCED IN THE SOVIET UNION WITH THE ALMOST TOTAL ABSENCE OF SOVIET PLAYS ON U.S. STAGES. THIS IMBALANCE CAN BE EXPLAINED BY THE LIMITED CONTACTS BETWEEN THEATERS OF THE TWO COUNTRIES. THE AMERICANS SIMPLY DID NOT KNOW WHAT WAS BEING PRODUCED IN SOVIET THEATERS. AFTER 1975, THE UNITED STATES PROPOSED AN EXCHANGE OF THEATER DIRECTORS TO ATTEND THEATER PRODUCTIONS, MEET WITH DIRECTORS AND ACTORS, AND SEE WHICH PLAYS MIGHT BE PRODUCED.

A U.S. DELEGATION OF EIGHT THEATER DIRECTORS VISITED THE SOVIET UNION IN 1977. AS A DIRECT RESULT OF THAT VISIT, THREE SOVIET DIRECTORS WERE INVITED TO DIRECT SOVIET PLAYS IN U.S. THEATERS. AT HOUSTON'S ALLEY THEATER IN FEBRUARY 1978, GALINA VOLCHEK DIRECTED ROSHCHIN'S "ESHOLON." AT MINNEAPOLIS' GUTHRIE THEATER, ANATOLY EFROS DIRECTED GOGOL'S "THE MARRIAGE" IN 1978 AND BULGAKOV'S "MOLIERE" IN 1979.

A CONTEMPORARY SOVIET PLAY, "STRIDER," BASED ON A TOLSTOY STORY, WAS PRODUCED BY AN OFF-BROADWAY THEATER IN JUNE 1979. AFTER A FIVE-MONTH RUN, IT OPENED ON BROADWAY IN NOVEMBER 1979 WHERE IT HAS BEEN ENJOYING A LONG AND SUCCESSFUL RUN.

THE RETURN VISIT TO THE UNITED STATES BY THE SOVIET THEATER DELEGATION WAS MADE IN 1978. IT INCLUDED A SEMINAR WITH U.S. THEATER PERSONNEL IN NEW YORK AND SAN FRANCISCO.

THE AMERICAN EMBASSY IN MOSCOW HAS HELD DISCUSSIONS SINCE 1978 WITH THE MINISTRY OF CULTURE TO ARRANGE FOR AMERICANS TO DIRECT U.S. PLAYS IN THE SOVIET UNION. THE SOVIETS HAVE EXPRESSED INTEREST IN HAVING ADRIAN HALL OF THE TRINITY SQUARE REPERTORY THEATER IN PROVIDENCE (RHODE ISLAND), AND ALAN SCHNEIDER OF THE JUILLIARD SCHOOL, BUT ARRANGEMENTS HAVE NOT BEEN COMPLETED. IN A SIMILAR MOVE, CONDUCTOR SARAH CALDWELL MET WITH SOVIET OFFICIALS IN MOSCOW TO DISCUSS PLANS FOR HER TO DIRECT AN AMERICAN OPERA THERE. MEANWHILE, IN EASTERN EUROPE -- WHERE SUCH VISITS ARE EASIER TO ARRANGE -- U.S. DIRECTORS EDWARD HASTINGS AND ROBERT WILSON ARE DIRECTING AMERICAN PLAYS IN BELGRADE AND WARSAW RESPECTIVELY DURING 1980.

A PROPOSED EXCHANGE OF U.S. AND SOVIET THEATER COMPANIES BY JOSEPH PAPP WAS NOT REALIZED. PAPP AND THE SOVIETS AGREED ON A THREE-WEEK TOUR OF "A CHORUS LINE" IN THE SOVIET UNION IN EXCHANGE FOR A SIMILAR TOUR IN THE UNITED STATES BY THE MOSCOW ART THEATER. FUNDING OF THE TWO TOURS WAS TO HAVE BEEN LINKED. MR. PAPP WAS UNABLE TO RAISE THE REQUIRED FUNDS AND THE EXCHANGE DID NOT TAKE PLACE.

ROMANIA'S BULANDRA THEATER MADE ITS FIRST VISIT TO THE UNITED STATES IN 1979 WITH PERFORMANCES IN NEW HAVEN (CONNECTICUT), NEW YORK AND WASHINGTON, D.C. POLAND'S AVANTGARDE COMPANY, "THE CRICOT-TWO THEATER," ALSO MADE ITS U.S. DEBUT, AT NEW YORK'S LA MAMA THEATER. ROMANIA'S CELEBRATED THEATER DIRECTOR, LIVIU CIULEI, WAS A FREQUENT VISITOR TO THE UNITED STATES, DIRECTING SEVERAL PLAYS IN NEW YORK AND WASHINGTON, D.C.

"THE GIN GAME," A U.S. PLAY, ACHIEVED GREAT CRITICAL AND PUBLIC ACCLAIM IN MOSCOW AND LENINGRAD IN DECEMBER 1979 IN A TOUR SPONSORED BY USICA UNDER THE INTERGOVERNMENTAL EXCHANGE.

PUBLISHING

A NUMBER OF STEPS HAVE BEEN TAKEN SINCE 1975 TO ESTABLISH CONTACTS BETWEEN U.S. AND EASTERN PUBLISHERS WHICH HAVE RESULTED IN AN INCREASE IN THE NUMBER OF EASTERN WORKS TRANSLATED AND PUBLISHED IN THE UNITED STATES. SOVIET AND EAST EUROPEAN PUBLISHERS HAVE LONG CONTRASTED THE LARGE NUMBER OF U.S. WORKS THEY PUBLISH TO THE SMALLER NUMBER OF EASTERN AND SOVIET WORKS PUBLISHED IN THE UNITED STATES.

IN PUBLISHING, AS IN MANY OTHER AREAS OF POTENTIAL COOPERATION, THE FIRST OBSTACLE TO BE OVERCOME WAS A LACK OF INFORMATION. TO HELP BRIDGE THIS GAP, THE ASSOCIATION OF AMERICAN PUBLISHERS (AAP) PROPOSED HOLDING SEMINARS FOR SOVIET AND U.S. PUBLISHERS IN WHICH EACH SIDE WOULD EXPLAIN TO THE OTHER HOW BOOKS ARE PUBLISHED IN ITS COUNTRY. THE FIRST SEMINAR WAS HELD IN SEPTEMBER 1975 IN MOSCOW, WITH U.S. PUBLISHERS EXPLAINING TO SOVIET PUBLISHERS HOW BOOKS ARE PUBLISHED IN THE UNITED STATES. THE SECOND SEMINAR WAS HELD IN NEW YORK IN 1977 WITH SOVIET PUBLISHERS ADDRESSING U.S. PUBLISHERS.

AMERICAN PUBLISHERS ALSO WERE ABLE TO MEET WITH SOVIET AND EAST EUROPEAN PUBLISHERS AT THE FIRST MOSCOW INTERNATIONAL BOOK FAIR IN 1977, AND THE SECOND FAIR IN 1979. MORE THAN 250 U.S. PUBLISHERS DISPLAYED BOOKS AT THE SECOND FAIR, A SIGNIFICANT INCREASE OVER THE 78 REPRESENTED IN 1977. AT THE 1979 MOSCOW FAIR, AAP MOUNTED A CENTRAL EXHIBIT OF 13,000 BOOKS, INCLUDING A CENTERPIECE EXHIBIT OF 321 BOOKS ENTITLED "AMERICA THROUGH AMERICAN EYES."

THE 1979 FAIR WAS MARRED BY TWO EVENTS WHICH ARE CONTRARY TO THE SPIRIT OF THE FINAL ACT. AT LEAST 44 BOOKS WERE REMOVED FROM THE U.S. EXHIBIT BY SOVIET AUTHORITIES. THE SOVIETS ALSO DENIED VISAS TO THREE U.S. PUBLISHERS: ROBERT BERNSTEIN, PRESIDENT OF RANDOM HOUSE; AND CARL AND ELLENDEA PROFFER, OF ARDIS PUBLISHERS, ANN ARBOR (MICHIGAN).

THE SOVIET ACTION IN SEIZING THE U.S. BOOKS WAS DEFENDED BY BORIS STUKALIN, CHAIRMAN OF THE STATE COMMITTEE FOR PUBLISHING HOUSES, PRINTING PLANTS AND THE BOOK TRADE. AT A MOSCOW PRESS CONFERENCE, STUKALIN SAID IT WAS NOT CORRECT TO CALL THE BOOK SEIZURE A VIOLATION OF FREE SPEECH. STUKALIN ADDED: "THIS IS THE HIGHEST AFFIRMATION OF FREEDOM OF SPEECH SINCE FREEDOM TO PROPAGANDIZE FASCISM IS THE KIND OF FREEDOM THAT ALL HONEST PEOPLE IN OUR COUNTRY AND IN OTHER COUNTRIES MUST OPPOSE." STUKALIN SAID THAT THE SOVIET UNION HAS LAWS WHICH "FORBID THE IMPORTATION OF CERTAIN BOOKS. WE BAN BOOKS THAT PROPAGANDIZE WAR AND RACISM, BOOKS WITH AN ANTI-SOVIET CHARACTER, PORNO-

GRAPHY, AND THOSE INSULTING THE DIGNITY OF OTHER PARTICIPATING STATES."⁶ STUKALIN DID NOT COMMENT ON THE SPECIFIC BOOKS SEIZED, NOR DID HE EXPLAIN HOW THEY VIOLATED THE LAW. AMONG THE SEIZED BOOKS WERE GEORGE ORWELL'S "ANIMAL FARM," A BOOK OF CARTOONS BY DAVID LEVINE, MENACHIM BEGIN'S "WHITE NIGHTS," SEVERAL BOOKS BY ALEKSANDR SOLZHENITSYN AND ANDREI SAKHAROV, AND ROBERT CHAZEN AND MARC L. RAPHAEL'S "MODERN JEWISH HISTORY: A SOURCE READER."⁷

FRIEDBERG REPORT ON AVAILABILITY OF SOVIET LITERATURE

A REPORT ISSUED BY THE U.S. HELSINKI WATCH COMMITTEE INDICATES THAT MODERN RUSSIAN LITERATURE IS AVAILABLE IN THE UNITED STATES TO A FAR GREATER EXTENT THAN IS CHARGED BY SOVIET PUBLISHING OFFICIALS.⁸ COMPILED BY PROFESSOR MAURICE FRIEDBERG, CHAIRMAN OF THE DEPARTMENT OF SLAVIC LANGUAGES AND LITERATURES AT THE UNIVERSITY OF ILLINOIS, THE REPORT DEALS IN PARTICULAR WITH THE FINAL ACT PROVISION WHICH CALLS UPON THE SIGNATORY STATES TO "FACILITATE THE FREER AND WIDER DISSEMINATION OF INFORMATION OF ALL KINDS."

THE FRIEDBERG REPORT GOES BEYOND STATISTICAL ANALYSIS IN EXPLORING NATIONAL ATTITUDES TOWARD LITERATURE. IT ACKNOWLEDGES THE VALIDITY OF THE SOVIET CHARGE THAT AMERICANS ARE MORE INTERESTED IN SOVIET "DISSIDENT" WRITING THAN IN SOVIET NOVELS WRITTEN IN THE OFFICIAL STYLE OF SOCIALIST REALISM. THE REPORT POINTS OUT, HOWEVER, THAT THESE ATTITUDES ARE NOT PRODUCTS OF OFFICIAL DECREE OR IDEOLOGICAL BIAS, AS THE SOVIETS CHARGE, BUT ARE THOROUGHLY CONSISTENT WITH AMERICAN LITERARY TASTES: "THE AMERICAN PUBLIC DOES NOT EXPECT ITS COUNTRY'S WRITERS TO CELEBRATE THE VIRTUES OF THE AMERICAN WAY OF LIFE... AMERICANS GENERALLY AGREE THAT A WRITER'S PROPER ROLE IS THAT OF A CRITIC OF HIS SOCIETY."

PROFESSOR FRIEDBERG POINTS OUT THAT, IN ADDITION TO THE "GENEROUS AND REPRESENTATIVE SAMPLE OF MODERN (20TH CENTURY) RUSSIAN LITERATURE AVAILABLE TO AMERICAN READERS...AMERICAN LIBRARIES, ARCHIVES, SCHOLARLY JOURNALS AND PUBLISHERS HAVE, IN EFFECT, BEEN THE CUSTODIANS OF A SIGNIFICANT PART OF MODERN RUSSIAN WRITING, THAT PORTION OF IT THAT WAS DENIED THE RIGHT TO OPEN EXISTENCE IN THE U.S.S.R."

THE REPORT DISPUTES THE SOVIET STATISTICAL APPROACH TO PUBLISHING PERFORMANCE BY POINTING OUT THAT IT FAILS TO TAKE INTO ACCOUNT DISPARITIES IN THE TWO COUNTRIES' PUBLISHING PRACTICES WHICH MAKE BOOKS FAR MORE ACCESSIBLE TO THE U.S. PUBLIC THAN THE SIMPLE NUMBER OF PRINTED COPIES WOULD INDICATE. AMONG

THE U.S. PRACTICES MENTIONED ARE THE POLICY OF KEEPING BOOKS IN PRINT; MAINTAINING HUNDREDS OF OPEN, PUBLIC LIBRARIES; PERMITTING DIRECT ORDER FROM BOOKSTORES, INCLUDING SEVERAL WHICH SELL SOVIET-PRODUCED BOOKS EXCLUSIVELY; FACILITATING DIRECT ORDER OF BOOKS AND PERIODICALS ON MICROFILM OR MICROFICHE; AND PROVIDING PUBLIC COPYING MACHINES IN LIBRARIES AND OTHER PUBLIC BUILDINGS. IN CONTRAST, THE SOVIET PUBLISHING INDUSTRY, THE REPORT CONTINUES, PAYS NO ATTENTION TO PUBLIC DEMAND AND KEEP BOOKS IN PRINT FOR SHORT PERIODS ONLY. MOST FOREIGN LITERATURE IS KEPT IN CLOSED STACKS IN LIBRARIES AND IS AVAILABLE ONLY TO "SPECIALISTS" WITH OFFICIAL PERMISSION. DIRECT ORDER IS NOT POSSIBLE, NOR DO ANY FOREIGN BOOK OUTLETS EXIST. AS A RESULT, DESIRABLE BOOKS ARE OFTEN SOLD OUT WITHIN HOURS OF THEIR APPEARANCE IN BOOKSTORES AND ARE FREQUENTLY RESOLD ON THE BLACK MARKET AT MUCH HIGHER PRICES.

THE FRIEDBERG REPORT GOES ON TO SAY THAT OVER 100 U.S. COLLEGES AND UNIVERSITIES OFFER UNDERGRADUATE COURSES IN SOVIET AND RUSSIAN LITERATURE IN ENGLISH TRANSLATION. THESE COURSES ARE OPEN TO STUDENTS IN ANY DISCIPLINE, WHILE IN THE SOVIET UNION ONLY ADVANCED GRADUATE STUDENTS MAJORING IN ENGLISH MAY TAKE COURSES IN AMERICAN LITERATURE.

IN ADDITION, THE REPORT CONTINUES, WHILE NO U.S. PUBLISHER WOULD CENSOR TRANSLATIONS OF SOVIET AUTHORS, U.S. WRITERS ARE ROUTINELY CENSORED IN THE SOVIET UNION. "THERE ARE NO SOVIET AUTHORS WHOSE WRITINGS ARE BANNED IN THE UNITED STATES," THE REPORT SAYS, "BUT THERE ARE QUITE A FEW AMERICAN AUTHORS WHO ARE BOYCOTTED IN THE U.S.S.R. THUS, NOT A LINE WAS EVER PRINTED IN THE U.S.S.R. ABOUT THE MOST RECENT AMERICAN NOBEL PRIZE WINNER IN LITERATURE, ISAAC BASHEVIS SINGER, AND ONLY ONE SHORT STORY WAS PRINTED IN RUSSIAN SOME 15 YEARS AGO OF ANOTHER AMERICAN NOBEL LAUREATE, SAUL BELLOW. SOME AUTHORS ARE NEVER TRANSLATED FOR REASONS THAT ARE EITHER OPENLY POLITICAL, SUCH AS HERMAN WOUK AND SLOAN WILSON, OR MORAL, SUCH AS HENRY MILLER."

IN MAY 1980, THE SOVIET UNION CANCELLED THE VISA OF U.S. PUBLISHER WINTHROP KNOWLTON, CHAIRMAN OF HARPER & ROW, ONE DAY BEFORE HIS SCHEDULED DEPARTURE FOR A VISIT TO THE SOVIET UNION. KNOWLTON, A MEMBER OF THE U.S. HELSINKI WATCH COMMITTEE, ALSO IS CHAIRMAN OF THE SUBCOMMITTEE WHICH COMMISSIONED THE FRIEDBERG REPORT.

WRITERS

LITERATURE IS AN IMPORTANT MEDIUM FOR PROMOTING IMPROVED UNDERSTANDING AMONG PEOPLES OF DIFFERENT CULTURES, AND WRITERS

PLAY AN IMPORTANT ROLE IN INTERPRETING ONE PEOPLE TO ANOTHER. THE FINAL ACT RECOGNIZES THIS IN CALLING FOR "THE DEVELOPMENT OF CONTACTS AND COOPERATION, ESPECIALLY AMONG CREATIVE ARTISTS AND OTHER PEOPLE ENGAGED IN CULTURAL ACTIVITIES..."

CONTACTS BETWEEN U.S. AND EAST EUROPEAN WRITERS EXISTED LONG BEFORE 1975. USICA'S INTERNATIONAL VISITOR AND SPEAKER PROGRAMS HAVE PROVIDED EXCHANGE VISITS FOR U.S. AND EAST EUROPEAN WRITERS SINCE THE 1950'S. BUT CONTACTS BETWEEN U.S. AND SOVIET WRITERS HAVE BEEN LIMITED, IN PART BECAUSE OF THE CONTROL WHICH THE U.S.S.R. UNION OF WRITERS HAS OVER INTERNATIONAL TRAVEL OF ITS MEMBERS. ALSO, THE SOVIET UNION RECOGNIZES AS WRITERS ONLY THOSE WHO ARE MEMBERS OF THE UNION.

TO ESTABLISH CONTINUING AND MEANINGFUL CONTACTS BETWEEN U.S. AND SOVIET WRITERS, AND WITH THE ENCOURAGEMENT OF THE LANGUAGE OF THE FINAL ACT, A SERIES OF ANNUAL SOVIET-AMERICAN WRITERS CONFERENCES WAS BEGUN IN 1977, HELD ALTERNATELY IN EACH COUNTRY. CHAIRED ON THE U.S. SIDE BY NORMAN COUSINS, FORMER EDITOR OF THE SATURDAY REVIEW, AND ON THE SOVIET SIDE BY NIKOLAI FEDORENKO, EDITOR OF THE SOVIET JOURNAL FOREIGN LITERATURE, THE CONFERENCES HAVE BROUGHT TOGETHER U.S. AND SOVIET WRITERS AND CRITICS FOR SEVERAL DAYS OF DISCUSSIONS ON LITERATURE AND WRITING IN THE TWO COUNTRIES. REPRESENTING THE UNITED STATES HAVE BEEN SUCH WRITERS AS EDWARD ALBEE, FRANCINE GRAY, ELIZABETH HARDWICK, ROBERT LOWELL, STANLEY KUNITZ, HARRISON SALISBURY, WILLIAM STYRON, JOHN UPDIKE, ARTHUR MILLER, VERA DUNHAM, JOYCE CAROL OATES AND WILLIAM J. SMITH. REPRESENTING THE SOVIET UNION HAVE BEEN MANY OF THEIR INTERNATIONALLY KNOWN WRITERS, AS WELL AS SEVERAL YOUNGER AND PROMISING WRITERS WHOSE WORKS HAD NOT BEEN WELL KNOWN IN THE WEST. NORMAN COUSINS WROTE THAT THE CONFERENCES ALSO HAVE SERVED TO ACQUAINT U.S. PUBLISHERS WITH NEW SOVIET LITERARY WORKS:

"AS A RESULT, THE AMERICAN WRITERS HAVE CALLED TO THE ATTENTION OF THEIR OWN PUBLISHERS A NUMBER OF SOVIET BOOKS OF SUBSTANTIAL LITERARY MERIT. IN THE PAST TWO YEARS, PERHAPS TWO DOZEN SUCH BOOKS HAVE APPEARED ON AMERICAN PUBLISHERS' LISTS, AND THERE IS THE PROSPECT JUST AHEAD OF MANY MORE."⁹

MANY SOVIET WRITERS HAVE BEEN ABLE TO ACCEPT INDIVIDUAL INVITATIONS TO VISIT THE UNITED STATES TO LECTURE ON THEIR WORKS. THE UNIVERSITY OF KANSAS, IN 1975, BEGAN INVITING ONE SOVIET WRITER EACH YEAR TO SPEND THREE WEEKS ON ITS CAMPUS AS

A VISITING LECTURER, AND THIS WAS INCREASED TO TWO WRITERS EACH YEAR IN 1978. PARTICIPATING THUS FAR HAVE BEEN YEYGENY VINOKUROV, VITALY KOROTICH, YURI TRIFONOV, FELIKS KUZNETSOV, VIKTOR ROZOV, BULAT OKUDZHAYA AND VLADIMIR SOLOUKHIN. VALENTIN RASPUTIN WAS TO HAVE COME TO KANSAS IN THE SPRING OF 1980 BUT DID NOT ARRIVE AS SCHEDULED. KANSAS, HOWEVER, HAS REINVITED RASPUTIN FOR THE FALL OF 1980 SEMESTER. AFTER THREE WEEKS AT KANSAS, THE WRITERS TRAVELED IN THE UNITED STATES FOR THREE TO FOUR WEEKS UNDER USICA'S INTERNATIONAL VISITOR PROGRAM.

ALSO AT THE INVITATION OF USICA, A FOUR-MAN DELEGATION OF SOVIET WRITERS, HEADED BY NOVELIST FEDOR ABRAMOV, VISITED THE UNITED STATES IN 1977. PARTICIPATING IN LECTURE TOURS OF THE UNITED STATES IN 1979 WERE THE POETS ANDREI VOZNESENSKY AND YEYGENY YEVTUSHENKO. NOVELIST YURI NAGIBIN SPENT 60 DAYS IN 1979 LECTURING AT U.S. UNIVERSITIES ON A COAST-TO-COAST TOUR, AND NOVELIST VALENTIN KATAYEV LECTURED IN CALIFORNIA FOR TWO WEEKS IN JANUARY 1980.

THE INTERNATIONAL WRITING PROGRAM AT THE UNIVERSITY OF IOWA INVITES FOREIGN WRITERS TO ATTEND A THREE-MONTH SEMINAR AT IOWA CITY EACH FALL. EASTERN EUROPEAN PARTICIPATION HAS ALWAYS BEEN HIGH, BUT IN 1979 IT INCLUDED THREE POLES, TWO HUNGARIANS, A BULGARIAN AND ONE WRITER FROM THE G.D.R. IN OTHER VISITS, THE HEAD OF THE G.D.R. WRITERS UNION, HERMAN KANT, TOURED U.S. COLLEGES AND UNIVERSITIES IN NOVEMBER 1979, AND THE CZECH WRITER, MIROSLAV HOLUB, WAS A VISITING LECTURER AT OBERLIN COLLEGE (OHIO) DURING THE SPRING OF 1979 SEMESTER. AND A U.S. POLISH WRITERS CONFERENCE WAS HELD IN POLAND IN MAY 1980.

ALL OF THESE WRITERS EXCHANGES HAVE INTRINSIC MERIT, BUT THEY ALSO SERVE TO ACQUAINT PUBLISHERS IN THE EAST AND THE WEST OF WHAT IS BEING WRITTEN AND PUBLISHED ABROAD. THE MORE SOVIET AND EAST EUROPEAN WRITERS VISIT THE UNITED STATES, THE MORE THEIR WORKS WILL BECOME BETTER KNOWN AND PUBLISHED IN THE UNITED STATES.

LIBRARIES

LIBRARIES, AS REPOSITORIES OF FOREIGN LITERATURE, ALSO SERVE TO IMPROVE UNDERSTANDING BETWEEN EAST AND WEST. AFTER SIGNATURE OF THE FINAL ACT, THE AMERICAN LIBRARY ASSOCIATION (ALA) PROPOSED TO THE U.S.S.R. MINISTRY OF CULTURE AN EXCHANGE OF DELEGATIONS TO DISCUSS POSSIBILITIES FOR COOPERATION. AN ALA DELEGATION VISITED THE SOVIET UNION IN 1976, AND A SOVIET LIBRARIAN DELEGATION CAME TO THE UNITED STATES IN 1978. A DELEGATION OF U.S. CHILDREN'S LIBRARIANS ALSO VISITED THE SOVIET

UNION IN 1979. AFTER THESE EXPLORATORY VISITS, THE ALA HOSTED A SEMINAR IN WASHINGTON, D.C. IN APRIL 1979 AT WHICH SEVEN SOVIET LIBRARIANS EXPLAINED SOVIET LIBRARY PRACTICES TO MORE THAN 150 U.S. LIBRARIANS.

IN THESE EXCHANGES, THE INTERESTS OF THE TWO SIDES ARE NOT ALWAYS PARALLEL. THE U.S. LIBRARIANS GENERALLY ARE INTERESTED IN THE ORGANIZATION OF SOVIET LIBRARIES AND THE SERVICES THEY PROVIDE TO THEIR READERS. THE SOVIETS APPEAR MAINLY TO BE INTERESTED IN THE LATEST TECHNIQUES IN AUTOMATION AND INFORMATION RETRIEVAL IN LIBRARIES. NEVERTHELESS, THESE EXCHANGES ARE CONSIDERED USEFUL BY BOTH SIDES, PARTICULARLY IF THEY LEAD TO COOPERATION BETWEEN SOVIET AND U.S. LIBRARIES AND INCREASED AVAILABILITY OF BOOKS FROM ONE COUNTRY TO THE OTHER.

STUDENTS AND SCHOLARS

THE POST-HELSINKI YEARS SAW THE ESTABLISHMENT OF NEW PROGRAMS FOR U.S. UNDERGRADUATES TO STUDY RUSSIAN IN THE SOVIET UNION. MOSCOW'S PUSHKIN RUSSIAN LANGUAGE INSTITUTE OPENED ITS DOORS IN 1976 TO A GROUP OF STUDENTS FROM OHIO STATE UNIVERSITY. IN THE FOLLOWING YEARS THE PROGRAM WAS EXPANDED SO THAT OHIO STATE NOW HAS THREE GROUPS OF UNDER-GRADUATES AT PUSHKIN FOR A SEMESTER EACH YEAR, AS WELL AS 10 GRADUATE STUDENTS FOR A FULL YEAR. MIDDLEBURY COLLEGE AND THE AMERICAN COUNCIL OF TEACHERS OF RUSSIAN (ACTR) ALSO HAVE ESTABLISHED PROGRAMS AT PUSHKIN SO THAT THE TOTAL NUMBER OF U.S. STUDENTS THERE EACH YEAR IS ABOUT 120. THE OHIO STATE AND ACTR STUDENTS ARE RECRUITED NATIONALLY.

PRIOR TO HELSINKI THE ONLY STUDY PROGRAM FOR U.S. UNDERGRADUATES IN THE SOVIET UNION WAS AT LENINGRAD. CONDUCTED BY THE COUNCIL FOR INTERNATIONAL EDUCATIONAL EXCHANGE (CIEE), THIS PROGRAM NOW SENDS ABOUT 230 STUDENTS TO LENINGRAD STATE UNIVERSITY FOR A SEMESTER, SUMMER TERM OR FULL ACADEMIC YEAR OF STUDY. THE LENINGRAD AND MOSCOW PROGRAMS NOW PROVIDE OPPORTUNITIES FOR ABOUT 350 U.S. STUDENTS TO STUDY RUSSIAN IN THE SOVIET UNION.

THESE ARE NOT EXCHANGE PROGRAMS IN THE STRICT SENSE BECAUSE THE AMERICANS PAY IN DOLLARS FOR THEIR STUDIES, AND THERE ARE NO SOVIETS STUDYING IN THE UNITED STATES IN EXCHANGE. IN GENERAL, THE SOVIET UNION DOES NOT FAVOR UNDER-GRADUATE EXCHANGES. THE ONLY SOVIET "UNDERGRADUATES" IN THE UNITED STATES EACH YEAR ARE 10 ENGLISH-LANGUAGE STUDENTS FROM MOSCOW'S MAURICE THOREZ INSTITUTE WHO ARE TRAINING TO BE INTERPRETERS. THEY STUDY AT THE ALBANY CAMPUS OF THE STATE UNIVERSITY OF NEW YORK (SUNY) IN EXCHANGE FOR 10 SUNY STUDENTS WHO STUDY RUSSIAN AT MAURICE

THOREZ. ANOTHER 10 SUNY GRADUATE STUDENTS ARE EXCHANGED EACH YEAR WITH 10 GRADUATE STUDENTS FROM MOSCOW STATE UNIVERSITY. THIS BRINGS TO ABOUT 370 THE NUMBER OF U.S. STUDENTS IN THE SOVIET UNION EACH YEAR, MOST OF THEM STUDYING RUSSIAN.

THE PRINCIPAL PROGRAM FOR SCHOLARLY RESEARCH BETWEEN THE UNITED STATES AND THE SOVIET UNION AND EASTERN EUROPE IS CONDUCTED BY THE INTERNATIONAL RESEARCH AND EXCHANGES BOARD (IREX). SPONSORED BY THE AMERICAN COUNCIL OF LEARNED SOCIETIES (ACLS) AND THE SOCIAL SCIENCE RESEARCH COUNCIL, IREX WAS ESTABLISHED TO REPRESENT THE U.S. SCHOLARLY COMMUNITY IN EXCHANGES WITH THE EAST. A PRIVATE ORGANIZATION, IREX ORIGINALLY RECEIVED MOST OF ITS FUNDING FROM THE FORD FOUNDATION, BUT SINCE 1976, THE MAJOR FUNDING HAS COME FROM TWO U.S. GOVERNMENT AGENCIES -- USICA AND THE NATIONAL ENDOWMENT FOR THE HUMANITIES (NEH).

UNDER THE U.S.-U.S.S.R. CULTURAL AGREEMENT, IREX EXCHANGES "AT LEAST 40" YOUNG RESEARCH SCHOLARS AND INSTRUCTORS AND "AT LEAST 10" PROFESSORS WITH THE U.S.S.R. MINISTRY OF HIGHER EDUCATION EACH YEAR. THE NUMBER OF PERSONS EXCHANGED UNDER THESE PROGRAMS HAS REMAINED MORE OR LESS CONSTANT SINCE 1975, WITH APPROXIMATELY 45 YOUNG SCHOLARS AND 10 PROFESSORS FROM EACH SIDE EXCHANGED EACH YEAR. BOTH SIDES ATTACH HIGH IMPORTANCE TO THESE EXCHANGES -- THE UNITED STATES BECAUSE ITS SCHOLARS MAINLY ARE SPECIALISTS IN SOVIET STUDIES, IN THE SOCIAL SCIENCES AND HUMANITIES; THE SOVIET UNION BECAUSE ITS SCHOLARS MAINLY ARE IN ADVANCED STUDIES IN SCIENCE AND TECHNOLOGY. THE SOVIETS HAVE SOUGHT TO INCREASE THE NUMBER OF PERSONS EXCHANGED UNDER THE IREX PROGRAM, ALTHOUGH THEY DID NOT SEEK AN INCREASE IN THE DECEMBER 1979 NEGOTIATIONS. THE U.S. RESPONSE HAS BEEN THAT THE CURRENT LEVEL OF ACTIVITY IS ADEQUATE BUT, IN ANY EVENT, THE UNITED STATES SEEKS QUALITATIVE IMPROVEMENTS IN THE CONDITIONS UNDER WHICH AMERICANS STUDY IN THE SOVIET UNION BEFORE ANY QUANTITATIVE INCREASE CAN BE AGREED TO. IREX PROGRAMS ARE CONDUCTED ON A NUMERICALLY RECIPROCAL BASIS WITH EACH SIDE PAYING ALL LOCAL COSTS FOR THE RESEARCH SCHOLARS WHICH IT RECEIVES, I.E. IREX PAYS THE DOLLAR COSTS FOR SOVIETS IN THE UNITED STATES, AND THE MINISTRY PAYS THE RUBLE COSTS FOR AMERICANS IN THE SOVIET UNION. EACH SIDE PAYS TRANSPORTATION COSTS FOR ITS OWN RESEARCH SCHOLARS.

