

not in the State's interest to allow its citizens to leave the country to join them.

In 1970, the Czechoslovak authorities had resorted to blackmailing the refugees, exhorting them to pay so-called legal fees to lawyers in Czechoslovakia who were assigned to them by the government as counsels for defense, as they faced criminal proceedings for their illegal presence abroad. The refugees were informed that should they decide to ignore this demand, their relatives in Czechoslovakia would be required to pay the fees. Others, in order to legalize their stay abroad, were ordered to pay up to several thousands of dollars for their education in Czechoslovakia. These actions of the Czechoslovak Government were aimed at instilling fear into the refugees for their own persons and for their relatives left behind, and to compel them to return to Czechoslovakia.

To our knowledge only very few refugees submitted to this pressure. The great majority of them stayed abroad, haunted by the uncertain prospect of ever seeing their families again, but with a resolve to try and try again, in the hope, that somehow, sometime in the future, the Czechoslovak Government would be persuaded to let their families go.

The Helsinki Accords, signed on August 1, 1975, were condemned by many of us, as we felt that the Soviet Union scored another point at the expense of the nations of Central and Eastern Europe. However, as it turned out, Basket III of the accords has given the millions of people behind the Iron Curtain something solid to hold onto in their quest for more individual freedom. It has also given them hope for a better world and, among other things, for the reunification of families, forced by government policies to live apart.

Unfortunately, the continuous flow of information which we receive testifies to the fact that the Czechoslovak Government is not living up to the promises it made at Helsinki. The instances where permission to emigrate is granted are few and far between. And even though at the close of 1976, the Czechoslovak authorities allowed some children to join their parents who made their home abroad, hundreds of families are still waiting for a more humane attitude on the part of the Czechoslovak Government.

The delaying tactics used by the Czechoslovak authorities concerning permission to emigrate and the issuance of an exit permit are too numerous to list here. The few examples below will illustrate the point we wish to make.

Every applicant for permission to emigrate for example, is required to attach to the application 10 documents, none of which may be more than 30 days old at the time the application is submitted for approval. These documents include: a written consent from the applicant's place of employment to the effect that his employer—local, regional, or State authority or a party functionary in a factory, as there is no private enterprise in Czechoslovakia—has no objection to his emigration; similar certification from the military administration; extract from the Penal Register; information as to paid taxes or any other obligations the applicant may have to socialist institutions; curriculum vitae and a statement giving his reasons for his desire to emigrate. This document has to contain information on the applicant's education, salary, other benefits, property status, and a declaration whether he will request release from Czechoslovak citizenship. With delays artificially

created by local, regional, and State authorities, the stipulation that none of these documents be more than 30 days old at time of application is almost impossible to meet.

When and if the applicant succeeds in obtaining permission to emigrate, then another application has to be executed, this time for the issuance of an exit permit, to which another set of documents has to be attached. This form contains 106 questions which the applicant is obligated to answer. These questions inquire also as to whom the applicant plans to visit—or join—abroad; that person's address, occupation, address of his employer, his last visit to Czechoslovakia; his reasons for staying abroad and whether he left the country without the permission of Czechoslovak authorities.

Older persons receiving social security pensions who are granted permission to emigrate have to sign a statement renouncing their right to this benefit and/or to any other benefit that may be due them. Under these adverse conditions, the emigration of older persons, who wish to join their relatives abroad, is generally not opposed, as their departure means fewer recipients of social security pensions and fewer unproductive persons making demands on the country's health services.

However, younger people, or young families, who apply for permission to emigrate to join their parents or other close relatives abroad, are not only encountering difficulties, they actually become victims of reprisals—such as dismissal from a job and/or denial of higher education to their children. This is happening despite the fact that many of the applicants cite in their applications the Helsinki accords and the promises made by all the signatories—the Czechoslovak Government included—to facilitate emigration and the reunification of families.

There are hundreds of cases of divided families, but because many of the applicants are afraid to talk, we know of only about 65 applications with relatives living in the United States. Only a few of them have been resolved satisfactorily. In some cases, permission to emigrate has been denied repeatedly. Appeals were allowed with a chance of submitting a new application. This, however, resulted in another refusal that lead to another appeal and another application. The resulting merry-go-round presents great hardships for the people concerned. In several cases, permission to emigrate was refused by the highest authority with no further appeal permitted.

I would like to, if I may, clarify a few points here. All of the obstacles that I have described here are applied also when Czechoslovak authorities want to prevent visits here to relatives who fled Czechoslovakia. There are many Americans of Czech and Slovak descent in this country who are willing to pay the cost of a visit here by a relative from Czechoslovakia. Many do come. But many others cannot. A few years ago, an official policy was adopted by Prague which explicitly stated government intention to force expatriates back to Czechoslovakia by refusing to let their relatives there come here for a visit. As far as we know, that policy is still in force.

What may not be realized is that, since 1928, a legal treaty between the United States and Czechoslovakia says that if a citizen from one country gains citizenship in the other, he loses the first citizenship automatically. Despite the treaty which both countries recognize as in

force, Czechoslovak officials maintain that the naturalized American is still a Czechoslovak citizen until he applies for a release from his Czechoslovak citizenship. Exit permits have, therefore, been refused with the excuse that the relative in the United States is still a Czechoslovak citizen and that he may want to come back. The authorities take forever to process an application for release from Czechoslovak citizenship, and they retain the option to turn it down. Thus, in these instances, not only is Czechoslovakia acting in contradiction of the Helsinki Final Act, but it is in violation of a treaty with the United States.

The Council has submitted to the Commission for evaluation four volumes—about 450 pages—of documentation on the violations of the Czechoslovak Government of Basket III of the Helsinki Accords. Today, we would like to make part of the hearings "Charter 77," the human rights manifesto, which was signed in Czechoslovakia—despite threats of violence and incarceration—by close to 500 individuals from all walks of life, requesting the Czechoslovak Government to abide by its Constitution and by the accords it signed in Helsinki.

Thank you.

[The text of Charter 77 follows:]

[From the New York Times, Jan. 27, 1977]

MANIFESTO CHARGING RIGHTS

Following is the text of Charter 77, a Czechoslovak human-rights manifesto cited by the State Department yesterday as evidence of rights violations. It was translated by and published in the current issue of The New Leader, dated Jan. 31.

Law No. 120 of the Czechoslovak Collection of Laws, published October 13, 1976, includes the text of the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights, both signed in behalf of our Republic in 1968 and confirmed at the 1975 Helsinki Conference. These pacts went into effect in our country on March 23, 1976; since that date our citizens have had the right, and the State has had the duty, to abide by them.

The freedoms guaranteed to individuals by the two documents are important assets of civilization. They have been the goals of campaigns by many progressive people in the past, and their enactment can significantly contribute to a humane development of our society. We welcome the fact that the Czechoslovak Socialist Republic has agreed to enter into these covenants.

Their publication, however, is at the same time an urgent reminder of the many fundamental human rights that, regrettably, exist in our country only on paper. The right of free expression guaranteed by Article 19 of the first pact, for example, is quite illusory. Tens of thousands of citizens have been prevented from working in their professions for the sole reason that their views differ from the official ones. They have been the frequent targets of various forms of discrimination and chicanery on the part of the authorities or social organization; they have been denied any opportunity to defend themselves and are practically denied the "freedom from fear" cited in the Preamble to the first pact; they live in constant peril of losing their jobs or other benefits if they express their opinions.

EDUCATIONAL CURBS ARE CITED

Contrary to Article 13 of the second pact, guaranteeing the right to education, many young people are prevented from pursuing higher education because of their views or even because of their parents' views. Countless citizens worry that if they declare their convictions, they themselves or their children will be deprived of an education.

Exercising the right to "seek, receive and impart information regardless of frontiers and of whether it is oral, written or printed," or "imparted through art,"—Point 2, Article 13 of the first pact—can result in persecution not only

outside the court but also inside. Frequently this occurs under the pretext of a criminal indictment (as evidenced, among other instances, by the recent trial of young musicians).

Freedom of speech is suppressed by the government's management of all mass media, including the publishing and cultural institutions. No political, philosophical, scientific, or artistic work that deviates in the slightest from the narrow framework of official ideology or esthetics is permitted to be produced. Public criticism of social conditions is prohibited. Public defense against false and defamatory charges by official propaganda organs is impossible, despite the legal protection against attacks on one's reputation and honor unequivocally afforded by Article 17 of the first pact. False accusations cannot be refused, and it is futile to attempt rectification or to seek legal redress. Open discussion of intellectual and cultural matters is out of the question. Many scientific and cultural workers, as well as other citizens, have been discriminated against simply because some years ago they legally published or openly articulated views condemned by the current political power.

Religious freedom, emphatically guaranteed by Article 18 of the first pact, is systematically curbed with a despotic arbitrariness: Limits are imposed on the activities of priests, who are constantly threatened with the revocation of government permission to perform their function; persons who manifest their religious faith either by word or action lose their jobs or are made to suffer other repressions; religious instruction in schools is suppressed, et cetera.

A whole range of civil rights is severely restricted or completely suppressed by the effective method of subordinating all institutions and organizations in the State to the political directives of the ruling Party's apparatuses and the pronouncements of highly influential individuals. Neither the Constitution of the CSSR nor any of the country's other legal procedures regulate the contents, form or application of such pronouncements, which are frequently issued orally, unknown to and beyond the control of the average citizen. Their authors are responsible only to themselves and their own hierarchy, yet they have a decisive influence on the activity of the legislative as well as executive bodies of the State administration, on the courts, trade unions, social organizations, other political parties, business, factories, schools and similar installations, and their orders take precedence over the laws.

POLICE ACCUSED OF SURVEILLANCE

If some organizations or citizens in the interpretation of their rights and duties, become involved in a conflict with the directives, they cannot turn to a neutral authority, for none exists. Consequently, the right of assembly and prohibition of its restraint, stemming from Articles 21 and 22 of the first pact; the right to participate in public affairs, in Article 25; and the right to equality before the law, in Article 26—all have been seriously curtailed.

These conditions prevent working people from freely establishing labor and other organizations for the protection of their economic and social interests, and from freely using their right to strike as provided in Point 1, Article 8 of the second pact.

Other civil rights, including the virtual banning of "willful interference with private life, the family, home, and correspondence" in Article 17 of the first pact, are gravely circumscribed by the fact that the Interior Ministry employs various practices to control the daily existence of citizens—such as telephone tapping and the surveillance of private homes, watching mail, shadowing individuals, searching apartments, and recruiting a network of informers from the ranks of the population (often by illegal intimidation or, sometimes, promises), etc.

VIOLATIONS IN CZECHOSLOVAKIA

RIGHT TO TRAVEL IS VIOLATED

The Ministry frequently interferes in the decisions of employers, inspires discrimination by authorities and organizations, influences the organs of justice, and even supervises the propaganda campaigns of the mass media. This activity is not regulated by laws, it is covert, so the citizen is unable to protect himself against it.

In the case of politically motivated persecution, the organs of interrogation and justice violate the rights of the defendants and their counsel, contrary to Article 14 of the first pact as well as Czechoslovakia's own laws. People thus

sentenced to jail are being treated in a manner that violates their human dignity, impairs their health, and attempts to break them morally.

Point 2, Article 12 of the first pact, guaranteeing the right to freely leave one's country, is generally violated. Under the pretext of "protecting the State security," contained in Point 3, departure is tied to various illegal conditions. Just as arbitrary are the procedures for issuing visas to foreign nationals, many of whom are prevented from visiting Czechoslovakia because they had some official or friendly contact with persons who had been discriminated against in our country.

Some citizens—privately at their places of work, or through the media abroad (the only public forum available to them)—have drawn attention to these systematic violations of human rights and democratic freedoms and have demanded a remedy in specific cases. But they have received no response, or have themselves become the objects of investigation.

The responsibility for the preservation of civil rights naturally rests with the State power. But not on it alone. Every individual bears a share of responsibility for the general conditions in the country, and therefore also for compliance with the enacted pacts, which are as binding for the people as for the government.

The feeling of this coresponsibility, the belief in the value of civic engagement and the readiness to be engaged, together with the need to seek a new and more effective expression, gave us the idea of creating Charter 77, whose existence we publicly announce.

Charter 77 is a free and informal and open association of people of various convictions, religions and professions, linked by the desire to work individually and collectively for respect for human and civil rights in Czechoslovakia and the world—the rights provided for in the enacted international pacts, in the Final Act of the Helsinki Conference, and in numerous other international documents against wars, violence and social and mental oppression. It represents a general declaration of human rights.

FOUNDED ON A COMMON CONCERN

Charter 77 is founded on the concepts of solidarity and friendship of people who share a concern for the fate of ideals to which they have linked their lives and work.

Charter 77 is not an organization; it has no statutes, permanent organs or registered membership. Everyone who agrees with its idea and participates in its work and supports it, belongs to it.

Charter 77 is not intended to be a basis for opposition political activity. Its desire is to serve the common interest, as have numerous similar organizations of civic initiative East and West. It has no intention of initiating its own programs for political or social reforms or changes, but it wants to lead in the sphere of its activity by means of a constructive dialogue with the political and State authorities—and particularly by drawing attention to various specific violations of civil and human rights, by preparing their documentation, by suggesting solutions, by submitting various more general proposals aimed at furthering these rights and their guarantees, by acting as a mediator in the event of conflict situations which might result in wrongdoings, etc.

CHARTER 77 LOOKS TO BELGRADE

By its symbolic name, Charter 77 stresses that it has been established on the threshold of what has been declared the year of political prisoners, in the course of which a meeting in Belgrade is to review the progress—or lack of it—achieved since the Helsinki Conference.

As signatories of this declaration, we designate Dr. Jan. Patočka, Dr. Vaclav Havel and Professor Jiri Hajek to act as spokesmen for Charter 77. These spokesmen are authorized to represent Charter 77 before the State and other organizations, as well as before the public at home and throughout the world, and they guarantee the authenticity of its documents by their signatures. In us and other citizens who will join Charter 77, they will find their collaborators who will participate in the necessary negotiations, who will accept partial tasks, and will share the entire responsibility.

We trust that Charter 77 will contribute to making it possible for all citizens of Czechoslovakia to live and work as free people.

Permit me now to introduce Mr. Jan Benes, writer and author, whose two children are still in Czechoslovakia. He will give his account of the problems his family is encountering in its effort to bring the children to the United States.

Mr. PELL. Mr. Benes, you may proceed.

Mr. BENES. My name is Jan Benes. I am 41 years old, and have been living in the United States for 8 years. I was born in Czechoslovakia, studied at the Prague Academy of Arts, and became a writer. I am the author of 10 books and a number of professional publications. I am enclosing here an essay by Professor Fryszak at Columbia University, which has been dedicated to me.

In the United States, I make my living as a teacher in spite of the fact that I am still a writer.

I lived in Czechoslovakia for 32 years, 44 months of which I spent in various prisons and labor camps. I was released in the year of the Czech liberalization, 1968.

I was sentenced in 1967 for political reasons. The acting Minister of Justice admitted in the Czechoslovak Parliament—April 2—that my case had been an example of cabinet justice. This statement has never been denied, even after the Warsaw Pact invasion of Czechoslovakia.

The main reason was that at that time I made some petitions in Czechoslovakia supporting two Soviet authors—Sinyavsky and Daniel—and as a result was put in jail.

The Czech intelligence officer, Major Lieutenant Colonel Bittman, defected to the United States and I believe that he testified in front of the Senate or the Congress, and in his book, "The Deception", noted my name because he had helped frame me just for the case.

I left my country in 1969, together with my wife. Due to technical difficulties, we had to choose a separate way of escape. At that time, we did not believe that we were leaving forever. For this reason, as well as because of the aforementioned technical obstacles, we could not take our children with us: our son, Jan, who was at that time, 11-years old, and our daughter, Alice, who was 1-year old. It was technically impossible to take them with us. And second, we really did not believe we had left the country forever. This was in October of 1969.

At that time, a friendly policeman advised me to leave the country and live abroad for a couple of months for security reasons.

We equally did not believe that in this century the government of a European state which is a member of the United Nations could detain our children. In 1967, I was in jail and at that time, there was in the same jail an American citizen, Kazan Komarek. He was sentenced for numerous years, but released 2 or 4 days after his sentence.

We never met, but we had contact through the walls by Morse code. At that time, there was also the case of the Starek family who crossed the border at Austria. One of their kids—they have seven or eight—was caught by the border police and held by the Czechoslovakian authorities for two weeks. The rest of the family had previously escaped.

Since April 1970, we have been trying to reunite our family, first, upon advice from Prague, in an inconspicuous way. We even consented to bribery. Since 1972, we have been requesting assistance from

various American politicians. We addressed different people, among them former Presidents Richard Nixon and Gerald Ford. Gerald Ford never answered our letter. All evidence is enclosed.

On Christmas, 1975, we sent a letter to all the Members of the Senate and Congress of the United States and to various famous people in the United States and elsewhere. Altogether, we mailed 550 letters. A copy of this letter is also enclosed. Some of these letters were sent and people said they never received them. We even sent letters to Angela Davis.

I welcome the opportunity to offer my testimony to the Commission on Security and Cooperation in Europe, not only because this case concerns our children, but because a number of families in the United States and in the world must suffer the same fate, but do not have a chance to present their testimony, or are afraid to appear at these hearings, as it could have unfavorable repercussions for their relatives in Czechoslovakia or another Eastern country.

I am aware that my dear ones at home trust in me as their representative in the free world and that they would approve my action if they could do so. I am also aware of the fact that, historically, totalitarian regimes anywhere in the world, which worship force and violence, will be willing to respect only a powerful partner. I believe that the Congress of the United States is a power which must be respected.

What has been and what is the fate of our children in Czechoslovakia since October, 1969 up to this day?

Our daughter is in the care of my parents. Although my father died in 1973, my 70-year-old mother still takes care of our daughter. What kind of a childhood can a 10-year-old girl have in the company of an old lady—although the lady is entirely courageous and devoted to her? But she is still 70-years old. Our daughter hardly knows her own brother who has remained in the care of my sister-in-law since the age of 11. Each of the children lives in a different part of the city. Our son has practically lived alone since his aunt's marriage in 1972. At that time, he was 15. We send them money and presents, and of course, this money is not taxable here because they are living in a different country. Of course, we send them some kinds of packages, but the packages often do not reach the address, or come broken with things taken out.

For example, in 1975, at Christmas, I sent personally to my little Alice, a little bear. We mailed the package on October 12, 1975. This was received in Prague at the end of January and the bear was ripped open.

The brother sees his sister but about once a month. Very often, our packages arrive half empty or not at all.

Periodically, we have asked the Czechoslovak authorities for an exit permit for our children. They either do not reply, or turn down our petition. Our relatives in Czechoslovakia also keep trying to obtain exit permits for our children. Sometimes their petition is not accepted at all; at other times, it is refused on the grounds that it is not in the interest of the state to allow the children to leave. Here, of course, we have some documentation about that, but many times, my mother was physically forced out of the police station just because

she was asking for an application. She never received it, so she could never apply.

Life possesses sometimes cruel ironies. When former Secretary of State Rogers visited Prague, the school attended by our daughter was chosen as a prop for an official welcome. At the airport, she waved her white scarf at Mr. Rogers. Mr. Rogers, unlike Mr. Kissinger, at least answered our letter. A number of American Senators have kindly intervened with the Czechoslovak Embassy in Washington. I hope that the documentations are in the hands of this Commission.

The Embassy's response was, however, that we had left our children behind. I do not think that this is a justified explanation. Everything is represented by a system of questions and answers. It is necessary to ask: does a 10-year-old child have the right to childhood? Does a 19-year-old young man have the right to see his mother?

We may be guilty in the eyes of the Czechoslovak Government, but what are the children guilty of?

Mr. Meany has recently suggested that in regard to the state of human rights in Czechoslovakia, the Czechoslovak Socialist Republic ought to be expelled from the United Nations organization. Should I voice my opinion, I would certainly support Mr. Meany's request. The problem of divided families is only part of a larger body of problems which represent those regimes that have chosen the spiritual underground.

I would be glad to answer any specific questions. However, I have nothing to add to this testimony. The power of the Czechoslovakian State is being misused against innocent children. Does this need any further commentary?

[The written statement of Mr. Benes follows:]

My name is Jan Benes, I am 41 years old, and have been living in the United States for eight years. I was born in Czechoslovakia, studied at the Prague Academy of Arts, and became a writer. I am an author of ten books and of a number of professional publications. I enclose here the introduction of an essay by Professor Fryscak, which has been dedicated to me.

In the United States I make living as a teacher in spite of being still an author, a writer.

In Czechoslovakia I spent 32 years, out of which I experienced 44 months in various prisons and labor camps. I was released in the year of the Czech liberalization, 1968.

I was sentenced because of political reasons; in 1968, the acting Minister of Justice admitted in the Czechoslovak Parliament, April 2, that my case had been an example of the cabinet justice. This statement has never been denied even after the Warsaw Pact invasion of Czechoslovakia.

I left my country in 1969 together with my wife. Due to technical difficulties, we had to choose different and separate ways of escape. At that time we did not believe that it would be forever. For this reason as well as because of the aforementioned technical obstacles, we could not take our children with us; our son Jan who was at that time eleven years old, and our daughter Alice being only one year old.

We equally did not believe that in this century the Government of a European state which is a member of the United Nations could detain our children.

Since April 1970, we have been trying to reunite our family. First, according to an advice from Prague, in a rather inconspicuous way. We even consented to bribe. Since 1972 we asked for assistance from various American politicians. We addressed different people, among them the former Presidents Richard Nixon and Gerald Ford. All evidence is enclosed.

On Christmas 1975 we sent a letter to all the members of the Senate and Congress of the United States and to various famous persons of the U.S. and the entire world community. Altogether, we mailed 550 letters.

I welcome an opportunity to offer my testimony to the Commission on Security and Cooperation in Europe. Because this case also concerns our children. And because of the fact that a number of families in the United States and in the world which must suffer the same fate do not have a chance to present their testimony, or are afraid to appear at these hearings, as it could have unfavorable reprisals on their relatives in Czechoslovakia.

I am aware that my dear ones at home have trust in me as to their representative in the free world and that they would approve of my action if they could do so. I am also aware of the fact that historically totalitarian regimes anywhere in the world which worship force and violence will be also willing to respect only a powerful partner. I believe that the Congress of the United States is an executive of power which is necessary to respect.

What has been and is the fate of our children in Czechoslovakia since October 1969 up to this day?

Our daughter is in care of my parents. My father died in 1973. My seventy-year-old mother still takes care of our daughter. What kind of childhood can a ten-year-old girl have in the company of an old lady? The lady who is utterly courageous and devoted. Our daughter hardly knows her own brother who at the age of eleven remained in the care of my sister-in-law. Each of them lives in a different part of the city. Our son lives since his aunt's marriage practically alone since 1972. We send them money, presents; they live in a different country and, therefore, cannot be exempted from taxes. The money must be exchanged at a rather unrealistic rate. Very often our packages arrive half-empty or not at all. The brother hardly sees his sister once a month.

Periodically, we ask the Czechoslovak authorities for the necessary exit permit for our children. They either do not reply or turn down our petition. Our relatives in Czechoslovakia, too, keep trying to obtain the exit permit for our children. Sometimes their petition is not accepted at all; other times it is refused with the reason that it is not in the interest of the state to let the children leave.

After signing the Helsinki Accords this question seems to have been almost settled. And just one year after this celebrated agreement, the Czechoslovak authorities renewedly turned down one of my other petitions. Its copy is enclosed.

Life possesses sometimes even cruel ironies. When the former Secretary of State Rogers visited Prague, the school, attended by our daughter, was selected as a prop for an official welcome. At the airport, she waved at Mr. Rogers with her white scarf. Mr. Rogers, unlike Mr. Kissinger, at least answered our letter. A number of American senators have kindly intervened at the Czechoslovak Embassy in Washington. The Embassy's response was, however, we had left our children behind. I do not think that this is a justified explanation. Everything is represented by a system of questions and answers. It is necessary to ask:

Does a ten-year-old child have right for childhood?

Does a nineteen-year-old young man have right to see his mother?

We may be in the eyes of the Czechoslovak authorities guilty. However, what are the children guilty of?

Mr. Meany has recently suggested that in regard to the state of human rights in Czechoslovakia the Czechoslovak Socialist Republic ought to be expelled from the United Nations Organization. Should I voice my opinion, I would certainly support Mr. Meany's request. The problem of divided families is only a segment of a larger body of problems which represent those regimes that have chosen the spiritual underground.

I would be glad to answer any specific question. Nevertheless, I have nothing else to add to this testimony. The power of the Czechoslovak State is being misused against the innocent children. Does this need any further commentary?

[Material submitted for the record by Mr. Benes follows:]

INTRODUCTION TO THE ART OF JAN BENES, A CRITICAL STUDY WRITTEN BY: MILAN FRYSCAK, ASSISTANT PROFESSOR OF SLAVIC LANGUAGES AND LITERATURES, NEW YORK UNIVERSITY, DATED APRIL 8, 1972.

In surveying the past decade of cultural and literary life in Czechoslovakia, a group of young writers stands out who deserve credit for revitalization of Czech literature, particularly prose, and for gradual erosion and eventual dismantling (albeit temporary) of the various forms of censorship imposed on literature and the arts after the Communist takeover of 1948. In this group, the name of Jan

Beneš is prominent: he has distinguished himself both as a gifted artist and as a deeply committed individual to whom problems of artistic freedom are inseparable from those of civil freedom.

Jan Beneš was born in 1936, into a family of a well-established Prague architect. After graduating from Vysoká škola umělecko-průmyslová (College of Applied Arts) in Prague in 1955 and service in the army (discharged in 1958), he made his living at various jobs—as a coal miner in Northern Bohemia, a stage hand in a puppet theater, and a taxi driver in Prague—all the time devoting his free hours to sculpture and design. In 1958, he received his free distinction—a gold medal for toy design at the Brussels Expo 58.

His literary debut took place in 1962, when his short story "Příchoda" ("An Event") appeared in the monthly *Plamen* (*Flame*). In 1963, two collections of his short stories (*Do vrabců jako když střelí/Sparrows Scatter to the Winds/* and *Situace/Situation/*) were published, and a play *Čas plyne i v neděli/Time Passes Even on Sunday/* was telecast, but already in the following year, 1964, a sudden deterioration of Beneš's publication possibilities in Czechoslovakia occurred: the publication of his first novel *Druhý dech/Second Breath/* and of the first version of his novella *Trojúhelník s madonou/A Triangle With the Madonna/* was cancelled and the shooting of a dramatized version of his short story "Problém" was abruptly stopped. His personal fortunes took a turn for the worse not long thereafter. After being refused a passport, Beneš filed a suit against the Minister of Interior for infringing his constitutional rights. His act must have been regarded as a provocation and apparently accelerated the course of events that culminated in a major confrontation. This came in 1966, shortly after Beneš had attracted further attention of the regime by collecting signatures among the members of the Union of Czechoslovak Writers for the release of imprisoned Soviet authors Sinjavsky and Daniel, and when some evidence of his participation in the publication of a Paris émigré quarterly *Svědectví/Testimony/* was brought to light. Beneš was arrested and imprisoned for almost a year, while further evidence against him was being collected. During his confinement, a book of short stories *Disproporce/Disproportion/*, scheduled for publication and already set for printing, was stopped and the plates destroyed, and the shooting of a TV play *Rito na celou noc/Rito for the Whole Night/* was halted. Another casualty was the cancellation of the contract for the motion picture *Farfalo jako motýl/Farfalo as a Butterfly/*, based on Beneš's screenplay.

Beneš's trial did not open until late summer of 1967, well after the closing of the Fourth Congress of the Union of Czechoslovak Writers, so that undesirable aftereffects could be brought to a minimum. The sentence handed Beneš was stiff—five years' imprisonment. However, only a part of it was served, as Beneš's release was secured in early 1968, just as the period of liberalization was beginning. In the fall of 1969, Beneš arrived in the United States, on the occasion of the publication of his novel *Druhý dech/Second Breath/* by Grossman Publishers, and made the decision to settle in this country as a permanent resident.

During the brief interlude of liberalization (which, it should be pointed out, somewhat extended, at least in the sphere of culture, beyond the date of the brotherly invasion), preparations were made for the publication of Beneš's short story collections *Až se se mnou vyspíš, budeš plakat/After Sleeping With Me You are Going to Cry/* and *Naměstě/On the Spot/* and of his novel *Druhý dech/Second Breath/*, and the shooting of a TV play based on his short story *Třídnní nepřítel/Class Enemy/* took place. However, a sudden deterioration of the political situation in Czechoslovakia after the replacement of Dubček by Husák caused that neither the short story collections nor the novel were published, and that his completed play was not televised. The only new volume of Beneš's work to be published in Czechoslovakia after 1963 was the collection of short stories *Disproporce/Disproportion/* (1969), which, however, appeared as an abridgement of the original version of 1966 that was destroyed just before its release.

Since 1969, when the American edition of his novel *Druhý dech/Second Breath/* appeared, Beneš has published here another book, a collection of short stories entitled *The Blind Mirror* (1971). A recently established publishing enterprise 68 Publishers Toronto, founded by a leading Czech novelist Josef Skvorecký, devoted to publication of works that under present conditions cannot appear in Czechoslovakia, has announced that its publication plan for 1972 includes Beneš's *Na místě/On the Spot/*, a collection of twenty-one short stories that are arranged cyclically and have identical protagonists. This is welcome news for the reading

public who in getting acquainted with Beneš's work has had to depend too much on the English translations which, it should be added, do not quite measure up to the originals.

Mr. PELL. Thank you very much, indeed, Mr. Benes. It is actually true that the Czechoslovak National Chairman—who is the present chairman?

Mrs. FALTUS. Dr. Mikulas Ferjencik in Chicago.

Mr. PELL. I remember when Dr. Ferjencik was the Minister of Interior in Slovakia when some very beastly things were being done in prison at the time under the Communist Federal Ministry of Interior in Praha.

In the work that you are doing in the Council, you refer very often to both Czechs and Slovaks, do you not?

Mrs. FALTUS. That is right. Americans of Czech and Slovak origin.

Mr. PELL. Because the people are Czechs and Slovaks and I hope that there will be a time when both groups will work together very closely, indeed.

Mrs. FALTUS. Thank you.

Mr. PELL. Mr. Benes, I sympathize very much with you, and I relate to you a story of a gentleman who was accused of espionage. It was I. I had my name in the paper very often in Czechoslovakia and was very criticized by the Government. Most recently, all of us had a problem, and I in particular because of my background, when we tried to get visas to go to Czechoslovakia, as members of the Commission.

The people with whom I was accused of setting up an espionage ring were absolved by the Government and they got some money back from the Government.

In 1968, did you get back any compensation?

Mr. BENES. No.

Mr. PELL. Were you pardoned at that time?