IREX ALSO CONDUCTS, ON BEHALF OF ACLS, TWO EXCHANGES WITH THE SOVIET ACADEMY OF SCIENCES. THE FIRST, WHICH BEGAN IN 1960, EXCHANGES SENIOR SCHOLARS IN THE SOCIAL SCIENCES AND HUMANITIES. THE SECOND, WHICH BEGAN IN 1974, CONDUCTS PARALLEL RESEARCH UNDER A JOINT ACLS-SOVIET ACADEMY COMMISSION ON THE SOCIAL SCIENCES AND HUMANITIES. RESEARCH CURRENTLY IS BEING CONDUCTED

BY U.S. AND SOVIET SCHOLARS IN 12 SCHOLARLY DISCIPLINES. THE COMMISSION HELD ITS THIRD MEETING IN OCTOBER 1979 AT PRINCETON. A SIMILAR COMMISSION WAS ESTABLISHED WITH THE HUNGARIAN ACADEMY OF SCIENCES IN 1979.

THE MOST VEXING PROBLEM FOR THE UNITED STATES IN THESE EXCHANGES HAS BEEN THE CONDITIONS UNDER WHICH AMERICANS LIVE AND STUDY IN THE SOVIET UNION. ADEQUATE HOUSING IS IN VERY SHORT SUPPLY IN THE SOVIET UNION. U.S. STUDENTS AND YOUNG SCHOLARS ARE HOUSED IN STUDENT DORMITORIES, WHILE SENIOR SCHOLARS ARE NORMALLY HOUSED IN HOTELS. IN RECENT YEARS, AN INCREASING NUMBER OF AMERICANS HAVE BEEN ACCOMPANIED BY SPOUSES AND DEPENDENT CHILDREN, AND THESE FAMILIES ARE NOW BEING PLACED IN SOVIET HOTELS AND CHARGED THE STANDARD RATE FOR FOREIGN TOURISTS. THIS PLACES AN EXTREME HARDSHIP ON THE AMERICANS WHO CANNOT AFFORD THE COST BUT DO NOT WISH TO BE SEPARATED FROM THEIR FAMILIES. BY CONTRAST, THE SOVIET YOUNG SCHOLARS IN THE UNITED STATES ARE HOUSED BY IREX IN APARTMENTS. THEIR SPOUSES ARE WELCOME IN THE UNITED STATES BUT THE SOVIET AUTHORITIES ALLOW SPOUSES ONLY ONE 30-DAY VISIT TO THE UNITED STATES DURING THE YEAR.

TRAVEL AND ACCESS TO ARCHIVES ARE TWO OTHER PROBLEMS FOR AMERICANS IN THE SOVIET UNION. THESE ARE TREATED LATER IN THIS REPORT UNDER "PROBLEMS IN IMPLEMENTATION."

IREX ALSO CONDUCTS SIMILAR BUT SMALLER PROGRAMS WITH EACH OF THE EAST EUROPEAN COUNTRIES, INCLUDING THE G.D.R. WHICH BEGAN IN 1975 AND WAS THE FIRST SCHOLARLY EXCHANGE BETWEEN THE UNITED STATES AND THE G.D.R. IN 1977, THE LEVEL OF THE G.D.R. EXCHANGE WAS INCREASED TO 40 PERSON-MONTHS ANNUALLY ON EACH SIDE WHICH PROVIDES FOR ABOUT 12 SCHOLARS FROM EACH COUNTRY. IREX AND THE G.D.R. ALSO EXCHANGED DELEGATIONS IN HIGHER EDUCATION IN 1979 AND 1980 TO HELP FOSTER CLOSER RELATIONS BETWEEN THE TWO ACADEMIC COMMUNITIES.

FOR THE 1978/79 ACADEMIC YEAR, IREX SENT 53 AMERICANS TO EASTERN EUROPE AND RECEIVED 67 EAST EUROPEANS IN EXCHANGE. IN ITS REGULAR SOVIET PROGRAMS WITH THE MINISTRY OF HIGHER EDUCATION AND THE SOVIET ACADEMY, IREX SENT 70 AMERICANS AND RECEIVED 71 SOVIETS. ALTHOUGH THE EAST EUROPEAN PROGRAM REMAINS BELOW THE LEVEL ACHIEVED DURING 1974/75, IT HAS REMAINED CONSTANT DURING THE PAST FIVE YEARS. IF ADDITIONAL FUNDING WERE AVAILABLE, IREX WOULD INCREASE THE SIZE OF ITS EAST EUROPEAN PROGRAMS, PARTICULARLY IN POLAND, HUNGARY AND THE G.D.R. WHERE THERE ARE MORE U.S. APPLICANTS THAN CAN BE ACCOMMODATED. IN GENERAL, THE CONDITIONS FOR U.S. SCHOLARS IN EASTERN EUROPE ARE FAR BETTER THAN IN THE SOVIET UNION WITH RESPECT TO HOUSING,

FREEDOM TO TRAVEL, AND ACCESS TO ARCHIVES, SCHOLARLY RESEARCH AND LOCAL SCHOLARS.

IN A NEW DEVELOPMENT, TWO SOVIET RABBINICAL STUDENTS ARRIVED IN THE UNITED STATES IN 1979 FOR THREE YEARS OF STUDY AT NEW YORK'S YESHIVA UNIVERSITY. THEY ARE THE FIRST SOVIET RABBINICAL STUDENTS TO STUDY IN THE UNITED STATES. THEIR VISIT CULMINATES 12 YEARS OF EFFORT BY THE APPEAL OF CONSCIENCE FOUNDATION -- A NEW YORK-BASED, INTERDENOMINATIONAL COALITION OF PEOPLE ACTIVE IN RELIGION, BUSINESS, POLITICS AND DIPLOMACY WHO WORK FOR RELIGIOUS FREEDOM IN OTHER COUNTRIES.

THE ANNUAL SUMMER EXCHANGE OF YOUNG AGRICULTURAL SPECIALISTS ENTERED ITS FOURTH YEAR IN 1979. SPONSORED BY THE NATIONAL 4-H COUNCIL AND THE U.S.S.R. MINISTRY OF AGRICULTURE, THE PROGRAM EXCHANGES YOUNG SOVIET AND U.S. AGRICULTURE SPECIALISTS FOR TWO MONTHS OF STUDY AND PRACTICAL EXPERIENCE ON FARMS IN THE TWO COUNTRIES. IN PREVIOUS YEARS, 15 PERSONS PARTICIPATED FROM EACH SIDE; BUT, IN 1979, THE PROGRAM WAS REDUCED TO FIVE ON EACH SIDE BECAUSE OF BUDGETARY LIMITATIONS ON THE U.S. SIDE. THIS IS THE ONLY EXCHANGE PROGRAM WITH THE SOVIET UNION UNDER WHICH THE U.S. PARTICIPANTS ACTUALLY RESIDE AND WORK ON SOVIET COLLECTIVE FARMS. THE SOVIETS LIVE WITH U.S. FARM FAMILIES. IN A SIMILAR ANNUAL EXCHANGE WITH POLAND, THE 4-H BRINGS 100 POLISH YOUNG SPECIALISTS TO THE UNITED STATES FOR A FULL YEAR'S STAY ON FARMS, AND SENDS A SMALLER NUMBER OF AMERICANS TO POLAND.

UNIVERSITY LECTURERS

THE ANNUAL EXCHANGE OF UNIVERSITY LECTURERS IS ANOTHER U.S. INITIATIVE WHICH CONTINUED TO EXPAND AFTER HELSINKI. CONDUCTED BY USICA UNDER THE FULBRIGHT PROGRAM, APPROXIMATELY 15 U.S. AND 15 SOVIET UNIVERSITY PROFESSORS ARE EXCHANGED ANNUALLY FOR PERIODS UP TO TWO SEMESTERS. IN 1979, ALSO AT U.S. INITIATIVE, THIS PROGRAM WAS EXTENDED TO INCLUDE THE TEACHER TRAINING INSTITUTES UNDER THE U.S.S.R. MINISTRY OF EDUCATION AND THE U.S.S.R. ACADEMY OF PEDAGOGICAL SCIENCES. IN 1979, THE UNITED STATES PROPOSED TO ESTABLISH A SIMILAR LECTURER EXCHANGE WITH THE SOVIET ACADEMY OF SCIENCES. THE ACADEMY RESPONDED POSITIVELY, BUT FULL AGREEMENT ON CONDITIONS FOR THE EXCHANGE HAS NOT BEEN REACHED.

SIMILAR FULBRIGHT LECTURER EXCHANGES ALSO EXIST WITH POLAND, ROMANIA, BULGARIA, HUNGARY AND CZECHOSLOVAKIA. THE BULGARIAN EXCHANGE WAS INCREASED IN 1979 FROM ONE TO TWO LECTURERS ANNUALLY FROM EACH SIDE. THE HUNGARIAN EXCHANGE BEGAN IN 1979.

DIRECT EXCHANGES BETWEEN UNIVERSITIES

DIRECT UNIVERSITY EXCHANGES ARE ANOTHER INITIATIVE WHICH THE UNITED STATES HAS ACTIVELY PROMOTED SINCE HELSINKI. THERE ARE CURRENTLY MORE THAN 20 SUCH EXCHANGES WITH POLAND AND SEVERAL WITH ROMANIA WHICH PROVIDE FOR DIRECT EXCHANGES OF STUDENTS AND FACULTY BETWEEN THE COOPERATING UNIVERSITIES.

THE FIRST U.S. UNIVERSITY EXCHANGE WITH THE SOVIET UNION WAS ESTABLISHED IN 1974 BETWEEN THE STATE UNIVERSITY OF NEW YORK (SUNY) AND THE MAURICE THOREZ INSTITUTE IN MOSCOW. IN 1976, SUNY ESTABLISHED A DIRECT EXCHANGE WITH MOSCOW STATE UNIVERSITY, IN WHICH THE TWO INSTITUTIONS EACH YEAR EXCHANGE 10 GRADUATE STUDENTS AND FIVE PROFESSORS.

THE MIDWEST UNIVERSITIES CONSORTIUM FOR INTERNATIONAL ACTIVITIES (MUCIA) SIGNED AN AGREEMENT WITH MOSCOW STATE UNIVERSITY IN 1977 FOR A DIRECT EXCHANGE OF PROFESSORS. MUCIA REPRESENTS SEVEN MAJOR MID-WEST UNIVERSITIES.

SEVERAL OTHER U.S. UNIVERSITIES HAVE MADE SIMILAR PROPOSALS TO SOVIET UNIVERSITIES, BUT WITH MIXED RESULTS. THE UNIVERSITY OF LOWELL (MASSACHUSETTS) WAS SUCCESSFUL IN SIGNING AN AGREEMENT IN 1979 WITH TBILISI STATE UNIVERSITY (SOVIET GEORGIA), BUT OTHER U.S. UNIVERSITIES HAVE BEEN LESS SUCCESSFUL. SEVERAL U.S. PROPOSALS FOR EXCHANGES WERE EXTENDED TO LENINGRAD STATE UNIVERSITY, BUT LENINGRAD HAS SHOWN LITTLE INTEREST. A UNIVERSITY OF ALASKA APPROACH TO THE IRKUTSK POLYTECHNIC (SIBERIA) WHICH LOOKED LIKE A NATURAL IN VIEW OF THEIR COMMON INTERESTS IN ARCTIC RESEARCH, WAS ALSO UNSUCCESSFUL. RUTGERS UNIVERSITY (NEW JERSEY) AND KIEV STATE UNIVERSITY HAVE EXCHANGED DELEGATIONS, BUT AN AGREEMENT HAS NOT YET BEEN SIGNED.

SEVERAL OTHER U.S. UNIVERSITIES HAVE EXPRESSED INTEREST IN DIRECT EXCHANGES WITH SOVIET UNIVERSITIES BUT HAVE NOT RECEIVED ENCOURAGEMENT FROM THE SOVIET AUTHORITIES. APPARENTLY THE INDIVIDUAL SOVIET UNIVERSITIES ARE INTERESTED, BUT OFFICIALS APPEAR HESITANT.

MEANWHILE, IN EASTERN EUROPE EXCHANGES CONTINUE TO FLOURISH WHERE UNIVERSITIES AND THE CENTRAL AUTHORITIES ARE INTERESTED. A POLISH STUDIES CENTER WAS OPENED AT INDIANA UNIVERSITY IN 1977 UNDER AN AGREEMENT WITH WARSAW UNIVERSITY WHICH OPENED AN AMERICAN STUDIES CENTER IN 1976. THE TWO CENTERS ARE STAFFED BY AN EXCHANGE OF FACULTY BETWEEN THE TWO UNIVERSITIES. INDIANA, IN 1979, SIGNED AN AGREEMENT WITH THE HUNGARIAN ACADEMY OF SCIENCES UNDER WHICH HUNGARY AND INDIANA WILL JOINTLY FUND A CHAIR OF HUNGARIAN STUDIES AT INDIANA. BROWN UNIVERSITY AND ROSTOCK (G.D.R.) SIGNED AN AGREEMENT IN 1979, THE FIRST BETWEEN

U.S. AND G.D.R. UNIVERSITIES. FACULTY ARE BEING EXCHANGED IN 1979/80, AND STUDENTS WILL BE EXCHANGED IN 1980/81. IN THE SECOND SUCH EXCHANGE WITH A G.D.R. UNIVERSITY, KENT STATE HAS SIGNED WITH LEIPZIG, AND THE UNIVERSITY OF NORTH CAROLINA HAS BEEN DISCUSSING EXCHANGES WITH ROSTOCK AND GRIESEWALD (G.D.R.). THE UNIVERSITY OF CONNECTICUT, IN 1978, SIGNED A MEMORANDUM OF COOPERATION WITH THE GODOLLO (HUNGARY) UNIVERSITY OF AGRICULTURAL SCIENCES.

THESE ARE ONLY A FEW RECENT EXAMPLES. THEY ILLUSTRATE WHAT IS POSSIBLE WHEN THE CENTRAL AUTHORITIES IN EASTERN EUROPE ARE WILLING TO GIVE THEIR UNIVERSITIES THE AUTHORITY TO NEGOTIATE AND CONDUCT DIRECT EXCHANGES WITH U.S. UNIVERSITIES. IF THESE EXCHANGES, THE EXACT NUMBER OF WHICH IS NOT KNOWN, WERE ADDED TO THE OFFICIAL EXCHANGES WITH THE EAST, THE TOTAL NUMBER OF EDUCATION EXCHANGES FOR THE POST-HELSINKI YEARS WOULD SHOW A SIGNIFICANT INCREASE.

EQUIVALENCY OF DEGREES

THE FINAL ACT INCLUDES LANGUAGE CALLING UPON THE PARTICIPATING STATES "TO INTENSIFY THEIR EFFORTS TO REACH A GENERALLY ACCEPTABLE SOLUTION TO THE PROBLEMS OF COMPARISON AND EQUIVALENCY BETWEEN ACADEMIC DEGREES AND DIPLOMAS."

SINCE HELSINKI THIS SUBJECT HAS BEEN ACTIVELY DISCUSSED WITHIN THE UNESCO EUROPE REGION, WITH THE UNITED STATES PARTICIPATING. ON DECEMBER 21, 1979, IN PARIS, THE UNITED STATES SIGNED, TOGETHER WITH THE SOVIET UNION, THE EAST EUROPEANS AND MOST OF THE WEST EUROPEANS, THE UNESCO CONVENTION FOR THE RECOGNITION OF STUDIES, DEGREES AND DIPLOMAS IN HIGHER EDUCATION IN THE EUROPE REGION. THE CONVENTION IS EXPECTED TO FACILITATE COOPERATION IN EDUCATION AMONG THE SIGNATORIES TO THE FINAL ACT.

FOREIGN LANGUAGES AND CIVILIZATIONS

THE FINAL ACT COMMITS THE PARTICIPATING STATES "TO ENCOURAGE THE STUDY OF FOREIGN LANGUAGES AND CIVILIZATIONS AS AN IMPORTANT MEANS OF EXPANDING COMMUNICATION AMONG PEOPLES FOR THEIR BETTER ACQUAINTANCE WITH THE CULTURE OF EACH COUNTRY, AS WELL AS FOR THE STRENGTHENING OF INTERNATIONAL COOPERATION." THE EASTERN STATES HAVE OFTEN CHARGED THE UNITED STATES WITH FAILURE TO ENCOURAGE THE STUDY OF THEIR LANGUAGES AND CIVILIZATIONS IN U.S. SCHOOLS, AS THEY ENCOURAGE THE STUDY OF ENGLISH IN THEIRS.

ADMITTEDLY, FOREIGN LANGUAGE AND INTERNATIONAL STUDIES HAVE DECLINED IN U.S. SCHOOLS AND COLLEGES IN RECENT YEARS. ACTING ON A PROPOSAL BY REPRESENTATIVE AND CSCE COMMISSIONER PAUL SIMON (D-ILL.), PRESIDENT CARTER IN 1978 APPOINTED THE PRESIDENT'S COMMISSION ON FOREIGN LANGUAGES AND INTERNATIONAL STUDIES. THE COMMISSION'S OBJECTIVES WERE TO: (1) RECOMMEND MEANS FOR DIRECTING PUBLIC ATTENTION TO THE IMPORTANCE OF FOREIGN LANGUAGE AND INTERNATIONAL STUDIES; (2) ASSESS THE NEED IN THE UNITED STATES FOR FOREIGN LANGUAGE AND AREA SPECIALISTS; (3) RECOMMEND WHAT FOREIGN LANGUAGE AREA STUDIES PROGRAMS ARE APPROPRIATE AT ALL ACADEMIC LEVELS AND RECOMMEND DESIRABLE LEVELS AND KINDS OF SUPPORT FOR EACH THAT SHOULD BE PROVIDED; (4) REVIEW EXISTING LEGISLATIVE AUTHORITIES AND MAKE RECOMMENDATIONS FOR CHANGES NEEDED TO CARRY OUT MOST EFFECTIVELY THE COMMISSION'S RECOMMENDATIONS.

THE COMMISSION WAS CHAIRED BY DR. JAMES A. PERKINS, CHAIRMAN OF THE INTERNATIONAL COUNCIL FOR EDUCATIONAL DEVELOPMENT, AND INCLUDED DISTINGUISHED REPRESENTATIVES FROM ACADEMIA, FOUNDATIONS, BUSINESS, LABOR, THE CONGRESS AND THE ADMINISTRATION. THE COMMISSION'S 65 RECOMMENDATIONS CALL FOR BROAD AND CONCERTED ACTION BY THE U.S. GOVERNMENT AND THE PRIVATE SECTOR TO IMPROVE FOREIGN LANGUAGE AND INTERNATIONAL STUDIES IN THE PUBLIC SCHOOLS, IN COLLEGES AND UNIVERSITIES THROUGH TRAINING AND RESEARCH, INTERNATIONAL EDUCATIONAL EXCHANGES, CITIZEN EDUCATION IN INTERNATIONAL AFFAIRS, AND IMPROVEMENTS IN ORGANIZATION WITHIN AND OUTSIDE GOVERNMENT.

WHILE THE REPORT'S RECOMMENDATIONS ARE MOSTLY LONG-RANGE, SEVERAL IMMEDIATE RESULTS ALREADY CAN BE SEEN. A PRIVATE BODY, THE NATIONAL COUNCIL ON FOREIGN LANGUAGE AND INTERNATIONAL STUDIES, IS BEING ESTABLISHED TO MONITOR AND REPORT ON THE SUBJECT. LEGISLATION WAS APPROVED IN THE CONGRESS (S.2306, STAFFORD-JAVITS) TO AMEND THE HIGHER EDUCATION ACT OF 1965 TO PROVIDE FOR THE ESTABLISHMENT OF INTERNATIONAL EDUCATION PROGRAMS. SENATOR ROBERT STAFFORD (R-Vt.) RECENTLY SAID THAT THE AMENDMENT WOULD HELP:

"TO REINVIGORATE THE INTERNATIONAL DIMENSION OF AMERICAN HIGHER EDUCATION; TO STRENGTHEN THOSE LINKAGES OF ELEMENTARY AND SECONDARY EDUCATION TO HIGHER EDUCATION WHICH CAN HELP PREPARE AMERICAN CITIZENS FOR CHANGES IN THE WORLD WHICH WILL AFFECT THIS COUNTRY; TO IMPROVE THE NATION'S LONG-TERM CAPABILITIES IN FOREIGN RELATIONS, INCLUDING FOREIGN-

LANGUAGE CAPABILITIES; AND TO ENCOURAGE LINK-AGES BETWEEN BUSINESS AND HIGHER EDUCATION WHICH CAN BE HELPFUL IN PREPARING THE UNITED STATES TO MEET ITS PRESSING AND GROWING NEED TO EXPORT."¹¹

THIS LEGISLATION, PARALLEL TO THAT INTRODUCED IN THE HOUSE OF REPRESENTATIVES BY REP. SIMON, IS EXPECTED TO BE INCORPORATED INTO TITLE VI OF THE HIGHER EDUCATION ACT.

ALTHOUGH THE ADMINISTRATION'S BUDGET REQUEST FOR FY 81 HAD BEEN COMPLETED BY THE TIME THE REPORT WAS AVAILABLE, THE ADMINISTRATION MADE LAST MINUTE IMPROVEMENTS IN THIS BUDGET PRIOR TO SUBMISSION TO CONGRESS. SPECIFICALLY, THE PROPOSED BUDGET FOR INTERNATIONAL EDUCATION PROGRAMS WAS INCREASED BY 50 PERCENT -- FROM \$20 TO \$30 MILLION. IT IS HOPED THAT THE CONGRESSIONAL APPROPRIATION COMMITTEES WILL SUPPORT AN INCREASE.

SEVERAL OTHER INITIATIVES HAVE BEEN TAKEN BY THE UNITED STATES TO IMPROVE LANGUAGE AND CIVILIZATION STUDIES OF THE EASTERN COUNTRIES. U.S. COLLEGES AND UNIVERSITIES HAVE BEEN INVITING SOVIET PROFESSORS TO LECTURE AT SUMMER SCHOOLS IN THE UNITED STATES FOR STUDENTS OF RUSSIAN. PUSHKIN INSTITUTE PROFESSORS REGULARLY LECTURE AT MIDDLEBURY AND BRYN MAWR COLLEGES, AND THE CIEE HAS BROUGHT LECTURERS FROM LENINGRAD TO TEACH RUSSIAN IN THE UNITED STATES. UNDER THE FULBRIGHT LECTURER EXCHANGE, FIVE SOVIET PROFESSORS ARE LECTURING IN RUSSIAN LANGUAGE OR CIVILIZATION AT U.S. UNIVERSITIES DURING THE 1979/80 ACADEMIC YEAR.

UNFORTUNATELY, THE SOVIETS HAVE NOT ALWAYS RESPONDED POSITIVELY TO U.S. INITIATIVES. THE AMERICAN FIELD SERVICE (AFS), SINCE 1972, HAS CONDUCTED WITH THE U.S.S.R. MINISTRY OF EDUCATION AN ANNUAL EXCHANGE OF SOVIET AND U.S. LANGUAGE TEACHERS WHO TEACH FOR TWO MONTHS IN COLLEGES AND SECONDARY SCHOOLS. REPEATED PROPOSALS BY AFS TO LENGTHEN THE STAYS OF THE TEACHERS TO A FULL SEMESTER OR THREE MONTHS HAVE BEEN REJECTED BY THE MINISTRY. THE MINISTRY ALSO FAILED TO ACT ON A PROPOSAL MADE BY THE DEPARTMENT OF STATE IN 1977, AND RENEWED BY USICA IN 1978, TO ESTABLISH A NEW SUMMER EXCHANGE OF LANGUAGE TEACHERS. UNDER THIS PROPOSAL, 15 U.S. TEACHERS OF RUSSIAN AND AN EQUIVALENT NUMBER OF SOVIET TEACHERS OF ENGLISH WOULD BE EXCHANGED EACH SUMMER FOR SIX WEEKS OF STUDY AND TRAVEL. THE SOVIETS HAVE AGREED "IN PRINCIPLE", BUT FOR MORE THAN TWO YEARS HAVE BEEN UNABLE TO TAKE THE NECESSARY STEPS TO START THE EXCHANGE. MEANWHILE THE SUMMER EXCHANGE OF LANGUAGE TEACHERS, CONDUCTED BY IREX WITH THE U.S.S.R. MINISTRY OF HIGHER EDUCATION, IS

CONTINUING WITH 37 TEACHERS FROM EACH COUNTRY PARTICIPATING ANNUALLY, ALTHOUGH THIS EXCHANGE WAS SUSPENDED IN 1980 WHEN THE SOVIETS WERE UNABLE TO PROVIDE SPACE IN MOSCOW FOR THE AMERICANS BECAUSE OF THE OLYMPICS.

AMERICANS ALSO PARTICIPATE IN SUMMER LANGUAGE AND CIVILIZATION COURSES IN EASTERN EUROPE. THE LARGEST OF THESE IS IN POLAND, CONDUCTED BY THE KOSCIUSZKO FOUNDATION OF NEW YORK. IN 1979, 385 AMERICANS STUDIED POLISH LANGUAGE AND CULTURE IN POLAND UNDER KOSCIUSZKO AUSPICES. IREX SENDS 15 AMERICANS EACH SUMMER TO A SLAVONIC SEMINAR IN SOFIA CONDUCTED BY THE BULGARIAN GOVERNMENT, AND AMERICANS ATTEND OTHER SUCH SUMMER COURSES IN ROMANIA, CZECHOSLOVAKIA AND HUNGARY.

THE FULBRIGHT LECTURER EXCHANGE ALSO SUPPORTS EASTERN EUROPEAN STUDIES IN THE UNITED STATES AND AMERICAN STUDIES IN EASTERN EUROPE. AT PRESENT THERE ARE EXCHANGES OF LECTURERS IN LANGUAGE, HISTORY AND CIVILIZATION BETWEEN THE UNITED STATES AND POLAND, ROMANIA, CZECHOSLOVAKIA, BULGARIA AND HUNGARY.

IN OTHER ACTIVITIES, A CONFERENCE ON ROMANIAN STUDIES IN THE UNITED STATES WAS HELD IN WASHINGTON IN 1978, ATTENDED BY REPRESENTATIVES OF 37 U.S. INSTITUTIONS WHICH HAVE AN INTEREST IN ROMANIAN STUDIES. A SIMILAR CONFERENCE ON AMERICAN STUDIES IN ROMANIA WAS HELD IN BUCHAREST IN 1979 AND A CONFERENCE ON AMERICAN CULTURE WAS HELD IN BUDAPEST IN EARLY 1980. A BULGARIAN CULTURAL MONTH WAS HELD IN PITTSBURGH (PENNSYLVANIA) SPONSORED BY DUQUESNE UNIVERSITY IN COOPERATION WITH THE BULGARIAN GOVERNMENT. AND, IN A UNIQUE PROGRAM TO ENCOURAGE THE STUDY OF FOREIGN LANGUAGES, THREE HUNGARIANS ARE TEACHING HUNGARIAN IN THE PUBLIC SCHOOLS OF LOUISIANA. THIS IS THE THIRD YEAR THAT THE HUNGARIANS HAVE BEEN TEACHING THEIR LANGUAGE TO CHILDREN OF HUNGARIAN ORIGIN IN SEVERAL LOUISIANA TOWNS UNDER A PROGRAM FUNDED BY THE STATE OF LOUISIANA.

TEACHING METHODS

THE FINAL ACT CALLS FOR THE EXCHANGE OF EXPERIENCE IN TEACHING METHODS AT ALL LEVELS OF EDUCATION BY VARIOUS MEANS, INCLUDING THE EXCHANGE OF TEACHING MATERIALS AND TEXTBOOKS.

IN RESPONSE TO A U.S. INITIATIVE, A JOINT SOVIET-AMERICAN PROJECT HAS BEEN UNDER WAY SINCE 1977 TO STUDY HOW THE HISTORY AND GEOGRAPHY OF EACH COUNTRY ARE TREATED IN THE TEXTBOOKS OF THE OTHER COUNTRY. PARTICIPATION ON THE U.S. SIDE IS NON-GOVERNMENTAL BECAUSE THE U.S. GOVERNMENT HAS NO AUTHORITY OVER TEXTBOOKS. PARTICIPATING ON THE U.S. SIDE ARE THE NATIONAL COUNCIL FOR THE SOCIAL STUDIES (WHICH REPRESENTS SOCIAL STUDIES

TEACHERS), THE COUNCIL OF CHIEF STATE SCHOOL OFFICERS, THE ASSOCIATION OF AMERICAN PUBLISHERS AND THE AMERICAN ASSOCIATION FOR THE ADVANCEMENT OF SLAVIC STUDIES. ON THE SOVIET SIDE, THE PROJECT IS BEING RUN BY THE U.S.S.R. MINISTRY OF EDUCATION. DELEGATIONS HAVE BEEN EXCHANGED TO PLAN THE PROJECT, TEXTBOOKS HAVE BEEN EXCHANGED AND REVIEWED AND A MEETING OF THE JOINT WORKING GROUP HAS BEEN HELD IN MOSCOW. THERE ARE PLANS FOR A REPORT WHICH WILL INCLUDE PORTIONS WRITTEN JOINTLY WHERE THERE IS AGREEMENT, AND PORTIONS WRITTEN BY EACH SIDE WHERE THERE IS NOT AGREEMENT. WHILE THE WORKING GROUP HAS NO AUTHORITY TO MAKE CHANGES IN TEXTBOOKS, ITS FINDINGS AND RECOMMENDATIONS ARE EXPECTED TO PROVIDE USEFUL INSIGHTS INTO HOW EACH COUNTRY SEES THE OTHER.