Mr. BENES. No. I am not sure what is the meaning of the expression "pardoned", and even Webster's Dictionary didn't tell me much more. Those originally Latin words have a quite different meaning in all Indo-European languages—as for example "alimony".

In 1968, I was released from the prison by a personal amnesty of the former President Novotny—his last official act before being removed from office. The case was considered unjust by the Czech Parliament's Minister of Justice, but it was never reopened by the court, so I am still sentenced as a criminal. The case was to be reopened on September 7, 1968, but because of the invasion, August 21, 1968, this possibility was lost.

Mr. PELL. Did you ever apply?

Mr. BENES. No.

Mr. PELL. Were you ever absolved?

Mr. BENES. No.

Mr. PELL. Some were absolved and got recompense.

Mr. BENES. I was working for a newspaper doing my social obligation and for this reason, I stayed in the country for so long.

Mr. PELL. Where did you serve your time?

Mr. BENES. It was in Pilsen-Bory. Recently, I do not know why, but the Czechoslovakian newspaper used my initials, which are J. B., and in several TV and radio serials about Western spies in Czechoslovakia, they called me "our little James Bond", and accused me of being a spy operating in Czechoslovakia and the U.S.S.R. who had finally been

nailed down by the good work of "our security boys", so—my son sent me a letter Dear 007. They wrote that I was ready to sell Czechoslovakian secrets. I was ready to sell, but nobody wanted to buy. The only secret which I knew was the name of a tailor of the First Secretary of the Party.

Mr. PELL. Is Dr. Hasek an officer of the Council Mrs. Faltus?

Mrs. FALTUS. Yes; Dr. Hasek is an officer of the Council.

Mr. PELL. I hope that you will give him my very warm regards.

Mrs. FALTUS. Yes; I shall.

Mr. PELL. Congresswoman Fenwick.

Mrs. FENWICK. I wonder if you have any information that you can give us—we know about Charter 77 and the 500 people who have signed it. It certainly indicates a most extraordinary courage and spirit.

Is this true of an elite intelligentsia or do you have any feeling among the people on the whole?

Mr. BENES. I have wide contacts with many, many friends. Two of the authors of Charter 77, Mr. Havel and George Lederer, are now in jail. They are my close friends, and in Prague, they have exhibited a great deal of courage and I am happy to notice that their names are here. I believe they have great support throughout the nation because other people have sent me letters, some of them directly in open mail, sympathizing with them openly.

Mrs. FENWICK. It is not just the intelligentsia.

Mr. BENES. No; it is not exclusively intellectuals. In Czechoslovakian history, usually intelligentsia were the conscience of the nation. We inherit this.

Mrs. FENWICK. Is there any news of any new strikes or troubles in Poland, where they had the food riots and so on?

Mr. BENES. I can testify according to my information that these are simple people, including janitors from the schools. In the house where my mother was living, the janitor sympathizes with them and they refuse to sign a Government petition which is anti-Charter 77 and I know the Government anti-Charter 77 was signed at a meeting of the artistic union where they invited many people who are on the blacklist for many years in this occupation. They said, OK, everybody sign. They used their presence on that list as indication of their support of the anti-Charter 77.

Mrs. FENWICK. I believe there is a rollcall in the House and I would like to excuse myself because the House is in session.

Mr. PELL. Thank you very much, Mr. Benes and Mrs. Faltus. And thank you for your kind remarks and questions, Congresswoman Fenwick.

Our final witnesses are Ms. Valerie Secu and Ms. Mariana Blum.

STATEMENT OF MS. VALERIE SECU AND MS. MARIANA BLUM

Mr. PELL. I regret to say that I will have to leave very shortly also because the Senate is now in session.

Which one of you would like to start?

Ms. SECU. My name is Valerie Secu and I would like to thank you for the privilege of testifying here today.

Mr. PELL. Could you speak a little bit louder?

Ms. SECU. Yes.

I represent the American Romania Committee for Family Reunion formed in 1972 for the purpose of helping American citizens and residents to bring their families out of Romania.

From the very beginning, I would like you to note that despite the Helsinki Final Act, signed by the Romanian Government in 1975, it is impossible for any Romanian citizen to apply for an exit visa whenever he chooses.

I have here a power of attorney to represent a few cases from Illinois, New York, New Jersey, and Massachusetts. Here in this room, there are also people from the Romanian community in New Jersey and New York who would like to have their cases known by your Commission.

I have said that it is impossible for a citizen to get an exit visa any time he chooses for two main reasons: they are mentioned in my statement and they are illustrated by my sister's case, but I would like to discuss them briefly.

Reason No. 1 is that the exit visa forms are not available to the Romanian citizens in Romania. I will come back to this reason after mentioning the second one.

Reason No. 2 is that an applicant asking for exit visa forms in Romania is told first of all that his relative in the United States must present himself personally at the Romanian Embassy in Washington, D.C. to legalize his status.

I want to mention that we are here either as American citizens born or naturalized or as permanent residents lawfully admitted to the United States with the status of "stateless." Stateless status has been granted by the High Commission for Refugees based in Geneva, Switzerland. This Commission is part of the United Nations Organization.

Unfortunately for us, the U.S. State Department advises us here to comply with this requirement to legalize our "status" with the Romanian Embassy in Washington, D.C.

As the Romanian Embassy refuses to deal with us by mail, we have to go personally to the Romanian Embassy which is a painful and humiliating experience for us. I have been through it and I know what it means.

At the interview at the Romanian Embassy, you have to give a full account of the way you left Romania and most of the people left Romania illegally crossing the Romanian borders. For instance, Mr. Adamalb, who is present today here in this room, left Romania by swimming across the Danube River. Then hiding himself in trains and climbing mountains he crossed Yugoslavia to get to the free world.

At the Romanian Embassy you also have to give account of your status in the United States, of your job and place of work, position, salary, income, social security benefits, rents, property—all assets one may have here in the United States.

Of course, we cannot agree with this. I will attach to my written statement the "questionnaire" one has to fill out with the Romanian Embassy. I will attach the sworn statement that one has to give to the Embassy in which one has to swear that he has never done any harm to the Romanian Government or Romanian people and will never do so.

Once you are at the Embassy, you face two alternatives. No. 1: You may apply to renounce Romanian citizenship and pay a tax of \$200 per person and then wait for at least 2 years for the Government's appeal.

In my case, I have waited for more than 2 years for the privilege of renouncing my citizenship of Romania.

The second is to apply to stay in the United States as a "Romanian citizen living abroad." The embassy insists on the second alternative because in this way, they can be in touch with you and they can use you for their own purposes.

However, Members of the U.S. Congress are informed differently about these two alternatives that we are faced with at the Romanian Embassy.

I will attach a letter my committee received from Congressman Edward Koch when he tried to reunite Mrs. Vircol with her husband. I quote:

He (the Romanian Ambassador) stated that until her status is adjusted, there is no basis under Romanian law for her husband to be permitted to leave since the permit for exit permissions is predicated on family reunion and this requires that a person outside of Romania no longer be a Romanian citizen. The processing of these papers generally takes about six to eight months.

As I said before, the processing of these papers takes over 2 years. And the truth is that we are actually asked, first, not to renounce the Romanian citizenship, but accept the status of "living abroad as a Romanian citizen," in order for our relatives to be able to apply in Romania for an exit visa.

Let me come back to the first reason. I mentioned that exit visa forms are not available to the people when they want to travel abroad.

Exit visa forms are released only by local police or places called *militzia* and cannot be released without written permission from the applicant's job, party organization, and syndicate organization.

Just to get the exit visa form itself, the applicant has to fill out a written request with his company, school, college, or wherever he works. The applicant is judged by the so-called Committee for Working People—C.O.M., as it is abbreviated in the Romanian language. His request is judged and usually the applicant is refused.

If he is motivated, and has a strong nature, he will eventually apply again and again until he gets his permission from his job. During the last year, therefore, after the Helsinki Final Act has been signed on August 1, 1975, newly appointed so-called neighborhood committees or party committees have been employed to interview and judge the applicant.

These new committees have been appointed under the auspices of the party organization and the popular counsels of each district or sector.

Each applicant must face these committees, usually in the area where they work. Over and over the same questions are asked—more information about the applicant and about his relatives in Romania and relatives abroad are requested.

During these interviews the capitalistic world is denounced and if the applicant is seeking to emigrate, such an attempt is condemned as treason. In a speech given on February 17, by the Romanian President Ceausescu, every would-be emigrant is condemned as a traitor even though he is only seeking to reunite with his family.

Those who have the courage to persist are usually persecuted by losing their jobs or being offered menial work for very low pay. College students are usually expelled from school when they apply for emigration.

At this point, I would like to mention the case of Mr. George Muscanu from Chicago, Ill. He is a born American citizen, but between the wars, he went back to Romania and now he has a daughter living in Brasov. Even though his daughter has been lawfully admitted to the United States in 1976, so far, she has not been able to get the application form.

I would like further to mention a list of requirements for the prospective emigre who has been promised a passport to leave the country.

Mr. PELL. I wonder how much longer this is going to be because I have to leave at 12:30. Your testimony will appear in the record as read and I am having difficulty hearing you.

Ms. SECU. I would like, though, to mention these unusual requirements, because these should be known by the Commission.

If a person lives in a state-owned apartment, he must clean and paint and repair and renovate the apartment at his own expense. If he owns an apartment, he must immediately pay to the state the remaining installments in a lump sum and proceed to donate his apartment to the Romanian Government.

I would like to mention the case of Mr. George Ardeleanu whose wife and two children in Romania cannot leave because they bought a house in 1973 for which they have been paying monthly installments. Now the Romanian Government asks his wife to pay in full for the house in order to turn the house back to the government. Then, and only then, she may get the forms for the exit visa application.

If someone has the emotional strength to go through this, he has to leave the country, leaving behind everything that the government considers valuable and I would like to mention that these "valuable items" may include children's earrings and family pictures.

Congresswoman Fenwick said that it seems like a lot more people are getting out of Romania. I would like to mention that during the past year, not a single person was allowed to apply and to leave Romania unless great pressure was brought to bear on the Romanian Government by the State Department and the U.S. Congress.

In certain cases the relative abroad may have to resort to desperate actions, such as peaceful demonstrations or hunger strikes or permanent vigils—which have happened frequently in the United States, Italy, West Germany over the past years.

Nonetheless, pressure from U.S. officials is effective only at times when Romania is seeking economic concessions from the United States, such as granting Romania most-favored-nation treatment which happened in 1975 and again in 1976.

I would like, in closing, to mention the very impressive case of Mr. Constantin Rautu. Though his wife and four-year-old child have been legally admitted into the United States, they remain in Romania, unable to obtain exit visa forms.

I would like to point out that exactly 2 weeks after the Final Act was signed by the Romanian Government, his wife was arrested while she was approaching the American Embassy in Bucharest. She was kept for 2 days in a prison cell with divorce application forms in front of her and was asked to divorce her husband. She has been strong enough to refuse, but she is still there after 3½ years of repeated efforts to gain her release.

In this room also are Mr. Adamalb and Mr. Mihai Vanatoru, from New Jersey, both of whose mothers are in Romania. They have not even been given the application forms. Mr. Vanatoru is an American citizen, and his mother has already been legally admitted into the United States.

Mr. PELL. Thank you very much.

Ms. SECU. I would like to make two more recommendations to the Commission.

First: considering that there is no way for us to have a record of the people trying to leave Romania, perhaps the Commission can specify for us a particular office—care of the Helsinki Commission or State Department where people in the United States with relatives in Romania may register.

The second recommendation refers to the procedure of renouncing Romanian citizenship. Instead of going to the Romanian Embassy, we should be able to contact the Romanian section of the Eastern European Affairs Division at the U.S. State Department to handle the formality of renouncing the Romanian citizenship.

Third: We would like to appeal to the Helsinki Commission to help stop, here in the United States, the propaganda of the Romanian Embassy, the Romanian library and other offices and churches of the Socialist Republic of Romania which is often disguised as cultural or religious activities. Our committee can give further information on this subject.

[Ms. Secu's written statement follows:]

SUMMARY OF THE TESTIMONY OF VALERIE SECU

The testimony is based on Miss Valerie Secu's personal experience and on testimonies presented to the Committee by recent emigrants from Romania. The testimony is divided in the following chapters:

I. The procedures involved in obtaining exit visas from Romania.

The application forms needed for an exit visa cannot be obtained whenever an applicant chooses. The applicant must obtain written permission which is almost impossible to obtain from the management, syndicate and party organization of his company or school. Recently, new committees have been appointed to increase the harassment of a prospective emigre: Committee for Working People (C.O.M.) to review the applicant within his company; Neighborhood Committee under the auspices of the district Popular Council and local party organization, which then discusses the applicant again.

No application for an exit visa has been considered and approved unless pressure from the U.S. government and international media has been brought to bear on Romania.

II. Steps to be taken by American citizens or residents with relatives in Romania.

III. President Ceausescu's speeches on June 3, 1976 and on February 17, 1977 regarding family reunion and emigration policy.

President Ceausescu does not see family reunion as a humanitarian problem, as he is quoted on page 4. He uses the term of "traitor" for a prospective applicant for emigration.

IV. Provisions of the Romanian law.

Provisions from Romanian law regarding the crossing of Romanian borders and the resulting heavy punishment are quoted from the American Romanian newspaper SOLIA, Detroit, Michigan.

V. Specific cases of Americans with relatives in Romania.

VI. Conclusions.

After July 1975, Romania has changed nothing in her policy regarding people wishing to visit or to emigrate to join a relative abroad.

Mr. CHAIRMAN. The present statement is based on experience I have had with my family presently in Romania, and on testimonies presented to our Committee by recent emigrants from Romania.

I. THE PROCEDURE INVOLVED IN OBTAINING EXIT VISAS FROM ROMANIA

A. Written permission is necessary to obtain the application forms for an exit visa from several organizations. It is impossible for Romanian citizens to apply for an exit visa whenever they choose. Exit visa forms are released only by local militia precincts, and cannot be obtained without written permission from:

1. the management of the company the person is employed with, or from the counselor and department chairman (or principal) for college students or high school students;

2. the syndicate from the person's job or school;

3. the party organization from the person's job, school or college.

To obtain such written permission, the applicant has to forward his written request to the company or school directorship. Many requests are not even considered. If the request is considered, the applicant is often called for interviews with the people involved in the above-mentioned organizations. These interviews are often followed by public meetings involving the applicant, his co-workers, management, and party officials. These people "judge" the applicant and his reasons for travelling abroad to visit relatives or friends, or to emigrate. The applicant is repeatedly questioned about why he wants to travel, especially to a capitalistic country, why he wants to visit a relative in the Western World. If the applicant actually wants to emigrate, matters are even worse. Usually the applicant receives a blunt refusal followed by a severe criticism of his "bourgeois" and "dangerous" attitude. A prospective emigrant is regarded as a traitor.

Every applicant undergoes such harassment and humiliation. The result is almost always a total refusal to grant the applicant written permission which the applicant needs to get the exit visa forms. If the applicant has a strong nature he will apply again. Again, he will be forced to go through a humiliating obstacle course. Conclusion: Nothing has been changed in the above procedures since the Helsinki Conference of July 1975. In fact, things are even worse since an application for emigration is considered an act of treason.

B. During the last year, newly appointed "Neighborhood Committees" have been employed to interview and judge the applicants.

New committees have been appointed under the auspices of the Party organization and Popular Councils of each district or sector for the purpose of discouraging the applicant in his attempt to visit or emigrate abroad. Each applicant must face this "Neighborhood Committee", usually in the area where he works. This ad hoc committee includes a person from the State Security, the communist party secretary of the applicant's company, and a higher communist party secretary from the district-level party organization.

Over and over the same questions are asked: more information about the applicant, his relatives, spouse's relatives, friends, the relative he wants to visit, and the reasons for his trip. The capitalistic world is denounced and if the applicant is seeking to emigrate, such an attempt is condemned as treason. Continuous pressure of this type forces many applicants to renounce their intention to apply for an exit visa.

Those who have the courage to continue are persecuted by losing their jobs or by being offered menial work for very low pay. College students are expelled from their schools when they apply for emigration.

C. Requirements for the prospective emigre who has been promised a passport to leave the country.

While the authorities are processing the application, a prospective emigre must do the following:

1. If he lives a State-owned apartment, he must clean, paint, repair, and thoroughly renovate the apartment, at his own expense.

2. If he owns an apartment, he must immediately pay to the State the remaining installments in a lump sum, then must proceed to donate his apartment to the Romanian Government.

3. In addition, several taxes are to be paid for every member of the family: needed are five copies of certificates for terminating the electricity contract, gas contract, telephone contract, radio/TV contract, water contract. These taxes amount to over a good month's salary.

4. When the emigrant has liquidated his assets and has his passport, a State inspector comes to check and seal the apartment, so that he has to live in a hotel until the day of departure.

If the cliché "adding insult to injury" accurately describes anything, it certainly describes the outrageous and humiliating procedure whereby a Romanian citizen who applies for emigration not only must pay for his house and donate

it to the State, but also must pay high taxes to the State for being so kind and accommodating as to take his assets away from him.

If this Romanian citizen has had the emotional strength and financial resources to overcome all the obstacles mentioned above and is actually leaving the country, he must leave behind all possessions the Government considers 'valuable'. Such 'valuable' items may include children's earrings and family pictures. When he leaves the country, the emigre loses everything he has accumulated by hard work during his lifetime, however small.

D. New criteria employed by the Romanian government for granting exit visas.

No application is processed unless and until the prospective emigrant is legally accepted by the country where his relative lives. For example, the daughter of Mrs. Lucy May of New York has been legally admitted to the United States, but the exit visa from Romania has not yet been granted. The brother of Mr. Nicholas Dima has also been legally admitted, but his exit visa application has not been processed.

During the past year no one was allowed to apply for an exit visa to travel abroad either to visit or emigrate, unless:

1. great pressure was brought to bear on the Romanian Government by U.S. Senators, U.S. Representatives, U.S. State Department Officers.

2. their cases have been publicized in the press, or received radio and television coverage.

3. their relatives abroad resorted to desperate actions such as hunger strikes, permanent vigils, peaceful demonstrations.

Pressure from U.S. officials is effective only at times when Romania is seeking economic concessions from the U.S., such as granting Romania Most-Favored-Nation treatment in 1975, and again in 1976.

Hunger strikes have been organized in various countries to call to the attention of the public the plight of people kept hostage in Romania. People with relatives in Romania went on hunger strikes in Italy, West Germany, Australia, and the U.S. to ask for the release of their spouses and children. In United States alone our committee has sponsored hunger strikes of about 100 people since 1972. The last hunger strike in the United States, which started on May 24, 1976, was organized in New York City in front of the United Nations. Thirty-five people participated by going on a hunger strike lasting from 6 to 24 days, recovering, and starting again. The last week of the strike took place in Washington, D.C. from September 4 to September 9, 1976. Even though the strikers received strong support from U.S. Senators and Representatives and the media, not all of them got their relatives out of Romania. For example, Mr. Walter Graur of New York has his wife and 5-year old daughter in Romania, unable to obtain exit visas, or Mrs. Irina Bebelea, who has two children in Romania, also unable to obtain exit visas.

II. STEPS TO BE TAKEN BY THE AMERICAN CITIZEN OR RESIDENT WITH RELATIVES IN ROMANIA

To be accurate in describing the numerous and increasingly imaginative obstacles built up by the Romanian Government, we have to mention the action which people in the United States with relatives in Romania, must take with the Embassy of the R.S. Romania in Washington, D.C.

The would-be-emigrant or visitor in Romania is told that his exit visa application can not be processed unless the relative in the United States shows up at the Embassy of R.S. Romania to "legalize" his status with the Romanian Government.

Unfortunately, the U.S. State Department advises people in the U.S.A. with relatives in Romania, to comply with this requirement and visit the Romanian Embassy in Washington, D.C. Most of the people refuse, but with no other alternative left, they have to accept being interviewed by the Romanian Embassy in Washington. They have to give a full account of the way they left Romania, what countries they passed through before entering the United States, their status in the United States, their income, assets, etc. Then, they are offered two alternatives by the Embassy representative:

To apply to give up Romanian citizenship, pay the tax of \$201 per person, and wait for about two years for the Government approval; then and only then the relative in Romania may apply for exit-visa; or

Apply to stay in the United States with a Romanian passport, as a "Romanian citizen living abroad", and wait from 6 months to one year to get the Government

approval. The Romanian Embassy insists on the second alternative, persuading us that this is the fastest way to get a relative out of Romania.

However members of the U.S. Congress are informed differently when they try to contact the Romanian Embassy in behalf of their constituents. I will quote from a letter Representative E. Koch sent to my Committee when trying to reunite Mrs. D. Vircol with her husband: "He (the Romanian Ambassador) further stated that until her status is adjusted, there is no basis under Romanian law for her husband to be permitted to leave, since the premise for exit permissions is predicated on family reunion. And this requires that the person outside of Romania no longer be a Romanian citizen."

The processing of these papers generally takes about six to eight months.

Incidentally the processing of my application to give up my Romanian citizenship by the Romanian Government lasted two and a half years.

Not until April 19, 1974 did the Romanian Embassy in Washington send me a letter to inform me that my application to renounce Romanian citizenship had been approved on September 16, 1973. But my sister and her family are still in Romania. Before September 1976 she had not been allowed to apply for her exit visa.

In support of the above statements I submit the following:

Annex 1: a copy of official reply of the Ministry of Internal Affairs Bucharest, Romania, to Gabriela and Liviu Teodorescu's request for exit visas, in Romanian and English.

Annex 2: a copy of the questionnaire (Romanian text with English translation in small print) a person in the U.S.A. must fill out to "legalize" his status by renouncing his Romanian citizenship or living as a Romanian citizen abroad. Note that the petitioner must list all his relatives in Romania with a complete history of their employment and residence. They must also fill out information about their income, (salary, social security benefits, rents, etc.), their properties, and other assets.

Annex 3: a copy of the Romanian original form and its English translation a person in the U.S.A. must fill out with Romanian Embassy, vowing not "to engage, after losing his or her Romanian citizenship, in any action likely to cause harm to the interests of the Romanian state or people.

Annex 4: a copy of the letter I mentioned above I received from the Representative Edward Koch regarding his meeting with the Romanian Ambassador at that time, while trying to help a family in the United States to be reunited.

III. PRESIDENT CEAUESCU'S STATEMENT REGARDING FAMILY REUNION AND EMIGRATION POLICY MADE ON JUNE 3, 1976 AND FEBRUARY 17, 1977

President Ceausescu demonstrates the scorn he has for the Western World in his speech published by the Romanian newspaper *Scinteia* on June 3, 1976, exactly one day after President Ford waived Section 402 of the 1974 Trade Act for Romania only:

Regarding the *family reunion and emigration problems*, we consider that propaganda created abroad with the purpose of attracting citizens from Romania, has nothing to do with humanitarian principles, but it represents a means to exploit national sentiments for the purpose of satisfying the narrow and egoistic interests of capitalistic monopolies, which only want cheap qualified labor.

On February 17, 1977, Ceausescu delivered a speech at a meeting of communist party secretaries nationally broadcasted denouncing dissidents and would-be emigrants as traitors to Romania. He charged that, "some circles are attempting to use the Helsinki Final Act to interfere in the internal affairs of other nations." He applied the term "traitor" to Romanian citizens seeking to emigrate and to "those carrying on propaganda against this country."

IV. PROVISIONS OF THE ROMANIAN LAW REGARDING THE CROSSING OF ROMANIAN BORDERS

At this point we would like to quote from the Penal Code of the Socialist Republic of Romania, concerning people desiring to travel abroad (from the American-Romanian newspaper SOLIA, Detroit, Michigan).

Art. 194.5: "The fact that a Romanian citizen on a government or a general interest assignment abroad, refuses to return to the country, constitutes a crime of treason and is punishable with heavy imprisonment from five to fifteen years, loss of civil rights from four to eight years, and the confiscation of all his assets.

"Anyone who omits to denounce any preparatory acts regarding the above crime, before the infractor crosses the border, and before he is discovered by the

State officials, is punishable with correctional imprisonment from one to five years and correctional interdictions from one to five years."

Art. 267: "Anyone who enters or leaves the country in other places than those designated, or passes secretly through those designated places, commits the crime of fraudulent passage of borders and is subject to correctional imprisonment from three to ten years. The same punishment is applicable to anyone who has helped the above act."

V. SPECIFIC CASES DESCRIBING UNSUCCESSFUL ATTEMPTS BY U.S. CITIZENS AND RESIDENTS TO BRING THEIR RELATIVES FROM ROMANIA

1. For the past three years my sister, Gabriela, and her husband, Liviu Teodorescu, of Bucharest, Str. Virgiliu 15, have tried to apply for exit visas. They were not able to get the application forms because their employers refused to release the necessary written permission (see Chapter I, Paragraph A).

My sister has requested written permission from her office several times in the past three years. She went through a series of interviews with management, party and syndicate organizations, privately and publicly. Among other subjects, the relationship with her husband underwent microscopic scrutiny in public meetings to make certain that she was not trying to escape from family problems. When she went to the party organization at the Popular Council of her district, she was told bluntly that no permission would be granted.

All this time I have been in contact with my Congressman Edward Koch who called the Romanian Embassy in Washington repeatedly, and also with former Senator James Buckley, Senator Henry Jackson, and other U.S. officials. I have had great support from them, but the only tangible result was that finally, in December 1976, my sister got application forms to apply for an exit visa, only to be then officially refused by the Internal Affairs Ministry of R.R. Romania.

Her husband went through the same procedure. He has been asked incredible questions regarding my father who died 25 years ago, regarding other family members, and especially about me. His visa application is still being processed.

In my sister's case, I have recorded further her attempts made only after the Helsinki Conference in July 1975, to get the exit visa.

Please also note that after July 1975 as well, their house has been confiscated as punishment for my leaving the country in 1970. The house belonged to our parents, and after my father's death in 1953, I and my sister became co-owners together with my mother.

August 2, 1975: Written request forwarded at her job to get the necessary written permission from management and other organizations to be able to obtain the application forms for an exit-visa;

August 30, 1975: Her request is discussed in a public meeting and she is refused;

June 25, 1976: Her request is discussed in her company by the Committee of Working People. Uncertain results, followed by another request;

August 21, 1976: She finally receives the written permission from her job, valid until March 1977;

She waits for her husband, Liviu Teodorescu, to obtain the same type of written permission from his job, so that both would be ready to get the forms to apply for an exit visa.

December 1, 1976: They get the forms and handle the application at the local militia office (including their six year old son).

January 23, 1977: They have been refused in an answer-note, with no reason mentioned whatsoever. (see the copy of this note translated on the next page)

February 2, 1977: An interview with the Commandant has been granted. She forwards a memorandum asking for exit visas only for her husband and herself, accepting that their son be left alone in the country. An answer has been promised in 15 days;

February 23, 1977: Twenty-one days have passed with no answer. She asks for a new interview, paying again the interview tax. (There are high taxes to be paid per person for these interviews). Even though she paid the taxes, she is not accepted for the interview, but sent home to wait a mailed letter.

2. Mr. George Muscanu, born American citizen, of 2710 W. Summerdale, Chicago, Ill. 60625, has a daughter in the city of Brasov, Romania, a biologist, who has tried continuously for the past two years to get the exit-visa for emigration to join her father in the U.S.A. She has been lawfully accepted in the United

States since April 1976. But so far *she did not even get the application forms to apply for an exit visa.*

3. Mrs. Elena Kokkino, naturalized American citizen, of 2636 W. Winnemac, Chicago, Illinois 60625, has a brother, George Basceanu, in the city of Constanta, Romania, who has been legally accepted to the U.S.A.; the Romanian authorities rejected his exit visa though.

4. Mr. George Ardeleanu, of 1350 W. Argyle Ave., Chicago, Ill., 60640, has a wife and two daughters in Romania. They forwarded their application in Romania for an exit visa, but the authorities refused to process their application for the following reason: in 1973 Ardeleanu family paid in cash 40 percent of the price of a State owned house, to become their property when the house is paid in full. Since 1973 they have paid monthly installments up-to-date. The Romanian authorities are asking Mrs. Ardeleanu to pay the house in full, even though the house must be returned to the State, renovated and modernized in the case of Mrs. Ardeleanu's emigration to join her husband.

5. Mr. Ilie Irimus of 3244 N. Clifton, Chicago, Ill., 60657, left Romania at the first opportunity he had, in order to be able to provide a better life for his family whom he painfully left behind. His family in Romania has been refused the application forms for an exit visa, even though they have no means of support in Romania.

6. Mr. Mihai Covalski of 3244 N. Clifton, Chicago, Illinois 60657, has a wife, two children and a mother in Romania, unable to get the exit visa. The mother's retirement pension has been suspended, the entire family is threatened with house-confiscation, the correspondence was cut between Mr. Covalski and his family.

7. Mr. and Mrs. I. Tomos, of 617 Grove Street, Chicago, Illinois, have a nine year old son in Romania. The child has been separated from his parents for 13 months. How long does it take for the Romanian authorities to grant a visa to a nine year old child?

8. Mr. Vasile Danciu, of 5817 N. Kenmore Ave., Chicago, Ill., 60640, has tried for several years to bring his fiancée out of Romania. Countless times he contacted the Romanian Embassy in Washington, D.C., U.S. Senators, the Romanian Government, but everything has been in vain. He has an application for marriage registered with the Romanian Council of State nr. 1483/75 to marry Miss Maria Rodac, but the Romanian government has no intention to process it as the years go by.

9. Mr. George Mereuta of 2050 46th Street, Astoria LIC, New York 11105, has a sister Adela Basceanu in Romania, whose application for an exit visa has been rejected with no explanation even though she has been legally admitted to the United States.

10. Mr. and Mrs. Ludovic Miskolczi, 1355 Liberty Street S., Trenton, N.J. 08629, have two children in Romania, Alexandru, 6, and Liviu, 2, who have been kept as hostages over there when they left the country. Not even the forms to apply for an exit-visa have been released to these children, who are currently living with their grandmother, an old and very poor woman, unable to support them.

11. Mr. Florin Carmocan, 45-26 44th Street, Sunnyside, New York 11104, has a brother who has no chance to get an exit visa from Romania. (His youngest brother, Paul, had been shot to death at the age of 23 for the unproved crime of attempting to cross the border, while sleeping under trees 9 kilometers from the Turkish border, on October 1, 1975. At 6 kilometers another young man was shot to death in his sleep, and two others lost their legs; they have been sent to political prisons for the same unproved "crime" of attempting to cross the border).

12. Mr. Constantin Rauta, P.O. Box 634, Washington D.C. 20004, has his wife, Ecaterina Gabriela, 29, and his son, Mihai Catalin, 4, in Romania. They have been both legally admitted in the United States, but unable to get the exit visa from Romania. They have kept trying since 1973. Two weeks after the Helsinki Final Act was signed. Mrs. Rauta tried to visit the USA Embassy in Bucharest. While approaching the Embassy, she was arrested. For two days she was kept in a prison cell with the divorce application forms in front of her, being asked to divorce her husband. She has been strong enough to refuse to sign the papers. The harassment this family has endured during years of separation is difficult to describe. Money and letters sent by Mr. Rauta are not given to his wife. The above facts are in flagrant contradiction with Basket 3 of the Helsinki Final Act.

13. Mr. Mihai Vanatoru, naturalized American citizen, of 1413 Durham Avenue, South Plainfield, New Jersey 07080, has his mother Maria Munteanu in Romania, Str. Teodor Aman 27, Bucharest. Even though she has been lawfully admitted in the USA, she could not get the exit visa so far.

14. Mrs. and Mr. Chiras, of 800 W. Wyoming Avenue, Philadelphia, Pa. 19140, have their daughter Florica Angela Gedroye, with her husband and three children of 2, 4, and 8, in Bucharest, Romania, Bul. Muncii 208 C, Bloc G7. They are all willing to join the parents and other sisters in the USA, but they are unable to get the forms to apply for the exit visa.

15. P.F.C. Vlad Dan, Co. Meddac, Fort Dix, N.J. 08640, naturalized American citizen, has a mother in Romania unable to get the exit visa to join her son here.

16. Mr. Walter Graur, 140 W. 69th Street, New York, has a wife and a little girl in Romania. This young man went on a hunger strike twice last year in his unsuccessful attempt to bring his wife and daughter over here.

17. Mr. Nicolae Ilie and Mr. Ioan Bodea, recent immigrants as political refugees, living at 312 E. 75th St., N.Y. 10021, after trying for years to emigrate from Romania legally on the grounds of religious persecution for their Baptist faith, succeeded in crossing underground the borders last year, risking their lives. Mr. Nicolae Ilie left behind his wife Florica, 23, and two children, Laurentiu, 2, and Florin, 4. Mr. Ioan Bodea, 28, left behind his wife Ana, 22. These men of courage are trying every possible means to get their families out of Romania, but the exit visa application forms have been refused in Romania to all of them.

18. There are several other people with relatives in Romania who have thus far been unable to obtain the application forms for an exit-visa. To mention some of them and their addresses in U.S.A.:

Cornelia Ionescu's sister, 74 Amity St., Brooklyn, N.Y. 11201.

Anca Tanasoiu's parents, 69-76 57th St., Woodside, N.Y. 11377.

Emil Cocioaba's son, 1 Laurel Drive, Huntington, N.Y. 11753.

Narcisa Vladescu's brother, 111 Van Nostrand, Englewood, N.J. 07631.

Sergiu Serdici's mother, 41-25 77th St., Elmhurst, N.Y. 11373.

Alexandra Meleasa, 3 Lawson Lane, Great Neck, N.Y. 11023; (son).

Avram Botan, 484 Onderdonk Ave., Brooklyn, N.Y. 11237 (brother, mother).

George Fara, 1413 Durham Ave., So. Plainfield, N.J. 07080 (cousin).

Nicolae Moisidis, 964 E. Broadway, So. Boston, Mass. 02127 (mother, brother).

V. CONCLUSIONS

The facts in this statement have been gathered from personal experience, and from the cases of other American citizens and residents with relatives in Romania, as well as people in Italy, West Germany, and Australia with relatives in Romania. Details have been supplied by recent immigrants to the U.S. such as Mr. and Mrs. F. Georgescu, of 65-45 Yellowstone Blvd., Forest Hills, N.Y. 11375, Mrs. Maria Manta, of 20-49 Palmetto St., Ridgewood, N.Y. 11227, and her recently emigrated sons in Rome, Italy, Miss Dorothy Zaharescu, of 93 Viale America, Rome, Italy, and many others.

From the testimony of hundreds of people like the above-mentioned, it is apparent that the provisions of the Final Act of August 1, 1975, regarding the right to travel and emigrate to join a relative are not observed by the government of R.S. Romania. In other words, there has been no improvement at all in the right of Romanians to travel abroad. If anything, such rights have been weakened.

As a group of Romanian dissidents including the writer Paul Goma mentioned in their appeal on February 8, 1977 to the 35 participants at the 1975 Conference on Security and Cooperation in Europe, other long-ignored constitutional rights such as Freedom of Assembly, Freedom of the Press, Freedom of Conscience, Inviolability of the Home, Secrecy of Correspondence and Telephone Communications are also flagrantly violated in Romania.

During the last telephone communication the Truth About Romania Committee of N.Y. had with Paul Goma in Bucharest on Friday, March 4, just two hours before the catastrophic earthquake in Bucharest, Mr. Goma informed us that 75 people joined the signatories of this appeal. Even though Paul Goma's apartment building is surrounded by plainclothes policemen, and his telephone conversations are under surveillance, more and more people are joining the group.

The American-Romanian Committee for Family Reunion asks that the Helsinki Commission of the U.S. House of Representatives make these facts known in Belgrade, Yugoslavia, where the East-West Conference on Helsinki Final Act will convene in June 1977.

[Materials submitted for the record by Ms. Secu follows:]

Annex No. 1 : Copy of the original official answer-note Nr. 138036 of the Ministry of the Internal Affairs, Bucharest, Romania, to my sister's request for an exit visa. (The answer is negative).

[English Translation]

Ministry of Internal Affairs,
Passport Office of the City of Bucharest,
Nr. 138036 of January 19, 1977.

To : Com. Teodorescu P. Liviu, Gabriela, and son.

This is to acknowledge that your requests for traveling to the U.S.A. have not been approved.

Z.N.,
Chief of the Office.

Annex 2: Copy of questionnaire issued by Romanian Embassy for U.S. citizens seeking reunification with relatives in Romania.

IMBASADA

CONSULATUL

PHOTO

CHESTIONAR *) FORM

privind rezolvarea cererii de dobândire, redobândire, renunțare sau clarificare a cetățeniei române.
egarding acquisition, reacquisition, giving up the Romanian citizenship or clarifying the citizenship

1. Numele și prenumele _____
Name and surname
2. Numele anterior _____
Previous name
3. Data nașterii: ziua _____ luna _____ anul _____
Date of birth: day month year
4. Locul nașterii: localitatea _____ județul _____ țara _____
Place of birth: town county country
5. Numele la naștere _____
Name at birth
6. Domiciliul actual: țara _____ localitatea _____
Present residence: country town
strada _____ nr. _____ județul _____
street no county
7. Cetățenia în prezent _____ indicați ziua, luna și anul obținerii ei.
Present citizenship indicate day, month, year of its acquisition
_____ actul prin care dovedești cetățenia _____
the document proving it
8. Naționalitatea _____
Nationality

*) — Răspundeți complet și exact la toate rubricile; în caz contrar, vor fi necesare date suplimentare, care pot întârzia soluționarea cererii dv.

Furnish complete and exact all the data required; otherwise additional details should be necessary for, which may delay the solution of your request.

— Dacă nașterea sau căsătoria a avut loc în România, indicați localitățile după organizarea administrativ-teritorială actuală a României;

If the birth or marriage took place in Romania, indicate the places according to the present administrative territorial organisation of the country.

— Dacă pe lângă redobândirea, renunțarea sau clarificarea cetățeniei române solicitați și viză de intrare, repatriere, stabilire în străinătate sau eliberarea unui pașaport pentru cetățeni români domiciliați în străinătate, nu este necesar să completați un alt formular.

Whether beside the reacquisition, giving up the Romanian citizenship or clarifying the citizenship you request also entry or repatriation visas, establishing of permanent residence abroad or issue of a passport for Romanian citizens living abroad it is not necessary to fill in another form.

In cazul cind spatiile de mai jos nu sint suficiente, completați o fișă separată.

In case that the below spaces are not enough, fill in the rest on a separate paper.

Arătați următoarele date despre soția (soiul) și copiii dv.:

Indicate the following data about your wife, (husband) and children:

Nr. crt.	Numele și prenumele Name and surname	Data și locul nașterii Date and place of birth	Gradul de rudenie sau calitatea față de solicitant Degree of relationship or position to the applicant	Cetățenia Citizenship	Ocupația și locul de muncă Occupation and place of work	Țara și domiciliul Country and residence

Arătați următoarele date despre părinții (soții) și celelalte rude ale dv. din România:

Indicate the following data about your parents (parents-in-law) and the other relatives of Romania:

Nr. crt.	Numele și prenumele Name and surname	Data și locul nașterii Date and place of birth	Gradul de rudenie sau calitatea față de solicitant Degree of relationship or position to the applicant	Cetățenia Citizenship	Ocupația și locul de muncă Occupation and place of work	Domiciliul Residence

Arătați următoarele date despre părinții (soții) și celelalte rude ale dv. din țara unde domiciliați și din alte țări:

Indicate the following data about your parents (parents-in-law) and the other relatives of your country of residence and other countries.

Nr. crt.	Numele și prenumele Name and surname	Data și locul nașterii Date and place of birth	Gradul de rudenie sau calitatea față de solicitant Degree of relationship or position to the applicant	Cetățenia Citizenship	Ocupația și locul de muncă Occupation and place of work	Țara și domiciliul Country and residence

9. Previous citizenships: indicate the periods and circumstances in and under which you obtained and lost them

10. Studii: indicați instituția, localitatea și anul absolvirii
Studies: indicate the institute, town and year of graduation

11. Profesia _____ indicați ocupația în prezent și locul de muncă
Profession _____ indicate present occupation and place of work

12. Locurile de muncă unde ați lucrat anterior în România, în ce perioade și funcțiile
Places where you worked at previously in Romania, which periods and functions

13. Starea civilă: indicați dacă sînteți căsătorit, văduv, divorțat, celibatar
Civil status: indicate if you are married, widow(er), divorced, bachelor

locul înregistrării căsătoriei _____ ziua _____ luna _____ anul _____
place of marriage's record _____ day _____ month _____ year

numele soției (soțului) dv. la naștere _____
name of your wife (husband) at birth

numele soției (soțului) dv. înainte de căsătorie _____
Name of your wife (husband) before marriage

14. Indicați dacă ați fost condamnat(ă) de alte instanțe decît cele române și pentru ce fapte
Indicate whether you were convicted by other courts than the Romanian ones and why

15. Arătați dacă în prezent sînteți învinuit sau inculpat într-o cauză penală sau dacă aveți de executat o pedeapsă penală.
State if you are at present, accused or defendant in a penal case or if you have to execute a penal punishment.

16. Dacă ați locuit în România, arătați perioadele și domiciliile avute consecutiv
Whether you lived in Romania, state the periods and residences you had consecutively

16. State the travelling document with which you left the country, who issued it, the date, reason and circumstances of the departure.
-
-
-

17. Dacă nu sînteți originar din țara în care vă găsiți în prezent, indicați data intrării dv. în această țară.
If you are not born in the country where you are living, indicate the date of your entry in that country.
-
-
-

18. Indicați ce solicitați: redobîndirea, renunțarea sau clarificarea cetățeniei române
Indicate the object of your request: reacquisition, giving up the Romanian citizenship or clarifying the citizenship
-
-
-

19. Arătați detaliat motivele cererii dv.
State in detail the reasons of your request
-
-
-

20. Indicați veniturile din care vă întrețineți în străinătate (salariul, pensie, rente etc.)
Indicate your income abroad (salary, social security rents etc.)
-
-
-

21. Arătați în ce constau bunurile dv. mobile și imobile, valoarea lor, țările în care se află și ce intenționați să faceți cu ele după dobîndirea sau redobîndirea cetățeniei române în cazul stabilirii dv. în România.

State in what consist your movables and the real estate you possess, their value in what countries, and what you intend to do with them after the acquisition or the reacquisition of the Romanian citizenship in case of establishing your permanent residence in Romania.

22. Indicați dacă aveți obligații patrimoniale față de statul român, față de persoane juridice sau fizice din România; în ce constau acestea și cum înțelegeți să le îndepliniți;

Indicate if you have pecuniary obligations to the Romanian state, to individuals or juristic persons of Romania; in what consist these and how you think to solve them.

23. Anexez următoarele acte:
I enclose the following documents:

— copie (fotocopie) de pe actul de naștere;
copy (photocopy) of the birth certificate

— 6 —

- copie (fotocopie) de pe actul de căsătorie sau divorț; în caz de deces al soției (soțului), copie (fotocopie) de pe certificatul de deces.
 copy (photocopy) of the certificate of marriage or divorce; in case of death of your wife (husband),
 copy (photocopy) of the death certificate.

Localitatea completării _____ ziua _____ luna _____ anul _____
 The place (town) day month year

SEMNĂTURA,
 Signature

OBSERVAȚIILE ȘI AVIZUL MISIUNII DIPLOMATICE (OFICIULUI CONSULAR):

Sigiliul și semnătura

Annex 3: English translation and Romanian original of form issued by the Romanian Embassy to applicants renouncing their Romanian citizenship.

COMRADE PRESIDENT,

The undersigned.....(original surname)
 born on.....
 at..... District of.....
 son (daughter) of..... and of
 residing at..... Street and Number.....
 Country of....., hereby request approval
 of my renunciation to Romanian citizenship for the following
 reasons :

I meet the conditions set forth in Section 22, subsections
 a-c of Law # 24 of December 17, 1971, with regard to Romanian
 citizenship. To this end I am enclosing the following documents :

1. Sworn statement by which I undertake not to engage,
~~after~~ losing my Romanian citizenship, in any action likely
 to cause harm to the interest of the Romanian State and
 people; by which I declare that I am not charged or indicted
 for any criminal activity not am I under any unserved penal
 conviction; by which I furthermore declare that I have no
 financial obligations toward the Romanian state or toward
 corporations or individuals in Romania, furnishing guaran-
 tees to this end through.....(or alternatively)
 that I have such obligations toward
 and intend to discharge them through.....
 and for which purpose I am furnishing the following guarantees
 (personal salary, saving accounts at CEC *), personal properties
 in or outside Romania .

2. Receipt for the amount of \$ 201 representing the fee
 for renunciation to Romanian citizenship.

3. Certificate of birth Mr..... (original, copy or
 photocopy translated into Romanian and sworn, legalized or cer-
 tified depending on circumstances.

Place..... Date..... Signature.....

*) CASA DE ECONOMII SI CECURI (Saving and Checking Bank)

To Comrade President
 of the Romanian Socialist Republic

TOVARASE PRESEDINTE,

Subsemnat _____ (numele de familie
 avut anterior) _____ născut la data de _____
 în localitatea _____ Județul _____
 fiul(fiica) lui _____ și al _____, domiciliat(ă)
 în localitatea _____ Str. _____ Nr. _____
 țara _____, solicit aprobarea renunțării la cetățe-
 nia română pentru următoarele motive: _____

Intrunesc condițiile prevăzute de Art.22 literele
 a-c din Legea Nr.24 din 17 dec.1971 privind cetățenia română.

În acest scop.anexez următoarele acte:

1. Declarația autentică prin care mă oblig să nu
 săvârșesc după pierderea cetățeniei române fapte de natură să
 aducă atingere intereselor statului și poporului român; prin
 care declar că nu sînt învinuit sau inculpat în vreo cauză
 penală și nici nu am de executat vreo pedeapsă penală; prin
 care declar, de asemenea, că nu am obligații patrimoniale
 față de statul român sau față de persoane juridice ori fizice
 din România, prezentînd garanții în acest sens prin _____
 (sau după caz) că am astfel de obligații față de _____
 și înțeleg să le îndeplinesc prin _____
 pentru care prezint următoarele garanții (salariul personal,
 depuneri la CEC, proprietăți personale în țară sau străinătate
 etc);

2. Chitanța în valoare de 3 201 reprezentînd taxa
 de renunțare la cetățenia română;

3. Actul de naștere nr. _____ (în original, copie
 sau fotocopie tradusă în limba română și autenticată, legali-
 zată sau certificată, după caz).

Locul _____

Data _____

Semnătura,

TOVARASULUI PRESEDINTE

~~_____~~ AL REPUBLICII SOCIALISTE ROMANIA

Annex 4: Copy of a letter from Hon. Edward Koch to Ms. Valerie Secu regarding Mr. Vircol's application to the Romanian government for an exit visa.

EDWARD I. KOCH
18TH DISTRICT, NEW YORK

NEW YORK OFFICE:
Room 3139
25 FEDERAL PLAZA
PHONE: 212-254-1055

COMMITTEES:
BANKING AND CURRENCY
HOUSE ADMINISTRATION

Congress of the United States
House of Representatives
Washington, D.C. 20515

WASHINGTON OFFICE:
1134 LONGWORTH OFFICE BUILDING
PHONE: 202-225-2436

October 11, 1974

Valery Secu
309 Avenue C
New York, New York. 10009

Dear Ms. Secu:


My office has tried unsuccessfully on several occasions to reach you by phone during the past week.

I met with Ambassador Corneliu Bogdan of the Romanian Embassy in Washington on the case of Mr. Vircol. He advised me that Mrs. Doina Vircol's papers to adjust her Romanian citizenship were filed by her in May. The processing of these papers generally takes about six to eight months. He further stated that until her status is adjusted, there is no basis under Romanian law for her husband to be permitted to leave since the premise for exit permissions is predicated on family reunion. And this requires that the person outside of Romania no longer be a Romanian citizen. I urged the Ambassador to expedite Mrs. Vircol's papers and then to expedite Mr. Vircol's application for an exit visa. And, I asked that their case be treated with compassion in view of the long separation they have already suffered.

I am sorry that I cannot indicate an immediate time of departure. But, the Ambassador did know of Mr. Vircol's petition and he promised to convey my message to his government.

Please do check with Mrs. Vircol to be sure that the Ambassador's information on her having applied for an adjustment of her citizenship was as recent as May. If you have any conflicting information, please advise me of it.

Sincerely,


Edward I. Koch

EIK:ndr

Mr. PELL. Thank you very much. I now recognize Ms. Blum. Do you have anything that you would like to say?

Ms. BLUM. Yes. I have a statement that I would like to read.

Mr. PELL. Very well. I wonder if you could abbreviate it as much as you can and then have it appear in full on the record.

Ms. BLUM. OK. I would like to make a few points.

First of all, I left Romania legally and married a U.S. citizen and I must say that I did not encounter any problems leaving Romania.

I received approval to marry my husband in 9 months. There was nothing special that happened to me during this period.

In 1975, in June, my parents decided to come to the United States and they applied to the Romanian authorities for permission to emigrate to the United States.

The documents submitted with the application were two statements with respect to the fact that my parents did not work with secret documents, and also, two other statements in which the institute my parents worked for approved their intention to emigrate.

I would like to mention that these documents are not easy to obtain and I must say that my parents were lucky to obtain them. In case one does not have these documents, he cannot apply for permission to emigrate.

Months of silence followed after the application was submitted. My parents wrote a lot of letters to Romanian authorities to expedite their case. These letters were not answered.

Another thing that I would like to mention is that soon after the Helsinki Agreement was signed some organizations called Party Commissions were formed. My parents were called to the Party Commission of Sector 3. They were interviewed several times about the reasons that they wanted to leave and were asked if their decision was final and firm. These interviews had the purpose of making my parents change their minds. But the Commission, in failing to make my parents give up their intentions, finally decided that they would give its approval and forward the applications to a higher authority. Actually, this Commission has the authority to stop the application. If they do not agree with someone's desire to emigrate, they can simply say no at this level.

Another thing that I would like to mention is something of recent invention, and that is if someone desires to make an application for emigration, he has first to apply for an application so that he will be eligible to apply for application for emigration.

In 1977, my parents tried to get these new applications and they were told after they eventually filed the initial application that they would not be given the application form because they are now resolving the cases which have been pending since 1974—of those people who applied in 1974.

I would like to mention a little change that happened in my parents' situation. My grandmother, after her husband died, decided also to come to the United States and join her son, Valeriu Serban, who lives in the United States. She was refused the applications after she applied to be given them.

She was told that she would not be given the application until my parents' case is resolved.

That is all I would like to add at this time and I thank you.
 [The written statement submitted by Ms. Blum follows:]

Gentlemen, My name is Mariana Blum and I came from Romania into the United States on January 5, 1975 as a permanent resident after marrying on November 21, 1974 an American citizen. I am the only daughter of my parents, Serban Adrian and Tamara, who live in Bucharest, 63 C. Nottara Street, Romania. My father's only brother Valeriu Serban, also lives in the United States as a permanent resident since May 1974. He is presently applying for United States citizenship.

On June 10, 1975 my parents applied to the Romanian Authorities for permission to emigrate to the United States. Among the documents submitted with the application were two statements stating that my parents did not work with secret documents and also, two other statements in which the institute my parents worked for approved their intention to emigrate. Both my parents work at the Design Institute for Rolling Mill Plants in Bucharest and the above-mentioned statements were issued by this Institute. I would like to mention that in case one does not obtain such documents the application for emigration is not accepted.

Months of silence followed after the application was submitted. In February 1976, my parents were asked to come to the so-called "Party Commission of the Sector 3". This commission interviewed my parents several times, asked them over and over again the reason they want to leave and if their decision is firm and final. The interviews had the obvious purpose of making my parents change their mind. Failing in their attempt to make my parents give up their intention to emigrate, the commission finally decided that they would give their approval and forward the applications to higher authorities.

In March 1976, my parents were called to the Commission for Visas and Passports where they were told that their permission to emigrate was denied. Because my parents did not get any official document stating the refusal, they hoped that the verbal rejection was a mistake. They wrote several letters to the Romanian Authorities with the hope of clarifying this uncertain situation. The result was that in May 1976 my parents received a letter stating that permission to emigrate was definitely denied.

In this situation my parents did everything possible to obtain a change in the Authorities' decision. On May 31, 1976 my parents handed in at the State Council a memorandum registered under the number 4483. Up to this date no answer was received to this memorandum. In the same period, after weeks of efforts, my parents obtained an appointment at the Commission for Visas and Passports. At the interview with the Commissioner my parents were told once again that permission to emigrate was denied; no reason was given for this decision and no authority assumed on the part of the Commissioner to give any explanation. Since my parents were not granted any other appointments they continued to send letters to different agencies. On December 17, 1976 my parents sent a new letter to the Governmental Commission asking again for a reexamination of their case. This letter was answer on February 17, 1977 by letter number 7833 which said: "your appeal from December 17, 1976 is not approved, your case is filed".

Given this desperate situation my parents applied on January 5, 1977 for a new set of applications for emigration. Receiving no answer on January 18, 1977 my parents went to the Passport Office to inquire about their application. The answer they were given was that applications for emigration are given only to those who were refused the applications for emigration made in 1974. Since my parents filed the applications for emigration in 1975, the Passport Office refused to give them new applications. Now my parents' situation is "clear": the 1975 applications are filed and new applications are not "available". My parents handed in at the Governmental Commission on February 24, 1977 a new memorandum registered under the number 1317, but no answer has been yet received.

When my parents applied in June, 1975 for permission to emigrate my father's parents did not want to leave Romania. Meanwhile, my grandfather passed away and my grandmother, Debora Serban, decided to come and live with her other son, Valeriu Serban, here in the United States. My grandmother is eighty one years old, lives with my parents and is the only other member in our family, besides my parents, who is in Romania. My mother has no relatives in Romania. On November 30, 1976 she was called at the Party Commission of the Sector 4 where she was told that the commission will give its approval. Because she did

not get any invitation to come and pick up the application, my father went in February, 1977 to the Passport Office to ask for this application. The clerk there confirmed the Party Commission's approval but refused to give the application for my grandmother. He said that the application for her would be given only when my parents' situation will be resolved.

Coming back to the case of parents I would like to mention that my father got an "unsatisfactory" qualification from the institute where he works. A qualification is given every year to employees and it is in reference to one's professional and social behavior. Revolted by this qualification my father sent a letter in which he rejected the qualification and in which he mentioned that the "unsatisfactory" is probably due to the fact that he applied for permission to emigrate. He did not receive any letter denying this.

Gentlemen, I thank you very much for your attention and I hope that you can help my family leave Romania.

Mr. PELL. Thank you very much, Ms. Blum. We appreciate your letting us know of the very sad plight of your family and the plight that you yourself face here.

Thank you very much.

The next hearing of the Commission will be Thursday, March 17, 1977, when we will take testimony on the problem of Jewish emigration from the Soviet Union. That hearing will be held in room 2359 of the Rayburn House Office Building, where we will begin at 10 o'clock in the morning, on Thursday, March 17.

At this time, the hearing is adjourned until that time.

[Whereupon, at 12:40 p.m., the hearing was adjourned.]

IMPLEMENTATION OF THE HELSINKI ACCORDS: HUMAN CONTACTS: FAMILY REUNIFICATION AND BILATERAL MARRIAGES

THURSDAY, MARCH 17, 1977

COMMISSION ON SECURITY AND COOPERATION IN EUROPE,

Washington, D.C.

The Commission met, pursuant to notice, in room 2359, Rayburn House Office Building, Washington, D.C., at 10 a.m.; Hon. Dante B. Fascell, chairman, presiding.

In attendance: Commissioners Fascell, Bingham, Fenwick, and Yates.

Also present: R. Spencer Oliver, staff director and counsel; and Alfred Friendly, Jr., deputy staff director.

OPENING STATEMENT OF COMMISSIONER BINGHAM

Mr. BINGHAM. The Commission on Security and Cooperation in Europe will be in order. In the temporary absence of Chairman Fascell I will open the meeting.

The hearing today deals with the most publicized and perhaps the most sensitive topic the Helsinki Final Act put on the international diplomatic agenda: the emigration of Jews from the Soviet Union. Two days ago the Commission heard testimony on the implementation of the family reunification provisions by the Warsaw Pact countries in cases involving American nationals.

Today, we turn to an issue that has special importance to Americans even though, in most cases, the people concerned have no immediate family ties here.

What they do have—the 130,000 Jews who have been able to leave the Soviet Union since 1971, the thousands who are thought to be seeking to leave—are direct ties to American sympathies.

As a nation molded by immigrants, we have a special tie to the concept, indeed to the right, of free movement of people. And as a haven for those seeking refuge from misery or oppression, we have a special tie to Jews who have suffered so much of both in this century.

So it is understandable, and here I am speaking for Chairman Fascell, that an American of Italian descent should conduct a hearing on St. Patrick's Day about the ways in which the family reunification pledges given in Helsinki are being applied to Soviet Jews.

The record of which we already know is full of contradictory indications. Two days ago, for instance, it was reported that Dr. Mikhail Shtern, a victim of Soviet attempts to intimidate would-be Jewish emigrants, was released from prison.

But the same day that heartening gesture was announced, we also learned that Anatoly Shcharansky, a dauntless fighter for the right to emigrate, had been taken to prison in Moscow. He has been waiting nearly 4 years for permission to emigrate to Israel, where his wife has been living since June, 1974.

Under constant police surveillance and harassment, he has nevertheless continued to press his case and that of others, both as an individual and as a member of the Public Group to Promote Observance of the Helsinki Agreements in the USSR since it was founded last May.

His arrest, if that is what this latest episode of repression is, is a contemptuous Soviet gesture of defiance of the values that the Helsinki signatories pledged to respect. It is not just another stain on the Soviet record of Helsinki compliance; it is a confirmation of a continuing pattern of conduct that calls for resolute public condemnation.

Anatoly Shcharansky appears to be a victim of the Soviet capriciousness that is documented—in a partial and preliminary way—in a report I wish to include in today's hearing record.

It is an early and incomplete report on the results of a Commission staff survey—still underway—of the experiences of recent Soviet emigres in applying for and eventually receiving permission to leave.

On the one hand, it shows that three quarters of the successful emigres were able to get their exit visas within 6 months of requesting them. But on the other hand, it reveals a high incidence of harassment of applicants before and as they leave and a continuing campaign to block or discourage applicants.

Not all the questionnaires on which the Commission's final report will be based have been received or tabulated. And even when they are, the experience of successful emigres must always be weighed against our knowledge of the many, many Soviet Jews who have been waiting long years to have their refusals reversed.

Today's hearing gives us an opportunity to hear from some of them and from their close relatives. It is a welcome occasion to try to sort out the contradictory evidence we do have and to put the record in some kind of order.

Our first witness today, and we are very glad to welcome him before the Commission, is Clive Barnes of *The New York Times*. Mr. Barnes.

STATEMENT OF CLIVE BARNES

Mr. BARNES. Mr. Chairman and ladies and gentlemen, first I would like to explain why I am testifying and why I first became involved in the question of Soviet Jewry.

I became involved chiefly through one individual case, the case of a dancer of the Kirov Ballet from Leningrad, Valery Panov. His case eventually became a cause celebre, but at the time I never knew that.

He wished to join his family and friends in Israel and he applied for a visa from the Soviet Union to go to Israel with his wife, Galina, who was not Jewish.

At the time he was immediately dismissed from the Kirov Ballet and his wife was demoted from the rank of ballerina to corps de ballet and she was later dismissed herself.

And he was subject to enormous harassment. He appealed to me because he knew me and he knew my wife and he knew my sister-in-law, and asked me to try to help him and raise the issue in the West.

The harassment of Soviet Jews cannot be too highly stressed, particularly as soon as they apply for a visa to return to their homeland. This is a story of such incredible human injustice. Human injustice, let us face it, not on the scale of, say Hitler, but human injustice on a scale, on an intellectual scale, on a scale of moral deprivation that is extremely painful.

Through the case of Valery Panov I became interested and concerned with the fate of Jews all over the Soviet Union and their justifiable aspirations to emigrate to Israel and to leave a country that gave them neither religious nor ethnic freedom and, indeed, subjected them to a very pernicious form of anti-Semitism.

The more I found out about it, the more it disturbed me.

Now, one of the particular reasons why the Panov case is relevant is because at one time the Soviet authorities were prepared to grant Valery Panov a visa, himself, but refused a visa for his wife. In effect, they were seeking to break up a family.

I think that in most—I was going to say Soviet propaganda, but I will not say that—let us say Soviet policy, most of these instances, the insistence on the family unit is a significant one.

It is curious that family unit only seems to apply to good Russian-born Communists, and the sanctity of family life seems to be of far less importance in the question of Jews.

Now this was before the Helsinki Agreement of 1975. Had it been after that I think that this would have been extremely relevant.

It seems to me that the Helsinki Agreement, which offers freedom of movement, an agreement which the Soviet Government freely attached their signature to, I think really must be upheld. Freedom of movement must mean exactly what it says.

It is quite immoral to break up families. It is heart-rending. All of us would feel terrible to have our loved ones to be broken away from us and us from our loved ones.

I remember during the time of the Panov campaign—and it became an international campaign—and I remember one time in New York we had arranged a talk-in with Panov in Russia because they can take in telephone calls as you know. They are always monitored by the KGB. Their telephones are never cut off. How can you tap a cut-off telephone? [Laughter.] We arranged a talk-in with Panov and a number of well-known people and people who were his friends to encourage him.

At the end, a very tiny Latvian woman came up to me and said—she touched me and said:

Please, please get my son out of Latvia. Please write in your paper about my son. He is a 24-year-old engineer. You write about Panov, why not write about my son?