IN COMPLIANCE WITH THE FINAL ACT, THE UNITED STATES AND THE SOVIET UNION HAVE HAD SEVERAL EXCHANGES IN EDUCATION AND TEACHING METHODS. IN 1977, NINE U.S. EDUCATORS ATTENDED A SEMINAR IN MOSCOW WITH SOVIET EDUCATORS ON EDUCATIONAL RESEARCH AND DEVELOPMENT IN THE SOVIET UNION. A SEMINAR ON COGNITIVE LEARNING WAS HELD IN LOS ANGELES IN 1978, WITH 12 SOVIETS ATTENDING. IN 1977, NINE SOVIET EDUCATORS VISITED THE UNITED STATES TO STUDY PRIMARY AND SECONDARY EDUCATION; FOUR SOVIET EDUCATORS STUDIED U.S. SCHOOL ADMINISTRATION; AND A U.S. DELEGATION VISITED THE SOVIET UNION TO STUDY VOCATIONAL/TECHNICAL EDUCATION. IN 1978, TWO SOVIET DELEGATIONS VISITED THE UNITED STATES TO STUDY VOCATIONAL/ TECHNICAL EDUCATION; AND ONE U.S. DELEGATION VISITED THE SOVIET UNION TO PROPOSE AN EXCHANGE OF LECTURERS IN EDUCATION. IN 1979, A SOVIET DELEGATION VISITED THE UNITED STATES TO STUDY CURRICULUM PLANNING IN SCIENCE EDUCATION. THE NEW EXCHANGE OF UNIVERSITY LECTURERS IN EDUCATION BEGAN IN 1979 WHEN A SOVIET EDUCATOR LECTURED FOR ONE MONTH AT KENT STATE UNIVERSITY (OHIO).

OTHER EXCHANGES

THE EXCHANGES LISTED IN THIS CHAPTER FALL WITHIN THE TRADITIONAL CATEGORIES OF CULTURE AND EDUCATION. YET THEY REPRESENT ONLY A PART OF THE TOTAL PEOPLE-TO-PEOPLE EXCHANGE BETWEEN THE UNITED STATES AND THE EAST. OTHER EXCHANGES ARE CONDUCTED BY VARIOUS PRIVATE AND GOVERNMENT AGENCIES AND INCLUDE SUCH PERSONS AS GOVERNMENT OFFICIALS, POLITICAL LEADERS, REPRESENTATIVES OF WOMEN'S ORGANIZATIONS, YOUTH LEADERS AND ATHLETES.

THE FOLLOWING EXCHANGES TOOK PLACE IN 1979. ALL CONTRIBUTE TO U.S. COMPLIANCE WITH THE FINAL ACT. THE LIST IS FAR FROM COMPLETE, BUT IT ILLUSTRATES THE DIVERSITY AND SIZE OF U.S.

PUBLIC INTEREST IN AND SUPPORT OF EXCHANGES AND COOPERATION WITH THE EAST. IF THE LIST APPEARS WEIGHTED IN FAVOR OF SOVIET EXCHANGES IT IS ONLY BECAUSE SOVIET EXCHANGES HAVE RECEIVED MORE PUBLICITY. IT CAN BE SAFELY ASSUMED THAT THERE WAS AS MUCH, IF NOT MORE, ACTIVITY WITH EASTERN EUROPE.

INTERNATIONAL VISITOR PROGRAM (IVP): FORMERLY ADMINISTERED BY THE DEPARTMENT OF STATE, AND SINCE APRIL 1, 1978 BY USICA, THE IVP INVITES FOREIGN LEADERS IN A VARIETY OF FIELDS FOR VISITS UP TO 30 DAYS TO ENABLE THEM TO TRAVEL AND BECOME BETTER ACQUAINTED WITH THE UNITED STATES AND TO MEET WITH PROFESSIONAL COLLEAGUES. IN 1979, THERE WERE CLOSE TO 200 VISITORS FROM THE SOVIET UNION AND EASTERN EUROPE.

THE U.S. CONGRESS: A SUPREME SOVIET DELEGATION, HEADED BY S. F. MEDUNOV, VISITED THE UNITED STATES AT THE INVITATION OF THE HOUSE OF REPRESENTATIVES UNDER THE ONGOING EXCHANGE BETWEEN THE CONGRESS AND THE SUPREME SOVIET. A DELEGATION FROM ROMANIA'S PARLIAMENT, THE GRAND NATIONAL ASSEMBLY, VISITED THE CONGRESS IN MAY 1980.

NATIONAL GOVERNORS ASSOCIATION: SIX U.S. STATE GOVERNORS VISITED THE SOVIET UNION UNDER THE CONTINUING EXCHANGE OF STATE GOVERNORS AND SOVIET REPUBLIC OFFICIALS. IN ANOTHER VISIT, THREE STATE GOVERNORS VISITED ROMANIA IN A CONTINUATION OF AN EXCHANGE WITH ROMANIAN PROVINCE GOVERNORS.

U. S. CONFERENCE OF MAYORS: FOUR SOVIET MAYORS VISITED THE UNITED STATES AT THE INVITATION OF THE CONFERENCE WHICH SENT U.S. MAYORS TO THE SOVIET UNION IN 1978.

SUPREME COURT: THE CHAIRMAN OF THE U.S.S.R. SUPREME COURT, LEV SMIRNOV, AND THREE JUSTICES OF HIS COURT, VISITED THE UNITED STATES AT THE INVITATION OF CHIEF JUSTICE WARREN BURGER WHO HAD EARLIER VISITED THE SOVIET UNION AS SMIRNOV'S GUEST.

AMERICAN COUNCIL OF YOUNG POLITICAL LEADERS (ACYPL): IN ITS CONTINUING EXCHANGE WITH THE U.S.S.R. COMMITTEE ON YOUTH ORGANIZATIONS (CYO), ACYPL AND CYO EACH SENT TWO DELEGATIONS OF YOUNG POLITICAL LEADERS (UNDER AGE 40) TO THE OTHER COUNTRY FOR SEMINARS ON CURRENT BILATERAL ISSUES. ACYPL, IN 1979, ALSO SENT A DELEGATION TO POLAND AND RECEIVED A DELEGATION FROM ROMANIA.

AMERICAN BAR ASSOCIATION (ABA): A DELEGATION OF U.S. LAWYERS, HEADED BY THEN U.S. ATTORNEY GENERAL GRIFFIN BELL, VISITED THE SOVIET UNION UNDER THE CONTINUING EXCHANGE BETWEEN ABA AND THE SOVIET LAWYERS ASSOCIATION.

LEAGUE OF WOMEN VOTERS: THREE PERSONS FROM THE SOVIET WOMEN'S COMMITTEE ATTENDED A SEMINAR WITH LEAGUE MEMBERS AT RACINE (WISCONSIN) UNDER A NEW EXCHANGE BETWEEN THE TWO ORGANIZATIONS.

APPEAL OF CONSCIENCE FOUNDATION (ACF): DELEGATIONS OF RELIGIOUS LEADERS FROM ROMANIA AND HUNGARY VISITED THE UNITED STATES AT THE INVITATION OF ACF FOR MEETINGS WITH U.S. RELIGIOUS AND GOVERNMENT LEADERS. AN ACF DELEGATION OF U.S. RELIGIOUS LEADERS VISITED ROMANIA. ACF LEADERS ALSO VISITED THE SOVIET UNION, BULGARIA, CZECHOSLOVAKIA AND HUNGARY FOR TALKS WITH RELIGIOUS AND GOVERNMENT LEADERS. ACF IS A PRIVATE U.S. ORGANIZATION DEDICATED TO SUPPORTING RELIGIOUS FREEDOM AND HUMAN RIGHTS.

YMCA: A SOVIET YOUTH LEADER DELEGATION VISITED THE UNITED STATES UNDER THE CONTINUING EXCHANGE OF YOUTH LEADERS, CAMP COUNSELORS AND MANAGEMENT PEOPLE.

FORUM FOR U.S.-SOVIET DIALOGUE: FORTY SOVIETS AND 40 AMERICANS MET IN ATLANTA (GEORGIA) IN AUGUST FOR THE ANNUAL CONFERENCE BETWEEN YOUTH OF THE TWO COUNTRIES.

CITIZENS EXCHANGE CORPS (CEC): CEC SENT 29 GROUPS OF AMERICANS, TOTALLING 600 PERSONS, TO THE SOVIET UNION IN 1979 FOR TRAVEL AND MEETINGS WITH PROFESSIONAL COUNTERPARTS. IN THE UNITED STATES, CEC PROVIDED HOME HOSPITALITY FOR 12 SOVIET TOURIST GROUPS AND ASSISTED THEM IN MAKING PROFESSIONAL CONTACTS.

DARTMOUTH CONFERENCE: THE TWELFTH IN THE SERIES OF DARTMOUTH CONFERENCES WAS HELD AT WILLIAMSBURG (VIRGINIA), WITH 20 SOVIET AND 20 U.S. LEADERS ATTENDING. THESE CONFERENCES, SPONSORED IN THE UNITED STATES BY THE KETTERING FOUNDATION, PROVIDE AN INFORMAL FORUM FOR DISCUSSIONS BETWEEN PUBLIC FIGURES OF THE TWO COUNTRIES. THEY HAVE SERVED AS A MODEL FOR OTHER CONFERENCES BETWEEN SOVIETS AND AMERICANS WHICH EVOLVED LATER.

UNITED NATIONS ASSOCIATION (UNA): THE U.S.'S UNA EACH YEAR CONDUCTS TWO MEETINGS WITH THE SOVIETS -- ONE ON ARMS CONTROL AND SECURITY, THE OTHER ON ECONOMICS. IN 1979, A MEETING ON

ECONOMICS WAS HELD IN THE UNITED STATES. A MEETING SCHEDULED FOR MOSCOW IN DECEMBER WAS CANCELLED WHEN THE SOVIETS DID NOT ISSUE A VISA TO ONE OF THE U.S. PANELISTS.

SPORTS: THE LARGEST OF ALL EXCHANGES -- SPORTS -- REACHED A NEW HIGH IN 1979. THERE IS NO COMPLETE RECORD OF THESE EXCHANGES, BUT THE COMMISSION KNOWS OF AT LEAST 28 SOVIET TEAMS WHICH VISITED THE UNITED STATES IN 1979 AND THE ACTUAL NUMBER IS PROBABLY HIGHER. U.S. TEAMS ALSO VISITED THE SOVIET UNION, BUT THE NUMBER IS NOT KNOWN. NO ATTEMPT WAS MADE TO KEEP TRACK OF EAST EUROPEAN SPORTS VISITS, BUT THE NUMBERS ARE BELIEVED TO BE SUBSTANTIAL.

PROBLEMS IN IMPLEMENTATION

DIRECT CONTACTS AND COMMUNICATION

THE FINAL ACT CALLS FOR "THE DEVELOPMENT OF DIRECT COMMUNICATION AND COOPERATION AMONG RELEVANT STATE INSTITUTIONS AND NON-GOVERNMENTAL ORGANIZATIONS" AND "ENCOURAGING DIRECT CONTACTS AND COMMUNICATIONS AMONG PERSONS" ENGAGED IN CULTURE AND EDUCATION IN THE PARTICIPATING STATES. THIS WOULD APPEAR TO BE A LOGICAL AND SIMPLE PROCEDURE. IF INSTITUTIONS AND INDIVIDUALS IN TWO COUNTRIES ARE TO COOPERATE EFFECTIVELY, THEY MUST BE ABLE TO COMMUNICATE DIRECTLY. BUT COMMUNICATION HAS BEEN THE MAJOR PROBLEM WITH THE SOVIET UNION IN IMPLEMENTING THE CULTURAL AND EDUCATIONAL PROVISIONS OF THE FINAL ACT. THERE APPEARS TO BE HIGH INTEREST AMONG INSTITUTIONS AND INDIVIDUALS ON BOTH SIDES IN CARRYING OUT THE COMMITMENTS OF THE FINAL ACT. BUT THERE ALSO APPEAR TO BE OLD ATTITUDES OF GOVERNMENTAL AND PARTY CONTROL IN THE SOVIET UNION, AS WELL AS BUREAUCRATIC INEFFICIENCY, WHICH CONTINUE TO IMPEDE THE DIRECT COMMUNICATION AND COOPERATION CALLED FOR IN THE FINAL ACT.

ADMINISTRATION OF EXCHANGES

THE WHEELS OF BUREAUCRACY TURN SLOWLY IN THE EAST. EACH GOVERNMENT MINISTRY OR STATE INSTITUTION CONDUCTS INTERNATIONAL EXCHANGES THROUGH ITS OWN FOREIGN DEPARTMENT WHICH SERVES AS A POLITICAL FUNNEL THROUGH WHICH ALL PROPOSALS MUST PASS. DECISIONS ARE MADE SLOWLY, PARTICULARLY THOSE INVOLVING NEW PROPOSALS FROM THE WEST. AND, WHEN THE RESPONSE TO A NEW INITIATIVE IS POSITIVE, THERE ARE OFTEN DELAYS AND POSTPONEMENTS IN FOLLOWING THROUGH WITH THE NECESSARY ACTION.

FOR EXAMPLE, THE UNITED STATES INVITED A DELEGATION OF SOVIET THEATER DIRECTORS TO VISIT THIS COUNTRY IN 1977 IN EXCHANGE FOR A DELEGATION OF U.S. THEATER DIRECTORS WHO VISITED THE SOVIET UNION IN MAY 1977. THE SOVIET ARRIVAL WAS FIRST SCHEDULED FOR OCTOBER 1977, BUT THE SOVIETS POSTPONED ONLY ONE DAY BEFORE THE DELEGATION WAS DUE TO DEPART MOSCOW. THE VISIT SUBSEQUENTLY WAS RESCHEDULED AND POSTPONED THREE MORE TIMES BEFORE THE SOVIETS FINALLY ARRIVED IN OCTOBER 1978. THIS VISIT WAS CLEARLY IN THE SOVIET INTEREST SINCE IT WAS DESIGNED TO ACQUAINT U.S. THEATER DIRECTORS WITH CURRENT SOVIET PRODUCTIONS AND THEREBY LEAD TO MORE SOVIET PLAYS BEING PRODUCED IN U.S. THEATERS. WITH FOUR POSTPONEMENTS, IT WAS DIFFICULT TO SUSTAIN THE INTEREST OF THE U.S. THEATER PERSONNEL WHO WERE PREPARED TO HOST THE SOVIETS. THEY QUESTIONED WHETHER THE SOVIETS WERE SERIOUS ABOUT EXPANDING CULTURAL RELATIONS WITH THE UNITED STATES.

SIMILARLY, SAN FRANCISCO'S AMERICAN CONSERVATORY THEATER (ACT) INVITED SOVIET THEATER DIRECTOR YURI LYUBIMOV TO VISIT SAN FRANCISCO IN 1977 TO DISCUSS PLANS FOR LYUBIMOV TO DIRECT A SOVIET PLAY THERE. LYUBIMOV EXPRESSED HIGH INTEREST, BUT WAS UNABLE TO OBTAIN SOVIET PERMISSION FOR THE VISIT, EVEN THOUGH THE INVITATION WAS PERIODICALLY RENEWED. ONLY AFTER INTERVENTION WITH HIGH-LEVEL SOVIET AUTHORITIES IN APRIL 1979 DID LYUBIMOV FINALLY RECEIVE APPROVAL. HIS ARRIVAL WAS SCHEDULED FOR EARLY JANUARY 1980, BUT WAS CANCELLED VIRTUALLY AT THE LAST MINUTE, PRESUMABLY BECAUSE OF SOVIET PIQUE OVER THE U.S. RESPONSE TO THE INVASION OF AFGHANISTAN.

IN 1976, THE UNITED STATES PROPOSED TO THE SOVIET UNION AN EXCHANGE IN VOCATIONAL/TECHNICAL EDUCATION, A FIELD OF HIGH INTEREST TO BOTH COUNTRIES. A U.S. DELEGATION VISITED THE SOVIET UNION IN JANUARY 1977. A SOVIET DELEGATION WAS SCHEDULED TO VISIT THE U.S. LATER THAT YEAR, BUT ITS ARRIVAL WAS POSTPONED TWICE AND IT DID NOT ARRIVE UNTIL MAY 1978.

ACCESS AND TRAVEL

TWO ISSUES HAVE HANDICAPPED THE WORK OF U.S. STUDENTS, SCHOLARS AND SCIENTISTS IN THE SOVIET UNION SINCE THE START OF THESE EXCHANGES: ACCESS TO ARCHIVES AND OTHER SCHOLARLY MATERIAL; AND THE ABILITY TO TRAVEL WITHIN THE SOVIET UNION. WHILE SOME IMPROVEMENTS HAVE BEEN MADE IN BOTH ISSUES, PROBLEMS STILL PERSIST WHICH ARE CONTRARY TO THE LETTER AND SPIRIT OF THE FINAL ACT.

AMERICANS CONDUCTING RESEARCH IN THE SOVIET UNION UNDER IREX PROGRAMS MUST SUBMIT WITH THEIR NOMINATIONS A LIST OF ARCHIVES AND INSTITUTIONS THEY WISH TO USE. IN ACCEPTING A NOMINEE, SOVIET AUTHORITIES INDICATE WHICH OF THE REQUESTED ARCHIVES AND INSTITUTIONS ARE APPROVED. HOWEVER, ONCE IN THE SOVIET UNION, THE SCHOLAR FINDS IT DIFFICULT AND TIME CONSUMING TO MAKE ANY CHANGES OR ADDITIONS TO THE APPROVED LIST.

PERMISSION TO TRAVEL FROM THE APPROVED CITY OF STUDY TO ANOTHER CITY IS ALSO DIFFICULT TO OBTAIN, WHETHER THIS TRAVEL IS FOR SCHOLARLY OR RECREATIONAL PURPOSES. MOST OF THE SOVIET UNION IS CLOSED TO TRAVEL BY FOREIGNERS, AND STUDENTS ASSIGNED TO A UNIVERSITY IN ONE CITY NEED PERMISSION TO TRAVEL TO A UNIVERSITY IN ANOTHER CITY. FOR EXAMPLE, STUDENTS ASSIGNED TO MOSCOW OR LENINGRAD NEED PERMISSION TO TRAVEL TO THE OTHER CITY, ALTHOUGH BOTH CITIES ARE OPEN TO FOREIGNERS. IT IS ALSO DIFFICULT FOR EXCHANGE STUDENTS TO ARRANGE TRAVEL FOR RECREATIONAL OR TOURISM PURPOSES. THE SOVIET POSITION IS THAT STUDENTS ASSIGNED TO A UNIVERSITY SHOULD STAY THERE AND STUDY, RATHER THAN TRAVEL AND LEARN SOMETHING ABOUT THE COUNTRY, ITS PEOPLE AND CULTURE. FURTHERMORE, WHEN RECREATIONAL TRAVEL IS ARRANGED, THE SOVIETS REQUEST THAT IT BE ARRANGED THROUGH INTOURIST, THE STATE TOURIST AGENCY. PAYMENT IS REQUESTED IN FOREIGN CURRENCY RATHER THAN RUBLES, ALTHOUGH THE STUDENTS ARE IN THE SOVIET UNION ON OFFICIAL EXCHANGE PROGRAMS.

BY CONTRAST, ACCESS AND TRAVEL FOR SOVIET SCHOLARS IN THE UNITED STATES IS EASY TO ARRANGE. THERE ARE NO AREAS IN THE UNITED STATES WHICH ARE CLOSED TO SOVIETS ON EXCHANGE VISITS. LIBRARIES AND ARCHIVES, WITH RARE EXCEPTIONS, ARE OPEN TO SOVIET SCHOLARS AND SCIENTISTS AS THEY ARE TO ALL FOREIGNERS. SOVIET EXCHANGEES DO NOT REQUIRE PERMISSION FROM U.S. AUTHORITIES TO TRAVEL IN THE UNITED STATES. PRIOR NOTIFICATION OF INTENT TO TRAVEL IS REQUIRED BY THE DEPARTMENT OF STATE, BUT PERMISSION TO TRAVEL IS NOT REQUIRED UNLESS A VISIT TO A SCIENTIFIC LABORATORY OR INSTITUTION IS PLANNED. SOVIET YOUNG SCHOLARS IN THE UNITED STATES UNDER THE IREX PROGRAM FOR THE 1978/79 ACADEMIC YEAR MADE AN AVERAGE OF SIX TO SEVEN TRIPS PER STUDENT. U.S. SCHOLARS IN THE SOVIET UNION UNDER THIS RECIPROCAL PROGRAM GENERALLY ARE GIVEN PERMISSION FOR ONLY TWO TRIPS EACH.

DURING THE 22 YEARS OF SCHOLARLY EXCHANGES WITH THE SOVIET UNION, CONSIDERABLE PROGRESS HAS BEEN MADE IN IMPROVING THE CONDITIONS FOR AMERICAN SCHOLARS. MUCH STILL REMAINS, HOWEVER, TO BE DONE BEFORE THESE EXCHANGES CAN BE SAID TO CONFORM WITH THE LANGUAGE OF THE INTERGOVERNMENTAL AGREEMENT, WHICH CALLS FOR EXCHANGES TO BE CONDUCTED "ON THE BASIS OF EQUALITY, MUTUAL BENEFIT AND RECIPROCITY."¹²

SECURITY

THE DEFECTION OF THREE BOLSHOI DANCERS IN THE UNITED STATES IN 1979 AND THE DEFECTION OF SOVIET ARTISTS IN OTHER WESTERN COUNTRIES HAS APPARENTLY CAUSED A SOVIET RECONSIDERATION OF ITS CULTURAL EXCHANGES WITH THE WEST. SINCE DECEMBER 1979, NO SOVIET PERFORMING ARTS GROUPS, AND ONLY A RELATIVELY FEW INDIVIDUAL ARTISTS, HAVE PERFORMED IN THE UNITED STATES. ACCORDING TO PRESS REPORTS, SOVIET OFFICIALS HAVE CITED THE FAILURE TO RENEW THE CULTURAL AGREEMENT AS THE¹³ REASON.

NEGOTIATIONS TO RENEW THE AGREEMENT WERE HELD IN MOSCOW IN EARLY DECEMBER 1979, BUT WERE SUSPENDED SEVERAL WEEKS PRIOR TO THE INVASION OF AFGHANISTAN. AFTER THE SOVIET INVASION, THE U.S. SIDE DECIDED NOT TO REOPEN THE NEGOTIATIONS. PRESS REPORTS HAVE CITED SOVIET ATTEMPTS DURING THE DECEMBER NEGOTIATIONS TO OBTAIN GUARANTEES FOR THE "SECURITY" OF SOVIET ARTISTS IN THE UNITED STATES. THE ISSUE OF "SECURITY" IS BELIEVED TO BE RELATED TO THE SOVIET DEFECTIONS.¹⁴

EDUCATIONAL EXCHANGES, HOWEVER, ARE CONTINUING. IREX AND OTHER U.S. SCHOLARLY ORGANIZATIONS REPORT THAT THEY AND THEIR SOVIET COUNTERPARTS ARE PROCEEDING WITH EXCHANGE PLANS FOR THE 1980/81 ACADEMIC YEAR. THE ONLY PROGRAM TO BE SUSPENDED IS THE FULBRIGHT EXCHANGE OF GRADUATE STUDENTS IN THE ARTS, CONDUCTED WITH THE U.S.S.R. MINISTRY OF CULTURE. THE MINISTRY SUSPENDED THE EXCHANGE FOR THE 1980/81 ACADEMIC YEAR, CITING THE LACK OF AN INTERGOVERNMENTAL CULTURAL AGREEMENT.

CONCLUSION

THE U.S. RECORD IN IMPLEMENTING THE CULTURAL AND EDUCATIONAL PROVISIONS OF THE FINAL ACT IS GOOD AND NEEDS NO APOLOGIES. THE PECULIAR MIX OF GOVERNMENT AND PRIVATE ACTIVITY WHICH IS UNIQUE TO THE UNITED STATES HAS PRODUCED A BROAD, DIVERSE AND RICH PROGRAM OF EXCHANGES AND COOPERATION WITH THE EASTERN COUNTRIES. THE TASK OF IMPLEMENTING THE FINAL ACT SHOULD BE SEEN AS A LONG-RANGE EFFORT. THE FUNDAMENTAL DIFFERENCES IN VALUES AND THE LONG BREAK IN RELATIONS RESULTING FROM WORLD WAR II AND THE 'COLD WAR CANNOT BE OVERCOME IN A FEW SHORT YEARS. BUT, FIVE YEARS AFTER HELSINKI, A GOOD START HAS BEEN MADE.

THE SOVIET INVASION OF AFGHANISTAN HAS CAUSED A SUSPENSION OF SOME ACTIVITIES WITH THE SOVIET UNION. ACTIVITIES WITH EASTERN EUROPE, HOWEVER, HAVE NOT BEEN INTERRUPTED. THE COMMISSION

BELIEVES THAT COMMUNICATION BETWEEN THE TWO SUPERPOWERS IS TOO VITAL TO BE SUSPENDED FOR LONG, AND IT LOOKS FORWARD TO THE DAY WHEN THE INTERNATIONAL SITUATION WILL PERMIT A RESUMPTION OF THE BROADENING DIALOGUE BETWEEN THE UNITED STATES AND THE SOVIET UNION WHICH HAS BECOME A PART OF THE HELSINKI PROCESS. IN THE MEANTIME, EXCHANGE OPPORTUNITIES WITH EASTERN EUROPE SHOULD BE PURSUED VIGOROUSLY.

THE PAUSE IN RELATIONS WITH THE SOVIETS AND THE LAPSE OF THE CULTURAL AGREEMENT PROVIDE AN OPPORTUNITY TO REVIEW AND REASSESS PAST AND PRESENT BILATERAL PROGRAMS IN CULTURE AND EDUCATION TO DETERMINE WHICH SHOULD BE CONTINUED IN THE FUTURE AND UNDER WHAT CONDITIONS.

COOPERATION REQUIRES EFFECTIVE PARTNERS AS WELL AS PROPER CONDITIONS. MANY OF THE ABRASIONS WHICH RESULT FROM SOVIET-AMERICAN COOPERATIVE EFFORTS ARE UNAVOIDABLE AND SHOULD BE SEEN AS PART OF THE LEARNING PROCESS FOR BOTH COUNTRIES TO LIVE TOGETHER IN A COMPLEX WORLD. BUT, IF THE SOVIETS EXPECT TO BE ACCEPTED AS AN EQUAL PARTNER, THEY WILL HAVE TO MAKE SOME CHANGES IN HOW THEY APPROACH EXCHANGES WITH THE WEST. IN PARTICULAR, THERE IS A NEED FOR IMPROVEMENT IN ACCESS AND TRAVEL FOR WESTERN PARTICIPANTS IN THE SOVIET UNION UNDER EXCHANGE PROGRAMS, AND THE SOVIETS SHOULD ADMINISTER THEIR HALF OF THE EXCHANGES IN A MORE EFFICIENT MANNER. FINALLY, REAL MEANING SHOULD BE GIVEN TO THE LANGUAGE OF THE BILATERAL CULTURAL AGREEMENT WHICH PROVIDES THAT ALL EXCHANGES SHOULD TAKE PLACE "ON THE BASIS OF EQUALITY, MUTUAL BENEFIT AND RECIPROCITY."

U.S. ACTIVITIES IN IMPLEMENTING THE CULTURAL AND EDUCATIONAL PROVISIONS OF THE FINAL ACT HAVE BEEN FUNDED BY A MIX OF GOVERNMENT AND PRIVATE MONIES. THE COMMISSION, WHILE IT RECOGNIZES THE IMPORTANCE OF THESE ACTIVITIES (BOTH IN TERMS OF THEIR INTRINSIC MERIT AS WELL AS THE OBLIGATIONS UNDER THE FINAL ACT), RECOMMENDS THAT INCREASED FUNDING FOR SOVIET PROGRAMS BE MADE ONLY AFTER AN IMPROVEMENT IN THE INTERNATIONAL SITUATION, AND COMPLETION OF THE REVIEW AND REASSESSMENT SUGGESTED ABOVE.

IN THE MEANTIME, SOME ADDITIONAL FUNDING SHOULD BE PROVIDED TO OFFSET THE INFLATIONARY AND OTHER COST INCREASES OF THE CONTINUING PROGRAMS. WITH REGARD TO EASTERN EUROPE, IT SHOULD NOT TAKE SECOND PLACE TO THE SOVIET UNION IN U.S. EFFORTS TO IMPLEMENT THE FINAL ACT. THE COMMISSION RECOMMENDS THAT ADDITIONAL FUNDS BE PROVIDED TO EXPAND ACTIVITIES WITH EASTERN EUROPE IN CULTURE AND EDUCATION WHERE POSSIBLE. THE UNITED STATES AND EASTERN EUROPE HAVE STRONG HISTORIC AND ETHNIC TIES, AS WELL AS COMMON BONDS OF CULTURE WHICH SHOULD BE SUSTAINED.

CHAPTER VII - FOOTNOTES

1. THE WASHINGTON POST, JANUARY 30, 1980.
2. THE WASHINGTON POST, JANUARY 10, 1980.
3. THE NEW YORK TIMES, APRIL 16, 1980.
4. THE WASHINGTON STAR, SEPTEMBER 20, 1979.
5. THE WASHINGTON POST, JANUARY 17, 1980.
6. THE WASHINGTON POST, SEPTEMBER 4, 1979.
7. FOR TITLES OF THE SEIZED BOOKS, SEE THE NEW YORK TIMES, SEPTEMBER 2 AND SEPTEMBER 5, 1979 (WHICH LISTS 40 TITLES), AND THE LOS ANGELES TIMES, SEPTEMBER 5, 1979 (WHICH LISTS 44 TITLES).
8. FRIEDBERG, MAURICE, A HELSINKI RECORD: THE AVAILABILITY OF SOVIET RUSSIAN LITERATURE IN THE UNITED STATES, U.S. HELSINKI WATCH COMMITTEE, NEW YORK, MARCH 1980.
9. SATURDAY REVIEW, NOVEMBER 24, 1979.
10. U.S. GOVERNMENT PRINTING OFFICE, STRENGTH THROUGH WISDOM, A CRITIQUE OF U.S. CAPABILITY, A REPORT TO THE PRESIDENT FROM THE PRESIDENT'S COMMISSION ON FOREIGN LANGUAGE AND INTERNATIONAL STUDIES, NOVEMBER 1979.
11. CONGRESSIONAL RECORD - SENATE, WASHINGTON, D.C., FEBRUARY 20, 1980.
12. U.S. DEPARTMENT OF STATE, CULTURAL RELATIONS: CONTACTS, EXCHANGES AND COOPERATION IN SCIENTIFIC, TECHNICAL, EDUCATIONAL, CULTURAL AND OTHER FIELDS, GENERAL AGREEMENT, WITH ANNEX, BETWEEN THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET SOCIALIST REPUBLICS, TREATIES AND OTHER INTERNATIONAL ACTS SERIES 7649, ARTICLE I, PARAGRAPH 1.
13. THE WASHINGTON POST, JANUARY 30, 1980.
14. THE WASHINGTON POST, JANUARY 10, 1980.

APPENDIX A

THE UNITED STATES AND THE HELSINKI FINAL ACT: AN UPDATE

INTRODUCTION

IMPLEMENTATION OF THE HELSINKI ACT IS A CONTINUOUS PROCESS. NONE OF THE 35 PARTICIPATING STATES ARE IN TOTAL COMPLIANCE WITH EACH AND EVERY PROVISION OF THIS UNIQUE POLITICAL AGREEMENT. CONSEQUENTLY, THERE ALWAYS WILL BE ROOM FOR IMPROVEMENT, VARYING IN SUBJECT AND DEGREE FROM COUNTRY TO COUNTRY. THE LEVEL OF COMPLIANCE, THEREFORE, IS LESS IMPORTANT THAN THE EFFORT EACH STATE MAKES TO IMPROVE ITS RECORD. ALTHOUGH THE COMMISSION BELIEVES THAT THE UNITED STATES HAS ACHIEVED A RELATIVELY HIGH DEGREE OF COMPLIANCE, IT IS UNDER NO LESS OBLIGATION TO IMPROVE THAN OTHER COUNTRIES.