I knew full well that I could not write about her son. Her son to her was as important as the Panovs. Just as important. But the Panovs had publicity and news value that some little engineer in Latvia does not have.

This is why it is very easy to campaign for the well-known and the celebrated and, if you like, for the glamorous. It is very easy to campaign for a dancer to be reunited with his homeland or for a wife to be reunited with that dancer.

These people, you can show photographs of them in newspapers and you can have them visited by television cameras and you can have campaigns outside Soviet Embassies and Consulates. All of these are very practicable.

But I am thinking about the little engineer in Riga. These are the people we must be very much concerned with.

There are so many cases of this that one could literally go on all morning just giving individual case histories.

I am sure that as a commission you have heard so many and you are probably almost—not bored with them, but how harrowed can one be?

These case histories are all regrettably and if I may use the word, despicably, similar.

Let me give you just one. This is the case of Stella Goldberg Yoran. She is a woman who was born in 1932 in Moscow. She is a pianist and she first applied for a visa on June 16, 1970.

The grounds for her refusal is that her husband is a traitor to the Soviet Union.

Stella Goldberg Yoran and her 7-year-old son, Alexander, have been denied the right to emigrate to Israel since that time and to be reunited with their husband and father, who is a renowned cellist, Victor Yoran, who left the Soviet Union so he could live among Jews.

Stella and Alexander and Victor's aged mother are being punished for his unauthorized departure. Internationally known artists such as Leonard Bernstein and Vladimir Ashkenazi and Pierre Fourné—they all urged the Soviet Union to allow the family to be reunited.

But so far the Soviet Union has been resolute in its refusal. This is the appeal that this pianist, Stella Yoran, made hoping to rejoin her husband. I will read it to you because I think it is very poignant.

In accordance with the Declaration of Human Rights, I renounce my Soviet citizenship. It is impossible for me to remain a citizen of a country capable of behavior so cruel and so inhumane towards me and my 7-year old son.

A country that treats us as though we were common criminals because I applied for a visa and was refused countless times to join Victor in Israel.

I implore you to help me in the catastrophe which has befallen my family. It is already 6 years that my husband is living in Israel.

He did not and does not commit any actions hostile to the Soviet Union and yet we, his family, have nevertheless been denied the right to emigrate.

I alone am responsible for the well-being of a young child and for my husband's mother who is old and in poor health.

All our endless appeals to the highest Soviet authorities are to no avail. Moreover the OVIR informed me that for the next three years my applications will not even be considered. Of what use or value are two people, desperate with grief, and a 7-year old child, to the Soviet Union?

We are being held as hostages which is nothing short of medieval barbarism.

I entreat you to raise your voices in protection of my family. Save our lives and help us to join our husband and father and son.

In my briefcase I have many other of those kinds of stories and I know that you hear many of these stories.

I know such actions go completely contrary to the Helsinki Agreement. I think that this is not even just a question of Soviet Jewry. I

could, for example, cite the example of the poet, Joseph Brodsky, who wishes his elderly parents to join him for a visit.

I could cite the example of Rudolph Nureyer, who has a mother, a sister, and a niece who would like to visit him but have several times been denied visas to do so.

These examples of inhumanity are quite incredible in our day and age, and I feel that we must, at this time, urge the new Administration not to be confused—not to be confounded by thoughts of detente. Detente is not an issue in moral human rights.

And I think that most of us who are interested in human rights, the human rights of Soviet Jews, the human rights of Soviet dissidents, the human rights of people like Bukovsky, I think that all of us, must use our own democratic voices to try to influence committees like your own, the Administration, and every way in which we can, to persuade Americans to stand very firm on this issue.

It would be very easy to give way. It would be very easy to use these few people, these comparatively few people, as some kind of pawn in a power game in exchange for economic or military advantages.

I suggest that this would be morally wrong and that governments that behave with moral blemish in the end do not come out very well in the sagas of history.

Thank you.

COMMENTS AND QUESTIONS OF CHAIRMAN FASCELL

Chairman FASCELL. Thank you very much, Mr. Barnes, for a very eloquent presentation and the discussions of additional sad cases which, unfortunately, are far too many.

You are right, as far as I am concerned, about the need to express concern for the nonfamous cases which are not so easy to identify and support. It is the unidentified individual who is struggling who really has a problem.

Frankly, after hearing a great many of these cases and listening to a tremendous amount of testimony, I find it very difficult to understand why any government or people acts in a manner which seems to be so fearful. The Soviet Union is a great country with great people, and yet the things that seem to distress them most are the thought of individual freedom or the right to self-expression or to move about freely. It seems to be a rather unique society in that respect.

I do not know what we can do because of their fear. But certainly, it seems to me, it is incumbent upon us to speak out wherever we are. All of us have been too silent for too long. Your eloquent voice has made a fine contribution to this effort.

The Commission here, as you know, is an expression of the same governmental concern that you speak for individually. We shall continue to do that and we welcome your support.

Mr. BARNES. Thank you, sir.

Chairman FASCELL. Mrs. Fenwick.

COMMENTS AND QUESTIONS OF REPRESENTATIVE FENWICK

Mrs. FENWICK. Mr. Barnes, I know exactly how you feel, having suddenly a human being before you who has been treated in this terri-

ble way. I think all of us have written letters on behalf of people, but when for the first time you see somebody it is different, and for me it was a woman called Lelia Roitburd, in Moscow.

It is the difference between reading of a terrible accident in the newspaper and coming upon that accident, with blood in the street.

Can you imagine my surprise, when, at an ecumenical meeting in my district, the name of Lelia's husband was read out as one for whom we must pray and plead.

Out of that meeting in Moscow came this Commission, out of her distress. And somehow in this savage century, which has seen so much injustice and so many horrors perpetrated by governments, which are supposed to be instituted for justice, we must learn that we cannot go on like this.

You are quite right. It is not possible to go on like this, watching things happen to people.

Mr. Scranton, at the U.N., said that if we do not say anything about injustice, we seem to condone it. I would go further. If we say nothing, we are accomplices. And that is what we are all going to turn into, unless we work hard to do what we know must be done.

Mr. Barnes, what you said about how people turn to the West—that is all they have. If we do not care, we cannot pretend that anybody else will raise their voice.

Mr. BARNES. That is absolutely true. They are only kept alive by our protests. So many people have said this. People as diverse as Sakharov and all of the dissidents and all of the Soviet Jews have maintained that unless the West shows that they care, then as Gogol said, they are lost souls.

Mrs. FENWICK. Yes; once I asked "How do you dare come to the hotel in such numbers, because the KGB is everywhere and you are watched." The answer was, "That is the only hope we have because then we know you are taking down all of our names and addresses, Mrs. Fenwick, and that is the only hope we have because they know you are doing that."

Mr. BARNES. Yes, exactly.

Mrs. FENWICK. Thank you, Mr. Barnes.

Chairman FASCELL. Mr. Bingham.

COMMENTS AND QUESTIONS OF REPRESENTATIVE BINGHAM

Mr. BINGHAM. Mr. Barnes, I found your statement very moving indeed. I have also witnessed the courage—and I was about to say despair, but it is not despair, it is rather a spirit of courage and determination combined—that you find in the dissidents in the Soviet Union.

I think that one of the extraordinary things about this is the degree of that courage, the willingness to submit to the capricious cruelty of the Soviet system in order to try to achieve an objective.

Do you have any explanation at all for what appears to be the extraordinary capriciousness of the action? Why is it that fairly large numbers of people who want to leave the Soviet Union are allowed to leave and others whose circumstances seems to be more painful, more appealing, are denied year after year.

Mr. BARNES. I think caprice is probably the best word for it. I think that certainly there comes a point where people become more nuisance inside the Soviet Union than outside the Soviet Union.

The supreme example of this was, of course, the poet, Solzhenitsyn who actually did not wish to leave the Soviet Union, but was forcibly ejected. And this has happened on more than one occasion.

In other instances caprice seems to be the main thing. Let me stress that I am very fond of Russians. I like the Russian people. I won't go quite so far as to say that I never met a Russian I didn't like, but I have met many Russians whom I have liked and loved a lot.

I think that one thing one has to remember, both in czarist Russia and in present day Russia, is the incredible power of the bureaucracy there.

The bureaucratic process is capricious by nature there. I think very often, why one person gets a visa or one person does not is not some deep-laid plan, but merely the capriciousness of a minor official, or which minor official happens to process the papers.

It seems to be as simple as that. Certainly some people are made examples of. I mean all the cases you will hear of at these hearings will be people, who for some reason or another, the Soviet Union wishes to make an example of to discourage the others.

But I think the caprice very often is just the caprice of any bureaucratic process. I dare say our own bureaucratic process in the United States is not entirely free from capriciousness, and I think that this is part of that system.

Mr. BINGHAM. Thank you. And I certainly want to thank you for your part in this.

Mr. BARNES. Thank you.

Chairman FASCELL. Thank you very much, Mr. Barnes.

Mr. BARNES. Thank you.

Chairman FASCELL. Our next witness this morning is Mr. Eugene Gold, who is the district attorney for Brooklyn of Kings County, N.Y. He is the chairman of the National Conference on Soviet Jewry and has been very active in Jewish communal life. He has done good work as an activist and spokesman, and today he is testifying on behalf of the 39 member organizations, among which are B'nai B'rith and Haddassah and several hundred local community organizations, and federations across the country.

Mr. Gold, it is a pleasure to have you with us today and to hear your testimony.

STATEMENT OF EUGENE GOLD

Mr. GOLD. Thank you very much, Mr. Chairman. It is always a pleasure to be in your company, personally, and to be able to express the appreciation of the National Conference on Soviet Jewry for the support and encouragement that you have given to us.

Mr. Chairman and members of the Commission on Security and Cooperation in Europe, as chairman of the National Conference on Soviet Jewry, I welcome this opportunity to testify today and present some data concerning the Jewish minority in the Soviet Union. With me is our executive director Jerry Goodman, our Washington representative Marina Wallach, and Esther Lazaris, and Jeanette Mager, two women whose cases are symbolic of hundreds of other men and women separated from their relatives and families.

Mr. Chairman, it was with great pleasure that we greeted you at our Board of Governors meeting in New York last October, and we express our appreciation for your role in helping to create this Commission. I

would also like to extend a special note of gratitude to Representative Millicent Fenwick, the "mother" of this Commission.

For those who may not be familiar with our organization, I should like to offer a brief synopsis. In June 1971, the National Conference on Soviet Jewry was created in response to an unprecedented massive crackdown against Soviet Jews seeking their freedom—especially the freedom to emigrate to Israel.

The crackdown led to a series of show trials and harsh prison terms for many young Jews. Today, 39 national organizations and hundreds of local affiliated councils, federations, and committees comprise our constituency, and I am submitting a list of these organizations for the record.

Chairman FASCELL. Without objection, it will be included in the record.

Mr. GOLD. Thank you, sir. The National Conference on Soviet Jewry through a sister agency, the National Jewish Community Relations Advisory Council, reaches every corner of organized Jewish life in the United States, and maintains international ties as well.

We have the same dual mission as when we were founded; to help all Soviet Jews who wish to emigrate to leave the U.S.S.R. for Israel and elsewhere, and to help the Jewish minority in the U.S.S.R. live as Jews with all the rights, freedoms, and privileges, accorded all other religious and ethnic groups.

One of the most pressing situations that now exists is the cruel and often deliberate separation of Soviet Jewish families. Last year, with the South Florida Conference on Soviet Jewry, a committee of the Greater Miami Jewish Federation's Community Relations Committee, and I know that you, Mr. Chairman, worked closely with them, the NCSJ published a selection of 54 case histories of such families in the book *Orphans of the Exodus* which led to a special vigil in this House.

We have, since, compiled more case histories—poignant and tragic case histories of husbands and wives, parents and children who only know one another from photos, from memories, from letters; separated by thousands of miles by an inhumane policy.

Mr. Chairman, in addressing our board of governors last October, you said, and I quote:

If families in the Soviet Union are having just as hard a time since Helsinki as they had before it in seeking to reunite with one's relatives abroad, a significant standard is being violated.

I advise this Commission that the Soviet Union is guilty of ruthless violations, bureaucratic in their procedure, devastating in their effect.

Four months ago you told us that the Helsinki Accord's promise that the application to join separated family members "will not modify the rights and obligations of the applicant or of members in his family" is still an empty one." I suggest the promise is not only empty, but has been twisted by the U.S.S.R.

As reported in the March 8 edition of our *News Bulletin*, No. 105, applicants from Moscow, Vilnius, Leningrad, Kishinev, and other cities have recently been refused visas, because local offices claimed the Helsinki Agreement, which provides for the reunification of families, would be violated by such actions!

This must be one of the most bizarre interpretations of a document designed to facilitate family reunions. Jewish refuseniks recently pe-

tioned for written refusals, but Soviet officials claim that the OVIR—the local immigration office—does not have to give any reason for one's refusal. Meanwhile, harassment against prominent Soviet Jewish activists continues, a fact I will soon demonstrate.

In one of the most heavily endorsed appeals to emerge recently from the U.S.S.R., 163 refuseniks from 13 cities declared that the "situation in which would-be emigrants are brought to utter despair by being constantly refused—quite illegally—for many years, can no longer be tolerated." The text was addressed to all heads of nations which signed the Helsinki Agreement, to the U.S. Congress and to this Commission.

The signers stated that the Soviet practice of oral denials of emigration without a time limit to the refusal and without any legal basis are a direct violation of the spirit and letter of the Covenant on Civil and Political Rights, ratified and signed by the U.S.S.R. in 1973.

They went on to "emphatically insist that all those illegally prevented from leaving shall be quickly given permission; alternately, they should be given formal statements in writing with the official, legal reasons for refusal, and stating the period of time the refusal will stay in effect, in accordance with existing laws and regulations."

Signers included Vladimir Slepak, Professors Alexander Lerner and Mark Azbel, Dina Beilina and Ida Nudel—Moscow; Felix Aronovich and Alexander Yampolsky—Leningard; Dr. Eltan Finkelstein—Vilnius; Grigory Hess and Lev Ovsishcher—Minsk; Vladimir Kislik—Kiev; Yuri Berkovsky—Novosibirsk; Yaakov Gordin—Riga; the Goldstein family—Tbilisi; and Benor Gurfel—Tallin.

Mr. Chairman, this is the absurd situation we face. A situation which breeds despair for hundreds of separated Soviet Jews. A policy which denies hope or comfort.

I would hope that the cases we present to you today would be viewed as just the tip of an iceberg. The Helsinki Accords are not only being broken with the example of these families, but the freedom to worship freely, to congregate freely, to study one's culture and history, and to openly learn Hebrew, are being denied to Soviet Jews.

They are a people who face a bitter irony—in the Soviet Union they are not permitted to be Jews, nor are they permitted to stop being Jews, a situation which only encourages the desire of Jews to join family and friends in Israel and elsewhere.

The numerous provisions of the Final Act, as related to the fundamental aspects of human rights, created an atmosphere of great expectation. However, the reality of Soviet policies soon changed it. I believe that the treatment of the Jewish minority in the Soviet Union has become a litmus test of Moscow's real support of détente with a moral base, and its adherence to the Helsinki Accord.

The adoption of the Helsinki Final Act was greeted by many people as a significant step towards ensuring greater security and cooperation in Europe and a better understanding between the peoples concerned.

As members of a people who have suffered from war, especially during the last World War, Jews have a particular stake in the preservation of peace. Jews therefore welcomed the formulation of principles guiding peaceful interstate relations; we are greatly interested in the progress of confidence-building measures, and are anxious to see better cooperation between nations.

All this adds directly to our own security, as well as to the security of the world at large.

So often during our history, we have been subjected to discrimination and persecution. Naturally we devoted particular attention to the humanitarian issues to which the Final Act is directed.

The largest Jewish community in Europe, the 2 to 3 million Jews of the Soviet Union, especially hailed the provisions of Basket III. Their adoption seemingly indicated understanding on the part of the government of their country toward some of the problems which have gravely occupied Soviet Jews, as members of a religious and national minority.

Mr. Chairman, in any review of the implementation of the provisions of Basket III of the Final Act in regard to this community of Soviet Jews, the record is sadly disappointing. It is with genuine regret that we have to present an unfavorable balance sheet of performance by the Soviet authorities.

It is our conviction that further building of the structure of security, cooperation, and détente—which we applaud—can be accomplished only if the foundations are solid. The first task of any followup conference should be therefore to seek a remedy for the situation where the first year's performance is wanting.

Mr. Chairman, the balance of the statement which I have submitted to the Commission which relates to the reunion of families, the restrictive interpretations by the Soviet Union of the phrase "family reunification," their definition, or lack of it, of the term "national security," their extraordinary definition of the phrase "public order," their even more incredible definition of the phrase "the rights of others," their definitions of "reasons of state" and other impediments—they are all outlined in this statement and I shall not read it in its entirety at this time.

Chairman FASCELL. Without objection, Mr. Gold, your entire statement will be placed in the record and we particularly welcome your review and analysis from a legal standpoint in light of your distinguished legal background.

Mr. GOLD. Thank you, Mr. Chairman. I would like to just conclude by saying this, if I may.

The Final Act states, "that an application concerning family reunification will not modify the rights and obligations of the applicant or of members of his family."

It has been mentioned, in the statement that I did not read, that the Soviet authorities strictly adhere to the provision that the applicant's obligations are not diminished by the application.

The corresponding provision protecting the applicant's rights is, however, not observed. The most frequent forms of abridgement of their rights are the following: Dismissal from jobs, demotion in employment or in the Army, refusal of new employment and charges of parasitism, expulsion from university, military conscription, deprivation of apartments, arrest or threat of arrest.

And where in the world, anywhere, can anyone forget the Jewish Prisoners of Conscience?

I would advise this Commission, Mr. Chairman, to carefully examine these grave violations of human rights, the rights of the Jewish minority in the U.S.S.R.

I also firmly recommend that the U.S.S.R. remove all obstacles in the way of those Soviet Jews who wish to emigrate and be reunited with families, in accordance with the provisions cited in the Helsinki Final Act and other international agreements.

I would also ask the Members to demand the immediate release by Soviet authorities of all Soviet Jewish Prisoners of Conscience whose only "crime" was their wish to emigrate to Israel and to allow them to emigrate.

The anti-Semitic media campaign waged in the U.S.S.R., the prohibition to pass on to a new generation their religious and national Jewish traditions, the acts directed against these traditions, the violations of freedom of communication between Soviet Jews and their brothers and sisters overseas, the attempts to isolate them, the obstacles placed in their way to their historic homeland—all these contradict the spirit and the letter of the Helsinki Final Act, and we will document these violations at another occasion.

Mr. Chairman, I thank you for your attention. We believe that the Congress and the Administration are moving ahead to insure basic human rights, including the special rights of the Jewish minority in the Soviet Union.

This Commission is an important step forward in that direction, and I trust that all Americans will support your efforts.

Thank you.

[The written statement submitted by Mr. Gold follows:]

Mr. Chairman and members of the Commission on Security and Cooperation in Europe, as Chairman of the National Conference on Soviet Jewry (NCSJ), I welcome this opportunity to testify today and present some data concerning the Jewish minority in the Soviet Union. With me is our Executive Director Jerry Goodman, our Washington representative Marina Wallach, Esther Lazaris, and Jeanette Mager, two women whose cases are symbolic of hundreds of other men and women separated from their relatives and families.

Mr. Chairman, it was with great pleasure that we greeted you at our Board of Governors meeting in New York last October, and we express our appreciation for your role in helping to create this Commission. I would also like to extend a special note of gratitude to Rep. Millicent Fenwick, the "mother" of this Commission.

For those who may not be familiar with our organization, I should like to offer a brief synopsis. In June, 1971, the National Conference on Soviet Jewry We have the same dual mission as when we were founded—to help all Soviet Jews seeking their freedom—especially the freedom to emigrate to Israel. The crackdown led to a series of show trials and harsh prison terms for many young Jews. Today, thirty-nine national organizations and hundreds of local affiliated councils, federations and committees comprise our constituency, and I am submitting a list of these organizations for the record.

The National Conference on Soviet Jewry through a sister agency, the National Jewish Community Relations Advisory Council, reaches every corner of organized Jewish life in the United States, and maintains international ties as well. We have the same dual mission as when we were founded; to help all Soviet Jews who wish to emigrate to leave the USSR for Israel and elsewhere, and to help the Jewish minority in the USSR live as Jews with all the rights, freedoms, and privileges accorded all other religious and ethnic groups.

One of the most pressing situations that now exists is the cruel and often deliberate separation of Soviet Jewish families. Last year, with the South Florida Conference on Soviet Jewry, a committee of the Greater Miami Jewish Federation's Community Relations Committee, the NCSJ published a selection of fifty-four case histories of such families in the book *Orphans of the Exodus* which led to a special vigil in this House. We have since compiled more case histories—poignant and tragic case histories of husbands and wives, parents and children who only know one another from photos, from memories, from letters, separated by thousands of miles and an inhumane policy.

Mr. Chairman, in addressing our Board of Governor's last October, you said, and I quote, "If families in the Soviet Union are having just as hard a time since Helsinki as they had before it in seeking to reunite with one's relatives abroad, a significant standard is being violated". I advise this Commission that the Soviet Union is guilty of ruthless violations, bureaucratic in their procedure, devastating in their effect. Four months ago you told us that the Helsinki Accord's promise that the application to join separated family members "will not modify the rights and obligations of the applicant or of members in his family" is still an empty one." I suggest the promise is not only empty, but has been twisted by the USSR.

As reported in the March 8 edition of our *News Bulletin* (no. 105), applicants from Moscow, Vilnius, Leningrad, Kishinev and other cities have recently been refused visas, because local offices claimed the Helsinki Agreement, which provides for the reunification of families, would be violated by such actions. This must be one of the most bizarre interpretations of a document designed to facilitate family reunions. Jewish refuseniks recently petitioned for written refusals, but Soviet officials claim that the OVIR—the local immigration office—does not have to give any reason for one's refusal! Meanwhile, harassment against prominent Soviet-Jewish activists continues, a fact I will soon demonstrate.

In one of the most heavily endorsed appeals to emerge recently from the USSR, 163 refuseniks from 13 cities declared that the "situation in which would-be emigrants are brought to utter despair by being constantly refused—quite illegally—for many years, can no longer be tolerated." The text was addressed to all heads of nations which signed the Helsinki Agreement, to the U.S. Congress and to this Commission.

The signers stated that the Soviet practice of oral denials of emigration "without a time limit to the refusal and without any legal basis are a direct violation of the spirit and letter of the Covenant on Civil and Political Rights, ratified and signed by the USSR in 1973. They went on to "emphatically insist that all those illegally prevented from leaving shall be quickly given permission; alternately, they should be given formal statements in writing with the official, legal reasons for refusal, and stating the period of time the refusal will stay in effect, in accordance with existing laws and regulations."

Signers included Vladimir Slepak, Profs. Alexander Lerner and Mark Azbel, Dina Beilina and Ida Nudel (Moscow), Felix Aronovich and Alexander Yampolsky (Leningrad) Dr. Eitan Finkelstein (Vilnius), Grigory Hess and Lev Ovsishcher (Minsk), Vladimir Kislik (Kiev), Yuri Berkovsky (Novosibirsk), Yaakov Gordin (Riga), Goldstein family (Tbilisi) and Benor Gurfel (Tallin).

Mr. Chairman, this is the absurd situation we face. A situation which breeds despair for hundreds of separated Soviet Jews, a policy which denies hope or comfort. I would hope that the cases we present to you today would be viewed as just the tip of an iceberg. The Helsinki Accords are not only being broken with the example of these families, but the freedom to worship freely, to congregate freely, to study one's culture and history, and to openly learn Hebrew, are being denied to Soviet Jews. They are a people who face a bitter irony—in the Soviet Union they are not permitted to be Jews, nor are they permitted to stop being Jews, a situation which only encourages the desire of Jews to join family and friends in Israel and elsewhere.

The numerous provisions of the Final Act, as related to the fundamental aspects of human rights, created an atmosphere of great expectation. However, the reality of Soviet policies soon changed it. I believe that the treatment of the Jewish minority in the Soviet Union has become a litmus test of Moscow's real support for detente with a moral base, and its adherence to the Helsinki Accord.

The adoption of the Helsinki Final Act was greeted by many people as a significant step towards ensuring greater security and cooperation in Europe and a better understanding between the peoples concerned. As members of a people who have suffered from war, especially during the last World War, Jews have a particular stake in the preservation of peace. Jews therefore welcomed the formulation of principles guiding peaceful inter-State relation; we are greatly interested in the progress of confidence building measures, and are anxious to see better cooperation between nations. All this adds directly to our own security, as well as to the security of the world at large.

So often during our history, we have been subjected to discrimination and persecution. Naturally we devoted particular attention to the humanitarian issues to which the Final Act is directed. The largest Jewish community in Europe, the two to three million Jews of the Soviet Union, especially hailed

the provisions of Basket Three. Their adoption seemingly indicated understanding on the part of the government of their country towards some of the problems which have gravely occupied Soviet Jews, as members of a religious and national minority.

Mr. Chairman, in any review of the implementation of the provisions of Basket Three of the Final Act in regard to this community of Soviet Jews, the record is sadly disappointing. It is with genuine regret that we have to present an unfavorable balance sheet of performance by the Soviet authorities. It is our conviction that further building of the structure of security, cooperation and detente—which we applaud—can be accomplished only if the foundations are solid. The first task of any follow-up conference should be therefore to seek a remedy for the situation where the first years' performance is wanting.

REUNION OF FAMILIES

High among the humanitarian issues covered by the Helsinki Final Act appears that of the reunification of families. The language is clear:

The participating States *will deal in a positive and humanitarian spirit with the applications of persons who wish to be reunited with members of their family.*

Actually, the Final Act contains even more far-reaching provisions, and the preamble of the Human Contacts section of Basket Three speaks of efforts to "... facilitate freer movement . . .", and in Principal VII, it contains the commitment by the participating States to "act in conformity with the . . . Universal Declaration of Human Rights" which stipulates that:

"Everyone shall be free to leave any country, including his own." (Article 12/2)

Thus, the Final Act contains an undertaking to generally permit freedom of movement.

The problem of the reunification of families is particularly pressing for Jews because there are special circumstances in their recent history. In addition to the general havoc of the last World War in Europe, Jews suffered barbaric persecution at the hands of the Nazis and their allies. Large numbers sought to escape extermination by fleeing into other countries, mostly under circumstances in which they could not take their entire family with them. In the case of Soviet Jews, persecution, and the consequent splitting of families, goes back even further. It is well-known that between 1880 and 1914 hundreds of thousands of Jews fled from territories which now form part of the Soviet Union to escape persecution and pogroms by the Tsarist regime; close family members are often still in the old country. The more recent emigration of some 120,000 Jews from the Soviet Union to Israel has created new problems of separated families, because frequently only part of the family was able to leave. As a result of this history large numbers of Jews in the USSR have applied for, or are desirous of applying for, permission to be reunited with their families. However, while many have been allowed to leave, large numbers are refused exit permits, resulting in serious humanitarian problems and hardship.

The policy regarding the granting of exit permits has become particularly restrictive in the last year-and-a-half. While the number of permits granted in 1973 was 34,700 (monthly average 2,892), it fell in 1974 to 20,500 (monthly average 1,708) and in January to July 1975, to 7,149 (monthly average 1,021). Since the signing of the Final Act the record has hardly improved. In August to December 1975, the number granted was 6,060 (monthly average 1,212), in 1976, 14,310 (monthly average 1,192), and in January to February 1977, 2,300 (monthly average 1,150). There was a slight increase in November and December 1976 (1,610 and 1,760 respectively), but in January and February the numbers again dropped back to their previous rate.

Soviet authorities argue that the reduction in the number of visas granted reflects the corresponding reduction in the applications for emigration due to the "disappointment of Soviet Jews with Israel", and their difficulties with adaptation. Even if we admit the possibility of a certain decline in applications, the fact remains that the requests for invitations have far outstripped the number of visas granted. Furthermore, there is an undiminished number of refusals, accompanied by an increasing campaign of harassment and intimidation, against the applicants or would-be applicants. If the number of applications has dropped, this may be due to the psychological climate created among Jews in the USSR and the uncertainty and hazards of an unforeseeably long waiting period during which the applicant is deprived of his or her means of livelihood.

RESTRICTIVE INTERPRETATION OF "FAMILY REUNIFICATION"

The Soviet authorities try to justify their restrictive practices by using the Final Act which, in fact, they violate. They now argue for example, that if some members of a family stay behind, the departure of others would actually lead to the separation of the family—even when the departure is to join other family members abroad—and that, they say, would be contrary to the Helsinki Accords.

This interpretation of the Final Act distorts its meaning and purpose. The Act was not adopted to force family members to remain together, but to enable people to unite and live with those members of the family whom they freely choose, and to move for that purpose from one country to another if that is required.

A restrictive application of the Final Act in reverse is practiced by the Soviet authorities when they claim that the relatives abroad who sent a certified invitation to a Soviet Jew to join them are not sufficiently near kinsmen. But what constitutes sufficient "nearness" for this purpose is not defined. Col. Vladimir Obidin, as Head of the All-Union OVIR (the Department of Visas and Registration) stated in an interview with Jewish activists that the authorities apply the USSR Code of Marriage and Family which includes as a family, spouses and unmarried children. But this is not borne out by the Fundamental Principles of Legislation in the USSR and Union Republics on Marriage and the Family as adopted by the Supreme Soviet of the USSR on 27 June 1968, which states in Article 2: "Legislation on marriage and the family regulates . . . relation . . . between man and wife, parents and children and between other members of a family", thus indicating a wide interpretation.

APPLICATION OF RESTRICTIONS

The Final Act refers to the obligations under the Human Rights Covenants, including the International Covenant on Civil and Political Rights. Its provision regarding freedom of movement is subject to certain limitations:

The above-mentioned rights shall not be subject to any restrictions except those which are provided by law, are necessary to protect national security, public order (*ordre public*), public health or morals or the rights and freedoms of others. (Article 12/3)

Soviet authorities invoke the various international documents selectively, as suits their policy. They do not implement the freedom of emigration clause of the Covenant, but invoke its restrictions which they apply to the narrower "family reunification" provisions of the Final Act. They do not recognize that the Final Act knows no exemption from the principle of freer movement, but quote the restrictions inherent in the term "family reunification".

National Security.—Security considerations are the legitimate concern of States, especially if the restriction is fairly applied. But the concomitant condition that the restriction should be "provided by law" is not fulfilled.

There is no provision in the Soviet legal system which would clarify which categories of employment carry with them the diminution of the freedom of movement; and what is the length of time required until a person who once had access to State secrets can be declassified.

Knowing one's rights does not merely mean that the text of the Final Act should be published in *Pravda* and *Izvestia*, but it also means that the individual has a right to know the laws and regulations relevant to the exercise of his rights.