THE COMMISSION ISSUED A COMPREHENSIVE REPORT IN NOVEMBER 1979 ON U.S. COMPLIANCE WITH THE HELSINKI ACCORDS, ENTITLED: "FULFILLING OUR PROMISES: THE UNITED STATES AND THE HELSINKI FINAL ACT." THE REPORT WAS THE FIRST COMPREHENSIVE REVIEW BY ANY CSCE SIGNATORY OF ITS OWN COMPLIANCE TAKING INTO ACCOUNT CRITICISM FROM OTHER HELSINKI STATES AS WELL AS DOMESTIC OBSERVERS.

THE REPORT EVALUATED IN DETAIL U.S. IMPLEMENTATION OF THE CSCE FINAL ACT BY RESPONDING TO ALLEGATIONS OF U.S. SHORTCOMINGS FROM OTHER CSCE SIGNATORIES AND PRIVATE GROUPS AND BY GIVING AN ACCOUNT OF POSITIVE ACHIEVEMENTS IN BOTH GOVERNMENTAL AND PRIVATE SPHERES. PARTICULARLY CLOSE SCRUTINY WAS USED IN EXAMINING U.S. COMPLIANCE WITH THE HUMAN-RIGHTS PROVISIONS IN THE FINAL ACT FOR WHICH THE U.S. RECORD FREQUENTLY HAS BEEN CRITICIZED. AREAS CITED IN THE REPORT WHERE ADDITIONAL IMPROVEMENT IS NEEDED TO BRING THE UNITED STATES INTO FULLER COMPLIANCE WITH ITS OBLIGATIONS UNDER THE FINAL ACT INCLUDE: U.S. VISA LAWS, POLITICAL PARTICIPATION, EDUCATION, WOMEN'S RIGHTS, THE RIGHTS OF AMERICAN INDIANS AND FOREIGN LANGUAGE TEACHING.

PRESIDENT CARTER ISSUED A STATEMENT NOVEMBER 30, 1979, IN WHICH HE NOTED THAT THE U.S. RECORD OF IMPLEMENTATION "HAS BEEN SECOND TO NONE," BUT, HE ADDED THAT "OUR WORK IS NOT COMPLETE." THE PRESIDENT SAID THAT U.S. TRADITIONS, "REINFORCED BY THE HELSINKI FINAL ACT, PLEDGE US TO STRIVE CONSTANTLY FOR IMPROVEMENT IN...CIVIL AND ECONOMIC RIGHTS, AND IN EXPANDED COOPERATION WITH OTHER PARTICIPATING STATES. THIS REPORT SHOULD GO FAR TO PERSUADE OTHER CSCE GOVERNMENTS THAT THE UNITED STATES IS SERIOUS ABOUT ITS OBLIGATIONS UNDER THE HELSINKI ACCORDS."

THE COMMISSION HAS BEEN ENCOURAGED THAT THE PERSONAL INTEREST OF THE PRESIDENT, AS WELL AS THE WORK OF NEWLY FORMED PRIVATE MONITORING GROUPS, HAS RESULTED IN A GROWING SENSITIVITY AND WILLINGNESS THROUGHOUT THE GOVERNMENT AND THE PRIVATE COMMUNITY TO COOPERATE IN FULFILLING U.S. COMMITMENTS UNDER THE HELSINKI ACCORDS. ALTHOUGH A RELATIVELY SHORT PERIOD OF TIME HAS ELAPSED SINCE THE RELEASE OF THE DOMESTIC COMPLIANCE REPORT, THE COMMISSION BELIEVES THAT THE FOLLOWING MATERIAL WILL SHOW THAT, WHILE THERE HAVE BEEN SETBACKS TOO, ADDITIONAL PROGRESS HAS BEEN ACHIEVED BY THE UNITED STATES. SUBJECT AREAS WHICH HAVE BEEN UPDATED IN THIS REPORT INCLUDE: MILITARY SECURITY, POLITICAL AND CIVIL RIGHTS, SOCIAL AND ECONOMIC RIGHTS, AMERICAN INDIANS, INTERNATIONAL COVENANTS ON HUMAN RIGHTS AND U.S. ENTRY POLICIES. U.S. IMPLEMENTATION REGARDING THE FINAL ACT PROVISIONS OF ECONOMIC AND SCIENTIFIC COOPERATION, AS WELL AS CULTURAL AND EDUCATIONAL EXCHANGES IS DISCUSSED IN CHAPTERS FOUR AND SEVEN RESPECTIVELY.

IT IS THE HOPE OF THE COMMISSION THAT THE UPDATE WILL PROVIDE FRESH IMPETUS TO U.S. EFFORTS IN FULFILLING ITS HELSINKI PROMISES. THIS IS PARTICULARLY IMPORTANT ON THE EVE OF THE CSCE REVIEW MEETING IN MADRID WHERE THE IMPLEMENTATION RECORDS OF EACH OF THE HELSINKI SIGNATORIES WILL BE OPEN TO RIGOROUS REVIEW. THIS PERIODIC ASSESSMENT IS ONE OF THE UNIQUE FEATURES OF THE HELSINKI PROCESS -- IT KEEPS THE PROCESS ALIVE, WHICH IN TURN, GUARANTEES THAT ALL OF THE CSCE SIGNATORIES PAY CONSTANT ATTENTION TO THEIR SOLEMN COMMITMENTS TO ONE ANOTHER AND TO THEIR OWN CITIZENS.

MILITARY SECURITY.

NOTIFICATION OF MILITARY MANEUVERS

SINCE THE PUBLICATION OF THE NOVEMBER 1979 REPORT, THE UNITED STATES HAS BEEN INVOLVED IN FOUR MANEUVERS WHICH WERE DULY NOTIFIED UNDER THE TERMS OF THE CONFIDENCE-BUILDING MEAS-

SURES (CBMs) OF THE FINAL ACT. MAJOR MILITARY MANEUVERS NOTIFIED SINCE JUNE 1979, WHICH INVOLVED U.S. PARTICIPATION ARE:

-- "CONSTANT ENFORCER," NOTIFIED AUGUST 20, 1979, BY THE FEDERAL REPUBLIC OF GERMANY (F.R.G.) AND THE UNITED STATES. A 29,000-MAN MANEUVER WITH THE PARTICIPATION OF THREE OTHER NATO ALLIES, HELD FROM SEPTEMBER 10-21, 1979, IN THE F.R.G.

-- "HAUTE FAUST," NOTIFIED AUGUST 27, 1979, BY THE FEDERAL REPUBLIC OF GERMANY. A 60,000-MAN EXERCISE WITH THE PARTICIPATION OF THE U.S. AND DUTCH TROOPS WHICH TOOK PLACE SEPTEMBER 17-21, 1979, IN THE F.R.G.

THE UNITED STATES AND ITS NATO ALLIES HAVE CONTINUED TO SUPPORT IMPLEMENTATION OF DISCRETIONARY CBMs BY GIVING NOTICE OF CERTAIN, SMALLER-SCALE MANEUVERS INVOLVING FEWER THAN 25,000 MEN. THESE INCLUDE:

-- "DISPLAY DETERMINATION," NOTIFIED BY TURKEY ON SEPTEMBER 6, 1979. A 18,000-MAN MANEUVER WITH PARTICIPATION OF THE BRITISH, THE U.S. AND ITALIAN FORCES WHICH TOOK PLACE IN THE AEGEAN SEA AND TURKISH THRACE, SEPTEMBER 18-OCTOBER 14, 1979.

-- "ANORAK EXPRESS," NOTIFIED FEBRUARY 12, 1980, BY NORWAY. A 18,200-MAN EXERCISE WITH THE PARTICIPATION OF THE U.S. AND OTHER NATO-ALLIED FORCES WHICH TOOK PLACE MARCH 14-19 IN NORWAY.

EXCHANGE OF OBSERVERS

CSCE PARTICIPANTS WERE INVITED TO THE 2 MAJOR NATO-SPONSORED MANEUVERS HELD SINCE JUNE 1979. THE UNITED STATES DECLINED AN INVITATION TO OBSERVE THE SOVIET-SPONSORED MANEUVER "NEMAN" IN JULY 1979, WHICH WAS HELD IN LITHUANIA. OBSERVERS WHO DID ATTEND REPORTED THAT THEY WERE SHOWN MERELY DEMONSTRATIONS RATHER THAN EXERCISE ACTIVITY.

EXCHANGE OF MILITARY VISITS

DURING THE JUNE 1979 VIENNA SUMMIT MEETING, HIGH-LEVEL DEFENSE OFFICIALS OF THE U.S. AND THE SOVIET UNION HELD BILATERAL MEETINGS FOR THE FIRST TIME. THESE MEETINGS WERE HELD IN ACCORDANCE WITH THE CBM PROVISIONS ON THE EXCHANGE OF MILITARY VISITS. SECRETARY OF DEFENSE BROWN, ALONG WITH CHAIRMAN OF THE JOINT CHIEFS OF STAFF GENERAL JONES, MET WITH SOVIET MINISTER OF DEFENSE USTINOV AND MARSHALL OGARKOV TO DISCUSS THE POSSIBILITY OF HIGH-LEVEL MILITARY CONTACTS BETWEEN THE TWO COUNTRIES.

QUESTIONS RELATING TO DISARMAMENT

THE FINAL ACT MAKES NO PROVISION FOR ARMS CONTROL NEGOTIATIONS. IT DOES, HOWEVER, CALL UPON THE PARTICIPATING STATES, IN GENERAL TERMS, TO TAKE "EFFECTIVE MEASURES" TOWARDS ACHIEVING THE EVENTUAL GOAL OF GENERAL AND COMPLETE DISARMAMENT UNDER STRICT AND EFFECTIVE INTERNATIONAL CONTROL. CONSISTENT WITH THIS BELIEF, PRESIDENT CARTER AND PRESIDENT BREZHNEV SIGNED THE SALT II TREATY AT THE VIENNA SUMMIT JUNE 18, 1979. THE TREATY WAS SUBMITTED TO THE U.S. SENATE FOR CONFIRMATION ON JUNE 22, 1979, AND COMMITTEE HEARINGS BEGAN JULY 9, 1979. SENATORIAL RATIFICATION HAS BEEN DELAYED, HOWEVER, BY THE SOVIET INVASION OF AFGHANISTAN IN FEBRUARY 1980. ON ANOTHER LEVEL, THE UNITED STATES AND THE SOVIET UNION SUBMITTED TO THE COMMITTEE ON DISARMAMENT IN GENEVA, JULY 10, 1979, A JOINT PROPOSAL ON MAJOR ELEMENTS OF A TREATY PROHIBITING THE DEVELOPMENT, PRODUCTION STOCKPILING AND USE OF RADIOLOGICAL WEAPONS.

POLITICAL AND CIVIL RIGHTS

POLITICAL PRISONERS

SINCE THE PUBLICATION OF THE NOVEMBER 1979 REPORT, THE COMMISSION HAS CONTINUED TO EXAMINE SPECIFIC CASES INVOLVING ALLEGED "POLITICAL PRISONERS":

-- IMARI OBADELE, PRESIDENT OF AN ORGANIZATION CALLED THE REPUBLIC OF NEW AFRICA (R.N.A.) CLAIMING TO BE AN INDEPENDENT FOREIGN NATION, WAS CONVICTED IN 1973 OF CONSPIRACY TO ASSAULT A FEDERAL OFFICER. THE CIVIL RIGHTS DIVISION OF THE JUSTICE DEPARTMENT IS STILL REVIEWING THE CASE TO DETERMINE IF THERE IS LEGAL BASIS FOR JUSTICE DEPARTMENT INVOLVEMENT.

-- THE FBI HAS STARTED AN INVESTIGATION WHICH IS LOOKING INTO THE CASE OF GEORGE MERRITT, WHO WAS CONVICTED IN OCTOBER 1967 OF THE MURDER OF A PLAINFIELD, N.J. POLICE OFFICER.

-- IN THE CONTINUING REVIEW OF THE WILMINGTON TEN CASE, COMMISSION CHAIRMAN DANTE B. FASCELL ALONG WITH CO-CHAIRMAN SEN. CLAIBORNE PELL, PROPOSED TO THE DEPARTMENT OF JUSTICE THAT THE CIVIL RIGHTS DIVISION OF THE DEPARTMENT OF JUSTICE BE PERMITTED TO FILE A FRIEND OF THE COURT BRIEF IN THE 4TH CIRCUIT COURT OF APPEALS TO HIGHLIGHT ONCE AGAIN THE EVIDENCE FOUND DURING THE DEPARTMENT OF JUSTICE AND GRAND JURY INVESTIGATIONS INTO THIS CASE. ALTHOUGH ALL OF THOSE CONVICTED HAVE BEEN RELEASED, THERE IS STILL SERIOUS QUESTION ABOUT THE FAIRNESS OF THE DEFENDANT'S CONVICTIONS.

ALLEGATIONS OF POLICE MISCONDUCT

CASES INVOLVING POSSIBLE POLICE MISCONDUCT AND ABUSES HAVE BEEN RECEIVED BY THE DEPARTMENT OF JUSTICE FROM SUCH MAJOR CITIES AS PHILADELPHIA AND MIAMI.

AS WAS REPORTED IN THE COMMISSION'S 1979 REPORT, THE DEPARTMENT OF JUSTICE SUED THE CITY OF PHILADELPHIA IN 1979 FOR WHAT IT CONSIDERED A SYSTEMATIC ABUSE BY THE POLICE OF ITS POWERS. A FEDERAL JUDGE RULED THAT THE FEDERAL GOVERNMENT HAD NO LEGAL RIGHT TO FOLLOW SUCH A COURSE OF ACTION. THAT DECISION IS CURRENTLY BEING APPEALED BY THE DEPARTMENT OF JUSTICE.

ON MAY 17, 1980, A TAMPA, FLORIDA JURY OF SIX WHITE PERSONS ACQUITTED FOUR WHITE POLICEMEN IN THE ALLEGED SLAYING OF A BLACK INSURANCE EXECUTIVE, ARTHUR McDUFFIE. McDUFFIE, A 33-YEAR-OLD FORMER MARINE, WAS SPEEDING ON A BORROWED MOTORCYCLE THE EVENING OF DECEMBER 17, 1979. McDUFFIE HAD RECENTLY HAD HIS DRIVING PERMIT SUSPENDED FOR PAYING A PREVIOUS \$35 TRAFFIC FINE WITH A BAD CHECK. POLICE CHASED McDUFFIE WHEN HE IGNORED MOTIONING POLICE TO PULL OVER. HE ALLEGEDLY DROVE AWAY FROM LAW-ENFORCEMENT OFFICERS AT SPEEDS EXCEEDING 100 MPH AND DROVE THROUGH AS MANY AS 25 RED TRAFFIC SIGNALS. IN THE INITIAL REPORT, DADE COUNTY POLICE CLAIMED THAT McDUFFIE CRASHED AT HIGH SPEED, HIT HIS HEAD ON THE PAVEMENT AND THEN RESISTED ARREST VIOLENTLY. POLICE WERE FORCED TO SUBDUCE HIM.

WHEN LOCAL PROSECUTOR AND POLICE DEPARTMENT INVESTIGATORS REVIEWED THE INCIDENT, DIFFERENT ACCOUNTS SURFACED WHICH CALLED INTO QUESTION THE ORIGINAL REPORT. DEPARTMENTAL INQUIRIES EVENTUALLY LED TO THE DISMISSAL OF EIGHT POLICEMEN. FOUR POLICEMEN WENT ON TRIAL ON CHARGES RANGING FROM SECOND-DEGREE MURDER TO TAMPERING WITH THE EVIDENCE. ACCORDING TO SUBSEQUENT POLICE TESTIMONY, McDUFFIE DID NOT CRASH; BUT RATHER HE SURRENDERED TO THE PURSUING POLICE FORCE AND WAS BEATEN WITH NIGHTSTICK CLUBS AND FLASHLIGHTS IN A BARRAGE THAT RENDERED HIM UNCONSCIOUS. HE DIED FOUR DAYS LATER FROM HEAD WOUNDS.

THE TRIAL OF FOUR OF THE POLICEMEN -- ALEX MARRERO, IRA DIGGS, MICHAEL WATTS AND HERBERT EVANS, JR. -- BEGAN MARCH 31, 1980 IN TAMPA. AFTER SEVEN WEEKS OF TESTIMONY DOCUMENTING THE POLICE BEATING OF McDUFFIE, THE JURY RENDERED A VERDICT OF "NOT GUILTY." MEMBERS OF THE JURY ALLEGEDLY TOOK INTO ACCOUNT JUDGE NESBITT'S FINAL INSTRUCTIONS TO THE JURORS WHICH CAUTIONED THEM THAT "A WITNESS WHO REALIZES HE MUST PROCURE HIS OWN FREEDOM BY INCRIMINATING OTHERS HAS A MOTIVE TO FALSIFY." IN SUPPORTING THEIR VERDICT, THE JURORS CLAIMED THAT THE STATE HAD NOT PROVEN "BEYOND A REASONABLE DOUBT" THAT THESE FOUR DEFENDANTS HAD

DELIVERED THE FATAL BLOWS. ADDITIONALLY, THE JURORS HINTED THAT THEY BELIEVED THAT THE IMMUNIZED WITNESSES (WHO HAD TESTIFIED IN EXCHANGE FOR IMMUNITY FROM PROSECUTION) WERE JUST AS GUILTY AS THE DEFENDANTS. SOME LAWYERS HAVE CRITICIZED THE PROSECUTORS FOR NOT PROTESTING MORE FORCEFULLY THE REVIEW BY AN ALL-WHITE JURY AND FOR NOT INVESTIGATING AND PREPARING THE CASE MORE COMPLETELY.

THE PUBLIC RIOTS WHICH FOLLOWED THE ACQUITTAL OF THE FOUR POLICEMEN SIGNALLED THE SEVERITY OF A GROWING FRUSTRATION AND SENSE OF INJUSTICE FELT BY THE BLACK COMMUNITY IN MIAMI. THE BLACK COMMUNITY CLAIMS THAT JUSTICE IS NOT RENDERED IN AN EQUITABLE FASHION TO BOTH WHITES AND BLACKS, AND BLACKS HAVE BEEN SUBJECTED TO ABUSES BY THE POLICE AND DISCRIMINATION IN THE COURTS.

COMMISSION CHAIRMAN DANTE B. FASCELL (D.-FLA.) PUBLICLY DECRIED THE VERDICT AS AN OUTRAGE. CHAIRMAN FASCELL TRAVELED TO MIAMI TO MEET WITH ATTORNEY GENERAL BENJAMIN CIVILETTI WHERE CIVILETTI ANNOUNCED THAT FEDERAL INVESTIGATIONS WOULD COMMENCE IN 14 RECENT CASES WHERE POLICE OR PROSECUTORS MIGHT HAVE ACTED UNFAIRLY TOWARDS BLACKS. IN ADDITION, U.S. ATTORNEYS IN MIAMI HAVE IMPANELED A FEDERAL GRAND JURY TO DETERMINE WHETHER THE ACTIONS TAKEN BY THE LOCAL POLICE VIOLATED McDUFFIE'S CIVIL RIGHTS. UNDER FEDERAL LAW, VIOLATION OF A PERSON'S CIVIL RIGHTS, WHICH RESULTS IN DEATH, COULD BE PUNISHABLE BY LIFE IMPRISONMENT.

THE COMMISSION SUPPORTS THE SWIFT ACTIONS TAKEN BY THE DEPARTMENT OF JUSTICE IN ESTABLISHING A FORUM FOR REVIEW OF THIS INCIDENT AND OTHERS WHICH MAY INVOLVE HUMAN RIGHTS VIOLATIONS AT THE LOCAL LEVEL.

PERSONS IN CONFINEMENT

A POSITIVE STEP FOR THE POTENTIAL REDRESS OF GRIEVANCES FOR PEOPLE IN PRISONS AND PSYCHIATRIC HOSPITALS IS A CONGRESSIONAL BILL ENTITLED "CIVIL RIGHTS FOR INSTITUTIONALIZED PERSONS." THE BILL, WHICH WOULD EXTEND THE U.S. ATTORNEY GENERAL'S AUTHORITY TO INTERVENE IN CERTAIN CASES OF VIOLATIONS, PASSED THE SENATE ON FEBRUARY 28, 1980, BY A VOTE OF 55 TO 36 AND WAS SENT TO CONFERENCE COMMITTEE. THE COMMISSION IS ENCOURAGED THAT THIS IMPORTANT PIECE OF LEGISLATION HAS MOVED FURTHER TOWARDS BECOMING THE LAW OF THE LAND. THE TYPE OF ACTION ENVISAGED IN THE BILL WILL PROVIDE A USEFUL AVENUE FOR RECTIFYING THE GENERAL GRIEVANCES OF PEOPLE CONFINED IN SUBSTANDARD INSTITUTIONS.

PRISONS

THE MOST NOTABLE, AS WELL AS LAMENTABLE, RECENT INCIDENT INVOLVING PRISONS WAS THE RIOT AT THE NEW MEXICO STATE PENITENTIARY ON FEBRUARY 1-2, 1980, IN WHICH PRISONERS KILLED 35 FELLOW INMATES.

THE TWO MAJOR CAUSES OF THIS BRUTAL OUTBURST WERE: ENDEMIC OVERCROWDING (1,150 PEOPLE WERE SQUEEZED INTO SPACE MEANT FOR 800) AND TOO FEW GUARDS (20) WHO WERE INADEQUATELY TRAINED AND PAID. THESE PROBLEMS, PLUS MAIL AND VISITING PROCEDURES; FOOD; AND MEDICAL AND PSYCHOLOGICAL SERVICES WERE CITED IN A SUIT BROUGHT BY THE NATIONAL PRISON PROJECT ON BEHALF OF THREE INMATES. THE ESCAPE OF 11 PRISONERS IN DECEMBER 1979 RESULTED IN AN INVESTIGATION BY THE NEW MEXICO ATTORNEY GENERAL WHO CONCLUDED THAT THERE WERE TOO FEW GUARDS, MANY OF WHOM HAD LOW MORALE AND POOR TRAINING. THERE WAS, THEREFORE, A GENERAL AWARENESS OF THE POTENTIAL CRISIS AT THE NEW MEXICO STATE PENITENTIARY.

THE RIOT APPARENTLY BEGAN ON LATE FRIDAY NIGHT WHEN A GUARD TRIED TO CONFISCATE HOME-BREWED LIQUOR FROM TWO INMATES. IN A SHORT TIME, SMALL BANDS OF PRISONERS WERE IN CONTROL, PILLAGING MEDICAL SUPPLIES AND DRUGS AND EXACTING BLOODY VENGEANCE AGAINST THOSE INMATES HELD IN SPECIAL PROTECTIVE DETENTION FOR INFORMERS. THESE ATTACKS AGAINST THE SUSPECTED INFORMERS APPEAR TO HAVE BEEN AN EXPRESSION OF RAGE AND FRUSTRATION AT THE DIFFICULT AND OVERCROWDED CONDITIONS AT THE PRISON, RATHER THAN RACIAL ANIMOSITY OR ORGANIZED PROTEST.

NEW MEXICO GOVERNOR BRUCE KING HAS SUMMONED A SPECIAL SESSION OF THE LEGISLATURE TO CONSIDER EMERGENCY PRISON EXPENDITURES. BASIC PRISON REPAIR WILL COST AN ESTIMATED \$28.5 MILLION, PLUS THE CONSTRUCTION OF A NEW MAXIMUM-SECURITY FACILITY TO RELIEVE OVERCROWDING AND TO ISOLATE HARD-CORE OFFENDERS. MASSIVE EXPENDITURES, HOWEVER, CANNOT ALLEVIATE THE HUMAN TRAGEDY. THE COMMISSION HOPES THAT PRISON ADMINISTRATORS AND STATE LEGISLATURES WILL SEE THE URGENT NEED FOR PRISON REFORM AND THE IMPROVEMENT OF PRISON PHYSICAL FACILITIES IN VARIOUS PARTS OF THE UNITED STATES.

PSYCHIATRIC HOSPITALS

THE SITUATION AT SOUTH FLORIDA STATE PSYCHIATRIC HOSPITAL IS AN EXAMPLE OF AN INSTITUTION HAMPERED BY INADEQUATE STAFF PRACTICES AND PHYSICAL FACILITIES. THE LATEST OF MANY INVESTIGATIONS BEGAN IN MARCH 1979 WHEN FLORIDA GOVERNOR ROBERT GRAHAM

RECEIVED A LETTER FROM A NEW STAFF MEMBER AT THE HOSPITAL WHICH DETAILED THE MALTREATMENT OF PATIENTS AND THE INADEQUATE FOOD AND MEDICAL CARE. THE SUBSEQUENT INVESTIGATIONS HAVE INCLUDED PROBES BY THE STATE ATTORNEY GENERAL, A GRAND JURY, A LOCAL CIRCUIT JUDGE AND A SERIES OF ARTICLES IN THE MIAMI HERALD. ONE POSITIVE RESULT OF ALL THE PUBLICITY IS THE RECENT APPOINTMENT OF A RESPECTED HOSPITAL ADMINISTRATOR TO OVERSEE REFORMS AT SOUTH FLORIDA STATE.

AS EVIDENCED BY THE NEW MEXICO PRISON RIOT AND THE ON-GOING PROBLEMS AT SOUTH FLORIDA STATE, THERE CLEARLY IS ROOM FOR FUNDAMENTAL REFORMS IN THE U.S. PRISON AND PSYCHIATRIC HOSPITAL SYSTEMS.

SOCIAL AND ECONOMIC RIGHTS

EDUCATION

THE RIGHT TO A GOOD EDUCATION, THE PREREQUISITE FOR A GOOD JOB TO PROVIDE ECONOMIC INDEPENDENCE, IS AFFIRMED BY THE U.S. GOVERNMENT.

RESPONSIBILITY FOR ENSURING THAT EACH INDIVIDUAL HAS ACCESS TO ADEQUATE EDUCATIONAL OPPORTUNITIES RESTS MAINLY ON THE SHOULDERS OF STATES AND LOCAL GOVERNMENTS, BUT THE FEDERAL GOVERNMENT AND PRIVATE INSTITUTIONS PLAY A ROLE AS WELL. A SYSTEM OF FREE PUBLIC ELEMENTARY AND SECONDARY SCHOOLS IS OPERATED BY EACH OF THE 50 STATES. THE STATES ALSO OPERATE REDUCED-FEE COLLEGE AND UNIVERSITY EDUCATIONAL SYSTEMS. ACCORDING TO THE FORMER DEPARTMENT OF HEALTH, EDUCATION AND WELFARE (HEW), THE FEDERAL GOVERNMENT WILL CONTRIBUTE 9 PERCENT (\$11.6 BILLION) IN 1980 TOWARDS THE OVERALL EDUCATION EFFORT BEING MADE IN CONCERT WITH STATE AND LOCAL GOVERNMENTS.

SCHOOL DESEGREGATION, DESPITE PROGRESS, IS STILL A MAJOR EDUCATIONAL PATTERN IN THE U.S. IN 1954, A UNANIMOUS SUPREME COURT DECISION DECLARED IN THE LANDMARK CASE OF BROWN V. BOARD OF EDUCATION THAT RACIAL SEGREGATION IN PUBLIC SCHOOLS WAS UNCONSTITUTIONAL, EVEN IF FACILITIES COULD BE MADE EQUAL FOR BLACKS AND WHITES. WHERE ALL-BLACK AND ALL-WHITE SCHOOLS STILL EXIST, THE DIFFERENCES BETWEEN THE AMOUNT OF RESOURCES ALLOCATED TO THESE SCHOOLS HAVE BEEN LARGELY ELIMINATED.

TODAY'S LAWS AND PRACTICES MANDATE SPECIAL EDUCATIONAL ASSISTANCE AND ADVANTAGES TO MINORITIES WHICH, IN TURN, WILL HELP NARROW THE EDUCATIONAL BARRIERS FOR ALL U.S. YOUTH. IN A 1980 REPORT, THE STATE OF CIVIL RIGHTS: 1979, THE COMMISSION SAID THAT "IN 1979 EQUAL EDUCATIONAL OPPORTUNITY FOR ALL CHILD-

REN REMAINED AN UNREALIZED GOAL...EQUAL EDUCATIONAL OPPORTUNITY CAN ONLY BECOME A REALITY IF ALL THREE FEDERAL BRANCHES -- THE COURTS, THE CONGRESS, AND THE EXECUTIVE -- WORK IN CONCERT WITH STATE AND LOCAL GOVERNMENTS AND COMMUNITY LEADERS THROUGHOUT THE NATION TOWARDS THIS GOAL."¹

THE DEPARTMENT OF EDUCATION, CREATED BY A LAW SIGNED ON OCTOBER 17, 1979, WILL BE RESPONSIBLE FOR THE MAJORITY OF THE FEDERAL EDUCATIONAL PROGRAMS AND ACTIVITIES THAT PREVIOUSLY WERE PART OF THE DEPARTMENT OF HEALTH, EDUCATION AND WELFARE (HEW) AND OTHER GOVERNMENT AGENCIES. THE NEW DEPARTMENT OF HEALTH AND HUMAN RESOURCES WILL ASSUME RESPONSIBILITY FOR THE OTHER SECTIONS OF HEW.

THE DIRECTOR OF THE OFFICE FOR CIVIL RIGHTS (OCR) WILL HAVE THE AUTHORITY TO ENFORCE ALL CIVIL RIGHTS LAWS IN ALL PROGRAMS ADMINISTERED BY THE DEPARTMENT OF EDUCATION. UNDER THE DEPARTMENT OF EDUCATION ORGANIZATION ACT, THE DIRECTOR OF OCR WILL BE AN ASSISTANT SECRETARY FOR CIVIL RIGHTS. THE INCREASED STATUS OF THE DIRECTOR CAN INCREASE OCR'S EFFECTIVENESS WITHIN AND WITHOUT THE DEPARTMENT. THE ACT ALSO REQUIRES THE DIRECTOR OF OCR TO PREPARE AND TRANSMIT AN ANNUAL REPORT TO CONGRESS SUMMARIZING ENFORCEMENT ACTIVITIES AND IDENTIFYING REMAINING NONCOMPLIANCE PROBLEMS. ACCORDING TO THE U.S. COMMISSION ON CIVIL RIGHTS, THIS REPORT SHOULD HELP "INFORM CONGRESS OF NEEDED LEGISLATION AND OF ADDITIONAL EFFORTS THAT CAN UNDERGIRD THE DEPARTMENT'S CIVIL RIGHTS ENFORCEMENT ACTIVITIES."²

EMPLOYMENT

IN KEEPING WITH THE RECOMMENDATIONS OF THE COMMISSION IN THE AREA OF EMPLOYMENT, THE DEPARTMENT OF LABOR HAS UNDERTAKEN EFFORTS TO IMPROVE EMPLOYMENT OPPORTUNITIES FOR YOUTH. FOLLOWING A REVIEW AND ANALYSIS OF THE PROBLEM, UNDERTAKEN BY A TASK FORCE LED BY VICE PRESIDENT MONDALE, PRESIDENT CARTER HAS PROPOSED TO CONGRESS JOINT EDUCATION AND EMPLOYMENT LEGISLATION TO ASSIST 14 TO 21-YEAR-OLDS. THE LEGISLATION, WHICH IS INTENDED TO REPLACE THE EXPIRING YOUTH EMPLOYMENT AND DEMONSTRATION PROJECT ACT (YEDPA), EMPHASIZES MEASURES TO IMPROVE EMPLOYMENT AMONG DISADVANTAGED YOUTH BY INCREASING BASIC LITERACY AND WORKING SKILLS. THE PROPOSAL, NOW UNDER CONSIDERATION IN CONGRESS, AIMS TO CONTINUE THE MOST PROMISING ASPECTS OF THE YEDPA PROGRAM AND ADDS NEW DIMENSIONS WHICH HAVE BEEN DEVELOPED DURING THE YEARS OF EXPERIMENTATION UNDER YEDPA.