The legal uncertainty has led to a situation in which the authorities can apply the "national security" argument in the most arbitrary fashion. Persons whose jobs have not brought them into contact with any state secret or classified scientific knowledge are being stigmatized as security risks. In other instances in which there are genuine reasons to assume that security considerations apply, this comes as a complete surprise to the applicant.

Of particular importance is the length of the period of declassification. The Soviet Minister of Interior, Nikolai Shchelokov, told Jewish activists in October 1976 that the maximum refusal period was five years. Yet many have been waiting much longer.

In a letter to the US Commission on Security and Cooperation in Europe, in December 1976, 29 Leningrad Jews urged that the criteria for applying the "national security" clause be clearly defined. While this is, of course, primarily a subject for domestic legislation, in its application to an international

Covenant and indirectly to the Helsinki Final Act it also demands definition in international law.

Public Order.—This is potentially a far-reaching term without an agreed, precise legal definition. In the context of emigration, however, it should hardly go beyond the meaning that freedom of movement can be restricted to ensure the demands of public order. Thus, it would mean that individuals sentenced by a competent Court to deprivation of liberty could lawfully be refused permission to leave the country, or that citizens liable to army service could be denied departure. This interpretation is supported by a specific clause in the Final Act, stating:

The presentation of an application concerning family reunification will not *modify* the right and *obligations* of the applicant or of members of his family.

In the context of the "family reunification" scheme under the Final Act, Soviet authorities use this legitimate restriction in a manner which indicates arbitrary application and, indeed, bad faith. Young Jews are called up to the Army after the submission of their application to leave, often after they have first been expelled from their universities (which is in itself a violation of their rights). This blocks their chances of leaving the country not only for the duration of minimum compulsory service, but, because they were ostensibly exposed to military secrets during their service, for a further unspecified period of security clearance.

The situation is even worse, because conscription of a young Jew affects the emigration of the entire family; they cannot leave—even if they were to take the agonizing decision to leave their son or brother behind—as their departure would create a "separation of families". Through the combination of the "security" and "public order" escape clauses of the Covenant, and the distorted interpretation of the "family reunification" aim, Soviet authorities manage to build up an effective barrier against the departure of entire families.

The Rights of Others.—Based on the restriction clause, Soviet authorities demand the consent of members of the applicant's family to his departure. This is a completely unjustified requirement, except in cases where the would-be emigrant has maintenance obligations toward another family member remaining in the Soviet Union. Legislation on Marriage and Family establishes an unconditional maintenance obligation only by parents in favor of children who are minors or, if these are without parents, by their grandparents, brothers, sisters or step-parents (Articles 18 and 21). In all other cases the obligation is restricted.

However, Mr. Albert Ivanov, Head of the Administration Department of the Central Committee of the CPSU, in a two-hour interview on 16 February 1976 with some leading Jewish activists, reportedly stated: "Apart from this (the maintenance claims) we must also know the parents' attitude to the children's emigration as we cannot only follow mercantile considerations. It often happens that parents cannot become morally reconciled to the emigration of their children . . . We must take into account the moral aspects as well." This, of course, throws the "rights of others" clause wide open to all sorts of abuse by relatives afraid that their consent might reflect upon them in the eyes of the authorities, and even abuse by the authorities who can intimidate relatives into refusal. A more precise and concrete legal definition of the "rights of others" is therefore urgently called for.

REASON OF STATE; OTHER IMPEDIMENTS

Applicants are often given the vaguest motivation for their refusals. It should be pointed out that the reasons are never put into writing, but are communicated orally at the OVIR office. A precise survey, therefore, in a statistical sense, would be impossible.

Among the vague or general formulations appear "State interest" or "emigration inadvisable for regime considerations". How far these overlap with "State security" is impossible to tell. But it is a fact that, in a meeting between Albert Ivanov, Head of the Administration Department of the Central Committee of the CPSU and Col. Vladimir Obidin, Director of the All-Union OVIR, with six Jewish activists on 16 February 1976, Ivanov stated that "We must always take into account the interest of the State." This apparently in Soviet eyes supersedes any other international, guaranteed human right.

Among a variety of other explanations for refusals appear, for instance: "there is nothing for you to do in Israel", or "there is no necessity for you to emigrate", and even, "it is inexpedient to let you go". Sometimes the reasons

sound even more arbitrary. Recently it was reported from Tbilisi that the OVIR refuses to consider applications from single individuals. Reports from Derbent state that large numbers of simultaneous refusals were given without any explanation whatever.

Finally the entire reunification of families concept is a humanitarian one, and appears as such in the Final Act. But, within this arrangement, it was agreed that:

Special attention be given to requests of an urgent character—such as requests submitted by persons who are *ill or old*.

Yet, there are cases of several old and sick people whose applications have not been accorded the priority demanded by humanitarian considerations.

PROCEDURE

The Final Act provides that participating States will deal with applications as "*expeditiously as possible*". It also mandates that necessary *fees* will be charged in connection with applications but "*at a moderate level*". Furthermore, applications for the purpose of family reunification which are not granted may be renewed "*at the appropriate level and will be reconsidered at reasonably short intervals*". Under such circumstances, fees are to be charged "*only when applications are granted*".

In respect to the fees charged in connection with application, a gesture has indeed been made by the Soviet authorities. In January 1976, the fee was lowered from 400 roubles per person to 300 roubles. However, this is far from "*moderate*" as pledged in the Final Act. In addition, applicants for reunification with families in Israel (which are the most frequent cases among Jews) have to renounce their Soviet citizenship and pay a fee of 500 roubles. Such renunciation of citizenship is mandatory only in case of emigration to Israel, which is a distinct discrimination. The total fee of 800 roubles (approximately \$1,065) is extremely onerous. For a family of four, it can represent half-a-year to three years' earnings, depending on the applicant's occupation.

Other token procedural improvements announced at the same time were:

The decision on the application is to be taken by the local bodies responsible for internal affairs, and an appeal can be made to a higher body. However, the appeal remains within the administrative machinery; no judicial review is available;

A rejection can be reviewed in six months rather than one year; and

The requirement of a character reference (*Kharakteristika*) was eliminated; only a certificate from the place of work is demanded. (This still means that the place of work has to be informed of the intended application, even before it is submitted, often leading to immediate dismissal.)

ABRIDGEMENT OF APPLICANTS' RIGHTS—HARASSMENT

There has been no sign in the last 18 months of a speedier processing of applications. People still wait several months before their cases are heard. There are frequent administrative hold-ups. For instance, in Tbilisi, questionnaires needed for application have not been issued for a long time under the pretext that the local OVIR office had none available. In other places (e.g. Minsk), the note of reference from the place of work, which the applicant has to submit with his application, was held back for months.

The most serious delay is caused by the non-delivery of the certified invitation (*vyzov*) from abroad. These are held up in the post, disappear altogether, or are handed over to the OVIR rather than to the addressee.

In places such as Odessa or Dushanbe, the office hours of the OVIR have been reduced to one or two a week. As a result, people sometimes have to wait for months merely for their turn to hand in their documents.

The Final Act states that "an application concerning family reunification will *not modify the rights and obligations* of the applicant or of members of his family". It has already been mentioned that the Soviet authorities strictly adhere to the provision that the applicants' obligations are not diminished by the application. The corresponding provision protecting the applicants' rights is, however, not observed. The most frequent forms of abridgement of their rights are the following:

(a) *Dismissal from jobs*.—Most applicants or members of their families are dismissed from their employment.

(b) *Demotion in employment or in Army.*—In other instances, applicants are demoted, and their salary decreased. Army officers in reserve are demoted to the rank of privates. This means not only humiliation, but also loss of pension.

(c) *Refusal of new employment. "Parasitism."*—Those dismissed from their jobs can often not find new employment. They are then prosecuted for "parasitism" (Article 209/1 of the Criminal Code of the RSFSR).

(d) *Expulsion from University.*—Students who apply are expelled from their universities.

(e) *Military Conscription.*—Young applicants are conscripted into the Army after they submitted their applications. Former exemptions for reasons of health or study are ignored.

(f) *Deprivation of Apartments.*—In certain areas of the USSR, applicants must immediately give up their apartments, even before their application is considered.

(g) *Arrest or Threat of Arrest.*—Applicants are often arrested on trumped up charges. Among these, "parasitism" and "hooliganism" are the most frequent ones.

(h) *Prisoners of Conscience.*—The most serious cases of the harassment of applicants are the Jewish Prisoners of Conscience, those who have been arrested, tried and convicted on various charges following their application, or that of a member of their family, for an exit visa. I have attached the list of these prisoners with their place of detention and the charges preferred against them. They vary from "stealing", "taking bribes", "speculation", through "evading military service", to "anti-Soviet propaganda" and even "treason".

The situation of these prisoners is precarious.

I would advise this Commission to carefully examine these grave violations of human rights, the rights of the Jewish minority in the USSR. We should firmly recommend that the USSR remove all obstacles in the way of those Soviet Jews who wish to emigrate and be reunited with families, in accordance with the provisions cited in the Helsinki Final Act and other international agreements.

I would also ask the Members to demand the immediate release by Soviet authorities of all Soviet Jewish Prisoners of Conscience whose only "crime" was their wish to emigrate to Israel and to allow them to emigrate. The anti-Semitic media campaign waged in the USSR, the prohibition to pass on to a new generation the religious and national Jewish traditions, the acts directed against these traditions, the violations of freedom of communication between Soviet Jews and their brothers and sisters overseas, the attempts to isolate them, the obstacles placed in their way to their historic homeland—all these contradict the spirit and the letter of the Helsinki Final Act, and we will document these violations at another occasion.

Mr. Chairman, I thank you for your attention. We believe that the Congress and the Administration are moving ahead to ensure basic human rights, including the special rights of the Jewish minority in the Soviet Union. This Commission is an important step forward in that direction, and I trust that all Americans will support your efforts.

Thank you.

[Materials submitted for the record by Mr. Gold follows:]

AN APPEAL FROM SOVIET JEWS

Among the number of clauses settled upon in the Helsinki Accord, there is one issue which has not attracted the necessary attention from those struggling for strict and complete fulfillment of all agreements attained in Helsinki. The problem concerns the partial reunification of divided families, and has bearings upon a wide range of individuals attempting to secure their rights to select their country of residence.

Despite a clause in the Helsinki Accord stating that the requests of those willing to reunite with members of their families shall be considered in a "positive and humanitarian spirit," emigration authorities in the Soviet Union more and more often consider only *family applications*, refusing exit visas (and more often even consideration for exit visas) to *separate individuals* willing to reunite with members of their families living outside the Soviet Union. There are many cases where legally grown people are refused their exit visas for the "reason" that their parents had not decided to leave or are not allowed to leave by the Soviet authorities. Often the parents are refused on the basis that their children remain in the Soviet Union. Even more frequently, refusals are given because

of "inadequately close relationship" of those who have sent the invitation. Even the official divorce of a married couple is not considered an adequate reason for the departure of one of the spouses when the other is forced to remain in the Soviet Union.

All of this illustrates the unprecedented government interference into the family sphere of its citizens. It also illustrates the usurpation of the right to decide with whom and why citizens should create and maintain the family. Such interference is unreasonable from both the legal and the moral point of view.

We would like to direct the attention of the governments of the countries which participated in the signing of the Helsinki Accord, and primarily the government of the Soviet Union, to the created conditions under which the agreements reached in Helsinki are used for the execution of the aims directly opposite from those seen by the authors of these agreements, and we call upon them to take practical steps to eliminate all possible barriers standing in the way of free emigration of individuals including those on the way to partial reunification of families.

A. LERNER, (and others).

LIST OF CONSTITUENT AGENCIES OF THE NATIONAL CONFERENCE ON SOVIET JEWRY

American Federation of Jewish Fighters, Camp Inmates and Nazi Victims, Inc.; American Israel Public Affairs Committee; American Jewish Committee; American Jewish Congress/AJ Congress Women's Division; American Mizrahi Women; American Zionist Federation; Americans for Progressive Israel/Hashomer Hatzair; Anti-Defamation League of B'nai B'rith; B'nai B'rith/B'nai B'rith Women; Bnai Zion; Brith Sholom; Central Conference of American Rabbis; Conference of Presidents of Major American Jewish Organizations; Council of Jewish Federations and Welfare Funds; Free Sons of Israel; Hadasah, Women's Zionist Organization of America; Jewish Labor Committee/Workmen's Circle; Jewish War Veterans of the U.S.A.; Labor Zionist Alliance; National Committee for Labor Israel; National Council of Jewish Women; National Council of Young Israel; National Jewish Community Relations Advisory Council; National Jewish Welfare Board; North American Jewish Youth Council; Pioneer Women; Rabbinical Assembly; Rabbinical Council of America; Religious Zionists of America—Mizrachi, Hapoel Hamizrachi, Women's Organization of Hapoel Hamizrachi; Student Struggle for Soviet Jewry; Synagogue Council of America; Union of American Hebrew Congregations; Union of Orthodox Jewish Congregations of America; United Synagogue of America; United Zionists-Revisionists of America; Women's American ORT; The World Zionist Organization, American Section; and Zionist Organization of America.

LIST OF JEWISH PRISONERS OF CONSCIENCE

(Prepared by National Conference on Soviet Jewry)

- Anatoly Altman. Born: September 19, 1942. From: Riga. Occupation: Engraver. Mother: Deceased. (No living relatives close enough to be permitted long visits now.) Relative: Nina Lotzova, Yam Suf 16, Jerusalem, Israel. Arrested: June 1970. Tried: December 1970 (FLT).¹ Sentence: 10 years (strict). Camp: Perm No. 35. Address: P.O.B. 5110/1 VS 389/35, Moscow RSFSR, U.S.S.R.
- Hillel Butman. Born: September 11, 1933. From: Leningrad. Occupation: Lawyer/Engineer. Mother: Sara Gilkovna Butman, Kirovsky Prospekt 64/66, Leningrad, RSFSR, U.S.S.R. Wife: Eva Butman, Kibbutz Naan 73263, Israel. Arrested: June 1970. Tried: May 1971 (SLT).² Sentence: 10 years (strict). Camp: Perm No. Address: P.O.B. 5110/1 VS 389/35, Moscow, RSFSR, U.S.S.R.
- Mark Dymshitz. Born: May 10, 1927. From: Leningrad. Occupation: Pilot. Wife: Alevtina I. Dymshitz, Novo-Izmailovsky Prospekt 81/64, Leningrad, RSFSR, U.S.S.R. Children: Yulia and Elizaveta, Rekhov Armon Hanatziv 127/27, Mizrah Talpiot, Jerusalem, Israel. Arrested: June 1970. Tried: December 1970 (FLT).¹ Sentence: 15 years (strict). Camp: Perm No. 36. Address: P.O.B. 5110/1 VS 389/36, Moscow, RSFSR, U.S.S.R.
- Yuri Fedorov. (Tried with Jewish defendants in the First Leningrad Trial, December 1970.) Born: June 14, 1943. From: Moscow. Occupation: Unknown. Wife: Natalia Fedorova, Serafimovich 2/2/188, Moscow, RSFSR, U.S.S.R. Arrested: June 15, 1970. Tried: December 1970. Sentence: 15 years. Camp: Potma Address: P.O.B. 5110/1 Zh/Kh 385/1, Moscow, RSFSR, U.S.S.R.

- Aleksandr Feldman. Born: March 12, 1947. From: Kiev. Occupation: Construction Engineer. Father: Motl Feldman, Kurnatovskogo 19/1, Kiev, Ukrainian SSR, U.S.S.R. Brother: Leonid Feldman, Modiin 141/3, Entr. B, apt. 1, Givatim, Israel. Arrested: October 1973. Tried: November 1973. Sentence: 3½ years. Camp: Selo Daryovka. Address: P/Ya UShCh Yu Z 17/10, Selo Daryovka, Belo Ozersky Raion, Khersonsky Oblast, Ukrainian SSR, U.S.S.R.
- Ilya Glezer. Born: June 10, 1931. From: Kharkov. Occupation: Biologist. Mother: Rebecca Boreskina, Rekhov Etzel 14/22 Hagiva Hazarfatit, Jerusalem, Israel. Arrested: February 1972. Tried: August 1972. Sentence: 3 years in prison plus 3 years in exile; now in exile. Address: Veterinarny Proyest 7, Boguchany, Krasnoyarsky Kray, RSFSR, U.S.S.R.
- Leib (Arye) Khnokh. Born: October 4, 1944. From: Riga. Occupation: Electrician. Wife: Meri Khnokh. Beit Brodetzky, Ramat Aviv, Tel Aviv, Israel. Relative: Etta Shvartz, Rekhov Rishon Le Zion 301, Jerusalem, Israel. Arrested: June 1970. Tried: December 1970 (FLT).¹ Sentence: 10 years (strict). Camp: Vladimir. Address: P.O.B. OD/I St/2, Moscow, RSFSR, U.S.S.R.
- Albert Koltunov. Born: February 3, 1921. From: Chernovtsy. Occupation: Manager, lottery administration. Wife: Genya Koltunova, Chelyus Kintsev 4/10, Chernovtsy, Ukrainian SSR, U.S.S.R. Mother-in-law and brother-in-law: Sara and Rudolf Brisinoy, Rekhov Atarat 2/11, Holon, Israel. Arrested: March 12, 1974. Tried: June 3, 1974. Sentence: 5½ years. Camp: Chernovtsy. Address: Chernovtsy, P.O.B. 328211, Ukrainian SSR, U.S.S.R.
- Mikhail Korenblit. Born: September 4, 1937. From: Leningrad. Occupation: Dentist. Wife: Polina Yudborovskaya, Bodenheimer 88/22, Haifa, Israel. Relative: Yevgeny Shleimovich, Bolsheokhtinsky Pr. 6/1/85, Leningrad, RSFSR, U.S.S.R. Arrested: November 1970. Tried: May 1971 (SLT).² Sentence: 7 years (strict). Camp: Potma No. 19. Address: P.O.B. 5110/1 Zh/Kh 385/1, Moscow, RSFSR, U.S.S.R.
- Eduard Kuznetsov. Born: January 29, 1941. From: Riga. Occupation: Translator. Aunt: Elena Georgievna Bonner, Chkalova 48B/68, Moscow, RSFSR, U.S.S.R. Wife: Sylva Zalmanson, Bet Milman, 32 Tagor Street, Ramat Aviv, Israel. Arrested: June 1970. Tried: December 1970 (FLT).² Sentence: 15 years ("specially strict"). Camp: Potma. Address: P.O.B. 5110/1 Zh/Kh 385/1, Moscow, RSFSR, U.S.S.R.
- Sender Levinzon. Born: March 3, 1948. From: Benderi. Occupation: Metalworker. Wife: Tsilia Levinzon, Markaz Klitah, Katamon Tet, Jerusalem, Israel. Arrested: March 5, 1975. Tried: May 27, 1975. Sentence: 6 years. Address: Unknown.
- Anatoly Malkin. Born: November 8, 1954. From: Moscow. Occupation: Student. Parents: Mr. and Mrs. Malkin, Karl Marx 20/60, Moscow, RSFSR, U.S.S.R. Arrested: May 27, 1975. Tried: August 19, 1975. Sentence: 3 years. Prison address: Index 413370, Wagon 50, SU-2 Uchastock 4, Alexsandrov-Gal, Saratovskaya Oblast, U.S.S.R.
- Iosif Mendelevich. Born: August 3, 1947. From: Riga. Occupation: Student. Sister: S. Druk, Kalisher 30/12, Beer Sheva, Israel. Father: Moisei Mendelevich, Kirov 18/3, Riga, Latvian SSR, U.S.S.R. Arrested: June 1970. Tried: December 1970 (FLT).¹ Sentence: 12 years (strict). Camp: Perm No. 36. Address: P.O.B. 5110/1 VS 389/36, Moscow, RSFSR, U.S.S.R.
- Aleksei Murzhenko. Born: November 3, 1942. From: Kiev. Occupation: Unknown. (Tried with Jewish defendants in the First Leningrad Trial, December 1970.) Wife: Liuba Murzhenko and Daughter, Rusanovsky Blvr. 5/55, Kiev, Ukrainian SSR, U.S.S.R. Arrested: June 1970. Tried: December 1970. Sentence: 15 years. Camp: Vladimir. Address: P.O.B. Od/1 St/2, Moscow, RSFSR, U.S.S.R.
- Mark Nashpitz. Born: March 27, 1948. From: Moscow. Occupation: Dentist. Mother: Ita Nashpitz, Maon Olim, Rekhov Katznelson 63/320, Bat Yam, Israel. Arrested: February 24, 1975. Tried: March 31, 1975. Sentence: 5 years in exile. Address: Selo-Tupik, Tungiro-Olekminsky Rayon, Chitinskaya Oblast, RSFSR, U.S.S.R.
- Boris Penson. Born: January 2, 1946. From: Riga. Occupation: Artist. Mother: Gessia Borukhovna Penson, Maon Olim, Ramat Yosef, 63 Katznelson Street, Bat Yam, Israel. Friend: Michael Neuberger, Kibbutz Merom Hagolan, Israel. Arrested: June 1970. Tried: December 1970 (FLT).² Sentence: 10 years (strict). Camp: Potma No. 19. Address: P.O.B. 5110/1 Zh/Kh 385/19, Moscow, RSFSR, U.S.S.R.

Lev Roitburd. Born: September 26, 1936. From: Odessa. Occupation: Engineer. Wife: Lilia Tenenboim, Generala Petrova 23/1/36, Odessa, Ukrainian SSR, U.S.S.R. Arrested: July 1975. Tried: August 1975. Sentence: 2 years. Prison Address: Presently working for the "national economy" in Novosibirsk. Address unknown.

Isaak Shkolnik. Born: July 24, 1936. From: Vinnitsa. Occupation: Mechanic. Mother: Liza Shkolnik, Lisenko 38/5, Lvov, Ukrainian SSR, U.S.S.R. Wife: Feiga Shkolnik, I Rechov Katznelson, Shikun Rasko, Jerusalem, Israel. Arrested: July 1972. Tried: March 1973. Sentence: 7 years. Camp: Perm No. 35. Address: P.O.B. 5110/1 VS 389/35, Moscow, RSFSR, U.S.S.R.

Aleksandr Silnitsky. Born: 1952. From: Krasnodar. Occupation: Student. Father: Taivel Silnitsky (now living in Israel). Aunt: Henia Tulskey, Hameasfim 24, Tel Aviv, Israel. Arrested: September 1975. Tried: November 1975. Sentence: 3 years. Camp: Tomsk. Address: Do Vostrebovaniya, Khimpioschadka, Belorechensk 4, Krasnodarskiy Krai, U.S.S.R.

Aleksandr Slinin. Born: March 18, 1955. From: Kharkov. Occupation: Student. Mother: Lena Slinin, Profinterna 3/21, Lozovaya, Kharkovskaya Oblast, Ukrainian SSR, U.S.S.R. Arrested: June 1974. Tried: June 1974. Sentence: 3 years. Camp: Zheltye Vody. Address: Do Vostrebovaniya, Zhadnov 26, Donetskaya Oblast, 341026 U.S.S.R.

Boris Tsitlionok. Born: June 26, 1944. From: Moscow. Occupation: Plumber/Locksmith. Aunt: Debora Samolovich (now in Israel). Mother: Batia Orlov, Kiriat Ata, Rekhov Yosef Tal 74/6, Haifa, Israel. Arrested: February 24, 1975. Tried: March 31, 1975. Sentence: 5 years in exile. Address: Pionerskaya 30, Yenisseisk, Krasnoyarskiy Krai, RSFSR, U.S.S.R.

Yakov Vinarov. Born: February 3, 1954. From: Kiev. Occupation: Student. Parents: Mr. and Mrs. Vinarov, Strazhesko 3/145, Kiev, Ukrainian SSR, U.S.S.R. Arrested: May 1975. Tried: June 3, 1975. Sentence: 3 years. Prison Address: Senerodonetsk-2, DI Yistrevivania Luganskaya Oblast, Ukrainian, U.S.S.R.

Israel Zalmanson. Born: March 13, 1949. From: Riga. Occupation: Student. Uncle: Avram Zalmanson, Mivtza Sinai 23, Bat Yam, Israel. Sister: Sylva Zalmanson Kuznetsov, Beit Millman, 32 Tagor Street, Ramat Aviv, Israel. Father: Iosif Zalmanson, Veidenbaum 45/22, Riga, Latvian SSR, U.S.S.R. Arrested: June 1970. Tried: December 1970 (FLT). Sentence: 8 years (strict), Camp: Potma No. 35. Address: Labor Camp VS 38935, Permovskaya Oblast, U.S.S.R.

Wulf Zalmanson. Born: November 2, 1939. From: Riga. Occupation: Army Engineer. Relative: (see above). Arrested: June 1970. Tried: December 1970, (FLT).¹ Sentence: 10 years (strict). Camp: Perm No. 36. Address: P.O.B. 51101/1 VS 389/36, Moscow, RSFSR, U.S.S.R.

Amner Zavurov. Born: 1950. From: Shakhriyab. Occupation: Radio technologist. Wife: Rachel Davydov Zavurova, Ulitsa Binal-Mival 9, Shakhriyab, Uzbek S.S.R., U.S.S.R. Arrested: December 19, 1976. Tried: January 13, 1977 (conviction upheld February 1977). Sentence: 3 years. Address: Unknown.

Chairman FASCELL. Thank you very much, Mr. Gold.
Mr. Bingham.

COMMENTS AND QUESTIONS OF REPRESENTATIVE BINGHAM

Mr. BINGHAM. Thank you, Mr. Chairman.

I would like to salute you, Mr. Gold, for your leadership in this cause and the wonderful work being done by the National Conference on Soviet Jewry.

I know that you will be conducting a massive rally on May 1 in New York. It has been a very impressive event to me on many occasions when you gather 100,000 or more citizens to protest.

I think that these events do have an effect on the Soviet Union. I recall the one at the United Nations—the degree of their outrage when

¹ FLT: First Leningrad trial.

² SLT: Second Leningrad trial.

any question was raised about their behavior, reflected what I felt was a degree of sensitivity to criticism and pressure.

The results up to now have not been encouraging. However, I think it is fair to say the situation would be worse if it had not been for the kind of pressure that your organization and others have been maintaining.

I would like to ask you specifically whether you think that the Jackson-Vanik Amendment did not have its intended result, that, in fact, it made the situation worse and that it ought to be modified. What is your comment on that?

Mr. GOLD. Well, first, there are really two questions, as I see it, Congressman, implicit in what appears to be one question.

The first part would require an analysis of the Jackson-Vanik Amendment and its impact on Soviet Jewish emigration, if any.

I would suggest, Mr. Chairman, that it would serve no useful purpose to try to make that kind of evaluation at this time.

However, I must say this. It appears to me that when one examines the record of the discussions that took place prior to the enactment of the Jackson-Vanik amendment in December 1974, if one examines the testimony of the former Secretary of State, Dr. Henry Kissinger, before the Senate Finance Committee on December 3, 1974, one must come to quite the opposite conclusion.

Indeed, the former Secretary of State testified before the Senate Finance Committee, that is, prior to the passage of the Jackson-Vanik Amendment, that both he and President Ford had received assurances from Mr. Brezhnev at the summit meeting in Vladivostok in November 1974, that the Soviet Union was prepared to meet the standards set in the letter sent by the Secretary of State to Senator Jackson.

Indeed, he went further in his testimony. He said that a violation of the terms of the letter by the Soviet Union would be considered by the Administration as a very serious act on the part of the Soviet Union.

Now I am sure you will recall, Mr. Bingham, that about the same time, and within a day or two of the passage of the Jackson-Vanik Amendment, there was also passed the Stevenson Amendment.

Indeed, I think it could be fairly said that the then Secretary of State, in the earlier part of January and late in December, stated categorically that the abrogation of the Trade Agreement of 1972 by the Soviet Union, was the result of the Stevenson Amendment. This is contrary to what he said in the latter part of January 1975.

Indeed, no one will ever be able to prove with any definitiveness, what the real cause was for the drop in emigration. Except that we know that the Soviet Union totally controls the rate of the emigration.

Now one need only examine the number of affidavits that have been sent into the Soviet Union, to draw that conclusion. These are affidavits of request from families outside the Soviet Union which is the first step necessary to make the application to leave.

But it seems to me that before we come to that point, Congressman, before one can consider a change in the trade relationship between the two countries, the United States and the Soviet Union, it would be necessary for there to be some affirmative acts—and I use the plural form, acts—in relation to Soviet Jews as a precondition for a differing

attitude on the part of either the Congress of the United States or the American people.

I believe that one can use the phrase—I suppose you can define it in any way that you wish—the phrase “flexible linkage.”

We in the Jewish community, and surely in the National Conference, do not urge that this nation return to the days of the cold war. We support détente.

It does appear, however, that there is the possibility at least—and I hope that I am wrong—that events in the Soviet Union during the past 10 days to 2 weeks might indicate that, contrary to the American position of urging détente, the Soviet Union itself is creating a set of conditions which might lead them to a reimplementaion of the Cold-War status.

Let's see what they are doing today in the Soviet Union to Soviet Jews—the recent arrest of Mr. Anatoly Shcharansky and the spurious charges of espionage and treason. Television programs twice within the past month—anti-Semitic, anti-Zionist, anti-Israel, and opposed to Jewish heritage and culture. All lead one to consider and wonder what it is that the Soviet Union is really doing.

Now I made reference to the number of applicants who would wish to leave. Since 1970 there have been approximately 130,000 Jews who have left the Soviet Union. At the present time there have been, once again in round figures, 180,000 invitations sent into the Soviet Union that have not been used, as far as we know.

Now we have no way of knowing how many Jews applied to emigrate. That is something only the Soviet Union knows. But there are some facts that we do know. One is that 180,000 Soviet Jews have asked the first step be taken—send me an affidavit.

Second, during the year 1976 alone, once again in round figures, some 56,000 affidavits were sent into the Soviet Union at the request of Soviet Jews, including thousands of requests for renewals of old affidavits that had been outdated.

Despite those impressive statistics of requests to leave, and in the face of harassment, in the face of imprisonment, in the face of KGB interrogations, in the face of all of that, those are impressive statistics—the Soviet Union permitted only 14,100 Soviet Jews to emigrate during 1976.

Therefore, it is quite apparent, that the statement by the Soviet Government that 98 percent of all Jews who apply leave is somewhat inaccurate, to say the least. And second, that the drop in emigration is the direct result of a definite policy, and perhaps even a quota, imposed by the Soviet Government itself.

Mr. BINGHAM. Thank you.

Mrs. FENWICK. Thank you, Mr. Chairman.

COMMENTS AND QUESTIONS OF REPRESENTATIVE FENWICK

Mrs. FENWICK. Thank you, Mr. Chairman.

Yes, Mr. Gold, it is very good to see you here. Although you did not read out the name of Dr. Gurfel, I spoke to him and his wife on a telephone to see, if by direct contact after many letters, we could convince the Soviet Government that we really were interested in Dr. Gurfel, and his right to go to Helsinki for a scientific conference.

Nothing resulted, and to my horror, the telephone was cut off when we tried to call again.

I think they are right, the people inside the country, when they say we must continue to try to make these contacts.

And I agree with those in the Soviet Union that we met—refuseniks and dissidents and Jewish people, Ukrainians and Lithuanians—that the Jackson-Vanik is a symbol that we would destroy at risk. I do not feel the Stevenson Amendment which, I am told, is the one the Russians really care about because it involves credits, and money, is as important as a symbol. Technology is what they want and the fact that we may or may not give them credits is significant.

It is hard to find our way between these considerations. I agree with you that there is no point in dealing with such governments, whether Russian or any other, without demonstrating by acts—and I too put them in the plural—what it is we really care about. If we are going to have détente, we must be honest about that.

There is no use trying to have détente on the false basis that we are not interested in human rights, that somehow it is just a passing fad or fancy.

We have to be clear or we won't have any real détente. How would you evaluate acts to show compliance with Helsinki? Suppose that one could offer the carrot of the removal of the Stevenson Amendment in return for such compliance, how would you gauge that, and what kinds of gestures would we expect? Give us some idea.

Mr. GOLD. What kind of acts would I consider?

Mrs. FENWICK. How many exit visas would you require? As you say, the horror is the random and capricious nature of the oppression; if we could get some clear definition of what a family is, would that be helpful? Perhaps it's not enough to know the number of individuals given visas or released from prison—perhaps we should ask for juridical or regulatory definitions, to avoid the capricious injustice of the present system.

Mr. GOLD. I think one would have to put all of the things you have mentioned, Mrs. Fenwick.

There would have to be and should be substantial numbers, or substantial increase in the number of Soviet Jews that are allowed to leave.

The Soviet response is that applications have fallen off. That may be true, but one should examine the reasons for it. The reasons are quite obviously the harassment and imprisonment and the recent anti-Semitic campaign within the Soviet Union, and the recent arrests and threats of additional trials and so forth.

In tandem with that increase in numbers, you need a decrease in the harassment or preferably, obviously, an end to it.

The KBG might have a lesser role within the framework of the emigration structure. Clear definitions of the emigration rules—

Mrs. FENWICK. And procedures.

Mr. GOLD. Yes, and procedures. Trying to establish some consistency and have the terms more clearly defined. Whatever the terms might be, let them at least be clearly defined so that they will know what will happen when they make an application. That seems to me a very minimal kind of thing.

What is the meaning of security? How long does it last? Do you become a "security risk" simply because you know someone who al-

legedly has secrets? That is quite obnoxious, to make the assumption that you are a security risk because someone you know casually or even well works for the government in some sensitive capacity. So there are a variety of things which can and should be done within the framework of acts, before there can be a reasonable expectation on the part—

Mrs. FENWICK. Of any change.

Mr. GOLD [continuing]. Yes, or a modification or increase in credits. I would suspect that that might be the critical area of concern.

I realize quite well, as I am sure that you do, that the Soviet Union has its own agenda, and we have an obligation to respect that agenda, while we do not agree with it.

What they have to understand is that America has an agenda. And it seems to me that when you spoke of the symbolism of the Jackson-Vanik Amendment—it seems to me that speaks very directly to the best in America. It speaks exactly, as I view it, to what the President himself has been saying in recent days.

Mrs. FENWICK. Thank you, Mr. Gold.

COMMENTS AND QUESTIONS OF CHAIRMAN FASCELL

Chairman FASCELL. Surprisingly enough, Mr. Gold, the Soviets themselves have undertaken to make the linkage. I read statements that they have been making lately which seem to be a welcome change in Soviet attitude.

I have heard—let me put it that way—that the Stevenson Amendment to the contrary notwithstanding, the Soviet Union has been able to get credits and financing and technology in other places, and it really does not make any difference.

Mr. GOLD. May I address myself to that, Mr. Chairman?

Chairman FASCELL. Please do.

Mr. GOLD. Right. I have problems trying to be district attorney, even greater problems trying to be a lawyer, so I am surely not much of an economist. But that statement has been made.

I understand from what I have heard and what I have read that the Soviet Union is in quite serious financial difficulty.

Chairman FASCELL. In terms of their total external borrowing?

Mr. GOLD. That is right. In terms of their total external borrowing which exceeds, both for the Soviet Union and the Eastern European countries, in excess of \$40 billion, and that most of that indebtedness is to banks in West Germany and France and England and Japan which they are now trying to roll over—something like what we are trying to do in the city of New York. [Laughter.] Of course, we in the city of New York have been a bit more successful than the Soviet Government as I understand it.

So I believe that they are in great financial difficulty and do need credits and do need help, and the one country that has the capacity to meet that is the United States.

As I understand it, in addition, they are very much concerned about American know-how and technology. We are obviously the most advanced nation in the world in that area, and they need that kind of assistance.

They have arranged some business transactions, for example, with concerns in other countries. I know of a particular concern in Great Britain, which built a factory for them inside the Soviet Union, where they are producing goods for sale in other parts of the world. And I understand from this British company that while they can operate the plant, they can't produce the quality merchandise. So they have a great deal of need for know-how.

From what I read as well, and I am not a Kremlinologist, it is my impression that they have a great need for consumer goods. And the only one that can provide them with the know-how to create those consumer goods, et cetera, is the United States.

So I think that they need us just as much as we need them.

Chairman FASCELL. The Soviets have declared time after time their full support for Helsinki and all of its provisions—I think you mentioned that in your statement.

What would you think using the exact Helsinki language in place of the Jackson-Vanik formulation.

Mr. GOLD. At this point, Mr. Chairman, I think that it is really premature to consider that kind of change if any at all.

What I am concerned about is sending the wrong kind of signals to the Soviet Union. It seems to me that at this particular time, especially with the arrest of Shcharansky and the other acts which we have described, that what is happening is that the Soviet Union, if nothing else, is testing the American will.

Chairman FASCELL. Nothing would happen right away I can assure you, on any legislative matters. We are having a hard time around here attending committee meetings.

Mr. GOLD. Right. I would hope that the Soviet Union would not receive the wrong signals from the American people or from the Congress or the Administration.

Chairman FASCELL. I doubt that we would get to any consideration of that particular bill any time before June, at least. Even though I must say the present Administration is like a battleship going through a backyard pond, and the waves are so high that the rest of us are scrambling to try to keep up with what is going on. [Laughter.] So I do not think that you have to be unduly concerned.

Mr. GOLD. But I would say that down the road, if the Soviet Union does the kind of things we have been talking about, then we could seriously consider the proposal you make.

Chairman FASCELL. The numbers seems to change on refuseniks. Does the National Conference deal with the figure that seems to be permanent, or hard-core cases?

Mr. GOLD. I believe we have told your able staff, the counsel to the staff, Spencer Oliver and Al Friendly, who is the deputy staff director—is that your title now?

Mr. FRIENDLY. Yes.

Mr. GOLD. We have a computerized list of all of the refuseniks.

Mr. GOODMAN. Hardcore refuseniks.

Mr. FOLD. Hardcore and the ones that we know of, and it amounts to 900 families.

Mr. FRIENDLY. Mr. Chairman.

Chairman FASCELL. Mr. Friendly.

Mr. FRIENDLY. How many people does that amount to?

Mr. GOLD. Roughly 2,000 individuals.

Mr. FRIENDLY. And is your definition of hardcore cases refusals going back 2 or 3 years?

Mr. GOLD. Right. Some of the cases, as you know, have been more than 7 years for example, Slepak, and others. He is not the only one, but more than 7 years! That is very interesting. Slepak was denied a visa, he was told, because he was a security risk.

Yet, in December when some of the Jewish activists in Moscow met with some Soviet officials, the group assembled was told that security only lasted for 5 years. Slepak was part of the group and he said, well I have been waiting 7, and that is the reason given to me.

Chairman FASCELL. Mr. Gold, one final question. What do you reasonably expect out of Belgrade?

Mr. GOLD. Your first meetings, of course, which will probably last for several weeks, begin on June 15. That will be the time, as I understand it, that the agenda will be set.

Of course, we all know from attending some international meetings, that the agenda is sometimes more important than what takes place at the substantive meetings themselves. Unless a particular item is on the agenda, it would not be possible to have discussions when the full-blown meeting takes place in September or early October, which I understand is the targeted date.

I would hope that there would be progress. I do not think that one could reasonably expect at the meetings, in October that the Soviet Union is suddenly going to say, "Mea Culpa."

Chairman FASCELL. I do not think that is going to happen either.

Mr. GOLD. But we can have progress and the American position can be strong. The American group can speak for America as it should through this Commission, and through its representatives at Belgrade. And I would hope that at least some of the members of this Commission, including yourself, would be a part of the American delegation.

You have the most finite knowledge of the situation and would be in the best position, as I view it, to make a strong American presentation.

Chairman FASCELL. Mr. Gold, we have had the finest cooperation from the Administration. Secretary Vance has been very cooperative.

Mr. GOLD. That is an amazing change.

Chairman FASCELL. And a welcome change, and I can assure you that already we are totally integrated in the efforts of the U.S. Government and State Department in preparation for Belgrade.

Right now the work is at the staff level. We fully expect to work and cooperate and be part of the U.S. delegation when it does go to Belgrade. So we will be looking forward to that experience very much.

You have a witness, would you care to introduce her to us?

Mr. GOLD. Yes; I would like to introduce to you, Mr. Chairman, and members of the Commission, Esther Lazaris, who was born in September of 1946. She was born in the far north of Russia, where her parents were in exile.

At the age of 10, her parents were permitted to return to their home in Lithuania. She attended school in Kaunas and was graduated as an engineer in thermodynamics from the polytechnical institute.

In 1970, she married Vladimir, then a law student in Moscow. They have one son, born April 1972. She emigrated to Israel in 1973 and

lives in Rehovot with her son and parents. Her husband, now an unemployed patent attorney and one of Moscow's leading refuseniks, has been trying to be reunited with her since 1973. Her trip to the United States to testify before the Commission was arranged by the National Conference on Soviet Jewry.

May I introduce Mrs. Lazaris.

Chairman FASCELL. Thank you very much. Mrs. Lazaris, we are happy to have you.

STATEMENT OF ESTHER LAZARIS

Mrs. LAZARIS. Thank you, Mr. Chairman.

Ladies and gentlemen, allow me to thank you for giving me the opportunity to speak here. My name is Esther Lazaris. I live in Rehovot, Israel, together with my son Raphael who will be 5 years old next month, and with my parents.

My husband Vladimir is still in Moscow. He has been trying to join us for over 3 years. His repeated requests for permission to be reunited with us in Israel have been refused by the Soviet authorities. Why?

My husband, a lawyer by profession, worked in the patent office of a research institute for new building materials. The institute did not deal with any secret information, and Vladimir had no "secret" work.

He was dismissed from his place of work shortly after he applied to leave for Israel, in October 1974. He was denounced publicly as a traitor by his colleagues. He has been out of work since then and has often been accused of being a parasite.

During this time my husband has had one aim, to join us in Israel, and he has been doing everything possible to achieve this.

For every separated family, life is very difficult, but in our case there is an added problem. Our son, Raphael, is somewhat retarded physically and mentally as a result of asphyxia suffered at birth. He receives medical treatment but needs more than the care and attention that I alone can give. He needs his father.

Unfortunately I lack the legal and the political experience needed for understanding the details of the Helsinki Final Act, signed by the Soviet Union, the United States, and other nations, but it appeared not only to our family, but to many others in a similar position that the end of our sufferings was near.

No matter what the wording of the document was, none of us had any doubt that it would confirm the humanist principle of reunification of families who have been separated.

I have no right to forget that when speaking to this distinguished Commission, I represent not only my own case, but numerous other tragedies.

I live in a country where there are hundreds of families in a position similar to mine. They came from all over the Soviet Union. There are many of them and I could not, of course, list them all. I have brought with me many cases. However, I would like to mention two today.

Mrs. Dina Ass lives in indescribable fear. Her son Josif Ass from Moscow, had been arrested by the Soviet authorities several months ago and he faced a prison term.

Thanks to the immediate reaction of the world public, including Members of the U.S. Congress, he was released. He still waits in

Moscow for permission to join his mother in Israel. His mother is afraid to turn on the radio every morning—what if there would be bad news from Moscow again?

Even more difficult is the situation of another category of Soviet Jews—my unfortunate sisters whose husbands and sons are imprisoned in the Soviet Union.

The long absence of letters, reports about torments of hunger and cold, the impossible work, the insults and harassments by the officers and the guards, reports about transfers to the frightful Vladimir Prison, about illnesses and inadequate medical treatment and punishment in solitary cells—all these and the complete helplessness turn their lives into hell.

Meri Khnokh, for example, had last seen her husband 7 years ago, when he was arrested. He has to serve another 3 years in prison and he is already very ill. It would be difficult to bring him to a satisfactory physical condition even if he would live in the best possible conditions. Thus, his wife and son, whom he has never seen, his parents, brother and sisters, all in Israel, are still hoping to see him.

Sitting next to me is Jeanette Mager. Like me, Jeanette is a "separated" family. She lives in Israel. Her husband, Mikhail lives in Vinitsa, in the Ukraine. They have been separated 4 years now. Jeanette's husband, a factory worker, has been repeatedly refused permission to join his wife and parents.

My husband might have to pay dearly for my appearance before you. However, knowing him, I have no doubts that he would approve of my action, as it is much worse to remain silent.

Apart from the worries I have about my son's health, I also live with continuing fear for my husband's daily life. We all remember the cases of the Prisoners of Conscience and the easy way they were transformed from being "refusenik" to "POC". This process can happen very easily, as my parents, too, suffered for their Zionist ideals. They were forcibly moved overnight to the far north from their home in Lithuania in 1941.

For the last few months the campaign against the refuseniks has been raging in the press and on the radio and television. Anti-Semitism has increased. Even such a little thing as communication with my husband, something that is so basic and important when we are so far apart, is both uncertain and irregular and subject to censorship.

I would like here to remind you that the Soviet authorities allow Jews to emigrate to Israel on the basis of reunification of separated families.

However, in many cases, instead of enjoying the happiness that should result from the application of such a humanitarian principle, people have become victims of a biased interpretation of this principle. In other words, they become victims of a personal tragedy.

Finally, honorable members of this Commission, I have told you of some of the problems that families like mine have, and I hope and pray that while you discuss the issues concerned with the Helsinki Agreement, please give thought to the fate of our loved ones.

I want to thank the National Conference on Soviet Jewry for bringing me to the United States to testify before this Commission, and I want to thank the Commissioners for hearing me.

Thank you.

Chairman FASCELL. Thank you very much. Mrs. Fenwick.

COMMENTS AND QUESTIONS OF REPRESENTATIVE FENWICK

Mrs. FENWICK. Thank you Mr. Chairman. I am sure you understand that we here are deeply sympathetic and hope that we can do something. I would also like to speak to Mrs. Mager, who we already know. Her family has been so tragically divided, also.

I wish there was something more direct and immediate that could be done, Mrs. Lazaris. You know, we hear these things and it makes you feel so frustrated not to be able to say, "Tomorrow the visa will be given."

But we are determined and will not stop working, and I am sure you know that you can count on whatever we can contribute to the effort to bring some kind of justice into this situation. Everyone on this Commission is determined to do it. I realize it is hard for you to say these things and very difficult for you to have come and we thank you.

Ms. LAZARIS. Thank you.

Chairman FASCELL. Mr. Bingham.

Mr. BINGHAM. Thank you, Mr. Chairman.

COMMENTS AND QUESTIONS OF REPRESENTATIVE BINGHAM

Mr. BINGHAM. I would like to join Mrs. Fenwick in what she said. You presented us with a very vivid situation and we certainly want to help.

I do have one question. Did you and your husband apply to leave the Soviet Union at the same time?

Ms. LAZARIS. No; we wanted to apply at the same time, but as you know, in the Soviet Union, there is such a rule that parents must sign an agreement, or permission to let their children go. It does not depend on how old the children are.

Mr. BINGHAM. No matter what age?

Ms. LAZARIS. That is right. For example, my father had received permission from his mother when he was 50 years old. So the parents of my husband did not agree to do so, and opposed it. His father began to write letters to KGB to blame our decision.

So we decided that we must save our son and my parents, who had suffered so much, and I will help him from Israel with public opinion. And it helped. His parents agreed and they signed the document and it was OK from that point of view, and we never thought that it might be some other circumstance that we would have to face.

Mr. BINGHAM. Thank you.

Chairman FASCELL. Mrs. Lazaris, thank you very much. We regret that you have to tell us this tale of tragedy. It has been told much too often, but we are delighted to welcome you here, and very pleased that the National Conference made it possible for you to appear before this Commission to tell your story.

Thank you so much.

Ms. LAZARIS. Thank you.

Chairman FASCELL. Mr. Gold, I would like to thank you and Mr. Goodman and the National Conference for testifying here today and cooperating with us. I commend you for the tremendous work that you have done in mobilizing not only the Jewish community, but public opinion here and everywhere else on this very important issue.

Mr. GOLD. Thank you very much, Mr. Chairman and members of the Commission, for your help.

Chairman FASCELL. We will have to stand in recess while we go over for a vote. We will proceed with our next witness, Mrs. Irene Manekofsky, as soon as we get back.

[Whereupon, a short recess was taken.]

Chairman FASCELL. The Commission will come to order. Our next witness this morning has been a Washington resident for 25 years and has been involved in the Soviet Jewish movement since the Leningrad trials of 1970 and I suspect long before that also. She traveled to the Soviet Union in 1974. She is the vice president and Washington representative of the Union of Councils for Soviet Jews and president of the Washington Committee for Soviet Jews, which is a grassroots volunteer organization with affiliates in nearly 20 communities.

Irene Manekofsky, we are very pleased to have you here with us this morning. Please proceed.

STATEMENT OF IRENE MANEKOFSKY

Ms. MANEKOFSKY. Thank you, Mr. Chairman. I am very pleased that you invited me to testify today.

Mr. Chairman, members of the Commission, my name is Irene Manekofsky, and I represent the Union of Councils for Soviet Jews as its Vice President and Washington representative. The Union of Councils is a grassroots, volunteer, membership organization founded in 1969 and composed of 20 local Soviet Jewry groups in 18 cities.

The sole purpose and effort of our dedicated volunteers is to support the struggle and aspirations of the Jewish minority in the Soviet Union. In keeping with the purpose of today's hearing, I shall focus my attention on the subject of the reunification of families.

In my day to day work on behalf of Soviet Jews, it has become clear to me that since the signing of the Final Act of the Conference on Security and Cooperation in Europe, the situation of those families separated by Soviet emigration policies has worsened.

Before the Final Act was signed, invitations sent to Soviet Jews from any relative abroad were, however arbitrarily, accepted by the Soviets within the emigration process. Since Helsinki, however, this situation has badly deteriorated.

In June 1976, the Soviets made their position clear, when Mr. V. Obidin, chief of OVIR—Department of Visas and Registration—told a group of Soviet Jews:

We are now putting a stop to all arbitrary emigration. In accordance with the decisions of the agreement at Helsinki, we shall let people go only where it is for reunification of families. And a family, in accordance with the Code on Marriage and Family of the USSR, consists only of husband, wife and unmarried children.

Presently, the most widespread reason for refusal is the Helsinki Agreement. Saadia Shamuilov of Samarkand has three children in Israel, but OVIR considers them too grownup to be considered his family. Anna Glezer, whose father is prisoner of conscience Ilya Glezer, now in internal exile, was refused permission to join her aged grandmother in Israel.

By these standards, a brother, sister, grandparent, or aunt would not be considered a close enough relative by the Soviets. In many of these cases, due to the Nazi holocaust and Stalin's reign of terror, these are the only surviving relatives of many families.

Still another way the Soviets have chosen to use the Final Act to the disadvantage of many families is their often repeated statement: "We do not wish to violate Helsinki by separating families."

Victor Gurevich was refused because his mother-in-law was not planning to leave the Soviet Union. Others, like Alexander Slepak and Vladimir Lerner, both adults whose parents are denied visas because of so-called knowledge of secrets, have been denied permission to leave without their parents.

These few examples—and there are many more such cases—are clearly in violation, not only of the reunification provisions of the Final Act, but of the "Universal Declaration of Human Rights"—to which all signatories of the Helsinki document are committed—which states that "Everyone has the right to leave any country, including his own, and to return to his country."

It appears that by their arbitrary and narrow interpretation of the Helsinki document, the Soviets are using the agreement as an instrument against free emigration and the reunification of families.

However, I would like to make it clear that I believe the Helsinki Agreement to be an outstanding and noble document which has made a great contribution to the cause of human rights around the world.

However, since our Government—along with 34 other governments—signed this agreement in good faith, we have the right to expect the signatories, including the Soviet Union, to honor the provisions of Basket III in the spirit and letter in which it was conceived.

Permit me to play a tape which was made in the Soviet Union during the week of February 23, 1977. A second tape, made by another traveler, was erased by customs officials at Moscow Airport as he was departing, following a thorough and intimidating search.

Today's tape is in Russian, but it is simultaneously translated into English. These three refuseniks, Evgenny Liberman, Maria Slepak, and Arkady Rabinov, detail the stories of their refusals and the ways in which they feel the provisions of the Helsinki Agreement were violated, in particular the provision for reunification of families.

I will play a short piece of it because it might be difficult to follow and then I will just summarize the three cases briefly.

[Whereupon, a tape recording was played.]

Ms. MANEKOFSKY. Evgenny, as he says, lives with his parents. His brother's family lives in Israel. Liberman was refused on grounds of knowing army secrets, although in the army he was in charge of a warehouse where items such as gasoline and radio tubes were kept. He claims that these items are sold in stores throughout the Soviet Union.

He says:

In 1976, my elderly parents were refused exit visas to Israel. The OVIR inspector informed them that even in 15 or 20 years they would not be permitted to meet with their elder son, even for a short time on a visitor's visa, which my brother sent my parents. I consider this statement not only a cruel humiliation of people, but also a mockery of the Helsinki Agreement and the countries signing this agreement.

The next speaker is Maria Slepak, age 50, of Moscow. She is a physician. She wishes to be reunited with her aged and ill mother who is living alone in Israel. She and her husband, Vladimir, have been refused since 1969. Their case was referred to earlier.

In desperation, Maria divorced Vladimir in order that she and her minor son, Leonid, could join her mother. Again she was refused. Maria quotes Mr. Obidin again:

He informed me that the decision had been made not to let out of the Soviet Union the former wife of Vladimir Slepak or the child. "You, Maria Slepak, and your children," he said, "will leave the Soviet Union only if Vladimir Slepak is permitted exit from the Soviet Union." When this will come to pass, and if it will come to pass at all, he could not tell me.

The Soviet Government recognized the divorce, but the emigration office did not.

The third case is that of Arkady Rabinov. He is an engineer, age 30, of Leningrad. In 1973 he was refused because of so-called secrets.

OVID informed his wife, Elena, that she could leave any time she wanted if she would divorce her husband. She did not choose to do this. In 1973, Arkady was called in and told that the period of his access to secrets had expired and he should apply again to leave.

His parents and he applied and again he was refused. This time the reason was because of his wife's knowledge of secrets. In the meantime, his parents and sister, thinking the entire family would receive permission, applied for exit, received permission, and were compelled to leave without their son.

Arkady says here:

At the present time I am faced with a dilemma: Either divorce my wife and leave, with the possibility of seeing my parents in the U.S. or Israel, or doom my parents to a continuation of the separation from their son. In April I will again be eligible to apply for a visa and I hope that this time humaneness will triumph. I believe that human rights cannot be the internal affairs of any one state, but that they concern all people.

The three cases you have heard on this tape are living testimony to the capricious and arbitrary system of granting visas in the Soviet Union and proof of Basket III violations.

It would appear to me that when the Soviets signed the Final Act of the Conference on Security and Cooperation in Europe in August 1975, they had no intention of conforming to the spirit and letter of the Basket III provisions of the Final Act.

I thank you very much for your attention and your time.

Chairman FASCELL. Thank you, Ms. Manekofsky. Without objection your full statement, including the transcripts of the three tapes will be included in the record as part of our consideration of this Commission.

[The written statement submitted by Ms. Manekofsky, and transcripts of the three tapes, follow:]

Mr. Chairman, Members of the Commission. My name is Irene Manekofsky, and I represent the Union of Councils for Soviet Jews as its Vice-President and Washington Representative. The Union of Councils is a grass roots, volunteer, membership organization composed of twenty local Soviet Jewery groups in 18 cities. Our sole purpose is to support the struggle and aspirations of the Jewish minority in the Soviet Union. In keeping with the purpose of today's hearing, I shall focus my attention on the subject of the reunification of families.

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Europe, the situation of those families separated by Soviet emigration policies has worsened. Before the Final Act was signed, invitations sent to Soviet Jews from any relative abroad were, however arbitrarily, accepted by the Soviets within the emigration process. Since Helsinki, however, this situation has badly deteriorated. In June, 1976, the Soviets made their position clear, when Mr. V. Obidin, Chief of OVIR (Department of Visas and Emigration) told a group of Soviet Jews: "We are now putting a stop to all arbitrary emigration. In accordance with the decisions of the agreement at Helsinki, we shall let people go only where it is for reunification of families. And a family, in accordance with the Code on Marriage and Family of the USSR, consists only of husband, wife and unmarried children."

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These few examples—and there are many more such cases—are clearly in violation, not only of the reunification provisions of the Final Act, but of the Universal Declaration of Human Rights (to which all signatories of the Helsinki Document are committed) which states that "Everyone has the right to leave any country, including his own, and to return to his country." It appears that by their arbitrary and narrow interpretation of the Helsinki document, the Soviets are using the agreement as an instrument against free emigration and the reunification of families.

However, I would like to make it clear that I believe the Helsinki Agreement to be an outstanding and noble document which has made a great contribution to the cause of human rights around the world. However, since our government—along with 34 other governments—signed this agreement in good faith, we have the right to expect the signatories, including the Soviet Union, to honor the provisions of Basket III in the spirit and letter in which it was conceived.

Permit me to play tape which was made in the Soviet Union during the week of Feb. 23, 1977. A second tape, made by another traveler, was erased by customs officials at Moscow Airport as he was departing, following a thorough and intimidating search. Today's tape is in Russian, but it is simultaneously translated into English. These three refuseniks, Evgenny Liberman, Maria Slepak, and Arkady Rabinov, detail the stories of their refusals and the ways in which they feel the provisions of the Helsinki Agreement were violated, in particular the provision for reunification of families.

TAPED TESTIMONY

1. Respected Ladies and Gentlemen: I, Evgenny Liberman, age 30, a bachelor, live together with my parents at the following address: 40 Novatory St., Bldg. 6, Apt. 4, Moscow, USSR. My father, Arkadi Liberman, age 63, and my mother, Shulamit Rosenblit, age 61, I, my brother and his wife, applied to OVIR, to the main Internal Affairs Administration, and to the Moscow City Executive Council with a request for permission for exit to Israel. My brother, Yuli Liberman (born in 1939) and his wife, received permission and now live at the following address: Tabinkin St., 32/18 Beersheba, Israel.

The refusal of permission to leave was given to me orally and proclaimed: "On grounds of state security you are refused permission to exit." I would like to tell you of certain circumstances in my life which I believe have a direct bearing on my receiving this refusal. In the army I served at a power station. I was in charge of a warehouse where various lubricants, spirits, gasoline, metal workers' tools and radio tubes were kept, which are sold in specialty stores across the entire Soviet Union. I did not have any dealings with anything in the

Army that could have any relation to state security. The last half year of my army service, I was not even supposed to carry a rifle.

Four years and 10 months have passed since my discharge from the army. My work had no relation to state security. The directors of the enterprise where I worked refused to listen to the proof I gave of my never having been privy to any secrets, declaring that they had not given any data about me or my work to anyone. The ministry in charge of the enterprise where I worked said the same thing. But OVIR refers to the enterprise, declaring that they cannot let me go due to the enterprise's refusal. Three years and 5 months have passed since I left that enterprise. I have repeatedly lodged complaints to all instances, to OVIR, the main administration of Internal Affairs, to the Moscow City Executive Committee, to the Supreme Soviet of the USSR, to the General Secretary of the Central Committee of the Communist Party of the USSR. But not once have I received an answer. All letters are forwarded to OVIR, in spite of the decree of the Supreme Soviet of 1968 concerning the prohibition against sending complaints to an organization against which the complaint has been lodged.

In Nov. of 1976, together with my brothers by fate—refuseniks—instead of receiving an answer to our request to the Presidium of the Supreme Soviet of the USSR, we were forcibly taken to a forest outside Moscow and taken out of the bus. Between Dec. 21 and 24, 1976, I was under house arrest in connection with holding a seminar on Jewish culture in Moscow. I was a member of the seminar's organizing committee. The reason given was anti-State activity. My apartment was searched with the purpose of removing documents slandering the Soviet state and social structure. No such documents were found. After my arrest, I was warned to renounce my activities, lest I be subjected to administrative and legal prosecution. And all this because I took part in the seminar to determine the state of Jewish culture in the USSR and to determine its prospects for the future.

In 1976, my elderly parents were refused exit visas to Israel. The OVIR inspector informed them that even in 15 or 20 years they would not be permitted to meet with their elder son, even for a short time on a visitors' visa, which my brother sent my parents. I consider this statement not only a cruel humiliation of people, but also a mockery of the Helsinki agreement and the countries signing this agreement.

Appealing to you as representatives of the American people and American democracy, I thank you for the help you are giving to the unfortunate throughout the world. I hope that my testimony will help render justice to my family and that my elderly parents and I can be reunited with the family of my brother in the holy land of Israel. I thank you for your attention. Evgenny Liberman, Shalom.

2. Respected Ladies and Gentlemen: I, Maria Slepak, age 50, the mother of two children, a physician (radiologist), have not worked since 1971. I am appealing to you with a request to help me become reunited with my aging sick mother, who lives alone in Jerusalem. In March of 1971, of all the members of my family, only my mother who, at the time, was in the hospital suffering from a myocardial arrest, was permitted to emigrate to Israel. During the past six years, I have attempted unsuccessfully to obtain an exit visa to join my mother. The reason for my refusal, as I have been told repeatedly by the ministry of Internal Affairs, the KGB and the Central Committee of the Communist party, is that my husband, Vladimir Slepak, until 1969 worked in an institute connected with secret work. For the same reason my elder son, Alexander, has also been refused an exit visa for six years.