IN APRIL 1979, THE 1978 AMENDMENTS TO THE COMPREHENSIVE EMPLOYMENT AND TRAINING ACT (CETA) BECAME EFFECTIVE. ONE OF THE

AMENDMENTS PROVIDED FOR THE ADDITION OF DISPLACED HOMEMAKERS TO CETA'S MANDATES. THE DEPARTMENT OF LABOR DEFINES A DISPLACED HOMEMAKER AS AN INDIVIDUAL WHO HAS NOT WORKED IN THE LABOR FORCE FOR A NUMBER OF YEARS, BUT HAS WORKED IN THE HOME BY PROVIDING UNPAID SERVICES FOR FAMILY MEMBERS. THE DEPARTMENT OF LABOR STATES THAT THE DISPLACED HOMEMAKER ALSO IS SOMEONE WHO HAS BEEN DEPENDENT ON PUBLIC ASSISTANCE OR ON THE INCOME OF ANOTHER FAMILY MEMBER BUT IS NO LONGER SUPPORTED BY THAT INCOME. CONGRESS APPROPRIATED \$5 MILLION IN 1979 FOR TRAINING AND EMPLOYMENT SERVICES TO PERSONS QUALIFYING UNDER THIS CATEGORY. PRIORITY WILL BE GIVEN TO THOSE WITH SPECIAL NEEDS, PARTICULARLY APPLICANTS WHO ARE OVER 40-YEARS-OLD, MINORITIES AND RURAL RESIDENTS. SPECIFIC ACTIVITIES WILL INCLUDE VOCATIONAL AND ON-THE-JOB TRAINING, JOB REFERRAL AND PLACEMENT, AND SOCIAL SERVICES SUCH AS LEGAL AND FINANCIAL COUNSELING, CHILD CARE AND HEALTH AND MEDICAL CARE.

DURING THE PAST YEAR, THE DEPARTMENT OF HEALTH, EDUCATION AND WELFARE (HEW) HAS TAKEN SEVERAL STEPS TO FURTHER EMPLOYMENT OPPORTUNITIES FOR YOUTH, BLACKS, NATIVE AMERICANS, HISPANICS AND WOMEN. HEW'S CIVIL RIGHTS DIVISION HAS ADOPTED A MEMORANDUM OF UNDERSTANDING WITH OTHER AGENCIES WITHIN THE DEPARTMENT TO ENSURE THAT THE NUMBER OF QUALIFIED WOMEN, MINORITY AND HANDICAPPED APPLICANTS IS INCREASED AT ALL LEVELS. A SPECIAL INITIATIVE HAS BEEN LAUNCHED TO PROVIDE TRAINING FOR WOMEN AND OTHER MINORITIES AT LOWER GRADE LEVELS.

ANOTHER AGENCY WHICH HAS ENDEAVORED TO IMPROVE MINORITY EMPLOYMENT IS THE NATIONAL ENDOWMENT FOR THE HUMANITIES. IN ITS BUDGET SUBMISSION FOR FY 1981, THE ENDOWMENT REPORTED THAT 37 PERCENT OF THE PROFESSIONAL AND MANAGEMENT STAFF AT UPPER GRADES ARE WOMEN. BLACKS, HISPANICS AND ASIAN-AMERICANS COMPRISE 27 PERCENT OF THE OVERALL STAFF OF THE ENDOWMENT. MINORITIES CONSTITUTE 14 PERCENT OF THE OVERALL STAFF AT UPPER GRADES.

IN THE AREA OF OCCUPATIONAL SAFETY AND HEALTH, THE DEPARTMENT OF LABOR RECENTLY HAS MADE EFFORTS TO REDUCE THE DANGER OF EXPOSURE TO TOXIC SUBSTANCES IN MANY INDUSTRIES. STANDARDS COVERING HUNDREDS OF POTENTIALLY TOXIC SUBSTANCES HAVE BEEN PROMULGATED, WHILE EXISTING STANDARDS ARE BEING MODIFIED FOR ASBESTOS, CHROMIUM, PESTICIDES, NICKEL, BERYLLIUM AND RADIO FREQUENCY RADIATION. A NEW, STRICTER POLICY CONCERNING CARCINOGENIC SUBSTANCES IN THE WORKPLACE WAS PROMULGATED ON JANUARY 22, 1980, AND CURRENTLY IS BEING CONSIDERED IN THE COURTS BEFORE IT CAN BE ENACTED.

ACCORDING TO THE 1980 REPORT BY THE U.S. COMMISSION ON CIVIL RIGHTS, SIGNIFICANT DISPARITIES IN UNEMPLOYMENT RATES OF

MINORITIES AND WOMEN COMPARED WITH WHITE MALES CONTINUED TO PREVAIL IN 1979. DEPARTMENT OF LABOR STATISTICS FOR THE THIRD QUARTER OF 1979 SHOW NO IMPROVEMENT OVER THOSE OF 1978: THE UNEMPLOYMENT RATE FOR BLACK MALES, AGE 20 AND OVER, WAS 8.3 PERCENT AND 5.5 PERCENT FOR HISPANICS COMPARED WITH 3.3 PERCENT FOR WHITE MALES. FOR FEMALES, AGE 20 AND OVER, THE UNEMPLOYMENT RATE WAS 11.4 PERCENT FOR BLACKS; 8.4 PERCENT FOR HISPANICS; AND 5.2 PERCENT FOR WHITES. FOR MALE TEENAGERS, THE UNEMPLOYMENT RATE WERE 30.3 PERCENT FOR BLACKS; 18.3 PERCENT FOR HISPANICS AND 12.8 PERCENT FOR WHITES; WHILE FOR FEMALES THE RATE WAS MARKEDLY HIGHER, 38.6 PERCENT FOR BLACKS; 21.8 PERCENT FOR HISPANICS; AND 14.2 PERCENT FOR WHITES.³

THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC) ISSUED NEW GUIDELINES ON AFFIRMATIVE ACTION AND PROPOSED GUIDELINES ON RELIGIOUS DISCRIMINATIONS IN EMPLOYMENT. A KEY FEATURE OF THE FEBRUARY 20, 1979, EEOC'S GUIDELINES ON AFFIRMATIVE ACTION IS THAT AN EMPLOYER DOES NOT HAVE TO ADMIT POTENTIALLY EMBARRASSING PRIOR ACTS OF DISCRIMINATION, BUT MAY TAKE ACTION BASED ON "HISTORICAL DISCRIMINATION" NOT WITHIN THE EMPLOYER'S CONTROL.

A POSITIVE DEVELOPMENT FOR FUTURE EMPLOYMENT OPPORTUNITIES FOR MINORITIES AND WOMEN WAS THE ADOPTION OF THE GARCIA AMENDMENT TO THE CIVIL SERVICE REFORM ACT OF 1978, WHICH BECAME EFFECTIVE ON JANUARY 11, 1979. THIS AMENDMENT REQUIRES IMMEDIATE DEVELOPMENT OF A "CONTINUING RECRUITMENT" PROGRAM DESIGNED TO ELIMINATE UNDER-REPRESENTATION IN THE FEDERAL GOVERNMENT. ON JULY 17, 1979, THE OFFICE OF PERSONNEL MANAGEMENT ANNOUNCED THE CREATION OF THE FEDERAL EQUAL OPPORTUNITY RECRUITMENT PROGRAM AND ISSUED DRAFT GUIDELINES PROVIDING ASSISTANCE TO OTHER FEDERAL AGENCIES IN THEIR EFFORTS TO COMPLY WITH THE LAW.

THE GARCIA AMENDMENT REQUIRES EACH FEDERAL AGENCY TO DEVELOP ITS OWN RECRUITMENT PROGRAM BASED ON THE UNDER-REPRESENTATION OF MINORITIES AND WOMEN IN ITS OWN WORK FORCE AS COMPARED WITH THE LEVELS OF MINORITIES AND WOMEN IN THE NATIONAL CIVILIAN LABOR FORCE AS A WHOLE.

HOUSING

OVER THE PAST YEAR, INFLATION AND RISING INTEREST RATES HAVE MADE IT MORE DIFFICULT FOR THE AVERAGE AMERICAN TO FIND AFFORDABLE AND ADEQUATE HOUSING. ACCORDING TO THE U.S. COMMISSION ON CIVIL RIGHTS: "EVERY FINANCIAL FIGURE ASSOCIATED WITH HOUSING HAS ESCALATED SHARPLY IN RECENT YEARS."⁴ ONE

POSITIVE NOTE IS THE RECENT DECLINE IN HOME MORTGAGE RATES WHICH SHOULD RESULT IN AN EASING IN THE HOUSING MARKET.

IN ADDITION TO THE SKY-ROCKETING COSTS OF HOMEOWNERSHIP, A NEW PROBLEM HAS EMERGED--A SHORTAGE OF AFFORDABLE RENTAL HOUSING. VERY FEW MODERATELY PRICED MULTIFAMILY RENTAL UNITS ARE BEING BUILT; MANY OF THOSE THAT DO EXIST ARE BEING CONVERTED TO CONDOMINIUMS OR ABANDONED, OR SIMPLY DO NOT HAVE ANY VACANCIES. THE U.S. GENERAL ACCOUNTING OFFICE (GAO) CLAIMS THAT THE CURRENT VACANCY RATE IN RENTAL HOUSING IS THE LOWEST ON RECORD.⁵ EQUALLY DISTRESSING IS THE FACT THAT MANY RENTERS ARE FORCED TO PAY EXCESSIVELY LARGE PROPORTIONS OF THEIR INCOMES FOR RENT, A HARDSHIP THAT IS ESPECIALLY ONEROUS FOR THE LOW AND MODERATE INCOME FAMILIES THAT COMPRISE THE BULK OF THE 26 MILLION RENTING HOUSEHOLDS IN THE UNITED STATES.

SINCE PRIVATE FIRMS ARE RELUCTANT TO FINANCE UNPROFITABLE RENTAL HOUSING, THE FEDERAL GOVERNMENT--IN PARTICULAR, THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)--HAS SHOULDERED THE BURDEN. FORMER SECRETARY OF HUD PATRICIA HARRIS ESTIMATED THAT IN 1980, OVER 75 PERCENT OF ALL CONSTRUCTION STARTS OF MULTIFAMILY RENTAL UNITS WILL BE FEDERALLY SUBSIDIZED OR INSURED.⁶

IN ONE ATTEMPT TO REDRESS AN APPARENT TREND TOWARD THE FEDERAL GOVERNMENT'S DOMINATION OF THE RENTAL HOUSING MARKET, A HUD INTERDEPARTMENTAL WORKING GROUP COMPLETED IN JULY 1979 A STUDY OF NEW WAYS TO ASSIST PRIVATE CONSTRUCTION COMPANIES IN BUILDING RENTAL HOUSING. THE WORKING GROUP'S RECOMMENDATIONS ARE TO BE INCLUDED IN THE 1981 HUD BUDGET PROCESS.

HUD'S 1980 BUDGET, AS APPROVED BY CONGRESS, AUTHORIZES AT LEAST ONE NOTABLE CHANGE IN THE OPERATION OF AN EXISTING HOUSING PROGRAM. PARTICIPANTS IN THE SECTION 8 PROGRAM WHO MOVE IN AFTER JANUARY 1, 1980, MAY NOW BE REQUIRED TO PAY UP TO 30 PERCENT OF THEIR INCOMES FOR RENT, UP FROM 25 PERCENT. THIS INCREASE WILL NOT APPLY TO TENANTS IN THE LOWEST INCOME BRACKETS.

IN APRIL 1979, A MAJOR HUD STUDY OF DISCRIMINATION IN HOUSING CONCLUDED THAT THERE IS "DEFINITIVE EVIDENCE THAT BLACKS ARE DISCRIMINATED AGAINST IN THE HOUSING MARKET."⁷ HUD'S FINDINGS SERVED TO CORROBORATE THE CIVIL RIGHTS COMMISSION'S CONTENTION THAT GOVERNMENTAL AND JUDICIAL EFFORTS TO ERASE DISCRIMINATION IN HOUSING HAVE NOT BEEN ADEQUATE.⁸ THE CIVIL RIGHTS COMMISSION'S SPECIFIC CRITICISMS OF THE FEDERAL GOVERNMENT'S FAIR HOUSING PROGRAMS WERE OUTLINED IN THE CSCE COMMISSION'S DOMESTIC COMPLIANCE REPORT.

AN AMENDMENT TO THE 1968 FAIR HOUSING ACT THAT INCORPORATES MANY OF THE IMPROVEMENTS SUGGESTED BY THE CIVIL RIGHTS COMMISSION HAS BEEN PASSED BY THE HOUSE OF REPRESENTATIVES. IN GENERAL, THE BILL BROADENS HUD'S POWER TO TAKE ACTION AGAINST ILLEGAL DISCRIMINATORY CONDUCT. AS THE CIVIL RIGHTS COMMISSION OBSERVES, THE FAIR HOUSING AMENDMENTS ACT OF 1979 "OFFER(S) AN IMPORTANT OPPORTUNITY...TO PROVIDE THE BASIS FOR EFFECTIVE, CONCERTED EFFORTS TO HALT DISCRIMINATION IN THE SALE AND RENTAL OF HOUSING AND IN THE MORTGAGING AND INSURING OF PROPERTIES."⁹

DURING 1979, THE FEDERAL AGENCIES SINGLED OUT FOR CRITICISM BY THE CIVIL RIGHTS COMMISSION TOOK SEVERAL -- ALBEIT MODEST -- STEPS TO EXPAND THEIR ENFORCEMENT MACHINERY. FOR EXAMPLE, THE DEPARTMENT OF JUSTICE PLEDGED "TO MAKE A GREATER EFFORT" TO BRING TO COURT THE MOST SIGNIFICANT HOUSING DISCRIMINATION CASES.¹⁰ THREE OUT OF THE FOUR FEDERAL FINANCIAL REGULATORY AGENCIES ISSUED NEW OR AMENDED FAIR LENDING REGULATIONS, AND BOTH THE COMPTROLLER OF THE CURRENCY AND THE FEDERAL DEPOSIT INSURANCE CORPORATION HAVE BEGUN TO ORGANIZE CIVIL RIGHTS STAFFS.

IT IS OBVIOUS THAT RECENT ECONOMIC TRENDS, COMBINED WITH THE CORRESPONDING DRIVE TO CUT THE FEDERAL BUDGET, WILL COMPLICATE EFFORTS TO PROVIDE DECENT AND AFFORDABLE HOUSING FOR THE DISADVANTAGED. NONETHELESS, THE GOVERNMENT IS STILL COMMITTED TO SATISFYING THE NATION'S HOUSING NEEDS.

MOREOVER, IT IS IMPORTANT TO NOTE THE RECENT ADVANCES THAT HAVE BEEN MADE IN COMBATTING RACIAL DISCRIMINATION IN THE U.S. HOUSING MARKET. THE CSCE COMMISSION URGES ALL FEDERAL AGENCIES INVOLVED TO REDOUBLE THEIR EFFORTS TO END DISCRIMINATION AGAINST MINORITIES IN HOUSING. AND, THE COMMISSION SUPPORTS THE PASSAGE OF THE FAIR HOUSING AMENDMENTS ACT, IN THE BELIEF THAT THE BILL WILL GO A LONG WAY IN INSURING ALL U.S. CITIZENS EQUAL HOUSING OPPORTUNITY.

AMERICAN INDIANS

IN THE NOVEMBER 1979 REPORT, THE COMMISSION RECOMMENDED THAT FEDERAL DEPARTMENTS AND AGENCIES CONTINUE TO SEEK WAYS TO GIVE INDIANS A MEANINGFUL ROLE IN FORMULATING FEDERAL POLICY AND DEVELOPING PROGRAMS WHICH AFFECT THEIR VITAL INTERESTS. PREVIOUSLY, THERE HAD BEEN NO SYSTEMATIC AND ON-GOING CHANNEL OF COMMUNICATION BETWEEN THE U.S. GOVERNMENT AND THE TRIBES, ALTHOUGH CONSULTATION HAD BEEN CARRIED OUT ON AN "AD HOC" BASIS. A RECENT EFFORT TO IMPROVE COMMUNICATION AND ENCOURAGE CONSULTATION BETWEEN THE FEDERAL GOVERNMENT AND TRIBAL GOVERNMENTS HAS

BEEN UNDERTAKEN BY THE BUREAU OF INDIAN AFFAIRS OF THE U.S. DEPARTMENT OF THE INTERIOR, THE AGENCY WITHIN THE U.S. GOVERNMENT THAT HAS THE GREATEST IMPACT ON INDIAN INTERESTS, AND THE NATION'S TWO MAJOR INDIAN TRIBAL ORGANIZATIONS, THE NATIONAL CONGRESS OF AMERICAN INDIANS (NCAI) AND THE NATIONAL TRIBAL CHAIRMEN'S ASSOCIATION (NTCA). NCAI AND NTCA HAVE BEEN CONTRACTED BY THE BIA TO SET OUT A FORMAT AND PROCEDURES FOR CONSULTATION ON NINE TOPICS OF REGIONAL AND NATIONAL IMPORTANCE TO NATIVE AMERICANS.

THIS NEW COOPERATIVE EFFORT IS AN OUTGROWTH OF THE INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT OF 1975 -- A FAR-REACHING LAW THAT DEFINES THE RELATIONSHIP BETWEEN THE U.S. GOVERNMENT AND TRIBAL GOVERNMENTS AND WHICH WILL SET THE FUTURE COURSE OF THIS RELATIONSHIP TOWARD GREATER COMPLIANCE WITH HELSINKI PROVISIONS REGARDING THE RIGHTS OF AMERICAN INDIANS.

INTERNATIONAL COVENANTS ON HUMAN RIGHTS

AS THE COMMISSION HAS NOTED REPEATEDLY IN THE PAST, ONE OF THE MOST GLARING DEFICIENCIES IN THE U.S. HUMAN-RIGHTS RECORD IS THE AMERICAN FAILURE TO BECOME PARTY TO THE INTERNATIONAL COVENANT ON HUMAN RIGHTS. IN THE TIME THAT HAS ELAPSED SINCE THE PUBLICATION OF THE COMMISSION'S NOVEMBER 1979 REPORT, THE UNITED STATES HAS MOVED, ALBEIT SLOWLY, TOWARDS CORRECTING THIS INADEQUACY. THE FIRST STEP IN THE RATIFICATION PROCESS -- THE COMPILATION OF EXPERT TESTIMONY ON THESE TREATIES BY THE SENATE -- HAS BEEN TAKEN.

FOR FOUR DAYS IN NOVEMBER 1979, THE SENATE FOREIGN RELATIONS COMMITTEE HELD PUBLIC HEARINGS -- CHAIRED BY COMMISSION CO-CHAIRMAN CLAIBORNE PELL AND CO-CHAIRLED BY COMMISSIONER JACOB JAVITS -- ON THESE AND OTHER HUMAN RIGHTS TREATIES. THIRTY-EIGHT WITNESSES TESTIFIED BEFORE THE COMMITTEE, INCLUDING REPRESENTATIVES OF THE DEPARTMENTS OF STATE AND JUSTICE, THE AMERICAN BAR ASSOCIATION, THE AFL-CIO, THE NAACP, AMNESTY INTERNATIONAL, THE U.S. CATHOLIC CONFERENCE AND THE NATIONAL COUNCIL OF CHURCHES. THIRTY-FIVE OF THE 38 WITNESSES SUPPORTED PROMPT U.S. RATIFICATION OF THE TWO TREATIES: THE COVENANT ON CIVIL AND POLITICAL RIGHTS AND THE COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS. THE RECORD OF THESE HEARINGS SERVES AS IMPRESSIVE TESTAMENT TO THE NEED AND GROWING SUPPORT FOR U.S. RATIFICATION.

IN HIS TESTIMONY, AMBASSADOR JEROME SHESTACK, THEN PRESIDENT OF THE INTERNATIONAL LEAGUE FOR HUMAN RIGHTS AND NOW U.S. REPRESENTATIVE TO THE U.N. HUMAN RIGHTS COMMITTEE, QUOTED PRESI-

DENT JOHN KENNEDY IN EMPHASIZING THE RESPONSIBILITY THAT THE UNITED STATES BEARS: "...THE FACT THAT OUR CONSTITUTION ALREADY ASSURES US OF THESE RIGHTS DOES NOT ENTITLE US TO STAND ALOOF FROM DOCUMENTS WHICH PROJECT OUR OWN HERITAGE ON AN INTERNATIONAL SCALE... THE UNITED STATES CANNOT AFFORD TO RENOUNCE RESPONSIBILITY FOR SUPPORT OF THE VERY FUNDAMENTALS WHICH DISTINGUISH OUR CONCEPT OF GOVERNMENT FROM ALL FORMS OF TYRANNY."

ARTHUR GOLDBERG, FORMER JUSTICE OF THE U.S. SUPREME COURT, AMBASSADOR TO THE UNITED NATIONS, AND CHAIRMAN OF THE U.S. DELEGATION TO THE BELGRADE CONFERENCE, PUT THE ISSUE IN THE CONTEXT OF CSCE. SPEAKING TO THE COMMITTEE, GOLDBERG SAID: "OUR CAPABILITY, OUR ABILITY, AND OUR CREDIBILITY...WAS GREATLY IMPAIRED AT BELGRADE AND WILL BE GREATLY IMPAIRED AT MADRID IN 1980 BY THE FAILURE OF OUR COUNTRY TO RATIFY THE HUMAN RIGHTS TREATIES WHICH ARE NOW BEFORE YOU."

THIS THEME WAS ECHOED THROUGHOUT THE FOUR DAYS OF HEARINGS. AT ONE POINT IN THE PROCEEDINGS, SENATOR PELL PUT ASIDE HIS ROLE OF HEARING CHAIRMAN AND BECAME A WITNESS WHO SPOKE ON BEHALF OF THE COMMISSION. THE VIEWS HE ESPOUSED REFLECT THE COMMISSION'S LONG-STANDING CONVICTIONS THAT:

"THE UNITED STATES' EFFORTS TO FOSTER COMPLIANCE WITH THE HUMAN RIGHTS PROVISIONS OF THE HELSINKI ACCORD ARE SERIOUSLY HAMPERED BY OUR FAILURE TO RATIFY THE COVENANTS. OUR SINCERITY AND CREDIBILITY ARE IMPAIRED BY THE FACT THAT WHILE WE PROTEST VIOLATIONS OF HUMAN RIGHTS BY OTHERS, WE REFUSE TO HOLD OURSELVES TO THE SAME LEGALLY-BINDING STANDARDS. IN FACT, NEARLY ALL THE ELIGIBLE HELSINKI SIGNATORIES ARE PARTIES TO THE COVENANTS. LACK OF RATIFICATION HAS SUBJECTED THE U.S. TO CONSIDERABLE CRITICISM FROM THE EAST AT SUCH FORA AS THE CSCE FOLLOW-UP CONFERENCE AT BELGRADE. AS WE APPROACH THE NEXT CSCE REVIEW MEETING -- TO BE HELD IN MADRID IN NOVEMBER 1980 -- SENATE RATIFICATION OF THE INTERNATIONAL COVENANTS ON HUMAN RIGHTS BECOMES VITAL IF WE ARE TO PURSUE EFFECTIVELY A STRONG, OUTSPOKEN HUMAN RIGHTS POLICY. AMERICAN ABILITY TO PROMOTE CREDIBLE RESPECT FOR HUMAN RIGHTS IN THE CSCE CONTEXT IS LINKED TO OUR WILLINGNESS TO ADHERE TO THE SAME CODE OF CONDUCT WE EXPECT -- AND THE COVENANTS

DEMAND -- OF OTHERS. I URGE MY COLLEAGUES IN THE SENATE TO TAKE PROMPT ACTION TO RATIFY THE FOREMOST HUMAN RIGHTS DOCUMENTS IN THE WORLD BEFORE THE MADRID MEETING. OUR READINESS TO WIPE OUT THIS BLOT ON OUR OWN HUMAN RIGHTS RECORD WILL SIGNIFICANTLY ENHANCE OUR ABILITY TO PUT PRESSURE ON THE SOVIETS AND EAST EUROPEANS TO CORRECT THEIR DEFICIENCIES."

U.S. ENTRY POLICIES

REFUGEES

A COHERENT AND COMPREHENSIVE U.S. REFUGEE POLICY CAME INTO EFFECT MARCH 17, 1980, WITH THE SIGNATURE BY PRESIDENT CARTER OF THE REFUGEE ACT OF 1980 (PUBLIC LAW 96-212, 96TH CONGRESS). THE ACT CREATES A SYSTEMATIC AND FLEXIBLE PROCEDURE FOR THE ADMISSION AND RESETTLEMENT OF REFUGEES. THE COMMISSION RECOMMENDED PASSAGE OF THE ACT IN ITS NOVEMBER 1979 U.S. IMPLEMENTATION REPORT.

SPECIFICALLY, THE ACT AMENDS THE DEFINITION OF REFUGEE TO ELIMINATE PAST DISCRIMINATION ON THE BASIS OF OUTMODED GEOGRAPHICAL AND IDEOLOGICAL CONSIDERATIONS, AND CONFORMS TO THE DEFINITION TO THE UNITED NATIONS REFUGEE CONVENTION AND PROTOCOL, TO WHICH THE UNITED STATES IS A PARTY. THE ACT SEPARATES THE ADMISSION OF REFUGEES FROM THAT OF IMMIGRANTS UNDER THE PREFERENCE SYSTEM, AND AUTHORIZES THE ANNUAL ADMISSION OF UP TO 50,000 REFUGEES A YEAR. IT ALSO AUTHORIZES THE ADMISSION OF MORE THAN THE 50,000 NORMAL FLOW OF REFUGEES IN SITUATIONS WHERE IT IS FORESEEN PRIOR TO THE BEGINNING OF THE FISCAL YEAR THAT HUMANITARIAN CONCERNS JUSTIFY ADDITIONAL NUMBERS, AND WHEN UNFORESEEN EMERGENCIES ARISE AFTER THE BEGINNING OF THE FISCAL YEAR. PROCEDURES FOR CONSULTATION WITH CONGRESS ARE CAREFULLY DELINEATED. FINALLY, THE ACT INCLUDES COMPREHENSIVE AND UNIFORM PROVISIONS FOR FEDERAL SUPPORT OF REFUGEE RESETTLEMENT AND ABSORPTION, TO BE ADMINISTERED BY A NEWLY CREATED OFFICE OF REFUGEE RESETTLEMENT WITHIN THE DEPARTMENT OF HEALTH AND HUMAN RESOURCES.

CUBANS AND HAITIANS

SOME 114,000 REFUGEES FROM CUBA ARRIVED IN THE UNITED STATES BY BOAT BETWEEN APRIL 21 AND JUNE 19, 1980. PRESIDENT CARTER, IN HIS MAY 14 PRESS CONFERENCE SPOKE OF THE "CUBAN

CITIZENS WHO ARE ESCAPING FROM THEIR COUNTRY AND COMING TO OUR SHORES IN A VERY HAPHAZARD AND DANGEROUS WAY." THE PRESIDENT CONTINUED:

"TENS OF THOUSANDS OF CUBANS ARE FLEEING THE REPRESSION OF THE CASTRO REGIME UNDER CHAOTIC AND PERILOUS CONDITIONS. CASTRO HIMSELF HAS REFUSED TO PERMIT THEM A SAFE AND ORDERLY PASSAGE TO THE UNITED STATES AND TO OTHER COUNTRIES WHICH ARE ALSO WILLING TO RECEIVE THEM. REPEATED INTERNATIONAL EFFORTS TO RESOLVE THIS CRISIS HAVE BEEN REJECTED OR IGNORED BY THE CUBAN GOVERNMENT. AT LEAST SEVEN PEOPLE HAVE DIED ON THE HIGH SEAS. THE RESPONSIBILITY OF THOSE DEATHS AND THE THREAT OF FURTHER LOSS OF LIFE RESTS ON THE SHOULDERS OF FIDEL CASTRO, WHO HAS SO FAR REFUSED TO COOPERATE WITH US, WITH THOSE ESCAPING HIS REGIME, OR WITH OTHER COUNTRIES IN ESTABLISHING A LEGAL AND ORDERLY PROCEDURE FOR DEALING WITH THIS CUBAN PROBLEM."

THE CUBANS WERE AT FIRST TREATED AS APPLICANTS FOR ASYLUM RATHER THAN AS REFUGEES WHICH GAVE THE ADMINISTRATION GREATER DISCRETIONARY AUTHORITY AS TO HOW MANY WOULD BE ADMITTED PERMANENTLY. THIS RULING ALSO MEANT THAT THE CUBANS ARRIVING DURING THIS PERIOD WOULD NOT BE INCLUDED IN THE 231,700 CEILING FOR REFUGEE ADMISSIONS DURING FY 1980. THIS IS THE FIGURE, SET IN CONSULTATION BETWEEN THE ADMINISTRATION AND THE CONGRESS, UNDER WHICH SOVIET JEWS, INDOCHINESE REFUGEES AND OTHERS HAVE BEEN ADMITTED.

AFTER ARRIVAL IN KEY WEST, FLORIDA, THE CUBANS WERE GIVEN HEALTH, IMMIGRATION AND SECURITY SCREENINGS BY FEDERAL AUTHORITIES PRIOR TO RESETTLEMENT BY PRIVATE U.S. AGENCIES. SHORTLY THEREAFTER, ABOUT HALF THE CUBANS WERE TRANSFERRED TO MIAMI, FLORIDA, WHERE THEY WERE REUNITED AND RESETTLED WITH RELATIVES ALREADY IN THE UNITED STATES. OTHERS, WHO DID NOT HAVE RELATIVES IN THE SOUTH FLORIDA AREA, WERE SENT TO SEVERAL RELOCATION CENTERS IN THE UNITED STATES FOR PROCESSING AND RESETTLEMENT. AT ONE OF THESE CENTERS -- FORT CHAFFEE, ARKANSAS, WHERE SOME 19,000 CUBANS HAD BEEN TRANSFERRED -- THERE WERE DISTURBANCES ON JUNE 2, 1980. ABOUT 300 CUBANS RIOTED IN PROTEST OVER DELAYS IN THEIR PROCESSING. SIXTY PERSONS WERE INJURED, FOUR BUILDINGS WERE BURNED AND ABOUT 100 WERE DETAINED BEFORE ORDER WAS RE-

STORED. WHITE HOUSE PRESS SECRETARY JODY POWELL SAID IN WASHINGTON THAT THREE DOZEN "RINGLEADERS AND TROUBLEMAKERS" WERE THOUGHT TO BE RESPONSIBLE FOR THE DISTURBANCES AND HAD BEEN ISOLATED FROM THE OTHER REFUGEES. POWELL EMPHASIZED THAT THE VAST MAJORITY OF CUBANS IN FORT CHAFFEE WERE NOT INVOLVED IN THE VIOLENCE. BY JUNE 19, SOME 65,000 OF THE CUBANS -- MORE THAN HALF OF ALL ARRIVALS SINCE APRIL 21 -- HAD BEEN RESETTLED.

THE SITUATION OF HAITIAN REFUGEES IN THE UNITED STATES IS MORE COMPLEX THAN THAT OF THE CUBANS, ALTHOUGH THE NUMBER OF HAITIANS ARRIVING IN 1980 IS CONSIDERABLY SMALLER. BY WAY OF COMPARISON, 1,167 HAITIANS WERE APPREHENDED BY U.S. AUTHORITIES FOR ILLEGAL ENTRY DURING THE PERIOD FROM APRIL 23 TO JUNE 2, 1980. THIS RESULTS, IN PART, FROM A PATTERN OF IMMIGRATION FROM HAITI WHICH HAS PREVAILED THROUGHOUT THIS CENTURY. HAITI SUFFERS FROM OVERPOPULATION AND GRINDING POVERTY. IT IS BY FAR THE POOREST COUNTRY IN THE WESTERN HEMISPHERE, AND IT HAS A HISTORY OF EXTREME HUMAN-RIGHTS ABUSES. HAITI HAS TRADITIONALLY BEEN A SOURCE OF MIGRANT WORKERS FOR THE CARIBBEAN AREA, AND HAITIAN GOVERNMENTS HAVE PERMITTED THIS UNDOCUMENTED EMIGRATION TO PROCEED FREELY. ABOUT 30,000 HAITIANS ARE BELIEVED TO HAVE ARRIVED IN THE UNITED STATES DURING THE PAST 10 YEARS. THIS FLOW HAS ACCELERATED IN RECENT YEARS AS THE ROUTE OF ILLEGAL ENTRY HAS MOVED FROM CANADA, WHERE THERE IS NO NON-IMMIGRANT VISA REQUIREMENT, TO SOUTH FLORIDA WHERE THE HAITIANS HAVE BEEN ARRIVING BY BOAT. ONE REASON FOR THE ACCELERATION IN HAITIAN ARRIVALS IN THE UNITED STATES HAS BEEN A SERIES OF RESTRAINING ORDERS ISSUED BY THE U.S. DISTRICT COURT IN MIAMI, RESULTING FROM CLASS ACTION SUITS WHICH PROHIBIT THE IMMIGRATION AND NATURALIZATION SERVICE (INS) FROM REPATRIATING THE ILLEGAL ENTRANTS. ABOUT 15,000 HAITIANS ARE INVOLVED IN THESE CASES WHICH HAVE BEEN IN LITIGATION.

HAITIAN ILLEGAL ENTRANTS, WHEN APPREHENDED, HAVE BEEN CLASSIFIED AS UNDOCUMENTED ALIENS. SOME HAVE APPLIED FOR POLITICAL ASYLUM, AND THIS STATUS HAS BEEN APPROVED FOR SOME 250 HAITIANS SINCE 1972. ABOUT 600 HAVE BEEN REPATRIATED TO HAITI SINCE 1972, AND THERE HAVE BEEN ALLEGATIONS BY PRIVATE U.S. GROUPS THAT THESE RETURNEES HAVE FACED POLITICAL PERSECUTION UPON RETURN. A DEPARTMENT OF STATE STUDY TEAM VISITED HAITI IN MAY 1979 TO REVIEW THE RETURNEE SITUATION AND TO ASSURE CONTINUED CONSCIENTIOUS OBSERVANCE OF THE UNITED NATIONS PROTOCOL RELATING TO THE STATUS OF REFUGEES. THE TEAM UNCOVERED NO SIGNIFICANT INDICATION OF MISTREATMENT OR OF PUNISHMENT OF RETURNEES BECAUSE OF THEIR TRAVEL TO THE UNITED STATES, WITH THE EXCEPTION OF ORGANIZERS OF THE TRAVEL WHO ARE OFTEN FINED AND

IMPRISONED. NEVERTHELESS, THE STUDY TEAM CONCLUDED THAT THERE ARE REASONS TO BELIEVE THAT SOME ASYLUM CLAIMS COULD WELL HAVE MERIT, AND IT RECOMMENDED THAT INDIVIDUAL ASYLUM APPLICATIONS SHOULD CONTINUE TO BE REVIEWED CAREFULLY ON THEIR OWN INDIVIDUAL MERITS.¹¹

THE ADMINISTRATION ANNOUNCED ON JUNE 19 THAT THE VAST MAJORITY OF THE CUBAN AND HAITIAN "BOAT" REFUGEES WOULD BE ALLOWED TO REMAIN IN THE UNITED STATES FOR AT LEAST SIX MONTHS AND COULD BECOME PERMANENT RESIDENTS AFTER TWO YEARS IF THE CONGRESS ENACTS SPECIAL LEGISLATION WHICH THE ADMINISTRATION WILL REQUEST. THE REFUGEES WOULD THUS BECOME ELIGIBLE FOR CITIZENSHIP AFTER FIVE MORE YEARS IN THE UNITED STATES.

THIS ACTION AFFECTS THE 114,000 CUBANS WHO ARRIVED IN THE UNITED STATES BETWEEN APRIL 21 AND JUNE 19, 1980, AS WELL AS THE 15,000 HAITIANS WHO WERE IN INS DEPORTATION OR EXCLUSION PROCEEDINGS. THE CUBANS AND THE HAITIANS WILL BE CLASSIFIED BY INS AS "CUBAN-HAITIAN ENTRANTS" UNDER THE SPECIAL LEGISLATION TO BE SUBMITTED TO CONGRESS. THE LEGISLATION WOULD ALSO DEFINE THE SERVICES AND BENEFITS FOR THE ARRIVALS FOR ONE YEAR AFTER RELEASE FROM PROCESSING CENTERS AND WOULD PROVIDE A BROAD RANGE OF ASSISTANCE TO THEM. THE LEGISLATION WOULD ALSO SEEK A METHOD OF IDENTIFYING AND EXTENDING THE NEW "CUBAN-HAITIAN ENTRANT" STATUS TO THOSE OTHER HAITIAN "BOAT PEOPLE" (ESTIMATED AT ANOTHER 10,000 TO 15,000) WHO ARRIVED IN FLORIDA PRIOR TO JUNE 19, 1980 BUT WHO ARE NOT IN INS PROCEEDINGS. THE PROCESSING OF APPLICATIONS FOR ASYLUM WILL CONTINUE. THOSE WHO ARE GRANTED ASYLUM STATUS WILL BE ELIGIBLE TO ADJUST TO PERMANENT RESIDENT ALIEN STATUS AFTER ONE YEAR.

A FEDERAL JUDGE IN MIAMI ON JULY 2, RULING IN A CLASS-ACTION SUIT BROUGHT BY MORE THEN 4,000 HAITIANS, DECLARED THAT INS HAD KNOWINGLY VIOLATED THE CONSTITUTIONAL, STATUTORY, TREATY AND ADMINISTRATIVE RIGHTS OF THOUSANDS OF HAITIAN REFUGEES SEEKING POLITICAL ASYLUM IN THE UNITED STATES. THE JUDGE ORDERED INS TO TAKE NO FURTHER ACTION AGAINST THE HAITIANS UNTIL THE GOVERNMENT HAD PRESENTED HIM WITH AN ACCEPTABLE PLAN FOR RECONSIDERING THEIR ASYLUM CLAIMS.

VISAS

LEGISLATION WAS INTRODUCED IN THE CONGRESS IN 1980 (H.R. 7125) WHICH WOULD AMEND THE IMMIGRATION AND NATIONALITY ACT TO AUTHORIZE THE SECRETARY OF STATE AND THE ATTORNEY GENERAL TO WAIVE THE NON-IMMIGRANT VISA REQUIREMENTS FOR TOURISTS AND BUSINESS VISITORS SEEKING TO VISIT THE UNITED STATES FROM CER-

TAIN COUNTRIES FOR NOT MORE THAN 90 DAYS. THE PROPOSED AMENDMENT IS SIMILAR TO ONE INTRODUCED IN 1979 BY SENATOR AND CSCE COMMISSION CO-CHAIRMAN CLAIBORNE PELL (D.-R.I.). IT WOULD APPLY TO THOSE COUNTRIES WHICH GRANT, OR ARE PREPARED TO GRANT, SIMILAR PRIVILEGES TO U.S. TOURISTS AND BUSINESS TRAVELERS; WHICH HAVE LOW RATES OF REFUSAL OF U.S. NON-IMMIGRANT STATUS IN THIS COUNTRY BY THEIR CITIZENS; AND WHICH DO NOT CONSTITUTE A THREAT TO THE INTERNAL SECURITY OF THE UNITED STATES. UNDER THESE CRITERIA THE PROPOSED AMENDMENT IS EXPECTED TO APPLY TO ABOUT 20 HELSINKI SIGNATORIES, IN ADDITION TO CANADA WHERE THE PRIVILEGE ALREADY APPLIES. ADOPTION OF THE AMENDMENT WAS RECOMMENDED BY REPRESENTATIVE AND CSCE COMMISSION CHAIRMAN DANTE B. FASCELL (D.-FLA.) IN A LETTER TO REP. HOLTZMAN, CHAIRMAN OF THE HOUSE SUBCOMMITTEE ON IMMIGRATION, REFUGEES AND INTERNATIONAL LAW.

FEES

ACCORDING TO BUDGETARY PLANS OF THE CARTER ADMINISTRATION FOR FY 1981, THE U.S. PASSPORT FEES WILL BE RAISED TO \$25.00 AND THE IMMIGRANT VISA FEE TO \$100.00 TO REFLECT THE ACTUAL COSTS OF PROVIDING THESE SERVICES. THE FINAL ACT, IN CONNECTION WITH APPLICATIONS FOR REUNIFICATION OF FAMILIES, PROVIDES FOR THE PARTICIPATING STATES TO "LOWER WHERE NECESSARY THE FEES CHARGED IN CONNECTION WITH THESE APPLICATIONS TO ENSURE THAT THEY ARE AT A MODERATE LEVEL." THE QUESTION, THEREFORE, UNDER THE HELSINKI PROVISIONS, IS WHETHER THESE INCREASES WOULD BE CONTRARY TO THE LETTER OR SPIRIT OF THE FINAL ACT.

THE COMMISSION REGRETS THE NECESSITY FOR ANY INCREASE IN FEES CONNECTED WITH TRAVEL OR EMIGRATION. IT NOTES, HOWEVER, THAT TITLE V OF THE INDEPENDENT OFFICES APPROPRIATION ACT OF 1952 (U.S.C. 483 (A)) REQUIRES EACH U.S. GOVERNMENT AGENCY TO RECOVER THE COSTS OF SERVICES PROVIDED, WHERE POSSIBLE. U.S. IMMIGRANT VISA FEES HAVE NOT BEEN INCREASED SINCE 1952, AND THE NEW FEES WERE PROPOSED AFTER A THOROUGH COST-ANALYSIS STUDY OF PASSPORT AND VISA ISSUANCE HAD BEEN CONDUCTED IN 1979; THE COMMISSION BELIEVES THAT THE NEW FEES CAN STILL BE REGARDED AS MODERATE COMPARED WITH THOSE WHICH OTHER CSCE SIGNATORIES CHARGE IN CONNECTION WITH FAMILY REUNIFICATION. THE SOVIET UNION, FOR EXAMPLE, CHARGES EMIGRANT TO CAPITALIST COUNTRIES A FEE OF 200 RUBLES (\$311 AT THE OFFICIAL RATE OF EXCHANGE) AND EMIGRANTS TO ISRAEL AN EFFECTIVE FEE OF 700 RUBLES (\$1,088). BY COMPARISON, THE ONLY FEE CHARGED BY THE UNITED STATES FOR TRAVEL OR EMIGRATION ANYWHERE IN THE WORLD IS THE PASSPORT FEE.

IMMIGRATION LAWS

THE SELECT COMMISSION ON IMMIGRATION AND REFUGEE POLICY HELD 12 PUBLIC HEARINGS THROUGHOUT THE UNITED STATES BETWEEN OCTOBER 1979 AND JUNE 1980, AS WELL AS FIVE PUBLIC HEARINGS AND MORE THAN 20 CONSULTATIVE SESSIONS IN WASHINGTON, D.C. THE SELECT COMMISSION WAS CREATED BY PUBLIC LAW TO PROVIDE A COMPREHENSIVE REVIEW OF U.S. IMMIGRATION LAWS, POLICIES AND PROCEDURES. THE PUBLIC HEARINGS AND CONSULTATIONS WERE HELD TO ASSURE THAT A WIDE RANGE OF VIEWS ARE HEARD AND CONSIDERED BY THE SELECT COMMISSION. THE SELECT COMMISSION'S REPORT IS TO BE PRESENTED TO THE CONGRESS BY MARCH 1981. THE REPORT IS EXPECTED TO RECOMMEND CHANGES IN THE IMMIGRATION AND NATIONALITY ACT WHICH WILL PROVIDE FOR ACCESS ON A MORE RATIONALE AND HUMANE BASIS.

LEGISLATION HAS BEEN INTRODUCED IN THE SENATE (S.R. 2210) AND THE HOUSE OF REPRESENTATIVES (H.R. 6303) TO REMOVE LANGUAGE FROM THE IMMIGRATION AND NATIONALITY ACT WHICH REQUIRES INS TO EXCLUDE SUSPECTED HOMOSEXUAL ALIENS FROM ENTRY INTO THE UNITED STATES. SECTION 212(A)(4) OF THE ACT PROVIDES FOR THE EXCLUSION OF "ALIENS AFFLICTED WITH PSYCHOPATHIC PERSONALITY, SEXUAL DEVIATION, OR A MENTAL DEFECT." THE PROPOSED LEGISLATION WOULD DELETE THE LANGUAGE "SEXUAL DEVIATION."

THE STATUTORY BAN ON ADMISSION OF HOMOSEXUALS WAS PASSED BY THE CONGRESS ON THE BASIS THAT HOMOSEXUALITY WAS TO BE CONSIDERED A DISEASE, REQUIRING AN EXAMINATION OF THE PERSON BY THE PUBLIC HEALTH SERVICE PENDING ADMISSION TO THE UNITED STATES. IN AUGUST 1979, THE U.S. SURGEON GENERAL ANNOUNCED THAT GOVERNMENT PHYSICIANS WOULD NO LONGER REGARD HOMOSEXUALITY AS A "MENTAL DISEASE OR DEFECT." THE SURGEON GENERAL ADVISED IMMIGRATION OFFICERS TO STOP REFERRING ALIENS TO THE PUBLIC HEALTH SERVICE SOLELY ON THE GROUNDS OF SUSPECTED HOMOSEXUALITY. BEFORE CONFORMING TO THIS POLICY CHANGE, INS ASKED THE DEPARTMENT OF JUSTICE FOR LEGAL ADVICE. JUSTICE LAWYERS CONCLUDED THAT THE INS IS STATUTORILY REQUIRED TO ENFORCE THE EXCLUSION OF HOMOSEXUAL ALIENS BECAUSE THAT POLICY HAS BEEN DECREED BY CONGRESS. THE PROPOSED LEGISLATION, WHICH THE ADMINISTRATION SUPPORTS, WOULD HAVE CONGRESS CHANGE THAT POLICY.

APPENDIX A - FOOTNOTES

1. THE U.S. COMMISSION ON CIVIL RIGHTS, THE STATE OF CIVIL RIGHTS: 1979, JANUARY 1980, P. 14.
2. IBID., P. 19.
3. IBID., P. 30.
4. IBID., P. 1.
5. U.S. GENERAL ACCOUNTING OFFICE, REPORT TO THE CONGRESS: RENTAL HOUSING: A NATIONAL PROBLEM THAT NEEDS IMMEDIATE ATTENTION, NOVEMBER 8, 1979.
6. IBID., P. 24.
7. U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, MEASURING RACIAL DISCRIMINATION IN AMERICAN HOUSING MARKETS: THE HOUSING MARKET PRACTICES SURVEY, APRIL 1979, P. 2.
8. CIVIL RIGHTS COMMISSION, THE FEDERAL FAIR HOUSING EFFORT, MARCH 1979.
9. THE U.S. COMMISSION ON CIVIL RIGHTS, OP.CIT., P. 6.
10. U.S. DEPARTMENT OF JUSTICE, 1979 ANNUAL REPORT OF THE ATTORNEY GENERAL, DRAFT CHAPTER ON GENERAL LITIGATION SECTION, P. 5, QUOTED IN THE STATE OF CIVIL RIGHTS: 1979, P. 6.
11. DEPARTMENT OF STATE MEMORANDUM, JUNE 19, 1979, FROM THE STUDY TEAM TO ASSISTANT SECRETARIES DERIAN AND VAKY.

APPENDIX B

CZECHOSLOVAKIA AND HUMAN RIGHTS

IN ACCORDANCE WITH THE PROVISIONS OF THE HELSINKI FINAL ACT, THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE FINDS THE ACTIONS TAKEN BY THE GOVERNMENT OF CZECHOSLOVAKIA AGAINST SIGNERS OF CHARTER '77, MEMBERS OF THE COMMITTEE FOR THE DEFENSE OF THE UNJUSTLY PERSECUTED (VONS) -- WHOSE ONLY PURPOSE IS TO NOTIFY THE GOVERNMENT OF CZECHOSLOVAKIA OF VIOLATIONS OF THE HELSINKI FINAL ACT -- AND OTHER HUMAN-RIGHTS ACTIVISTS TO BE CONTRARY TO THE OBLIGATIONS ACCEPTED UNDER PRINCIPLE VII AND AS A SIGNATORY OF THE HELSINKI FINAL ACT.

THE COMMISSION REQUESTS THE RELEASE OF ALL POLITICAL PRISONERS AND URGES THE CESSATION OF HARASSMENT OF CHARTER '77 SIGNERS, MEMBERS OF VONS, AS WELL AS THEIR FAMILIES AND OTHER DEFENDERS OF HUMAN RIGHTS IN CZECHOSLOVAKIA, WHO ARE EXERCISING THEIR RIGHTS UNDER THE HELSINKI FINAL ACT.

FOLLOWING IS A LIST COMPILED WITH THE ASSISTANCE OF ANNA FALTUS, CZECHOSLOVAK NATIONAL COUNCIL OF AMERICA. JOHN HVASTA, AMERICAN COUNCIL OF THE SLOVAK WORLD CONGRESS, ALSO CONTRIBUTED TO INFORMATION IN THIS APPENDIX.

DIED AS A DIRECT CONSEQUENCE OF POLICE INTERROGATION

PATOCKA, JAN, PROFESSOR OF PHILOSOPHY, CHARLES UNIVERSITY, PRAGUE, CO-AUTHOR OF CHARTER '77, THE HUMAN RIGHTS MANIFESTO, AND ITS INITIAL SPOKESMAN WITH VACLAV HAVEL AND DR. JIRI HAJEK. TOOK ON THE TASK OF A SPOKESMAN DESPITE IMPAIRED HEALTH. BORN JUNE 1, 1907 IN TURNOV, DIED MARCH 13, 1977 IN STRAHOV HOSPITAL IN PRAGUE, AS A DIRECT CONSEQUENCE OF ELEVEN HOURS OF UNINTERRUPTED POLICE INTERROGATION.

HRANAC, JAN, DENTIST, DIED IN SPRING OF 1979 IN PLZEN-BORY PRISON, AFTER THREE DAYS AND TWO NIGHTS OF INTERROGATION ABOUT A PUBLICATION HE RECEIVED FROM ABROAD.

PARTIAL LIST OF CITIZENS OF CZECHOSLOVAKIA WHO ARE BEING IMPRISONED OR PERSECUTED FOR EXERCISING THEIR RIGHTS UNDER THE HELSINKI FINAL ACT

UHL, PETR, AGE 38, MECHANICAL ENGINEER, MARRIED, 2 CHILDREN, CHARTER '77 SIGNATORY, MEMBER OF VONS. ARRESTED MAY 29, 1979, SENTENCED OCTOBER 23, 1979, TO FIVE YEARS OF LOSS OF FREEDOM UNDER PARA. 98 OF THE CZECHOSLOVAK PENAL CODE (SUBVERSION).

ADDRESS: PS 1/6 PSC 78953, MIROV (RESTRICTED CONDITIONS)

HEALTH: POOR

WORKING CONDITIONS: VERY DIFFICULT, WORKS WITH BAKELITE

MAIL: PERMITTED TO WRITE ONCE EVERY TWO WEEKS, MAY RECEIVE LETTERS FROM TWO RELATIVES WHOM HE WAS ABLE TO CHOOSE (HIS WIFE AND BROTHER-IN-LAW). MAIL VERY IRREGULAR.

VISITS: ONE EVERY SIX MONTHS FOR ONE HOUR AT WHICH TIME HE MAY RECEIVE A FOOD PARCEL (ABOUT 4 LBS.).

HARASSMENT OF FAMILY: WIFE, ANNA SABATOVA (DAUGHTER OF DR. JAROSLAV SABATA, IMPRISONED IN LITOMERICE). ARRESTED AND DRAGGED FROM COURTROOM DURING HER HUSBAND'S TRIAL; DETAINED 72 HOURS. TELEPHONE SERVICE DISCONNECTED. APARTMENT SEARCHED BY 5 MEMBERS OF POLICE ON DECEMBER 13, 1979.

HAVEL, VACLAV, AGE 43; INTERNATIONALLY KNOWN PLAYWRIGHT, MARRIED, CHARTER '77 SIGNATORY AND ITS INITIAL SPOKESMAN (WITH PROF. JAN PATOCKA AND DR. JIRI HAJEK), MEMBER OF VONS. ARRESTED MAY 29, 1979, SENTENCED OCTOBER 23, 1979, TO FOUR AND ONE-HALF YEARS OF LOSS OF FREEDOM UNDER PARA. 98 OF THE CZECHOSLOVAK PENAL CODE (SUBVERSION).

ADDRESS: PRISONER No. 9658/A2, NVU, HERMANICE

HEALTH: NO MAJOR PROBLEMS SO FAR, EXHAUSTED FROM LACK OF SLEEP AND HARD WORK AT THE VIKTOVICE STEEL WORKS.

VISITS: FIRST VISIT IN FEBRUARY, 1980, BY HIS WIFE, OLGA HAVLOVA, AND HIS BROTHER. RECEIVED A FOOD PARCEL (6 LBS.). LOST THE RIGHT TO RECEIVE ANOTHER PARCEL AS A PUNISHMENT FOR WRITING "UNAUTHORIZED" LETTERS.

MAIL: DELIVERY IRREGULAR.

BENDA, VACLAV, AGE 33, PHILOSOPHER AND MATHEMATICIAN, MARRIED, 5 CHILDREN, CHARTER '77 SIGNATORY AND ITS SPOKESMAN IN 1979, MEMBER OF VONS. ARRESTED MAY 29, 1979, SENTENCED OCTOBER 23, 1979, TO FOUR YEARS OF LOSS OF FREEDOM UNDER PARA. 98 OF THE CZECHOSLOVAK PENAL CODE (SUBVERSION).

ADDRESS: PRISONER No. 9654/A2, NVU, HERMANICE

HEALTH: SEEMS TO BE HOLDING OUT, EXCEPT FOR BADLY CRACKED SKIN ON HANDS AND FEET; SUFFERS FROM LACK OF SLEEP AND EXHAUSTING WORK AT THE VITKOVICE STEEL WORKS.

VISITS: FIRST VISIT IN MARCH 1980 BY HIS WIFE, KAMILA BENDOVA AND HIS CHILDREN. RECEIVED A FOOD PARCEL (6 LBS.) IN JANUARY, HOWEVER, FORFEITED HIS RIGHT TO A PARCEL IN JUNE, BECAUSE HE WAS SEEN TALKING TO JIRI DIENSTBIER AND VACLAV HAVEL.

MAIL: DELIVERY IRREGULAR

HARASSMENT OF FAMILY: WIFE, KAMILA BENDOVA, MATHEMATICIAN, EMPLOYMENT NOT REGULAR; TELEPHONE SERVICE DISCONNECTED; APARTMENT SEARCHED FOR FOUR HOURS IN MARCH 1979 AND IN DECEMBER 1979.

DIENSTBIER, JIRI, AGE 42, JOURNALIST, MARRIED, 4 CHILDREN, CHARTER '77 SIGNATORY AND ITS SPOKESMAN, MEMBER OF VONS. ARRESTED MAY 29, 1979, SENTENCED OCTOBER 23, 1979 TO THREE YEARS OF LOSS OF FREEDOM UNDER PARA. 98 OF THE CZECHOSLOVAK PENAL CODE (SUBVERSION).

ADDRESS: PRISONER No. 9657/A2, NVU, HERMANICE

HEALTH: POOR, PROBLEMS WITH SPINE AND LEGS FROM WHICH HE SUFFERED PRIOR TO HIS ARREST; SITUATION IS GETTING WORSE BECAUSE OF EXHAUSTING WORK; SUFFERS ALSO FROM FUNGUS ON HANDS AND FEET. PROBABLY WORKS AT VITKOVICE STEEL WORKS.

VISITS: FIRST VISIT IN MARCH 1980 BY WIFE, ZUZANA DIENSTBIEROVA AND THREE CHILDREN. A PARCEL (6 LBS.) SENT BY THE FAMILY IN JANUARY WAS RETURNED AS "UNAUTHORIZED."

MAIL: DELIVERY IRREGULAR

HARASSMENT OF FAMILY: WIFE, ZUZANA DIENSTBIEROVA, SUFFERS THE USUAL FATE OF RELATIVES OF POLITICAL PRISONERS. APARTMENT SEARCHED ON DECEMBER 12, 1979 AND ZUZANA WAS INTERROGATED AT THE POLICE STATION.

BEDNAROVA, OTTA, AGE 52, JOURNALIST, TWO SONS AGES 25 AND 31 (JAN BEDNAR AND JIRI BEDNAR). CHARTER '77 SIGNATORY AND MEMBER OF VONS. ARRESTED MAY 29, 1979, SENTENCED OCTOBER 23, 1979 TO THREE YEARS LOSS OF FREEDOM UNDER PARA. 98 OF THE CZECHOSLOVAK PENAL CODE (SUBVERSION).

ADDRESS: USTAV SNV, CSR, PS 115/0 736 49 OPAVA

HEALTH: VERY POOR, LIVER PROBLEM WHICH REQUIRES SPECIAL DIET (BECAUSE OF SERIOUS ILLNESS SHE WAS GRANTED DISABILITY PENSION WHICH WAS WITHDRAWN AFTER SHE SIGNED CHARTER '77). HEALTH IS DETERIORATING BECAUSE OF POOR PRISON AND WORKING CONDITIONS.
VISITS: FIRST VISIT IN APRIL 1980 BY HER SONS, JAN BEDNAR AND JIRI BEDNAR. RECEIVED TWO PARCELS, ONE IN FEBRUARY AND ONE DURING THE VISIT.

MAIL: DELIVERY IRREGULAR. SEVERAL INTERNATIONAL ORGANIZATIONS HAVE RECENTLY WRITTEN IN HER BEHALF TO THE CZECHOSLOVAK AUTHORITIES REQUESTING HER RELEASE AND 70 CZECHOSLOVAK WOMEN SIGNED A LETTER TO PRESIDENT HUSAK, REQUESTING HER RELEASE.
FAMILY HARASSMENT: BOTH HER SONS, JAN AND JIRI BEDNAR, HAVE BEEN DETAINED AND INTERROGATED ON SEVERAL OCCASIONS, UNDER VARIOUS CHARGES.

NEMCOVA, DANA, AGE 46, PSYCHOLOGIST, MARRIED, 7 CHILDREN. CHARTER '77 SIGNATORY, MEMBER OF VONS, WORKED WITH YOUNG PEOPLE, MEMBERS OF NON-CONFORMIST ROCK GROUP, THE PLASTIC PEOPLE OF THE UNIVERSE. ARRESTED MAY 29, 1979, SENTENCED OCTOBER 23, 1979 TO TWO YEARS OF LOSS OF FREEDOM, SUSPENDED SENTENCE FOR FIVE YEARS.

CERNY, ALBERT, AGE 43, ACTOR, DIVORCED, 2 CHILDREN, CHARTER '77 SIGNATORY, MEMBERS OF VONS. ARRESTED MARCH 26, 1979, SENTENCED NOVEMBER 1979 TO THREE AND ONE-HALF YEARS LOSS OF FREEDOM UNDER PARA. 98/1 OF THE CZECHOSLOVAK PENAL CODE (SUBVERSION, DISTRIBUTING CHARTER '77 MATERIALS).
ADDRESS: MS PRISON, BRNO BOHUNICE PS 37
 NO OTHER DETAILS AVAILABLE.

MEMBERS OF VONS, WHO WERE ARRESTED WITH THEIR FRIENDS ON MAY 29, 1979 AND KEPT IN DETENTION FOR SEVEN MONTHS, WERE SUDDENLY RELEASED ON DECEMBER 22, 1979 WITHOUT EXPLANATION FROM THE AUTHORITIES

BELIKOVA, JARMILA, AGE 33, PSYCHOLOGIST, CHARTER '77 SIGNATORY AND MEMBER OF VONS. SHE WAS DISMISSED FROM HER JOB AND PROHIBITED TO CONTINUE IN HER PROFESSION.

LIS, LADISLAV, AGE 53, DOCTOR OF LAW, 2 CHILDREN; FORMER COMMUNIST FUNCTIONARY. CHARTER '77 SIGNATORY, MEMBER OF VONS. HIS DISABILITY PENSION WAS WITHDRAWN AFTER HE HAD SIGNED THE CHARTER.

MALY, VACLAV, AGE 39, CATHOLIC PRIEST, CHARTER '77 SIGNATORY, MEMBER OF VONS. PERMISSION TO CONTINUE TO WORK AS A PRIEST WAS WITHDRAWN AFTER HE SIGNED THE CHARTER.

NEMEC, JIRI, AGE 48, PSYCHOLOGIST AND PHILOSOPHER, MARRIED, 7 CHILDREN. CHARTER '77 SIGNATORY, MEMBER OF VONS. INVOLVED WITH NON-CONFORMIST ROCK GROUP, THE PLASTIC PEOPLE OF THE UNIVERSE. DISMISSED FROM HIS POST AS PSYCHOLOGIST AND SPEECH THERAPIST AT THE UNIVERSITY HOSPITAL WHERE HE WAS EMPLOYED FOR 20 YEARS. NOW EMPLOYED AS A NIGHT-WATCHMAN. WIFE, DANA NEMVOCA, WHO WAS ARRESTED WITH HIM, WAS TRIED AND GIVEN A SUSPENDED SENTENCE (SEE ABOVE).

MEMBERS OF VONS, ARRESTED ON MAY 29, 1979,
BUT RELEASED AFTER 48 HOURS DETENTION

RUDOLF BATTEK
DR. LUDVIK PACOVSKY
JIRI RUML
DR. GERTRUDA SEKANINOVA-OAKRTOVA
ELZBIETA LEDEREROVA (WHO WAS CALLED IN AS A WITNESS)

DURING THE ARRESTS OF MEMBERS OF VONS ON MAY 29, 1979, HOUSE AND APARTMENT SEARCHES WERE CARRIED OUT (SOME WITH FORCED ENTRY -- SUCH AS BREAKING DOWN THE DOOR, BREAKING THE CHAIN AND LOCK, ETC.) AND CHARTER '77 MATERIALS AS WELL AS TEXTS OF VONS BULLETINS WERE CONFISCATED.