During these years, the health of my mother has grown acutely worse. In 1976, I officially divorced Vladimir Slepak in order to join my mother with my minor son, Leonid, and again I was refused. In spite of the fact that I presented documents from an Israeli hospital testifying to my mother's grave condition, the refusal was confirmed by the deputy chief of a section of the Central Committee of the Communist Party, Albert Ivanov, and by the head of the Office of Registrations and Visas (OVIR) Vladimir Obidin. Obidin informed me that the Ministry of Internal Affairs believes that my mother is very sick and that he considers that there is no one closer to a person than his mother, that in accordance with the Helsinki Agreement I have the right to reunification with my mother. But, in spite of this, I was again refused exit from the Soviet Union. Obidin informed me that the decision had been made not to let me out of the Soviet Union the former wife of Vladimir Slepak or his sons. "You, Maria Slepak, and your children," he said, "will leave the Soviet Union only if Vladimir Slepak is per-

mitted exit from the Soviet Union." When this will come to pass, and if it will come to pass at all, he could not tell me.

As far as my mother is concerned, Obidin told me that the Ministry of Internal Affairs committed a great error in permitting her to leave the Soviet Union alone in 1971, which he—Obidin—deeply regrets.

My address is: Maria Slepak, 15 Gorky St., Apt. 77, Moscow 100300, USSR. My mother's address is: Bertha Rashkovskaya, Rehov Chernikovsky 48/9, Jerusalem, Israel. I thank you.

3. Hello, my name is Arkady Rabinov. I am thirty years old. By profession I am a radio engineer. My address is: 74 Svetlanovsky Prospect, Apt. 144, Leningrad, USSR.

In February of 1973, my wife, Elena Rabinov, and I applied for an exit visa for permanent residence in the State of Israel. More than four years have passed, but to the present day we have not yet received permission. We were told that the ground for refusal is the fact that until 1972 I worked in an institution connected with secret work. In spite of the fact that in the two years of my work in that institution I never once saw any secret documents, the refusal was confirmed over the course of three years in response to my numerous applications to the Central OVIR, the Internal Affairs Administration, and state and party organs. In announcing the refusal, the Leningrad OVIR told my wife in 1973 and 1974 that she did not possess any secret information and that she could go to Israel any time, but that the only obstacle to this was her marriage to me. If she were to divorce me, then she could leave the Soviet Union. She rejected this proposal, preferring to wait until the Soviet authorities permitted us to leave together.

During these years I could not find work in my profession (my profession is that of radio engineer). One year I worked as an elevator operator and had several other temporary jobs from which I was also dismissed. But finally, in December of 1975, I was summoned by the KGB and was told that the period of my access to secret work had elapsed and that I should immediately apply for exit. My parents were told the same thing over the phone by an employee of the KGB. Much heartened, we turned in our documents to OVIR expecting that this time we would be given exit visas very quickly. But we had to wait three long months for an answer, and in April of 1976 we were again refused a visa. This time the reason named was my *wife's* secret work, which she had quit in 1972. We tried to protest, declaring that the Deputy Chief of the Internal Affairs in 1973 and 1974 had told my wife that she did not possess any secret information and that she could have left long ago had she not been living with me. But, just as with all our other protests and declarations before, we received the same answer: "The refusal is confirmed."

I do not know what goal the official organs were pursuing by informing me that I could leave, but this story had grave consequences. My parents and sister, with her family, learning that we would finally be permitted to leave, applied for exit together with us. In a month they received permission, and three weeks afterward they were compelled to leave, believing that soon we, too, would receive exit visas.

My refusal was a heavy blow for my parents. My father is 69 years old, my mother 65, and they never would have left had they not been assured of *our* receiving permission to leave. At the present time my parents live in the United States. Their address is: Mr. Rabinov, 1760 Whitewood Lane, #4, Campbell, California.

At the present time I am faced with a dilemma: Either divorce my wife and leave, with the possibility of seeing my parents in the U.S. or Israel, or doom my parents to a continuation of the separation from their son. In April I will again be eligible to apply for a visa and I hope that this time humaneness will triumph. I believe that human rights cannot be the internal affairs of any one state, but that they concern all people.

I am deeply grateful to you for the fact that you are not indifferent to human rights, for your help and support. It is a great honor to speak before such an important gathering.

Thank you for your attention.

The three cases you have heard on this tape are living testimony to the capricious and arbitrary system of granting visas in the Soviet Union and proof of Basket III violations. It would appear to me that when the Soviets signed the Final Act of the Conference on Security and Cooperation in Europe in August 1975, they had no intention of conforming to the spirit and letter of the Basket III provisions of the Final Act.

Ms. MANEKOFSKY. Thank you very much, Mr. Chairman.
Chairman FASCELL. Mr. Yates.

COMMENTS AND QUESTIONS OF REPRESENTATIVE YATES

Mr. YATES. Well, I want to congratulate Mrs. Manekofsky upon the marvelous work that she has been doing in this field, and I would like to say that if it were not for the work that she has done, even fewer emigrants would get out of the Soviet Union. I hope she continues.

Ms. MANEKOFSKY. Thank you.
Chairman FASCELL. Mr. Bingham.

COMMENTS AND QUESTIONS OF REPRESENTATIVE BINGHAM

Mr. BINGHAM. Thank you, Mr. Chairman.

Mrs. Manekofsky, I would again like to salute you for your work in this field. I think your cases have been very illustrative of the kind of "you can't win"——

Chairman FASCELL. Catch—22.

Mr. BINGHAM. Yes, Catch-22 procedure that these people go through. And I think it is helpful to have these cases that show the capriciousness and inconsistencies and cruelties of the system that is operative in the Soviet Union.

I might ask you the same question that I asked Mr. Gold. There has been some feeling expressed by some Members of the Congress that the amendment that we adopted, the Jackson-Vanik Amendment to the trade bill, was counterproductive and did not produce the anticipated result, and that some consideration should be given to modifying it. What is your position on that?

Ms. MANE/OF SKY. My feeling on the Jackson-Vanik Amendment is identical to the feeling of the Soviet Jews, who I feel have the most to gain or lose by actions that are taken, such as the Jackson Amendment.

Their feeling is that when the amendment was first introduced, the Soviets perceived it as being a major attack on them. It really threw them off balance. They saw it as worldwide support for Soviet Jews. That was in the earlier days of the movement when there was a lot of pressure from the West.

Immediately after the amendment was introduced in the House and in the Senate, the Soviets dropped the emigration tax. That was the infamous tax whereby if you had a college education, you had to pay for it before you could emigrate.

They dropped that tax immediately and then the numbers starting rising. For example, in the years when the Jackson-Vanik Amendment was being debated in 1972, 1973, and 1974, over 90,000 Jews received permission to leave.

Thus, the Soviet Jews' position and the position of Dr. Sakharov, and all of the leaders in the movement, is that this was probably the most moral piece of legislation ever enacted.

Unfortunately, things since then have deteriorated. We all have to agree with that. There are fewer Jews getting out now. The Soviets carefully control Jewish emigration at about 12,000 or 13,000 a year.

Many reasons are given. The Stevenson Amendment and the restriction on credits were mentioned earlier here today.

Of course, we cannot also deny the last Administration's duplicity in this matter. The moment the amendment was passed, the Administration said that it was a mistake and that it was going to bring harm to Soviet Jews—and it did—and then the numbers started going down.

My feeling is that now the Jackson Amendment is an important tool for us to use. I think there has to be very strong support for it in the Congress. The Soviets have to know that the amendment has strong backing. If they perceive for one moment that it is losing support, they will just wait it out, because they have lots of time and are more patient than we are.

If they feel that the amendment is in danger and they can wait for repeal and not have to allow more emigration, then they will try for both.

For this reason, I feel very strongly that the U.S. Congress should remain firm and committed to the Jackson-Vanik Amendment.

At that same time, we could let the Soviets know that, as was mentioned earlier here today, before consideration could be given to repeal of the amendment, certain acts could be performed by them. These acts must be very specific and occur first as an act of good faith. Minimally they could be as follows: (1) the prisoners of conscience must be released; (2) the refuseniks should be told in writing when they will receive visas, and (3) there must be an end to the arbitrary use of knowledge of secrets as reason for refusal. If the Soviets would comply with their own laws, then after 3 or 5 years, depending on the class of secrets, a person would automatically be allowed to emigrate. If they would comply with these laws regarding knowledge of state secrets, then I believe the refuseniks would even be satisfied with knowing in writing that they may leave after their knowledge of secrets is up. But the arbitrariness of Soviet officials and not knowing what their future is, are major problems for them. Also, there would have to be an end of harassment of those applying to leave.

These are the kinds of concessions the Soviets would have to make before there should be any consideration to repeal the amendment.

Mr. BINGHAM. Thank you.

Mr. YATES. Mr. Chairman.

Chairman FASCELL. Mr. Yates.

Mr. YATES. May I ask a question?

Chairman FASCELL. Yes.

Mr. YATES. I just want to state my agreement with what you have said.

When Vladimir Bukovsky was before this Commission 2 weeks ago he said the same thing. He said that the passage by the United States of the Jackson-Vanik Amendment was one of the great moral acts of this time, that it was an example for the other countries of the world of how important the United States considered this is be.

There are many of us who wondered what is the most effective way to deal with this problem. We did a great deal of soul searching on Jackson-Vanik, almost to the point of where we were convinced by opponents of Jackson-Vanik saying, "Look what has happened since passage of Jackson-Vanik—the Soviets have cut down the number of visas."

But even since that time, I think the Soviets have gone so much further since President Carter has started to talk about human rights. The Soviets have gone even further than they went with the passage of this legislation, which indicates to me it is not affected by Jackson-Vanik, but merely an attitude where they have now gone on the record to say that they are not going to pay any attention or give recognition to the pressure from the outside.

I am inclined to think that it is the pressures from the outside that have really caused the stepping up of this kind of hostility on the part of the Soviets.

I think only the retention of this kind of pressure will persuade the Soviets to come over to the other side and increase the number of visas. I, for one, think that the pressure ought to be retained and I agree with Bukovsky and I agree with the dissidents with whom I spoke in Moscow 2 years ago, that the Soviets demand a quid pro quo when they deal and I think in turn we ought to be thinking in terms of some kind of requirement in exchange for whatever we give them in terms of trade benefits.

Ms. MANEKORSKY. I agree with you completely, Mr. Yates, and I would like to add one more thing. The dissidents and the Soviet Jews also particularly feel this.

When the Soviet Union strikes back the way they have recently, and they have struck back very, very angrily at Mr. Carter's position on human rights—they do not do it out of a position of strength. They do this from a position of weakness and fear.

I believe that Mr. Bukovsky made that clear as well in his statement. The Soviet Union is in a very bad situation, even though when you go to Moscow and Leningrad you see the people looking well fed and well clothed. The people are hungry in most of the Soviet Union and the situation is not good.

The people are very disgruntled and unhappy with the system. The only way the leaders can keep the system going is to keep an iron fist on the population.

Further, this striking out is fear by the regime because of their own illegitimacy of power. Therefore, when they strike back like this we have to be more and more steadfast because we are the ones who are strong and we have the freedom and the power in that freedom. This is the way the Soviet Jews and dissidents feel and they have transmitted that to me any number of times and they all—almost 100 percent—agree with that. I just want to say one other thing about the situation now.

Mr. Carter receives criticism for his position and his critics say he is making things worse for Jews and dissidents. Well Soviet Jews don't agree with that. They don't agree with that at all. They feel that everything that he is doing—and the more he does and the more that this Commission does—only can help them. Only silence will hurt them.

Maybe in the short run some people will get hurt, and they are getting hurt already, as we have seen by the arrest of Anatoly Shcharansky, but in the long run, it will be better for our country and their country and for peace and human rights in the world. The Soviet Government has to know this, and they have to know that these are our values and that they are of prime importance to us.

And if I may take one more moment to talk about linkage, which Mr. Fascell mentioned before—that even though Mr. Carter says that human rights are not linked to other matters, they are most definitely linked.

Not officially, but because I feel he has set the mood in this country for human rights and against the abuse of people around the world, that public opinion is very, very important and he will need public opinion—and the United States Congress is public opinion—to support his defense budget and the SALT talks and trade. And so it is linked by what the American people feel is an outrage against common decency.

Mr. YATES. Good.

Chairman FASCELL. As one of the civil rights activists who testified before us said:

We are the ones who make the decisions. We put our life on the line and we think what you are doing is fine.

Mr. FRIENDLY. Mr. Chairman.

Chairman FASCELL. Mr. Friendly.

Mr. FRIENDLY. Ms. Manekofsky, one technical question. Evgenny Liberman talked about a visitor's visa that his brother tried to send.

Ms. MANEKOFSKY. Yes.

Mr. FRIENDLY. Do you know any other similar cases? I ask because in the Helsinki agreements themselves, aside from the provisions on family reunification, there is another section on the right of family visits pending reunification. Has anybody that you know ever been granted a visa? How many do you know of who have even asked for visas for temporary visits?

Ms. MANEKOFSKY. This is the first that I have ever heard that one has been asked for and I thought it was quite interesting because it does directly violate one of the provisions of Helsinki.

Mr. FRIENDLY. There are some people in the United States—the Rabinov's parents. To your knowledge have they sent him a invitation to come here on a temporary basis?

Ms. MANEKOFSKY. Not to my knowledge. People might have done it, but I have never heard of it.

Mr. FRIENDLY. For the record, the Commission staff is not aware of more than a couple.

Ms. MANEKOFSKY. I see.

Mr. FRIENDLY. None of them have involved refuseniks. It is not a technique that has been used.

Ms. MANEKOFSKY. Do you think they should?

Mr. FRIENDLY. It is in the agreement. Yes, sure. Everything is obviously worth trying.

Ms. MANEKOFSKY. Thank you.

Chairman FASCELL. Thank you very much, Mrs. Manekofsky. Thank you for bringing us this addition to the record and the tortured interpretations used by the Soviets.

Ms. MANEKOFSKY. Thank you very much and thank you for listening.

Chairman FASCELL. I want to commend you, having worked with you for some time, on your sincere dedication to a very important cause. A lot of people are lucky that they have a friend like you.

Ms. MANEKOFSKY. Thank you, and we are lucky to have you.

Chairman FASCELL. Our next witness will be introduced by our distinguished colleague from Illinois, Congressman Yates.

Mr. YATES. Felix Aranovich and Mrs. Dinenzon.

Mr. ARANOVICH. It would be very good if it were Felix, I am his brother, Victor.

Mr. YATES. I have that man on my mind.

Mr. ARANOVICH. Sometimes I call myself my own brother.

Mr. YATES. First Mr. Chairman and colleagues of this Commission, let me say that I have known Victor Aranovich and his mother, Mrs. Dinenzon, who sits behind him, for many, many years. How long has it been Victor?

Mr. ARANOVICH. Three years.

Mr. YATES. Since we first began to work on this case. This is the case of his brother whom I saw in Leningrad 2 years ago when I went to Leningrad as a member of Speaker Albert's parliamentary delegation.

I just want to say that it is a heartrending case. It is a case of a family that has been disunited, a family that has been very close. They lost their father in World War II. Victor's mother and he were allowed to leave and Felix is still there waiting. He was married 2 years ago and his wife has joined Victor and his mother in Chicago in my district. They now have a little baby, David.

I can only tell Victor—I come back and report to Victor and to Mrs. Dinenzon about what I have done. Felix is very much on my mind. I have talked to the Russian authorities. I talked to Arbatov, even to Brezhnev. I almost said Khrushchev.

Mr. ARANOVICH. It is the same. [Laughter.]

Mr. YATES. And last week I asked Vice President Mondale who said he is going to take up Felix's case. I do not know what can be done except that we have to make sure that Felix rejoins his family in the 9th Congressional District in Chicago.

With that Mr. Chairman, I am pleased to present Victor to the Helsinki Commission.

Chairman FASCELL. Mr. Aranovich, we are very happy to have you.

STATEMENT OF VICTOR ARANOVICH

Mr. ARANOVICH. Thank you, Mr. Chairman and members of the Commission. Thank you for this opportunity to speak before you. Mr. Yates, thank you very much for your very great help which has started since we came here.

Let me tell you a little bit in more detail about our situation. A few years ago our family consisted of three people, my mother sitting behind me, Mrs. Lubov Dinenzon, who is a lawyer. My brother, Felix Aranovich, an engineer, and myself, a filmmaker.

We lost our father in the years of World War II. All three of us always lived together in Leningrad, U.S.S.R. My brother and I were not married.

In 1972 we presented an application for permission to leave the U.S.S.R. The result was the emigration was permitted for mother and I. Felix was refused the right to leave on the pretext of his work for

a classified project. In his appeals to higher authorities Aranovich has denied that he possessed any secret information for the simple reason that for a long time he had not worked on these projects and the questions which he had previously had contact with have since been dealt with more extensively in public literature.

My mother refused to leave without Felix Aranovich and stated that she would remain with her son and leave only with him. After a long and painful struggle she was forced to leave under the threat of illegal repressive acts.

So in April 1973 my mother and I left Felix Aranovich in our empty home. The day of our departure was my brother's birthday. We never forget that day and will remember it as we remember other days of suffering during World War II. We came to the United States in 1974.

In 1975 Felix Aranovich got married and later his wife Alla Aranovich became pregnant. This young couple was surrounded by an atmosphere of anxiety and danger. They were afraid that repeated harassment by the authorities was endangering their unborn child, so Alla had to apply for a visa.

Surprisingly, she got it quickly and came to us. On July 3, 1976, the eve of Independence Day and 200 years of the United States, Alla Aranovich bore a son, David Aranovich.

Now the baby is 8 months old, but Felix Aranovich knows his only son only by snapshots. The wife has been parted from her husband for 1 year. The mother, who had always lived with her son, has not seen him for 4 years. I also have not seen my only brother for 4 years.

In addition, Aranovich does not have a job, his telephone was disconnected after we phoned him to tell him that his son was born, and the authorities asked Aranovich to leave his apartment in February 1977.

An atmosphere which has been created around him reminds Aranovich that he could be unlawfully arrested at any moment. It is none other than torture which can lead a human being up to his tragic death. There have been such cases.

Many official and unofficial figures have asked the Soviet authorities to reunite our family. The State Department, Senators, Congressmen, and others have petitioned the Soviet officials many times.

Congressman Yates has written and spoken to many Soviet leaders. As a rule the Soviet authorities did not reply. Sometimes, when the authorities are able to benefit from certain people they promise them to reunite our family; but they never keep their promise.

In 1974 a deputy chief of the Central Emigration Office—Moscow—acknowledged that actions against our mother were wrong and he promised to review the Aranovich case in 1974. The case was not reviewed.

In 1975, Mr. Grishin, an official of the Leningrad division of the Soviet Ministry of Foreign Affairs stated that the Aranovich case was being reviewed and soon Felix Aranovich would receive a visa. Again the case was not reviewed.

And in 1976 the Soviets promised an American official that they would let Felix Aranovich go. They did not keep their promise.

This 4-year long struggle has been destroying our mother's health. Her doctors have written a letter—attached to my statement—to Soviet Ambassador Dobrynin pointing out that she has poor health because of her suffering and it is getting worse. In connection with this I would like to quote the Helsinki Final Act. It says:

The participating States will deal in positive and humanitarian spirit with the applications of persons who wish to be reunited with members of their family, with special attention being given to requests of an urgent character—such as requests submitted by persons who are ill or old.

We are afraid that in Belgrade the Soviet delegation would be playing with figures by reporting that 80 or 90 percent of divided families have been reunited. But what about 20 or 10 percent of not reunited families?

Continue to struggle, to suffer, to die? What would happen to us? To the old mother and the young mother? To little American David? Felix Aranovich grew up without his father. It was World War II which took away the father.

Now Felix Aranovich's son grows up without his father and it is not because of war, but because somebody in the emigration office has decided so. Our family is in danger. David must have his father and the family must have its supporter.

Since 1972, Felix Aranovich has been refused a visa many times. The last refusal was in 1976. This refusal and one in 1975 were given without any reason. Clear proof that the Soviet Union must give Felix Aranovich an exit visa can be seen in the following facts.

First: It was in 1972 when Felix Aranovich pointed out that he did not possess any secret information for the reason that for a long time he had not worked on classified projects. Today the technical literature in the bookstores contains more information than he knew.

Second: Mr. Semen Chernyk, an engineer of the same plant who quit his job later than Felix did, was granted an exit visa 3 years ago.

Third: At the present time reliance on secrecy has become completely impossible and the emigration authorities do not use this reason, but they continue to refuse Felix without bothering to give a reason for refusing. Thus Felix Aranovich has become government property.

Fourth: As far as Aranovich's right to leave the U.S.S.R. is concerned, there is no room for a negative reply. In 1976, Mr. Seith of the Democratic National Committee received a cable from Dr. Dogdanov, Deputy Director of the Institute of the U.S.A. in Moscow which said that Aranovich's case may be decided positively. The telegram is attached to my testimony.

Fifth: The head of central emigration office has recently made an official statement that the Soviet Union is going to comply with the Helsinki Final Act and reunite all families.

Mr. Chairman, very soon little American David will begin to speak and his first question might be, "Where is my father?" I do not know what we will tell him.

Thank you.

[Materials submitted for the record by Mr. Aranovich follow:]

[From the Congressional Record, Mar. 15, 1976]

A MOTHER'S CALL FOR HELP

(Mr. YATES asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. YATES. Mr. Speaker, officials of the Soviet Union have said that they place great store in the reunification of families. Their statements, both public and private, and more recently by their agreement to the so-called Helsinki Pact, they have told the world that a borderline drawn on a map shall not separate the members of families from each other. To date, such statements are mere words divorced from fact. By their actions we will judge them—and their actions have noted their indifference to the often unbearable strain that forced separation has brought to these courageous people.

Nearly 3 years ago Mrs. Lubov Dinenzon and her son Viktor were allowed to emigrate to the United States from the Soviet Union. Her son Felix Aranovich, however, was denied a visa. When Felix's mother and brother protested, they were threatened with imprisonment if they did not leave immediately without him. They were told as well that if they refused to leave, & Felix would be in "serious trouble." Faced with the possible imprisonment of both of her sons or the freedom of one and the lifting of threats against the other, Mrs. Dinenzon left the Soviet Union for our country. She resides today in my district in Chicago with her son Viktor, waiting sometimes patiently sometimes nearly hysterically for her other son to join her. Letters in her own blood to Soviet officials have gone unanswered as have the various inquiries I have attempted to make.

I had hoped after my recent trip to the Soviet Union and my meetings with the First Secretary and others that we would be able to reach the accords needed to facilitate emigration that would lead to the joining of families such as that of Mrs. Dinenzon. Those hopes are now shattered. We find that letters, entreaties, pleas fall on deaf ears.

I have written a personal letter to Georgi Arbatov the head of the Soviet Institute of American and Canadian Affairs asking for his personal intercession in the case. I am waiting for his answer.

Mr. Speaker, I attach Mrs. Dinenzon's plea.

"A MOTHER'S CALL FOR HELP"

"I have been compelled to make an appeal for help. People suffer not only from wars, but also from inhumane treatment of them in times of peace. This problem prevents solution of the great tasks of peace all over the world.

"My family is small; there are three of us, myself and two sons. We lost my husband and their father in the years of World War II. I have carefully brought up my two sons. They are not married . . . we have always lived together.

"In 1972 we presented an application for permission to leave the Soviet Union. The result was that emigration was permitted only me and my younger son. My older son, Felix Aranovich, an engineer, was refused the right to leave on the basis that he had at one time worked at a secret plant.

"In his appeals to higher authorities, Aranovich has denied that he possessed secret information for the simple reason that for a long time he had not worked at secret plants and the questions with which he had previously had contact have since been dealt with more extensively in public literature.

"The reliance on secrecy and on the interests of the government are only worn-out excuses, covering up evil. The actual reason is found elsewhere: to inflict punishment upon us, to break up the family, to deprive Felix of a home, to create hardship for him through the traumatic surrounding of loneliness, to brutalize us.

"It is clear that this is supported by further actions of the OVIR.

"When my younger son, upon receipt of permission to emigrate and upon the order of the OVIR, presented all of the documents necessary to receive a visa and brought to the bank the required fees (for education, for the visa, for the renunciation of citizenship), OVIR refused to grant him a visa on the basis that I was not going together with him.

"I stated that I would remain with my older son Felix and would leave only with him. Such questions, by law and by nature, should be decided by the mother. OVIR took this right from me. Despite having been granted permission to emigrate, my younger son Victor was not granted a visa. He lived for a long time without means of support, without work, and yet could not leave. I tried to avoid fulfilling the illegal demands and appealed to higher authority. They answered that the way OVIR had decided was the way it was going to be. They called

me in and notified me that if I did not immediately leave the Soviet Union, the permission already granted to my younger son would be annulled, the money already paid out would not be returned and, in addition, he would be harshly dealt with. It became clear that we were unprotected by the law.

"In fear for the fate of my totally innocent son, I was forced to go away, leaving Felix Aranovich in an empty home. The day of our exit occupies in our lives a place along with the sufferings in the years of World War II.

"The destruction of our family by a method of threats and violence is not only a violation of the Declaration of the Rights of Man ratified by the Soviet Union and the conditions accepted by them at the Helsinki Conference, but the actions of the Leningrad OVIR are criminal according to the laws of the Soviet Union. For forcing me, without guilt, a trial, and outside legality, to abandon my son, for the threat of illegal repressive acts, and for the rude violation of the civil rights of my son, the head of the Leningrad OVIR, Mr. Bokov, is criminally liable under Article 171, Section 2 of the Criminal Code of the RSFSR. And for the harm inflicted upon us by his criminal acts, he is liable for damages in accordance with Articles 444 and 446 of the Civil Code of the RSFSR, which claim could be satisfied by the unification of our family, that is, by granting Felix Aranovich permission to emigrate.

"However, the law no longer works in relation to us. Mr. Bokov continues to work successfully; Felix Aranovich leads a lonely, miserable existence. Soon it will be three years since I have seen my son with whom I had lived for his entire life; soon it will be three years since I have known peace during the day or night.

"All this serves as proof that the law does not protect us.

"Once in a state of deep despair I addressed to the Soviet leaders a letter written in blood. I asked them to give me back my son. The physicians treating me advised the Soviet leaders that the trauma inflicted upon me by breaking up my family was destructively affecting my health, and that the treatment would be ineffective until the cause of the ailment was removed.

"To all this the Leningrad OVIR answered my son in September 1975 with still one more refusal (the third). This time it was without any reason at all. Reliance on secrecy by now has become completely impossible; it is well-known that such sadism leads to physical annihilation of people.

"In the south in the Soviet Union there is a chimpanzee nursery. Soviet medical workers are conducting medical investigations in this nursery. They broke up chimpanzee families. The chimpanzees flew into a violent rage. They ran from corner to corner, trying to break out of the cage, but they were not strong enough to deal with iron bars. Gradually, the chimpanzees quieted down and fell. When their blood pressure was measured, it turned out to be very high. As a result of their suffering, the chimpanzees grew ill with hypertension and died.

"Nor does a mother have the ability to withstand that kind of suffering.

"In the summer of this year Nina Podriadchik unexpectedly passed away. She, like I, fought for a long time to be reunited with her son Yuri, whom the Soviet Union had refused permission to emigrate. She did not survive her suffering and died. This is not death . . . it is murder by a method of slow torture. When they buried her, Yuri Podriadchik was given permission to emigrate.

"It is necessary, in order that all might hear, to cry out to the Soviet Union in the name of all mothers who have abandoned their sons in the Soviet Union: Let our sons go to their living mothers and not to their graves!!!! An oath would thus be taken that people would no longer be brutalized.

"According to the law concerning tort damages, on the basis of rights guaranteed to man by twentieth century civilization, and in fulfillment of international obligations accepted by the Soviet Union, I am addressing an appeal to it: Give me back my son!!!! I am calling for help!

LUBOV DINENZON."

SINAI MEDICAL GROUP,
Chicago, Ill., June 18, 1975.

MR. DOBRYNIN,
Washington, D.C.,
Soviet Embassy.

DEAR MR. DOBRYNIN: Mrs. Lubov Dinenzon has been evaluated, treated, and followed at our medical center for the past year. She has hypertension and agitated depression. Her illnesses have been progressive and unresponsive to therapy in spite of consultations with specialists in the areas of her sicknesses.

After a staff conference in which her case was reviewed by the attending and consulting physicians, our conclusions are that it is critical that she be reunited with her son Felix Aranovich whose absence plays a prime role in her illness. We recommend her son be permitted to leave Russia and be with his mother. We hope this will receive your compassionate and understanding attention.

Sincerely yours,

NORTON SOKOL, M.D.,
RICHARD MORRIS.

[Telegram]

CHICAGO, ILL., July 23, 1976.

ALEX SEITH,
Deputy Chairman, Foreign Affairs Task Force, Democratic National Committee,
Chicago, Ill.

At last can inform you that Aranovich case may be decided positively.
Best wishes.

BOGDANOV.

STATE OF ILLINOIS, COUNTY OF COOK.

I, Stanley T. Kusper, Jr., County Clerk of the County of Cook, in the State aforesaid, and Keeper of the Records and Files of said County, do hereby certify that the attached is a true and correct copy of the original Record on file, all of which appears from the records and files in my office.

In witness whereof, I have hereunto set my hand and affixed the Seal of the County of Cook, at my office in the City of Chicago, in said County.

STANLEY T. KUSPER, Jr.,
County Clerk.

MATCHING ID#		STATE OF ILLINOIS		CHILD'S BIRTH NUMBER	
REGISTRATION DISTRICT NO. 16.10		CERTIFICATE OF LIVE BIRTH		112-76 625553	
CHILD—NAME FIRST MIDDLE LAST		DATE OF BIRTH MONTH, DAY, YEAR		HOUR	
1. David Ardin Aranovich		2a. July 3, 1976		2b. 5:09 P. M.	
3. Male		4a. Single		5a. PLACE OF BIRTH	
6a. Chicago		6b. Yes		6c. Cook	
7a. Chicago		7b. Yes		7c. Michael Rees Hospital	
8a. Mother—MAIDEN NAME FIRST MIDDLE LAST		8b. AGE AT TIME OF THIS BIRTH		8c. BIRTHPLACE	
9a. Alla Galperina		9b. 29		9c. Austria	
10a. RESIDENCE STATE		10b. COUNTY		10c. CITY, TOWN, TWP. OR ROAD	
11a. Illinois		11b. Cook		11c. Chicago	
12a. WIFE'S COMPLETE MAILING ADDRESS		12b. STREET AND NUMBER OR R.F.D.		12c. CITY OF TOWN	
13a. 7022 North Sheridan Road		13b. Chicago,		13c. Illinois	
14a. FATHER—NAME FIRST MIDDLE LAST		14b. AGE AT TIME OF THIS BIRTH		14c. BIRTHPLACE	
15a. Felix Aranovich		15b. 46		15c. Russia	
16a. INFORMANT'S SIGNATURE		16b. RELATION TO CHILD		16c. MOTHER	
17a. I CERTIFY THAT THE ABOVE NAMED CHILD WAS BORN AT THE PLACE AND TIME AND ON THE DATE STATED ABOVE.		17b. DATE SIGNED MONTH, DAY, YEAR		17c. ATTENDANT—M.D., D.O., M.D., M.D., M.D., M.D.	
18a. SIGNATURE		18b. July 3, 1976		18c. M.D.	
19a. CERTIFIER'S COMPLETE MAILING ADDRESS		19b. STREET AND NUMBER OR R.F.D.		19c. CITY OF TOWN	
20a. 533 East 29th Street		20b. Chicago,		20c. Illinois	
21a. LOCAL REGISTRAR'S SIGNATURE		21b. CHICAGO SEALS OF HEALTH—DATE RECD BY LOCAL REGISTRAR		21c. CHICAGO CIVIC CENTER, ROOM 103 MONTH, DAY, YEAR	
22a. Harvey E. Brown M.D.		22b. JUL 9 - 1976		22c. CONCURSUS LEVEL, CHICAGO 60607-115	

Chairman FASCELL. Thank you very much, Mr. Aranovich. Mr. Yates.