BETWEEN THE TIME OF THE ARRESTS OF MEMBERS OF VONS ON MAY 29, 1979 AND THEIR TRIAL ON OCTOBER 23, 1979, HOUSE SEARCHES WERE CARRIED OUT, MANY CITIZENS WERE HARASSED BY MEMBERS OF THE STB AND TWO WOMEN WERE BEATEN

TOMINOVA, ZDENA, AGE 39, CHARTER '77 SIGNATORY AND ITS SPOKESWOMAN, MEMBER OF VONS, WIFE OF PROF. JULIUS TOMIN, MOTHER OF TWO CHILDREN, WAS BEATEN ON JUNE 5, 1979 BY MASKED MEN NEAR HER APARTMENT BUILDING. SHE SUFFERED A BRAIN CONCUSSION AND HAD TO UNDERGO TREATMENT IN A HOSPITAL WHERE SHE STAYED FOR SEVERAL DAYS.

ON JULY 5 AND 6, 1979, THE CHIEF OF THE INVESTIGATION DEPARTMENT OF PRAHA-RUZYNE PRISON, SUMMONED THE FOLLOWING CHARTER '77 SIGNATORIES AND MEMBERS OF VONS:

JIRI BEDNAR	ZINA FREUNDOVA	KAREL FREUND
MARTIN HYBLER	SVATOPLUK KARASEK	ELZBIETA LEDEREROVA
KVETA MARKOVA	PETRUSKA SUSTROVA	ZDENA TOMINOVA
JAKUB TROJAN	VERA VRANOVA	ZDENEK VOKATY

HE WARNED THEM OF THE POSSIBILITY OF FACING A CRIMINAL PROSECUTION IF THEY CONTINUED THE WORK OF VONS. A SIMILAR WARNING WAS MAILED TO JAN LITOMISKY, WHO LIVES OUTSIDE OF PRAGUE.

VRANOVA, VERA, CHARTER '77 SIGNATORY AND MEMBERS OF VONS. WAS ATTACKED BY TWO MEN ON SEPTEMBER 13, 1979 WHILE WALKING HOME FROM A VISIT WITH ANOTHER CHARTER '77 SIGNATORY. SHE WAS HELD BY THE THROAT AND SLAPPED SEVERAL TIMES ACROSS THE FACE WHILE HER ASSAILANTS KEPT SAYING: "...IT WILL BE WORSE THE NEXT TIME..."

ON OCTOBER 19, 1979 THE FOLLOWING FRIENDS OF MEMBERS OF VONS WERE CHASED BY THE POLICE AND THEIR DOGS FROM THE HOME OF JIRI VANEK AND JAROSLAV VANEK IN MSEN0, IN NORTHERN BOHEMIA, WHERE THEY PLANNED TO MEET:

DANA DOBIASOVA	MIROSLAV MARIANIK	OLGA PREISOVA
MIROSLAV HUSTAVA	VLADIMIR MATYS	JAROSLAV PTACEK
JIRI KOLAR	JANA MARIANKOVA	EDUARD SVAJDA
KAREL KONOPKA	MARCELA MISTOVA	JIRI SOUCEK
PETR KOVAC	STANISLAV MIKES	RADOVAN TANECEK
JOSEF KUZIAN	JIRI NEXVATBA	HANA ULMANOVA
HANA LUKASOVA	IVO NEZHYBA	

ON OCTOBER 19 AND 20, 1979, THE FOLLOWING CITIZENS WERE DETAINED AND INTERROGATED IN CESKA LIPA IN NORTHER BOHEMIA:

JAN DVORACEK	ALENA KOROUSOVA (COMPANION OF LADISLAV LIS)
MARCELA HORACKOVA	JAROSLAV KUKAL (CHARTER '77 SIGNATORY)
JIRI HORACEK	PAVEL MICHAL (PRIEST, CHARTER '77 SIGNATORY)

DURING THE TRIAL OF THE SIX MEMBERS OF VONS, ON OCTOBER 22 AND 23, 1979, THE FOLLOWING CITIZENS WERE ARRESTED IN THE STREETS OF PRAGUE, LEADING TO THE COURTHOUSE. THEY WERE DETAINED FOR 48 HOURS OR MORE, SOME WERE BEATEN, OTHERS HAD THEIR HAIR CROPPED OR WERE OTHERWISE THREATENED. MOST OF THEM ARE CHARTER '77 SIGNATORIES OR SUPPORTERS OF THE HUMAN RIGHTS MOVEMENT.

MILAN BALAVAN, PRIEST	STANISLAV MILOTA
ZDENEK BARTA, PRIEST (HAIR CROPPED)	VERONIKA NEMCOVA (DAUGHTER
EDMUND BAUER (HAIR CROPPED)	OF DANA NEMCOVA)
JAN BRABEC	ZDENA PERCECHTELOVA
KAREL BUBENICEK	JIRI OSTUDA
RADOMIR DOUPOVEC (HAIR CROPPED)	VACLAV STADNIK
JAN HRABINA (HAIR CROPPED)	DUSAN SKALA (HAIR CROPPED)
MILOS HAJEK	PAVEL SKALA
VITEZSLAV HARAMULE	MIROSLAV SKALICKY
STANISLAV HOMOLA	ANNA SABATOVA (WIFE OF
VLASTA CHRAMOSTOVA (ACTRESS)	PETER UHL, DETAINED FOR
PAVEL JIRAS	72 HOURS)
ARNOST JIRIK	PAVEL SMIDA (HAIR CROPPED)
JANA JONAKOVA	MILUSE STEVICHOVA
TOMAS LISKA	LUKAS TOMIN (SON OF PROF.
HELENA LUMPRECHTOVA	J. TOMIN, BEATEN)
JAN MEDEK	TOMAS TOULEC
KAREL MRAZEK	JITKA VODNANSKA
VLADIMIR VOJAK	VERA VRANOVA
VLADIMIR ZAVADIL	

FROM NOVEMBER 2 THROUGH NOVEMBER 6, 1979, THE POLICE ROUNDED UP MANY CHARTER '77 SIGNATORIES AND MEMBERS OF VONS ON THE PRETEXT THAT THEY WERE PREPARING AN ACT OF TERROR (PARA. 7/1 AND PARA. 94/1 OF THE CZECHOSLOVAK PENAL CODE). THEIR HOMES WERE SEARCHED, CHARTER '77 MATERIALS, SAMIZDAT LITERATURE AND TYPEWRITERS WERE CONFISCATED. SOME WERE ROUGHED UP OR HAD THEIR HAIR CROPPED:

NOVEMBER 2, 1979	JAN BEDNAR AND JIRI BEDNAR (SONS OF OTTA
DETAINED 48 HOURS	BEDNAROVA), IVAN DEJMAL, SVATOPLUK KARASEK,
	IVAN KYNCL, JAROSLAV KUKAL, JAN RUML,
	JAROSLAV SUK AND MIROSLAV TYL

NOVEMBER 4-6, 1979 MIROSLAV BELOVSKY, DR. JOSEF DANISZ, DR.
 DETAINED 48 HOURS MARTIN HYBLER, TOMAS TISKA, KVETA MARKOVA,
 OR MORE MARKETA NEMCOVA AND PAVEL NEMCOVA
 (DAUGHTERS OF DANA NEMCOVA DETAINED 75
 HOURS) AND VLADIMIR PRAJZLER

ON DECEMBER 17, 1979 VACLAV PROCHAZKA, CHARTER '77 SIGNA-
 TORY, WAS DETAINED FOR 48 HOURS. HIS HOUSE WAS SEARCHED,
 CHARTER '77 MATERIALS AND SOME LITERATURE WAS CONFISCATED.
 VACLAV WAS GIVEN NO FOOD DURING THE FIRST DAY OF HIS DETENTION
 AND THE POLICE PARADED HIM IN THE STREETS, HANDCUFFED.

ON DECEMBER 20, 1979, DURING THE APPEAL PROCEEDINGS OF
 THE SIX MEMBERS OF VONS, THE FOLLOWING CHARTER '77 SIGNATORIES
 WERE EITHER DETAINED FOR 48 HOURS OR TRANSPORTED OUT OF TOWN
 TO A REMOTE VILLAGE FROM WHICH THEY HAD TO WALK BACK (ABOUT
 10 MILES) LATE AT NIGHT:

MILAN BALABAN	JIRI GRUNTORAD	LUKAS TOMIN
PAVEL BALAC	MARTIN HYBLER	ZDENA TOMINOVA
RUDOLF BATTEK	TOMAS LISKA	JULIUS TOMIN
ANNA BEDNAROVA	OLGA RYCHTAROVA	PETR TOMISEK
NADA OACHOVA	KAROL SIDON	VERA VRANOVA
RADKO DOUPOVEC	PAVEL SMIDA	DANA FAJTLOVA
	ANDREJ STANKOVIC	

PARTIAL LIST OF POLITICAL PRISONERS (CONTINUED)

SABATA, JAROSLAV, AGE 53, PSYCHOLOGIST AND UNIVERSITY
 INSTRUCTOR, 3 ADULT CHILDREN (ONE IS ANNA SABATOVA, WIFE OF
 PETER UHL, IMPRISONED IN MIROV). CHARTER '77 SIGNATORY AND
 ITS SPOKESMAN. ARRESTED OCTOBER 1, 1978 WHILE ON HIS WAY TO
 A MEETING WITH POLISH HUMAN RIGHTS ACTIVISTS AT THE CZECHO-
 SLOVAK-POLISH BORDER. SENTENCED UNDER PARA. 155, 156 AND 157/2
 OF THE CZECHOSLOVAK PENAL CODE (ATTACK ON A PUBLIC OFFICIAL)
 TO 9 MONTHS IMPRISONMENT. HOWEVER, SINCE JULY 1, 1979, SERVING
 THE REMAINDER OF HIS PRIOR SENTENCE OF ONE AND ONE-HALF YEARS
 (WHEN HE WAS CONDITIONALLY RELEASED).

ADDRESS: IN STRICT ISOLATION, PS 79, 412 81 LITOMERICE. DUE TO
 BE RELEASED IN DECEMBER 1980. ALTOGETHER HE WILL HAVE SPENT
 SEVEN YEARS IN CZECHOSLOVAK PRISONS FOR "ANTI-STATE" ACTIVI-
 TIES.

HEALTH: VERY POOR, SUFFERED, IN THE PAST, TWO HEART ATTACKS (ONE WHILE IN PRISON), AND SUFFERS FROM ULCERS. HE IS NOT PERMITTED TO WRITE TO ONE OF HIS SONS WHO LIVES IN VIENNA, AUSTRIA.

PETRIVY, TOMAS, AGE PROBABLY 25, SLOVAK STUDENT. CHARTER '77 SIGNATORY. ARRESTED ON OCTOBER 1, 1978 WITH DR. SABATA AT THE CZECHOSLOVAK-POLISH BORDER. RELEASED AFTER 50 HOURS OF INTERROGATION. HOWEVER, IN MARCH 1979, ARRESTED AGAIN BECAUSE THE PROSECUTION WANTED TO USE HIM AS A WITNESS AGAINST DR. SABATA. PETRIVY REFUSED TO TESTIFY. HE WAS TO BE TRIED BY THE DISTRICT COURT IN USTI AND ORLICI OR BY A MILITARY COURT UNDER PARA. 155, 156 AND 157/2 OF THE CZECHOSLOVAK PENAL CODE (ATTACKING A PUBLIC OFFICIAL). NO OTHER DETAILS AVAILABLE.

CIBULKA, PETR, AGE 30, SINGLE, WORKER, CHARTER '77 SIGNATORY. ARRESTED ON APRIL 7, 1978 AND DETAINED IN BRNO-BOHUNICE. LATER SENTENCED TO TWO YEARS OF LOSS OF FREEDOM UNDER PARA. 100 (INCITING) FOR ORGANIZING CONCERTS OF NON-CONFORMIST MUSIC AND DISTRIBUTING CHARTER '77 MATERIALS. CIBULKA STAGED THREE HUNGER STRIKES IN PRISON AGAINST PRISON CONDITIONS AND THE INHUMAN TREATMENT OF POLITICAL PRISONERS. HIS SENTENCE WAS EXTENDED FOR SIX MONTHS UNDER PARA. 171 OF THE CZECHOSLOVAK PENAL CODE FOR REFUSING TO "CARRY OUT HIS DUTIES" (HOWEVER AS CIBULKA WAS ON A HUNGER STRIKE AND IN A SOLITARY CONFINEMENT, HE COULD NOT PERFORM HIS DUTIES). IN A SPECIAL TRIAL ON JANUARY 30, 1980, THE COURT EXTENDED CIBULKA'S SENTENCE FOR ANOTHER SIX MONTHS UNDER PARA. 150.69.Sb -- "OBSTRUCTING THE CARRYING OUT OF OFFICIAL DUTIES."

ADDRESS: MINKOVICE PRISON, DISTRICT LIBEREC (WHERE HE WAS TRANSFERRED IN APRIL 1980). IT IS A SECOND CATEGORY PRISON (RESTRICTED CONDITIONS). CIBULKA MAY BE IMPRISONED UNTIL APRIL 1981.

HEALTH: SERIOUSLY IMPAIRED, LOSS OF WEIGHT; IT MAY GET WORSE UNDER HARSHER PRISON CONDITIONS.

HARASSMENT OF FAMILIES: VERA CIBULKOVA, MOTHER, WAS TRIED ON MAY 30, 1979, IN BRNO AND WAS FOUND GUILTY OF "ATTACKING A STATE ORGAN" (PARA. 154/2 OF THE CZECHOSLOVAK PENAL CODE) AND SENTENCED TO FIVE MONTHS IMPRISONMENT. THE SENTENCE WAS, HOWEVER, SUSPENDED FOR TWO YEARS AFTER VERA CIBULKOVA SPENT A FEW WEEKS IN A DETENTION CELL. THE "ATTACK" ON A STATE ORGAN WAS SUPPOSED TO HAVE BEEN COMMITTED BY WRITING A LETTER TO THE PROPER AUTHORITIES, IN WHICH SHE COMPLAINED ABOUT THE TREATMENT OF HER SON IN PLZEN-BORY PRISON.

SAVRDA, JAROMIR, AGE 47, WRITER, CHARTER '77 SIGNATORY, MARRIED, WIFE DOLORES SAVRDOVA. ARRESTED SEPTEMBER 15, 1978, TRIED IN AUGUST 1979 (TRIAL LASTED FIVE DAYS). SENTENCED TO TWO AND ONE-HALF YEARS LOSS OF FREEDOM UNDER PARA. 100 OF THE CZECHOSLOVAK PENAL CODE (INCITING) FOR COPYING AND DISTRIBUTING CHARTER '77 MATERIAL AND SAMIZDAT LITERATURE (EDICE/PETLICE).

ADDRESS: OSTRAVA PRISON

HEALTH: SERIOUSLY IMPAIRED (TUBERCULOSIS, HEART AND KIDNEY COMPLICATIONS). HAS RESORTED TO HUNGER STRIKES TO DRAW ATTENTION TO HIS CONDITION.

NO OTHER DETAILS AVAILABLE.

VOLF, JIRI, AGE 28, ORPHAN, WORKER, MARRIED, ONE CHILD. CHARTER '77 SIGNATORY. ARRESTED IN FEBRUARY 1978, TRIED IN THE FALL OF 1978, SENTENCED TO THREE YEARS LOSS OF FREEDOM UNDER PARA. 98/1 OF THE CZECHOSLOVAK PENAL CODE, TO SERVE HIS SENTENCE IN A PRISON OF THE SECOND CATEGORY (RESTRICTED CONDITIONS).

ADDRESS: MINKOVICE PRISON (DISTRICT LIBEREC)

HEALTH: IMPAIRED, PRISON CONDITIONS HARSH

NO OTHER DETAILS AVAILABLE.

CERNY, MILOSLAV, AGE 50, WORKER. CHARTER '77 SIGNATORY. ARRESTED IN MARCH 1977, TRIED LATER IN THE YEAR AND SENTENCED TO THREE YEARS OF LOSS OF FREEDOM UNDER PARA. 100 (INCITING -- POSTING POSTERS IN SUPPORT OF CHARTER '77). CLOSEST RELATIVE IS A MARRIED SISTER.

ADDRESS: MIROV PRISON (SECOND PRISON CATEGORY, RESTRICTED CONDITIONS).

NO OTHER DETAILS AVAILABLE.

ZMATLIK, JAN, AGE 32, SOCIOLOGIST, SINGLE. CHARTER '77 SIGNATORY. ARRESTED AUGUST 31, 1978, TRIED ON JULY 10, 1979, SENTENCED TO THREE AND ONE-HALF YEARS OF LOSS OF FREEDOM UNDER PARA. 7, ITEM 1 OF PARA. 98 OF THE CZECHOSLOVAK PENAL CODE (PREPARATION TO COMMIT SUBVERSION OF THE REPUBLIC WHICH WAS SUPPOSED TO HAVE BEEN COMMITTED BY PREPARING TO DISTRIBUTE "ANTI-STATE" MATERIAL). APPEAL WAS DENIED ON OCTOBER 25, 1979, BUT THE SENTENCE WAS REDUCED TO TWO AND ONE-HALF YEARS LOSS OF FREEDOM.

ADDRESS: PLZEN-BORY PRISON

NO OTHER DETAILS AVAILABLE.

PITOR, FRANTISEK, AGE 59, WORKER, MARRIED. CHARTER '77 SIGNATORY. ARRESTED IN JUNE 1977, LATER SENTENCED TO THREE YEARS LOSS OF FREEDOM UNDER PARA. 100 OF THE CZECHOSLOVAK PENAL CODE (INCITING) FOR DISTRIBUTING CHARTER '77 MATERIAL.

ADDRESS: PLZEN-BORY PRISON
NO OTHER DETAILS AVAILABLE.

MACHACEK, ALES, AGE 34, AGRICULTURAL ENGINEER AND PLANNER, MARRIED, 2 CHILDREN. CHARTER '77 SIGNATORY. ARRESTED IN JANUARY 1977, LATER SENTENCED TO THREE AND ONE-HALF YEARS OF LOSS OF FREEDOM UNDER PARA. 98 OF THE CZECHOSLOVAK PENAL CODE FOR DISTRIBUTING POLITICAL AND LITERARY MATERIAL PUBLISHED ABROAD.

ADDRESS: PLZEN-BORY PRISON
NO OTHER DETAILS AVAILABLE.

DANISZ, JOSEF, AGE 33, ATTORNEY, MARRIED. TOOK ON THE DEFENSE OF SEVERAL CHARTER '77 SIGNATORIES AND/OR CHARTER '77 SPOKESMEN, SUCH AS JAROSLAV SABATA, VACLAV HAVEL, JIRI CHMEL, JIRI GRUSA, TOMAS PETRIVY AND OTHERS. EXPELLED FROM PRAGUE ASSOCIATION OF LAWYERS. SENTENCED ON JANUARY 14, 1980 TO TEN MONTHS OF LOSS OF FREEDOM AND BANNED FOR TWO YEARS TO CONDUCT HIS PROFESSIONAL ACTIVITIES. HE WAS CHARGED UNDER PARA. 154/2 AND 156/2 OF THE CZECHOSLOVAK PENAL CODE (INSULTING A STATE ORGAN AND A STATE OFFICIAL). HOWEVER, THE ACTUAL REASON FOR SENTENCING HIM IS HIS PROPER DEFENSE OF HIS CLIENTS, WHICH HE UNDERTOOK WITH COURAGE. HIS APPEAL WAS REJECTED ON MARCH 3, 1980. SERVING HIS SENTENCED PROBABLY IN HRADEC KRALOVE. NO OTHER DETAILS AVAILABLE.

KRUPICKA, VLADISLAV, AGE 38, WORKER AND WAITER, SINGLE, CHARTER '77 SIGNATORY. SENTENCED ON DECEMBER 21, 1978 TO TWO YEARS OF LOSS OF FREEDOM UNDER PARA. 203 OF THE CZECHOSLOVAK PENAL CODE (PARASITISM) AND UNDER PUBLIC LAW No. 150/69/Sb, PARA. 8, LETTER C, FOR ACTING AGAINST WORK RULES. HE WAS SENTENCED TO THE SECOND PRISON CATEGORY (RESTRICTED CONDITIONS). KRUPICKA WAS IN THE PAST TWICE THE SUBJECT OF COURT PROCEEDINGS FOR "DAMAGING THE INTEREST OF THE REPUBLIC ABROAD" (PARA. 112 OF THE CZECHOSLOVAK PENAL CODE) FOR SENDING TO RADIO FREE EUROPE ARTICLES DESCRIBING THE CONDITIONS IN CZECHOSLOVAKIA (IN 1963). IN 1973, HE WAS TRIED AND SENTENCED FOR THE SAME OFFENSE (SENDING ARTICLES TO THE VOICE OF AMERICA) AND SERVED HIS SENTENCE IN PLZEN-BORY FROM 1973 TO 1975. ON JANUARY 11, 1979, KRUPICKA WAS ASKED TO EMIGRATE BUT HE

REFUSED. ON APRIL 17, 1979, HE STARTED TO SERVE HIS SENTENCE METED OUT IN 1978. NO OTHER DETAILS AVAILABLE.

HEGR, JOSEF, NO PERSONAL INFORMATION AVAILABLE. SENTENCED TO 18 MONTHS LOSS OF FREEDOM.

HOLOTOVA, IVANA, AGE 20, OFFICE WORKER, CHARTER '77 SIGNATORY. SENTENCED TO 14 MONTHS LOSS OF FREEDOM.

KLIER, JOSEF, AGE 28, RAILWAY WORKER. SENTENCED TO TWO YEARS LOSS OF FREEDOM.

OUDA, PETR, CHARTER '77 SIGNATORY FROM TEPLICE.

THE ABOVE MENTIONED PRISONERS, JOSEF HEGR, IVANA HOLOTOVA, JOSEF Klier AND PETR OUDA WERE SENTENCED ON JANUARY 5, 1979 UNDER PARA. 175 OF THE CZECHOSLOVAK PENAL CODE (FALSE TESTIMONY) IN THE CASE OF JIRI CHMEL. THEY ARE PROBABLY IMPRISONED IN MOST. NO OTHER DETAILS AVAILABLE.

SKALA, PAVEL, AGE 26, WORKER, MARRIED, TWO CHILDREN. CHARTER '77 SIGNATORY. ARRESTED JANUARY 20, 1978, TRIED APRIL 16, 1978, SENTENCED TO ONE YEAR OF LOSS OF FREEDOM UNDER PARA. 109 OF THE CZECHOSLOVAK PENAL CODE (PREPARATION TO LEAVE THE REPUBLIC WITHOUT AN EXIT PERMIT). HE WAS RELEASED IN JANUARY, 1979. HOWEVER, HE WAS ARRESTED AGAIN AND ON SEPTEMBER 17, 1979, TRIED UNDER PARA. 261 (SUPPORT OF FASCISM) AND FOR OBSTRUCTING THE CARRYING OUT OF OFFICIAL DUTIES, AND SENTENCED TO TEN MONTHS LOSS OF FREEDOM. HE STARTED TO SERVE HIS SENTENCE ON MARCH 18, 1980. PRIOR TO THAT HE APPLIED FOR PERMISSION TO EMIGRATE TO THE UNITED STATES. HIS PASSPORT HAS NOT BEEN WITHDRAWN. NO OTHER DETAILS AVAILABLE.

UMLAUF, VACLAV, AGE 20, RELIGIOUS WORKER IN MOST MINES. CHARTER '77 SIGNATORY. ARRESTED MARCH 10, 1980 WHILE HIS APARTMENT WAS BEING SEARCHED, TRIED MAY 23, 1980 IN MOST, AND SENTENCED TO THREE YEARS LOSS OF FREEDOM UNDER PARA. 100 OF THE CZECHOSLOVAK PENAL CODE (INCITING) AND PARA. 112 (DAMAGING THE INTERESTS OF THE REPUBLIC ABROAD). THE POLICE CONFISCATED RELIGIOUS LITERATURE PUBLISHED ABROAD. UMLAUF ALSO IS SUPPOSED TO HAVE DISTRIBUTED "ANTI-STATE" LITERATURE AND CRITICIZED THE SOVIET INVASION OF AFGHANISTAN. NO OTHER DETAILS AVAILABLE.

OURODA, JOSEF, AGE 25, WORKER. CHARTER '77 SIGNATORY. SENTENCED IN MAY 1980 TO TWO YEARS LOSS OF FREEDOM, HAVING BEEN TRIED UNDER PARA. 100 OF THE CZECHOSLOVAK PENAL CODE (INCITING) AND PARA. 112 (DAMAGING THE INTERESTS OF THE REPUBLIC ABROAD). DISTRIBUTED MATERIAL OF CHARTER '77, ALLEGEDLY CRITICIZED THE SITUATION IN THE CSSR AND HAD CONTACT WITH FOREIGN RADIO STATIONS. SOME CHARTER '77 MATERIALS AND BOOKS WERE CONFISCATED BY THE POLICE DURING THE SEARCH OF HIS APARTMENT. SERVING HIS SENTENCE PROBABLY IN MOST. NO OTHER DETAILS AVAILABLE.

KOREC, BISHOP JAN, ARRESTED AND SERVED EIGHT YEARS OF HARD LABOR FOR SAYING MASS WITHOUT THE PERMISSION OF THE COMMUNIST AUTHORITIES IN SLOVAKIA. HE CONTRACTED TUBERCULOSIS IN 1968, WAS RELEASED INTO POLICE CUSTODY AND WORKS AS A COMMON LABORER IN BRATISLAVA.

MESAROVA, ZUZANA, A TEACHER IN SLOVAKIA WHO TESTIFIED IN FAVOR OF FATHER FORMANEK, WAS FIRED FROM HER JOB WHEN ADMITTING THAT SHE PRACTICED HER RELIGION, IN JUNE 26, 1980.

MROUCA, REV. JOZEF, OF SPISSKA NOVA VES, SLOVAKIA, WAS SENTENCED IN MAY 1980 TO TWO AND ONE-HALF YEARS FOR OBTAINING AND DISTRIBUTING RELIGIOUS LITERATURE TO HIS PARISHONERS.

NEMEC, JAN, A TEACHER IN TRNAVA, SLOVAKIA, WAS FIRED FROM HIS JOB AND SENTENCED TO JAIL FOR SIX MONTHS FOR DISTRIBUTING RELIGIOUS MATERIALS.

MARTINECKY, PAVOL, FROM BRATISLAVA, SLOVAKIA, IS ROUTINELY INTERROGATED AND PERSECUTED BY THE POLICE (STB) BECAUSE HE IS UNWILLING TO GIVE INFORMATION ABOUT EVA MARTINECKA AND OTHERS WHO ARE INVOLVED IN THE RELIGIOUS MOVEMENT IN SLOVAKIA.

RELIGIOUS PERSECUTION

A NATIONWIDE CAMPAIGN AGAINST CATHOLICS WAS CONDUCTED BY THE CZECHOSLOVAK AUTHORITIES IN THE FALL OF 1979; THIS INCLUDED INTERROGATION, IMPRISONMENT, DETENTION, HOUSE AND PERSONAL SEARCHES AND CONFISCATION OF RELIGIOUS MATERIAL, TYPEWRITERS AND DUPLICATING DEVICES (UNDER PARA. 118 - UNLAWFUL BUSINESS ACTIVITY).

LIST OF INTERROGATED RELIGIOUS ACTIVISTSINTERROGATED IN BRNO IN 1979

HLAVSOVA, DAGMARA, LIBRARIAN, SEPTEMBER 10
 PERKA, RADOVAN, HISTORIAN, SEPTEMBER 10
 MALY, DR. RADOMIL, HISTORIAN, SEPTEMBER 10
 SPACEK, ZDENEK JR., WORKER, SEPTEMBER 10
 TOMAN, EMIL, DESIGNER (PLANNER), SEPTEMBER 10
 SUCHOMEL, LADISLAV, DIRECTOR OF CHARITA, SEPTEMBER 10
 VESELA, ALEXANDRA, SEPTEMBER 10
 VOJTA, METODEJ, WORKER, SEPTEMBER 10
 KANA, PAVEL, WORKER, SEPTEMBER 10
 ADAMEK, JOSEF (SON OF JOSEF ADAMEK), SEPTEMBER 15
 PATKOVA, LIBUSE, STUDENT, NOVEMBER
 JANSTOVA, ELISKA, TECHNICIAN, NOVEMBER
 SMAHELOVA, JANA, STUDENT (SISTER OF RUDOLF SMAHEL)
 NOVEMBER
 FIALOVA, SONA, STUDENT, NOVEMBER
 BENESOVA, HANA, STUDENT, NOVEMBER
 MOSTEL, FATHER, PRIEST, NOVEMBER

INTERROGATED IN JOHLAVA IN NOVEMBER 1979

LAVICKOVA, JARMILA, WORKER

INTERROGATED IN GOTTWALDOV IN NOVEMBER 1979

JIRICEK, JAN, PRIEST

INTERROGATED IN ZNOJMO IN NOVEMBER 1979

RAZIK, VACLAV, PRIEST IN DOMAMILE, NEAR ZNOJMO

INTERROGATED IN OLOMOUK IN 1979

DOLEZALOVA, HANA, NURSE, SEPTEMBER
 KOURIL, JAN, STUDENT, SEPTEMBER
 KUBKA, PAVEL, PRIEST (DETAINED ONE DAY IN OSTRAVA)
 OCTOBER
 SMAHEL, RUDOLF SR., OCTOBER 29
 SMAHELOVA, HEDVIKA (SISTER OF RUDOLF SMAHEL),
 OCTOBER 29

KAMELSKA, JITKA DR., OCTOBER
 BILEK, EMIL, PRIEST, NOVEMBER
 ZEMKOVA, MARIE, NOVEMBER

INTERROGATED IN PREROV IN 1979

REIF, MIROSLAV, PRIEST, OCTOBER OR NOVEMBER

OTHERS INTERROGATED IN THE NORTHERN REGION OF MORAVA IN 1979

KUNETKA, FRANTISEK, BRANNA, NOVEMBER
 LEGERSKI, JIRI, ON DISABILITY PENSION (30-YEARS-OLD)
 OCTOBER 30
 MUCKA, JAN, OPAVA, NOVEMBER
 ZBRONKOVA, MARTA, VSETIN, NOVEMBER
 KRISTOVSKY, DR. (NO OTHER DETAILS AVAILABLE)
 ROZSYPALEK, PAVEL, CHROPYNE, WORKER, NOVEMBER

INTERROGATED IN BRATISLAVA IN 1979

KRCMERY, SILVESTER, SEPTEMBER 10
 SEMES, ANTONIN, OCTOBER OR NOVEMBER
 LEHKY, MIROSLAV, NOVEMBER
 SRHOLEC, ANTONIN, PREIST IN VELKE ZALUZI, DISTRICT
 NITRA, NOVEMBER

LIST OF HOUSE SEARCHES

ADAMEK, JOSEF, NAMESTI MIRU 2, BRNO, SEPTEMBER 10, 1979
 RAZIK; MECISLAV, JUDR, JANA UHRA 14, BRNO, SEPTEMBER 10, 1979
 SUCHOMEL, LADISLAV, UL U HUMPOLKY, TISNOV, DISTR. BRNO-VENKOV
 (GREATER BRNO) SEPTEMBER 10, 1979
 BRTRNIK, JOSEF, SIVICE U BRNA, SEPTEMBER 10, 1979
 TOMAN, EMIL, VAZANSKA 197, ROUSINOV, DISTR. VYSKOV, SEPTEMBER
 10, 1979
 KVAPIL, TOMAS, JANDASKOVA 30D, BRNO, OCTOBER 30, 1979 (SOME
 ARTICLES WERE REMOVED, HOWEVER, NO LIST WAS MADE)
 SPACEK, ZDENEK, JR., KURSKA 3, BRNO, SEPTEMBER 10, 1979 AND
 ZD. SPACEK SR., ORLI 7, BRNO (SAME DAY)
 HLAVSOVA, DAGMAR, STATE SCIENTIFIC LIBRARY, SOLNICNI 12 BRNO
 (SEARCHED IN HER ABSENCE)
 MALY, RADOMIL, DR., SUSILOVA 9, BRNO, SEPTEMBER 10, 1979
 KRUMPHOLC, JAN, RADIKOV 43, DISTR. OLMOUC, SEPTEMBER 10, 1979

VICEK, JOSEF, CHERNOCHOVA 7, OLMOUC, SEPTEMBER 10, 1979
 LIZNA, FRANTISEK, UNIV. HOSPITAL, OLMOUC, SEPTEMBER 10, 1979
 SMAHEL, RUDOLF, RECTORY, NEMSTI MIRU 68, UHERSKY BROD, SEPTEMBER 10, 1979
 KVAPIL, TOMAS, NA VOZOVCE 19, OLMOUC, OCTOBER 30, 1979
 LEGERSKI, JIRI, MANESTI OSVOBOZENI 2, OPAVA, OCTOBER 10, 1979
 KRCMRCY, SILVESTR, KOSICKA 35, BRATISLAVA, SEPTEMBER 10, 1979
 MUCKA, JAN, OLDRI SOV, DISTRIC OPAVA, NOVEMBER 1979
 KUNETKA, FRANTISEK, BRANNA, DISTR. SUMPERK, NOVEMBER 1979
 ROZSYPALEK, PAVEL, CHROPYNE, NOVEMBER 1979
 ZBRONKOVA, MARTA, VSETIN, PROBABLY IN NOVEMBER 1979

LIST OF PERSONS WHO WERE DETAINED FOR SEVERAL DAYS

KRUMPHOLC, SVATOPLUK, DETAINED TWO DAYS, SEPT. 10, 1979
 KRCMERY, SILVESTR, TWO DAYS, SEPTEMBER 10, 1979
 RAZUK, MECISLAV JUDR, THREE DAYS, SEPTEMBER 10, 1979
 SUCHOMEL, LADISLAV, TWO DAYS, SEPTEMBER 10, 1979
 BRNLIK, JOSEF, TWO DAYS, SEPTEMBER 10, 1979
 KVAPIL, TOMAS, TWO DAYS, OCTOBER 30, 1979
 MUCKA, JAN, OPAVA, PROBABLY TWO DAYS IN NOVEMBER 1979
 ROZSYPALEK, PAVEL, PROBABLY TWO DAYS, NOVEMBER 1979
 KUBKA, PAVEL, ONE DAY, OCTOBER 1979
 KUNETKA, FRANTISEK, PROBABLY TWO DAYS, NOVEMBER 1979

LIST OF PERSONS RELEASED FROM PRISON WHILE UNDER
 INVESTIGATION ON POLITICAL CHARGES

RAZIK, MECISLAV JUDR, INTERROGATED IN BRNO, ACCORDING TO
 PARA. 118 OF THE PENAL CODE
 BRNLIK, JOSEF, INTERROGATED IN BRNO, ACCORDING TO PARA. 118
 OF THE PENAL CODE
 KVAPIL, TOMAS, INTERROGATED IN BRNO, ACCORDING TO PARA. 118
 OF THE PENAL CODE
 KRUMPHOLC, SVATOPLUK, INTERROGATED IN OSTRAVA, ACCORDING TO
 PARA. 118 OF THE PENAL CODE

ADAMEK, JOSEF, RESIDENCE NAMESTI M. RU 2, BRNO, PROSECUTED UNDER SECTION 118 OF THE PENAL CODE; DETAINED IN BRNO-BOHUNICE

SMAHEL, RUDOLF, RESIDENCE, ROMAN CATHOLIC RECTORY IN UHERSKY BROD, NAMESTI MIRU 68, ADDRESS OF PARENTS: JANACKOVA 4, OLOMOUK; PROSECUTED IN ACCORDANCE WITH PARA. 118 OF THE PENAL CODE; DETAINED IN BRNO

KRUMPHOLC, JAN, RESIDENCE RADIKOV 43, DISTR. OLOMOUK, PROSECUTED IN ACCORDANCE WITH PARA. 118; DETAINED IN OSTRAVA

VLCEK, JOSEF, RESIDENCE CERNOCHOVA 7, OLOMOUK; PROSECUTED IN ACCORDANCE WITH PARA. 118; DETAINED IN OSTRAVA

LIZNA, FRANTISEK, RESIDENCE IN THE UNIV. HOSPITAL IN OLOMOUK, PROSECUTED IN ACCORDANCE WITH PARA. 118; DETAINED IN OSTRAVA

KAPLAN, JIRI, RESIDENCE CESKOMALINSKA 47, PRAHA; PROSECUTED IN ACCORDANCE WITH PARA. 178; DETAINED PRAHA RUZYNE

REQUEST FOR A PERMIT FOR A PEACEFUL DEMONSTRATION IN SUPPORT OF PETR CIBULKA RESULTED IN HARASSMENT, INTERROGATIONS, USE OF PHYSICAL FORCE, HOUSE AND PERSONAL SEARCHES

ON FEBRUARY 24, 1980, A PERMIT FOR A PEACEFUL DEMONSTRATION IN SUPPORT OF A SERIOUSLY ILL PRISONER OF CONSCIENCE, PETR CIBULKA, WAS REQUESTED BY 176 CZECHOSLOVAK CITIZENS. THE DEMONSTRATION WAS TO TAKE PLACE ON MARCH 15, 1980 AT FREEDOM SQUARE IN BRNO. ON MARCH 10, 1980, THE AUTHORITIES BEGAN TO HARASS AND INTERROGATE THOSE WHO SIGNED THE LETTER. PHYSICAL FORCE WAS USED IN SOME CASES, DETENTION IN OTHERS. THE POLICE ROUND UP WAS CARRIED OUT IN SEVERAL CITIES, SUCH AS PRAGUE, BRNO, PLZEN, OLOMOUK, USTI, LABEM AND OTHERS. THOSE SUBJECTED TO THIS HARASSMENT WERE:

HELENA ABRAMHOVA	IGOR JESTRABEK	JAKUB RUML
JOSEF ADAMEK	DAVID KUMMERMAN	MILOS REJCHRT
STANISLAV ADAMEK	STANISLAV KVASNICA	IVO RUMLER
JARMILA BELIKOVA	JAROSLAVA KVASNICOVA	PETR SABTORA
JIRI BEDNAR	BOHUSLAV KAPLAN	JAN SIMSA
ZDENEK BRODAK	TOMAS LISKA	PAVEL STENCEK
JAROSLAV BENES	JAN LITOMISKY	JIRI SKRIVANEK
VLASTIMIL BEZDEK	KVETA MARKOVA	KAROL SOUKUP
RADOMIR DOUPOVEC	PAVLA NEMCOVA	PETRUSKA SUSTROVA
PETR FEREBAUER	MARKETA NEMCOVA	JULIUS TOMIN
MARTIN HYBLER	DAVID NEMEC	ZDENA TOMINOVA

IVANA HYBLEROVA
VITEZSLAV HOLATA
DAGMAR HLASOVA
VILIBALD HUDECEK
RUBOLF CHORVAT

ZUZANA POSPICHALOVA
ROBERT PROCHAZKA
EMIL POSPISIL
STANISLAV VINKLAREK
JAN RUML

LUKES TOMIN
PAVEL VIZNER
JAROSLAV VESELY
ANNA WELLEROVA

CZECHOSLOVAK AUTHORITIES ACT AGAINST "STUDY GROUPS"
BETTER KNOWN AS THE "PATOCKA UNIVERSITY" NAMED AFTER
PROFESSOR JAN PATOCKA, INITIAL SPOKESMAN OF CHARTER '77
WHO DIED ON MARCH 13, 1977 AS A DIRECT RESULT OF ELEVEN
HOURS OF UNINTERRUPTED POLICE INTERROGATION

APRIL 12, 1980 AT THE HOME OF DR. JULIUS TOMIN. DR. TOMIN
WAS DRAGGED DOWN THE STAIRS FROM HIS SECOND FLOOR APARTMENT
AND TAKEN TO THE POLICE STATION FOR INTERROGATION. PRIOR TO
THIS, DR. TOMIN WAS SUBJECTED SEVERAL TIMES TO INTERROGATION
AND DETENTION. LAST YEAR, HE WAS ALSO SENT FOR A "TREATMENT"
AT THE PSYCHIATRIC INSTITUTION. PROFESSOR JULIUS TOMIN, HIS
WIFE ZDENA AND HIS SONS LUKES AND MARK, HAVE NOW APPLIED FOR
AN EXIT PERMIT FOR TWO YEARS TO GO TO CAMBRIDGE, GREAT BRITAIN,
WHERE HE WAS OFFERED A VISITING PROFESSORSHIP.

RUDOLF BATTEK
JOSEF ADAMEK
STANISLAV ADAMEK
JAKMILA BELIKOVA
LUDEK BEDNAR
JAN BEDNER
HANA BRUDEROVA
IVAN DEJMAL
KATERINA DEJMALOVA
LENKA DVORAKOVA
MARTIN HYBLER
STANISLAV HUMOLA
VITEZSLAV HOLATA
DAGMAR HLASOVA
MARIE HOLUBCOVAK
TOMAS HRADILEK
PETRA HEJDANKOVA
JANA HEJDANKOVA

DAGMAR CHROMIKOVA
ZDENEK KRATOCHVIL
ALENA KUMPRECHTOVA
TEREZA KOHOUTOVA
PETR KADLEC
TOMAS LISKA
JAN LITOMISKY
FRANTISEK KANA
PAVLA NEMCOVA
MARKETA NEMCOVA
DAVID NEMEC
BOZENA LITOMISKY
LADISLAV LIS
TEREZA MEDKOVA
PETR POSPICHAL
JAN RUML
BORKA ZLATOHLAVKOVA
IVAN HONS

MARTIN PODBORSKY
MILOS REJCHRT
MARTIN PALOUS
RADIM PALOUS
VLADIMIR PRAJZLER
PAVEL STENCEK
ZORA RYSOVA
PETR RAGAN
JIRI STREDA
JULIUS TOMIN
ZDENA TOMINOVA
LUKES TOMIN
KAREL SLING
PAVEL SMIDA
JAN TYDLILAT
DAGMAR VANECKOVA
MARION ZAJICEK

BELOW ARE A FEW EXAMPLES OF CASES OF HARASSMENT AND PHYSICAL AND MENTAL TORTURE WHICH SHOULD BE ESPECIALLY NOTED

JANICS, DR. KALMAN, MEDICAL DOCTOR AND HISTORIAN. AUTHORED A BOOK DEPICTING THE HISTORY OF ANTI-HUNGARIAN DISCRIMINATION, MASS DEPORTATIONS, ETC., IN THE YEARS BETWEEN 1945 AND 1948. DISMISSED FROM HIS JOB AS A PHYSICIAN IN THE DISTRICT OF ROZSNYO ON MARCH 31, 1978 ON FALSE CHARGES AND BLACKMAIL. DISMISSED FROM SECOND POSITION AS PHYSICIAN IN UJ SZO ON JANUARY 24, 1979. WITH THE EXCEPTION OF ONE HEARING ON JUNE 4, 1979, NO LEGAL REMEDY WAS MADE AVAILABLE.

MULLER, JIRI, STUDENT, ACTIVE IN HUMAN RIGHTS ISSUES, SHARED HIS APARTMENT WITH HIS PARENTS (PENSIONERS); IMPRISONED FOR MANY MONTHS FOR DISTRIBUTING CHARTER '77 MATERIAL; AUTHORITIES TURNED OFF ALL UTILITIES AND WATER TO HIS APARTMENT AND LOCKED THE BASEMENT SO THAT THE FAMILY COULD NOT USE THE TRASH CANS AND OTHER FACILITIES PROVIDED. THIS SITUATION LASTED FOR ABOUT 18 MONTHS.

LEGERSKI, JIRI, FORMER MINER, SERIOUSLY ILL, SUFFERING FROM CANCER OF THE SKIN, ON DISABILITY PENSION FOR THE PAST TEN YEARS. LEGERSKI HAS ALREADY BEEN OPERATED ON THREE TIMES; HE HAS TO UNDERGO A SPECIAL TREATMENT EVERY SIX MONTHS. ON OCTOBER 30, 1979, POLICE AUTHORITIES CAME TO THE OPAVA HOSPITAL WHERE LEGERSKI WAS UNDERGOING TREATMENT AND HAD TO BE FED INTRAVENOUSLY. THE POLICE TOOK HIM OUT OF THE HOSPITAL, CLAD IN PAJAMAS, DROVE HIM TO LEGERSKI'S APARTMENT, WHERE THEY DEMANDED SOME WRITTEN MATERIAL. THEY SEARCHED THE APARTMENT, CONFISCATED RELIGIOUS AND OTHER LITERATURE AND THREATENED HIM WITH CRIMINAL PROSECUTION FOR PERJURY. THE POLICE THEN TOOK LEGERSKI BACK TO THE HOSPITAL, WHERE THE HOSPITAL AUTHORITIES HAD TO SIGN A CERTIFICATE THAT LEGERSKI WAS RETURNED "IN GOOD CONDITION."

SMIDA, PAVEL, CHARTER '77 SIGNATORY, PARTICIPANT IN PROF. TOMIN'S STUDY GROUPS, ACCOMPANIED ON APRIL 9, 1980 BY TOMIN'S SON LUKES TO THE POLICE STATION AT BARTOLOMEJSKA ULICE IN PRAGUE, WHERE PROF. TOMIN WAS INTERROGATED AND LATER DETAINED. LUKES WAS BRINGING IN A FEW THINGS FOR HIS FATHER INCLUDING GLASSES AND SHOES. TWO MEMBERS OF THE STB TOOK PAVEL SMIDA TO THE SECOND FLOOR OF THE BUILDING WHERE, AS HE PUT IT, HE RECEIVED A "WORK OUT THAT REMINDED HIM OF GESTAPO DAYS." HE WAS KICKED IN THE GROIN, KICKED DOWN THE STAIRS WHILE BEING

ASKED TO STAND UP; HE WAS BEATEN CONSTANTLY AND HIS HAIR WAS PULLED. THEN HE WAS PLACED IN A CELL AND LATER INTERROGATED ABOUT HIS RECENT TRIP TO THE GERMAN DEMOCRATIC REPUBLIC AND ABOUT HIS APPLICATION FOR PERMISSION TO EMIGRATE. HE WAS WARNED ABOUT HIS ASSOCIATION WITH THE STUDY GROUP. HE WAS RELEASED AFTER 48 HOURS DETENTION.

PINC, ZDENEK, UNDER PROTEST THAT "PEACE IS BEING DISTURBED," MEMBERS OF THE STB ON APRIL 2, 1980 ENTERED THE APARTMENT OF DR. PINC WHERE SOME OF HIS FRIENDS GATHERED TO READ SOME SAMIZDAT LITERATURE. ALL OF THOSE PRESENT WERE SUBJECTED TO A PERSONAL SEARCH AND ASKED TO GO TO THE POLICE STATION FOR INTERROGATION. DR. PINC, WHO IS ABLE TO MOVE ON CRUTCHES ONLY, ASKED TO BE EXCUSED, BECAUSE OF HIS PHYSICAL CONDITION. HE WAS, HOWEVER, PUSHED AROUND, HIS HANDS WERE PINNED BEHIND HIS BACK AND HE WAS GENERALLY MALTREATED. IN THE END DR. PINC DECIDED TO GO TO THE POLICE STATION VOLUNTARILY FOR FEAR THAT HE MIGHT BE BEATEN AND PARALYZED COMPLETELY.

APPENDIX C

IMPRISONED MEMBERS
OF THE HELSINKI MONITORING GROUPS

MOSCOW GROUP

AWAITING TRIAL

1. TATIANA OSIPOVA -- ARRESTED ON MAY 27, 1980, ON UNKNOWN CHARGES, BUT REPORTEDLY "ANTI-SOVIET AGITATION AND PROPAGANDA." (ARTICLE 70, R.S.F.S.R. CRIMINAL CODE)

2. LEONARD TERNOVSKY -- ARRESTED ON APRIL 10, 1980, REPORTEDLY FOR "ANTI-SOVIET SLANDER." (ARTICLE 190-1, R.S.F.S.R. CODE)
ALSO A MEMBER OF THE PSYCHIATRIC WORKING COMMISSION.

SENTENCED

3. VIKTOR NEKIPELOV -- SENTENCED ON JUNE 13, 1980, TO SEVEN YEARS IN LABOR CAMP AND FIVE YEARS OF INTERNAL EXILE FOR "ANTI-SOVIET AGITATION AND PROPAGANDA."

4. MALVA LANDA -- SENTENCED ON MARCH 26, 1980, TO FIVE YEARS OF INTERNAL EXILE FOR "ANTI-SOVIET SLANDER."

5. ANATOLY SHCHARANSKY -- SENTENCED ON JULY 14, 1978, TO THREE YEARS IN PRISON AND 10 YEARS IN STRICT REGIMEN CAMP FOR "ANTI-SOVIET AGITATION AND PROPAGANDA" AND "TREASON." (ARTICLE 64-A, R.S.F.S.R. CODE)

6. VLADIMIR SLEPAK -- SENTENCED ON JUNE 21, 1978, TO FIVE YEARS OF INTERNAL EXILE FOR "MALICIOUS HOOLIGANISM." (ARTICLE 206, R.S.F.S.R. CODE)

7. YURI ORLOY -- SENTENCED ON MAY 18, 1978, TO SEVEN YEARS IN STRICT REGIMEN CAMP AND FIVE YEARS OF INTERNAL EXILE FOR "ANTI-SOVIET AGITATION AND PROPAGANDA."

UKRAINIAN GROUP

AWAITING TRIAL

8. VASYL LISOVYI -- ARRESTED IN MID-JUNE 1980 FOR "PARASITISM." (ARTICLE 214/1 UKRAINIAN CRIMINAL CODE)

9. VASYL STUS -- ARRESTED ON MAY 14, 1980, FOR "ANTI-SOVIET AGITATION AND PROPAGANDA." (ARTICLE 62, UKRAINIAN CODE)

10. OLHA HEYKO -- ARRESTED ON MARCH 12, 1980, REPORTEDLY FOR "ANTI-SOVIET SLANDER." (ARTICLE 187, UKRAINIAN CODE)

11. VITALY KALYNYCHENKO -- ARRESTED ON NOVEMBER 29, 1979, ON UNKNOWN CHARGES.

SENTENCED

12. YAROSLAV LESIV -- SENTENCED IN LATE JUNE 1980, TO TWO YEARS IN LABOR CAMP FOR "POSSESSION OF NARCOTICS." (ARTICLE 229; UKRAINIAN CODE)

13. VYACHESLAV CHORNOVIL -- SENTENCED ON JUNE 6, 1980, TO FIVE YEARS IN STRICT REGIMEN CAMP FOR ATTEMPTED RAPE. ARRESTED WHILE COMPLETING A TERM OF INTERNAL EXILE UNDER A 1972 SENTENCE OF SIX YEARS IN STRICT REGIMEN CAMP AND THREE YEARS OF INTERNAL EXILE FOR "ANTI-SOVIET AGITATION AND PROPAGANDA."

14. ZINOVY KRASIYSKY -- ARRESTED ON MARCH 12, 1980, AND TRANSFERRED DIRECTLY INTO LABOR CAMP TO SERVE THE EIGHT MONTHS IN CAMP AND FIVE YEARS OF INTERNAL EXILE REMAINING UNDER A 1967 SENTENCE FOR "ANTI-SOVIET AGITATION AND PROPAGANDA" AND "TREASON."

15. PETRO ROZUMNYI -- SENTENCED IN SPRING 1980 TO THREE YEARS IN LABOR CAMP FOR "POSSESSION OF AN ILLEGAL WEAPON" (HUNTING KNIFE). (ARTICLE 222, UKRAINIAN CODE)

16. MYKOLA HORBAL -- SENTENCED ON JANUARY 21, 1980, TO FIVE YEARS "DEPRIVATION OF FREEDOM" FOR "RESISTING A REPRESENTATIVE OF AUTHORITY" AND ATTEMPTED RAPE. (ARTICLE 117, UKRAINIAN CODE)

17. OLES BERDNYK -- SENTENCED ON DECEMBER 24, 1979, TO SIX YEARS IN STRICT REGIMEN CAMP AND THREE YEARS OF INTERNAL EXILE FOR "ANTI-SOVIET AGITATION AND PROPAGANDA."

18. YURI LYTYYN -- SENTENCED ON DECEMBER 19, 1979, TO THREE YEARS IN STRICT REGIMEN CAMP FOR "RESISTING A REPRESENTATIVE OF AUTHORITY."

19. PETRO SICHKO -- SENTENCED ON DECEMBER 4, 1979, FOR THREE YEARS IN STRICT REGIMEN CAMP FOR "ANTI-SOVIET SLANDER."

20. VASYL SICHKO -- SENTENCED ON DECEMBER 4, 1979, TO THREE YEARS IN STRICT REGIMEN CAMP FOR "ANTI-SOVIET SLANDER."

21. VASYL STRILTSIV -- SENTENCED ON NOVEMBER 20, 1979, TO TWO YEARS IN STRICT REGIMEN CAMP FOR VIOLATION OF INTERNAL PASSPORT LAWS. (ARTICLE 198, R.S.F.S.R. CODE)

22. LEVKO LUKYANENKO -- SENTENCED ON JULY 20, 1978, TO 10 YEARS IN SPECIAL REGIMEN CAMP AND FIVE YEARS OF INTERNAL EXILE FOR "ANTI-SOVIET AGITATION AND PROPAGANDA."

23. MYROSLAV MARYNOVYCH -- SENTENCED ON MARCH 29, 1978, TO SEVEN YEARS IN STRICT REGIMEN CAMP AND FIVE YEARS OF INTERNAL EXILE FOR "ANTI-SOVIET AGITATION AND PROPAGANDA."

24. MYKOLA MATUSEVYCH -- SENTENCED ON MARCH 29, 1978, TO SEVEN YEARS IN STRICT REGIMEN CAMP AND FIVE YEARS OF INTERNAL EXILE FOR "ANTI-SOVIET AGITATION AND PROPAGANDA."

25. MYKOLA RUDENKO -- SENTENCED ON JULY 1, 1977, TO SEVEN YEARS IN STRICT REGIMEN CAMP AND FIVE YEARS OF INTERNAL EXILE FOR "ANTI-SOVIET AGITATION AND PROPAGANDA."

26. OLEKSY TYKHY -- SENTENCED ON JULY 1, 1977, TO 10 YEARS IN SPECIAL REGIMEN CAMP AND FIVE YEARS OF INTERNAL EXILE FOR "ANTI-SOVIET AGITATION AND PROPAGANDA" AND ILLEGAL POSSESSION OF FIRE-ARMS. (ARTICLE 222, UKRAINIAN CODE)

LITHUANIAN GROUP

AWAITING TRIAL

27. MECISLOVAS JUREVICIUS -- UNDER INVESTIGATION SINCE FEBRUARY 14, 1980, REPORTEDLY FOR "ANTI-SOVIET SLANDER."

28. ALGIRDAS STATKEVICIUS -- ARRESTED ON FEBRUARY 14, 1980, REPORTEDLY FOR "ANTI-SOVIET SLANDER" OR "ANTI-SOVIET AGITATION AND PROPAGANDA."

29. VYTAUTAS SKUODYS -- ARRESTED ON JANUARY 9, 1980, ON UNKNOWN CHARGES, BUT PROBABLY FOR "ANTI-SOVIET SLANDER" OR "ANTI-SOVIET AGITATION AND PROPAGANDA."

SENTENCED

30. VIKTORAS PETKUS -- SENTENCED ON JULY 13, 1978 TO THREE YEARS IN PRISON, SEVEN YEARS IN SPECIAL REGIMEN CAMP AND FIVE YEARS OF INTERNAL EXILE FOR "ANTI-SOVIET AGITATION AND PROPAGANDA." (ARTICLE 68, LITHUANIAN CODE)

GEORGIAN GROUP

SENTENCED

31. MERAB KOSTAYA -- SENTENCED ON MAY 18, 1978, TO THREE YEARS IN STRICT REGIMEN CAMP AND TWO YEARS OF INTERNAL EXILE FOR "ANTI-SOVIET AGITATION AND PROPAGANDA." (ARTICLE 71, GEORGIAN CRIMINAL CODE)

REPORTEDLY RELEASED

VALENTINA PAILODZE -- SENTENCED OCTOBER 1978 TO ONE YEAR IN CAMP AND TWO YEARS OF INTERNAL EXILE FOR "ANTI-SOVIET SLANDER" (ARTICLE 233, GEORGIAN CODE)

VIKTOR RTSKHILADZE -- SENTENCED ON SEPTEMBER 7, 1978, TO TWO YEARS OF INTERNAL EXILE FOR "ANTI-SOVIET AGITATION AND PROPAGANDA."

ARMENIAN GROUP

SENTENCED

32. EDUARD ARUTYUNYAN -- SENTENCED IN APRIL 1980 TO TWO AND ONE-HALF YEARS IN LABOR CAMP FOR "ANTI-SOVIET SLANDER." (ARTICLE 206, ARMENIAN CRIMINAL CODE)

33. ROBERT NAZARYAN -- SENTENCED ON DECEMBER 1, 1978, TO FIVE YEARS IN STRICT REGIMEN CAMP AND TWO YEARS OF INTERNAL EXILE FOR "ANTI-SOVIET AGITATION AND PROPAGANDA" AND "RESISTING A REPRESENTATIVE OF AUTHORITY." (ARTICLES 65 AND 218, ARMENIAN CODE)

34. SHAGEN ARUTYUNYAN -- SENTENCED ON JANUARY 18, 1978, TO THREE YEARS IN STANDARD REGIMEN CAMP FOR "RESISTING A REPRESENTATIVE OF AUTHORITY."

CHRISTIAN COMMITTEE FOR THE DEFENSE OF BELIEVERS

AWAITING TRIAL

35. VIKTOR KAPITANCHUK -- ARRESTED ON MARCH 12, 1980, REPORTEDLY FOR "ANTI-SOVIET SLANDER." (ARTICLE 190-1, R.S.F.S.R. CRIMINAL CODE)

36. FATHER GLEB YAKUNIN -- ARRESTED ON NOVEMBER 1, 1979, ON UNKNOWN CHARGES, BUT PROBABLY "ANTI-SOVIET SLANDER" OR "ANTI-SOVIET AGITATION AND PROPAGANDA."

WORKING COMMISSION ON PSYCHIATRIC ABUSE

AWAITING TRIAL

37. ALEKSANDR PODRABINEK -- ARRESTED IN MID-JUNE 1980, REPORTEDLY FOR "ANTI-SOVIET SLANDER." ARRESTED WHILE COMPLETING A TERM OF INTERNAL EXILE UNDER A 1978 SENTENCE OF FIVE YEARS OF EXILE FOR "ANTI-SOVIET SLANDER."

38. VYACHESLAV BAKHMIN -- ARRESTED ON FEBRUARY 12, 1980, REPORTEDLY FOR "ANTI-SOVIET SLANDER."

LEONARD TERNOVSKY -- (SEE MOSCOW GROUP)

GROUP FOR THE LEGAL STRUGGLE OF THE FAITHFUL AND FREE SEVENTH-DAY ADVENTISTS

39. ROSTISLAV GALETSKIY -- ARRESTED IN EARLY JUNE 1980 ON UNKNOWN CHARGES.

CATHOLIC COMMITTEE FOR THE DEFENSE OF BELIEVERS

VYTAUTAS SKUODYS -- (SEE LITHUANIAN GROUP)

MEMBERS SENTENCED BEFORE JOINING

UKRAINIAN GROUP

40. VASYL OVSIIENKO -- SENTENCED ON FEBRUARY 9, 1973, TO THREE YEARS IN STRICT REGIMEN CAMP FOR "RESISTING A REPRESENTATIVE OF AUTHORITY."

41. OKSANA POPOVYCH -- ARRESTED IN NOVEMBER 1973 AND SENTENCED TO EIGHT YEARS IN STRICT REGIMEN CAMP AND FIVE YEARS OF INTERNAL EXILE FOR "ANTI-SOVIET AGITATION AND PROPAGANDA."

42. BOHDAN REBRYK -- ARRESTED ON MAY 23, 1974, AND SENTENCED TO SEVEN YEARS IN SPECIAL REGIMEN CAMP AND THREE YEARS OF INTERNAL EXILE FOR "ANTI-SOVIET AGITATION AND PROPAGANDA."

43. FATHER VASYL ROMANYUK -- SENTENCED IN JULY 1972 TO TWO YEARS IN PRISON, FIVE YEARS IN SPECIAL REGIMEN CAMP AND THREE YEARS OF INTERNAL EXILE FOR "ANTI-SOVIET AGITATION AND PROPAGANDA."

44. IRINA SENYK -- SENTENCED ON NOVEMBER 15, 1972, TO SIX YEARS IN STRICT REGIMEN CAMP AND THREE YEARS OF INTERNAL EXILE FOR "ANTI-SOVIET AGITATION AND PROPAGANDA."

45. YURI SHUKHEVYCH -- ARRESTED IN MARCH 1972 AND SENTENCED TO FIVE YEARS IN PRISON, FIVE YEARS IN SPECIAL REGIMEN CAMP AND FIVE YEARS OF INTERNAL EXILE FOR "ANTI-SOVIET AGITATION AND PROPAGANDA." SHUKHEVYCH WAS FIRST ARRESTED ON AUGUST 24, 1948, BECAUSE HE WAS THE SON OF THE COMMANDER OF THE UKRAINIAN PARTISAN ARMY; HE SERVED TWO SUCCESSIVE 10-YEAR TERMS IN PRISON AND CAMP.

46. DANYLO SHUMUK -- SENTENCED IN JULY 1972 TO 10 YEARS IN SPECIAL REGIMEN CAMP AND FIVE YEARS OF INTERNAL EXILE FOR "ANTI-SOVIET AGITATION AND PROPAGANDA," AFTER SERVING SEVERAL TERMS IN CAMP AND PRISON BETWEEN 1933 AND 1967 UNDER POLITICAL CHARGES.

47. IOSIF ZISELS -- SENTENCED ON APRIL 5, 1979, TO THREE YEARS IN STRENGTHENED REGIMEN CAMP FOR "ANTI-SOVIET SLANDER."

48. BALYS GAJAUSKAS -- SENTENCED ON APRIL 14, 1978, TO 10 YEARS IN SPECIAL REGIMEN CAMP AND FIVE YEARS OF INTERNAL EXILE FOR "ANTI-SOVIET AGITATION AND PROPAGANDA."

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