COMMENTS AND QUESTIONS OF REPRESENTATIVE YATES

Mr. YATES. I do not think, Mr. Chairman, I have any questions. I know the Aranovich case well. Of course, as I have told Viktor and his mother, I am going to continue to do everything I can to try to help Felix be reunited.

I often feel that perhaps it has been because of my efforts that Felix may be stopped.

Mr. ARANOVICH. No, no; let me answer this question. Sometimes there is a lot of discussion as to whether American public opinion should continue to be tough on this point. So far there have been negative results, but the situation is that of two powers or two people. It seems to me that here it is the Russian and American mentality. When Americans start to push Russians to do something, it is impossible that Russians immediately will say, "OK, we will do what you want us to do."

They wait. It is a war of nerves and of positions. They try to prove that they are stronger. They try to prove their system is better or whatever.

As long as they feel there is weakness in the American position, as long as they find out that there is weakness, they are going to win. As long as they see Americans as strong as they were before, they have to give up.

A simple example is the example of the emigrant duties which had to be paid. I was very lucky, I paid my money for education. I got a golden education because I paid a lot. But a very strong public opinion came about and they had to stop that.

Mr. YATES. What do you mean by that statement—a very strong public opinion and they had to stop? What did they have to stop?

Mr. ARANOVICH. A few years ago they had educational taxes.

Mr. YATES. Yes.

Mr. ARANOVICH. It was very embarrassing and they had to stop it. Now I believe that people in Moscow in the Kremlin are very nervous because Belgrade is coming up very soon and people are talking about human rights. That is the final act of this drama, and the stronger the American delegation—the more chances to win. And silence is death. If you speak out, you have a chance to win.

Mr. YATES. Well, I must say we have been speaking out on your brother's case and we do not get any replies. As a matter of fact, Speaker Albert was kind enough to write a letter to Ponamarev about the assurances that the Soviet delegation had given us when we were over there, and that Ponamarev had given us. He never got an answer to his letter. The Speaker never got an answer to his letter. Even the Speaker.

An ordinary Congressman like Congressman Yates may not be—

Mr. ARANOVICH. Ordinary Congressman?

Chairman FASCELL. The Congressman should not be so modest.

Mr. YATES. The leader of the parliamentary delegation was feted and treated with respect all over the Soviet Union by the Soviet delegation—when he writes a letter, they will not even give him the courtesy of a reply.

Mr. ARANOVICH. They are confused and do not know what to do. Silence is the very best position. Say nothing. "Silence is gold," is a Russian saying. Can you imagine how much gold is in Russia right now? [Laughter.]

Mr. ARANOVICH. So they keep this policy until it will be final and face to face. They have to answer now.

It depends on how many public voices would be behind any delegation. That is why in France the secretary of the Communist Party was not afraid to go on public television to discuss the course of communism and capitalism in front of the French public with Amalrik.

Mr. YATES. Why Victor, do you think the Soviet are being so tough right now?

Mr. ARANOVICH. They are not now tough but they were tough all of their lives. There was a period when they were so tough they killed people. Now I am talking about a period 20 years ago.

Now there is some spring, there is some smell of hope and freedom, emigration—an unbelievable thing. This emigration is built on death and blood, but still it is emigration, and they do not know what to do.

I heard that some authority said that 20 years ago I just killed this Jew and that's it. Now I have to write a visa for him.

They are confused. They have to change tactics. They do not know what to do. That is why they do not answer Speaker Albert.

Mr. YATES. Is it possible they will go back to the time of Stalin?

Mr. ARANOVICH. No, it is too late. They lost this position. It is like war. If you take this village, it is your village and there is no way back.

Again, the more American public opinion and American delegations and Congressmen who go forth, the more difficult to go back, unless there is a weakness in the position. If they drop this Jackson-Vanik amendment, then it would be a Soviet victory.

Mr. YATES. Why did they put Shcharansky in jail?

Mr. ARANOVICH. Because a few weeks ago, there was an article—an open letter by a former Soviet refusenik who said he was recruited or tried to be recruited by the CIA agency. I am not familiar with the situation, but it is very unique. First of all, I have never heard of such people in the Soviet Union as former refuseniks. If you start this road, nobody comes back. No such people. All of a sudden there is a former refusenik who decided to come back to his job. OK, fine. Now he explains the situation. He says he was approached by CIA people and they tried to recruit him. That is a signal. It is a command—listen, people, now we are going to start cases with this accusation. I don't know the exact charges against this person. First of all, they keep bringing people into prison to keep up a level of discouragement. If there would be visas and not prison, people would be applying more and more.

I know people who are in danger who are watching our situation and who are afraid to apply. So the Soviet authorities reach their goal. They discouraged 10 or 20 or 50 people. That is an example.

Mr. YATES. What danger is there of Felix being put in prison?

Mr. ARANOVICH. Any moment. He is constantly followed.

Mr. YATES. How is Felix supported and how does he stay alive?

Mr. ARANOVICH. It is amazing that he is alive. He does not have a job, but sometimes we are able to send him something. He teaches a couple of English classes. He is officially registered for this, since he knows English, and works as a freelance teacher.

Piece by piece, he gets a little bread that gives him an opportunity to stay alive.

Mr. YATES. Thank you.

Chairman FASCELL. Mr. Bingham.

COMMENTS AND QUESTIONS OF REPRESENTATIVE BINGHAM

Mr. BINGHAM. Thank you, Mr. Chairman.

Certainly you have brought us another piece in this appalling picture of Soviet policies and tactics.

There is one thing about this case that is unique and I am curious about it.

I wonder if you have the explanation. In my efforts to obtain the release of individuals, I have never had a reply. Sometimes the efforts are successful, but I have never had a reply.

In the cases you presented to us, you have a telegram from Bogdanov, Deputy Director of the Institute of the U.S.A. Can you explain that? And the information that he had was apparently incorrect, but can you at least explain the fact that there was that telegram?

Mr. ARANOVICH. Yes, it is very simple. As I mentioned, sometimes they promise certain people when those American people bring some names of families. They say, "OK, we will reunite this family." That is exactly what happened. This person got our name and he was very kind to talk to people in Moscow, and the conversation that this person had with the delegation is in fact very funny.

They did not know that he knows the particular situation of emigration and they said to him, "Americans make so much noise about emigration issues, it should be decided quietly on a person to person basis." He said, "You are a person and I am a person, and I have a case and I know a name."

It just happened that he knew this case, almost by chance. And they were embarrassed because they decided to talk to the guy who obviously has nothing to do with this issue and all of a sudden he has a name.

They keep promising and promising and there are political connections. He goes to Moscow frequently. In this case facing him, they had to give some words.

Again, it was in 1976.

Mr. BINGHAM. Yes.

Mr. ARANOVICH. It is more than 1 year that has passed by since then and nothing. They are just play games, like children. "Be good and I will give you candy." "Where is my candy?" "Tomorrow."

That is a primitive game being played with politicians from the United States. It is to keep pressure down.

Mr. BINGHAM. Thank you, Mr. Chairman.

Chairman FASCELL. Mr. Aranovich, do you know anything about the Institute of the U.S.A.?

Mr. ARANOVICH. A little bit, yes.

Chairman FASCELL. Tell us what you know.

Mr. ARANOVICH. It is very little known in the Soviet Union about this institute. I was never able to read publications of this institute inside the Soviet Union. I would consider this institute as the head or brains of the Kremlin in terms of America and Canada because officially it is called American and Canadian Studies Institute, but mostly their efforts are aimed toward the United States.

Mr. YATES. Is this the Arbatov Institute?

Mr. ARANOVICH. Yes, it is the Arbatov Institute. They have Ph. D.'s and professionals who are most fluent in English and graduated from

various departments of certain universities—very prestigious universities. They have been to the United States many, many times and they are familiar with the situation and I believe they have different departments including economic and political, and they prepare reports as to what is going on.

For example, Mr. Arbatov, who is the head of this organization, is a very powerful man. He is a member of the Central Committee. He is a very close advisor to Brezhnev—I do not know his official status—perhaps the first adviser on the status of the American scene.

And they prepare for the Kremlin or Central Committee of the Communist Party their first-hand information—what is going on here.

Chairman FASCELL. So they must have the full report on everything that goes on in this Commission.

Mr. ARANOVICH. They have my report with my accent and everything—right there. I believe so. [Laughter.]

Chairman FASCELL. I hope they are listening.

Mr. ARANOVICH. Yes, I hope so too. [Laughter.]

I would like to see where their camera is. [Laughter.]

Chairman FASCELL. Maybe if they are listening, we can expect some help on their promise to release your brother.

Mr. ARANOVICH. Yes. You must be strong. Otherwise, you will lose. You have to be polite, of course, but strong. You must keep the same policy when facing the Soviet Union as you have here. To be weak as all Russians say, "If you are weak, you will be dead tomorrow." It is like in prison or in the army, if you are tough, you get a chance to live. You must be tough.

Chairman FASCELL. Thank you very much, Mr. Aranovich.

Mr. ARANOVICH. Thank you.

Chairman FASCELL. Thank you.

Mr. YATES. Thank you, Victor, and thank you, Mr. Chairman.

Chairman FASCELL. The Commission stands adjourned subject to the call of the Chair.

[Whereupon, at 12:45, the Commission adjourned, subject to the call of the Chair.]

STATEMENTS AND LETTERS SUBMITTED FOR THE RECORD

STATEMENT OF HON. DANIEL PATRICK MOYNIHAN, U.S. SENATOR FROM THE STATE
OF NEW YORK

Mr. Chairman and Members of the Commission, it is for the best of reasons that the human rights provisions of the Helsinki accords have to be regarded as the most significant provisions of those agreements. The willingness of states to adhere to new international obligations is best measured by the seriousness with which they regard the obligations they have assumed previously. It is noteworthy, therefore, that the Helsinki signatories draw attention to their pre-existing commitments under the United Nations Declaration on Human Rights and other relevant international covenants. It is in this regard that this Commission's constant monitoring of the human rights aspects of Helsinki is of singular importance.

Let us be frank in admitting that the record of the Soviet Union and the East European states in adhering to these provisions is extremely disappointing—and yet there are measurable degrees of difference among those very states. Some are worse than others, but in every case we can say that vigilant governments and publics in the West have made it ever more difficult for the Communist states to hide behind their customary hypocrisy on this vital point of principle.

This morning this Commission will hear from several residents of the State of New York who have been concerned and active and effective in the cause of human rights. They have endured more than their fair share of frustration and disappointment, yet they remain committed and hopeful. I know the Commission will pay close attention to what they will have to say. I am sure that all of us can profit from their knowledge and insight.

I very much appreciate the courtesy of the Commission in permitting me this brief word of encouragement for these determined constituents of mine, of whom I am very proud, and to whom I feel very close.

STATEMENT OF HON. EDWARD I. KOCH, U.S. REPRESENTATIVE FROM THE STATE OF
NEW YORK

Mr. Chairman, I'm certain I mirror the thoughts of my colleagues in Congress as well as all Americans in expressing the deepest sympathy with the Romanian people as they struggle to rebuild their country in the wake of the disastrous March 4 earthquake. The severe blow to Romania's progress in developing its industry and in providing housing and other essential human needs is exceeded only by the staggering toll of more than a thousand dead and thousands more injured by the quake.

I am pleased that the United States has not hesitated to respond to the Romanian government's request for emergency aid. I understand that a planeload of food and medical supplies from our government has already landed in Bucharest and \$25,000 in aid has been made available through our Ambassador in Romania. I believe we have a duty to help any country, regardless of the politics of its government, to alleviate human suffering caused by such natural disasters.

However, we should not allow this tragedy to divert our attention from the obligations of all governments to respect fundamental human rights, including basic rights such as the freedom to emigrate.

Romania is one of the three East-bloc countries currently enjoying "most favored nation" status in trade relations with the United States. Under the terms of the 1974 Trade Act, one requirement for this status is the right of emigration, a right that is seriously restricted by Romania today. In addition, by signing the Helsinki agreement, Romania has officially promised to facilitate reunification of families separated by national boundaries. I have brought a num-

ber of cases of individuals seeking exit visas to the attention of the Romanian government. In an apparent violation of the Helsinki accords, which it signed along with thirty other countries, Romania has continued to delay and to deny emigration and travel visas to citizens wishing to join their families abroad. In many cases, I have been informed that the mere act of applying for a visa has resulted in unjustified harassment of those wishing to leave. Let me describe some of these cases.

Six months ago, at the time Romania was concerned about the extension of its most favored nation status, I wrote the Romanian Embassy in Washington concerning an emigration visa for Vladimir Fridman to come to the United States to join his wife, who is one of my constituents. I was told by the Romanian Ambassador that the application had been approved. However, I learned last month from Mr. Fridman's wife that he had not yet been notified of the approval and he is still waiting to leave Romania. If Mr. Fridman's application for emigration has been approved, why has he not yet left the country?

More than six months ago, I wrote the Romanian Ambassador concerning emigration applications for Alexandru and Stefan Suci, who want to join their father in this country. I was told by Dr. Traian Suci that his sons have repeatedly visited the local police station in Bucharest but the application forms have been denied them. Similarly, Alexandru Marandici, his wife Sorana and their son Mircea have not been able to emigrate because, according to Mrs. Marandici's sister, a resident of New York, application forms were not available. My request for a clarification of Romanian government policy in these cases is still unanswered.

Last fall I also inquired into the application of Ion Bals and his wife and children to join relatives here. I am told by his aunt, a resident of New York, that Mr. Bals has been dismissed from his job and is not allowed to apply for another because of his expressed desire to emigrate. The Romanian government's failure to respond to my letter, now almost four months old, only serves to confirm our fears for Mr. Bals' situation. Six months has also passed without a satisfactory answer to my inquiry concerning the emigration application of Michael Giuran of Slatina, Romania.

Gabriella Teodorescu, her husband Liviu and their son Dan Christian have been trying for three years to make a 45-day trip to the United States to visit. Mrs. Teodorescu's sister, a New York resident. I have waited with them for the past five months, hoping for some response to my letter to the Ambassador in their behalf.

More recently, I learned that 15 year old Roxana Deleanu was expelled from an important scholastic society in Romania, reportedly because she expressed a desire to join her mother in the United States. Roxana's case is complicated by the fact that her father, Mihai Deleanu, opposes her emigration, although he has remarried and does not in any way contribute to her support. Separated from her mother, Roxana must live with her 65-year old maternal grandmother. It would indeed be unfortunate if the father refused to grant his permission because of fears of reprisal. I am told, for example, that Roxana's uncle, Serban Enculescu, was forced from his job as an engineer-chemist after Roxana's mother filed a petition for emigration for himself and his family.

I am particularly upset and outraged by the denial of a visa for Josef Teleky, reportedly a result of the Romanian government's suspicion that Teleky's son-in-law, a U.S. resident, was engaged in activities contrary to the interests of Romania. The activity in question was attendance at a meeting concerning the status of religious affairs in Romania which I hosted in my New York office at the suggestion of the Consul to the Romanian Embassy. It would be a severe setback to relations between our countries if Romanian citizens suffer because their relatives in the United States exercise their right to meet with Members of Congress. Whatever powers Romania may assume in attempting to control the activities of its own citizens, it has no right to intimidate residents of the U.S. in the exercise of their constitutional rights.

These, then, are some of the experiences with Romanian emigration policies that have been brought to my attention by constituents in my district in New York. I have raised these and similar problems with the Romanian Embassy on many occasions, but the Embassy has repeatedly denied their validity and has claimed that a large number of visa applications to the United States have been approved. I believe, however, that those charges of restrictive emigration policies can only be effectively rejected when the individuals named in these particular cases arrive in the United States.

I join with Senator Edward Kennedy of Massachusetts in commending the U.S. Disaster Relief Office for its quick dispatch of emergency medical supplies to Bucharest following the earthquake. It is our moral obligation to provide such aid, regardless of political differences between governments. Senator Kennedy, in his statement in the Congressional Record on March 9, 1977, also declared himself ready to introduce legislation offering aid to Romania as "longer-term rehabilitation and reconstruction needs are identified." This vital country has shown an admirable spirit of independence in its dealings with the Soviet Union and I, too, stand ready to support closer economic cooperation with Romania in the future. Such cooperation, though, must go both ways. We have a right to expect a response from the Romanian government to inquiries about particular emigration cases such as those I have described. Our cooperation is off to a healthy start with Romania's designation as a most favored nation under our 1974 Trade Act. Both the U.S. and Romania were among the signers of the Helsinki accords. I look forward to this commission's final report to see if Romania and other East-bloc countries have decided to continue this promising atmosphere of cooperation by pursuing open emigration policies and by ending repressive internal policies against ethnic minorities and others who choose not to emigrate, but rightfully demand full rights as Romanian citizens.

STATEMENT SUBMITTED FOR THE RECORD BY PETER TODOROV OF VOICE OF AMERICA

I would like to inform the Commission on Security and Cooperation in Europe about the refusals of the Bulgarian authorities to grant exit visas to my wife's parents and my parents and sister on the basis of the family reunification provisions of the Helsinki Final Act.

First of all, we have tried to get my wife's parents (Boris and Donka Karlychev of Popovo) out of Bulgaria 4 times without success. We went through all the formalities and filed all the relevant documents, but still no permission was granted and no explanation was given for the refusals. The exchange of letters with the Bulgarian authorities are just cliché letters.

We have encountered the same experience in trying to obtain exit visas for my parents and sister (Nedelko and Neda Todorov of Sofia and Tsana Todorov of Stanke Dimitrov). I have sent all the relevant documents to the U.S. Embassy and the Bulgarian authorities, yet no action has been taken. In fact, the Bulgarian authorities have even tried to discourage my parents from applying to emigrate. I have strong reason to believe that the authorities are even blocking my letters to my parents and sister.

Therefore the Bulgarian authorities have persistently refused to allow our relatives to come to the United States, despite the provisions of the Helsinki Final Act. Why, I do not know. I urge them to abide by the spirit and letter of the Final Act and to reunite us with our parents and my sister.

WILHELM-DIESS WEG 13, April 6, 1977.

HON. DANTE B. FASCELL,
Commission on Security and Cooperation in Europe,
Congress of the United States, Washington, D.C.

DEAR MR. CHAIRMAN: I the undersigned Dimiter Inkiow, U.S. citizen, writer and Senior Editor with Radio Free Europe, presently living at the above address, left Bulgaria at the end of 1965 because the communist suppression of my country was more than my conscience as a writer could endure. It was impossible for me at the time to take with me my wife—Margarita Dimitrova of Kostina 2, Sofia 8—and my son Yanaki. They remained behind as hostages in the hands of the Bulgarian communist authorities. My wife immediately made several unsuccessful attempts to obtain permission for herself and the child to leave Bulgaria and join me. Because she was working in Sofia and was not in a position to take care of the child, our son Yanaki grew up with my parents who live at 19 Drama Road, Haskovo, some 200 miles away from Sofia.

Here, in Germany, I am known as a writer of books for children. Seven of these books of mine were published by German publishers and received excellent reviews. Some of my stories for children have been printed by very well known West German publications and have also been shown on TV and broadcast on the radio.

In 1975, 69 well known West German writers appealed to the Bulgarian government to allow my son, who is now 11 years old and has never seen me, to visit me in Germany. In 1976 an appeal of mine that the child be at least allowed to come on a visit was backed by Austrian Chancellor, Dr. Bruno Kreisky.

Likewise, in 1976, 4,000 West German citizens signed a petition to the Bulgarian government urging it to allow Yanaki to visit me in West Germany.

DIMITER INKIOV.

CHICAGO, ILL., May 4, 1977.

HON. DANTE B. FASCELL,
Chairman, Commission on Security and Cooperation in Europe,
Washington, D.C.

DEAR MR. CHAIRMAN: On August 20, 1976, we began a vigil which we have continued until this day and will continue indefinitely, as a means of bringing the government of the People's Republic of Bulgaria to the point where it will release our two children, who have been kept in Bulgaria for nine years without seeing their parents. We ask your help in effecting their release so that our family may be reunited, in the spirit of the Helsinki Accords, to which the Bulgarian government has adhered.

In September of 1967 we left Bulgaria with a one-day tour to Turkey, leaving our two children—Yordanka, now 10, and Romyana, now 12—with their maternal grandmother. We did not return from that tour, since we had decided to flee Bulgaria, and we believed that the Bulgarian government would not be so inhumane as to keep families permanently separated. After passing through a refugee camp in Italy, we came to the United States in 1968, and became U.S. citizens in 1974 and 1975. I have been employed in the shipping department at the Hofmaister Company in Chicago for most of my stay in the United States.

Especially since we became U.S. citizens, we have made efforts in every possible way to see our family reunited. We have sought to have our children brought out through underground channels, but without success. We have sought through diplomatic channels to obtain their release, but without success. We have now stood outside the Department of State for 260 days, through a very cold winter, in an attempt to get the State Department to assist us in seeing our family reunited. And now we receive the news that on May 20, in Varna, Bulgaria, a court case will be tried to deprive us of our parental rights over our children. Of course we cannot be present at that trial, and we cannot even be effectively represented. Our children are at present living in an orphanage (the Matey Stoyanov orphanage in Provadia, Bulgaria).

We do not know why the Bulgarian authorities have so consistently refused to allow our small children to join us. But we do know that our situation is critical and we appeal to Members of Congress who are truly concerned about human rights and the implementation of the Helsinki Accords—especially now, in this period just before the Belgrade Conference—to help us by writing to the Bulgarian Foreign Minister and seeking his aid in the release of our children. The expression of your interest will mean a great deal to us, and, we believe, will show the Bulgarian authorities that the United States Congress is serious when it speaks of human rights across the globe.

Sincerely,

SPAS AND IVANKA MAREY.

THE INTERNATIONAL LEAGUE FOR THE RIGHTS OF MAN,
New York, N.Y., April 30, 1976.

H. E. MR. GHEORGUI GHELEV,
Ambassador of the People's Republic of Bulgaria to the United Nations,
New York, N.Y.

DEAR AMBASSADOR GHELEV: The International League for the Rights of Man, an international non-governmental organization affiliated to the United Nations in the human rights field, is concerned by reports of the sentencing to death of Nicolas Chamurlisky. According to the information we have received, Mr. Chamurlisky was arrested on September 14, 1974 in Sofia on charges of espionage. He was found guilty and sentenced to death by the Municipal Court in Sofia in October 1975 pursuant to Article 104 of the Bulgarian Penal Code. An appeal against the sentence has been presented to the Supreme Court.

In accordance with our organization's opposition in principle to capital punishment, we appeal to you to grant clemency in this case.

We further wish to inquire about the circumstances surrounding the arrest of Mr. Chamurlisky. We have received reports that he was the subject of harassment because of an application to leave Bulgaria to emigrate to the United States, where his brother resides. He was reportedly arrested after his second application for an exit visa. We have further received reports of his alleged ill-treatment while in detention for a year prior to his trial.

As an organization dedicated to the rule of law embodied in human rights provisions contained in international agreements adopted by the United Nations and ratified by the Bulgarian Government, we respectfully request from your Government more precise information about the Chamurlisky case. We were very gratified by the clemency granted by your Government in the case of Dr. Henrich Natan Schpeter, who was permitted to emigrate after his death sentence was commuted. In view of Bulgaria's commitment to the Universal Declaration of Human Rights and International Covenant on Civil and Political Rights, we look forward to your reply.

With assurance of our respect.

Yours sincerely,

JEROME J. SHESTACK, *Chairman.*

STATEMENT OF THE AMERICAN FUND FOR CZECHOSLOVAK REFUGEES

The American Fund for Czechoslovak Refugees was organized in 1948 to help the many men, women and children who were fleeing from Czechoslovakia after the communist coup d'etat. In the 29 years since then, the American Fund for Czechoslovak Refugees has helped tens of thousands of Czechoslovak refugees resettle in Canada, the United States, Australia, western Europe and elsewhere in the free world.

Among those who were resettled there are several hundred divided families, whose members left without wives, husbands or children because of the exigent circumstances of sudden flight. Parents reluctantly left tiny infants in the care of grandparents or other relatives when they were warned that they were about to be arrested and did not want to subject the babies to the dangers of escape. Many men and some women were apprehended in their attempts to flee. Some were shot and killed.

Some wives were left behind when their husbands had to leave at a moment's notice; others were in advanced stages of pregnancy; still others had a desperately ill child who could not travel or a terminally ill mother or father they did not want to leave. Sometimes, the husband was under such strict surveillance in his work that he sent his wife ahead, hoping to be able to join her in a short time. A small number succeeded in escaping to join a dear one even though the families of individuals who escaped were more closely watched than ever before.

Some of the individual family members asked the communist regime directly to grant their relatives exit permits so that they could join them. In a few cases these requests were answered with instructions to return to Czechoslovakia and join their families there. Some dared to visit Czechoslovakia after they received new citizenship of the country in which they were resettled. Some encountered difficulties when they wished to leave.

Many resettled refugees asked the American Fund for Czechoslovak Refugees to help them to get their family member to join them. The American Fund for Czechoslovak Refugees asked the intervention of the American Red Cross, the International Red Cross in Geneva, the United Nations High Commissioner for Refugees and the United Nations Secretary General on their behalf. Most recently it sought the services of the Intergovernmental Committee for European Migration.

Under the Helsinki agreement of 1975 the signatories agreed to facilitate the unification of divided families, as well as to grant freedom to travel among other human rights to their citizens.

The American Fund for Czechoslovak Refugees had a list of 82 divided families in Germany for whom all these efforts were made over a period of years. Only when a number of Members of the German Parliament joined the private groups that had organized demonstrations in front of the Czechoslovak Consulate and had German citizens sign petitions to allow children to join their parents, was there a response from the Czechoslovak authorities.

The first 3 children arrived in Germany in the last week of 1976 and 26 more came on January 21, 1977. There are promises that more would come. This is only in Germany. Nowhere else has there been any positive result from efforts that have been made through the International Institutions mentioned above.

The concerted and repeated international pressures of the participants of the coming Belgrade Conference could perhaps induce the Czechoslovak authorities to allow the wives and husbands as well as children to leave Czechoslovakia to join the resettled members of their families in the United States, Canada and elsewhere.

In the past several years, elderly persons have received permission to visit sons or daughters, sisters or brothers who lived abroad. These visitors are mostly pensioners for whose return communist Czechoslovakia is not concerned. But even for those visitors there are special conditions that have to be met. The petitioners abroad have to fill out special forms. (The form for Canadians includes a question as to whether the petitioner is a member of any anti-communist Czechoslovakian organization.) In either case, the costs of transportation and total responsibility for the relatives stay is the petitioner's. The amount of hard currency that the visitor is allowed to take with him—German marks, United States dollars or other—is extremely limited and must be purchased at the highest official exchange rate in Czechoslovakia.

STATEMENT OF JACOB BIENBAUM, NATIONAL DIRECTOR, CENTER FOR RUSSIAN AND EAST EUROPEAN JEWRY AND STUDENT STRUGGLE FOR SOVIET JEWRY, NEW YORK CITY

ROMANIAN POLICY ON FAMILY REUNION EMIGRATION—INCLUDING LISTS OF PERSONS DESIRING TO EMIGRATE TO UNITED STATES, CANADA, AND ISRAEL

Mr. Chairman and members of the Commission, the vibrant activity displayed by your new and unique group, indeed its mere existence, penetrated as it is with a passion for human rights as an integral part of foreign affairs, was scarcely conceivable in the early 1960s when I began my own struggle for human rights in the USSR and the other East European totalitarian regimes. The possibility of moving them to more humane ways was, at best, a distant dream. Yet, despite all the misery and disappointments, extraordinary events have taken place and extraordinary opportunities are opening up to us to protect and aid those who need us so much.

From the beginning one fact was clear to me—Washington would prove to be the ultimate protector of the oppressed in East Europe. For years my hopes lay with the White House. In the end, Congress took command, produced the Freedom of Emigration legislation (Title IV, sec. 402 of the 1974 Trade Reform Act) and gave the massive impetus leading to the creation of this Commission. Today, with the advent of President Carter, we have the heartening spectacle of White House and Congress jointly projecting human rights principles on to the world stage. The intense drive of this Commission, rooted as it is in both the Legislature and the Executive, is an exciting expression of this newly unified thrust in foreign affairs.

Romania: A test case for U.S. human rights policies in East Europe

It is my belief that the new unity of purpose in Washington as applied to Romania may substantially modify, possibly transform, that official Romanian attitude which, in practice, ignores many of the Basket III provisions of the 1975 Helsinki Final Act. Furthermore, even partial success here could have real impact elsewhere in East Europe, including Russia.

A brief extract from a recent letter is revealing of Romanian attitudes. The incident took place in July 1976. "We went to the State Committee for Visas and Passports to plead for our reunion . . . we were given a chilly reception. . . . When I alluded to the human rights provisions of the Helsinki Accord and other international agreements which Romania is a party to, the official said he could not care less about such agreements and this Helsinki business didn't mean a thing as far as they were concerned."

Prospects of receiving U.S. Most Favored Nation (MFN) trading status influenced Romanians more than Helsinki declarations

In the opening testimony before the Commission, Deputy Assistant Secretary of State for European Affairs, Mr. John A. Armitage, remarked that Bucharest

was more likely to have been influenced in 1975/6 by the expectations of receiving Most Favored Nation trading status from Congress than by declarations emanating from the Helsinki Conference. His statement is backed up by the flurry of exit permits hastily issued in Bucharest around the time of MFN hearings in Washington. This certainly indicates where our main leverage is.

Examination of Romanian emigration statistics—by fiscal year or calendar year?

In the past, the Administration has made an earnest effort to prove that the Romanians had responded reasonably in terms of family reunion emigration. The statistics used related to the fiscal rather than the calendar years and showed the Romanians to some advantage on account of the increased number of exit permits issued during the summer, the time of maximum pressures relating to MFN. Once MFN status was granted, the monthly figures swiftly dropped to low levels. It is the calendar year figures which indicate the true levels on an annual basis.

The most important example of this type of miscalculation appeared in President Ford's letter of June 2, 1976 to the Trade Subcommittees of the Congress, recommending a further waiver of the application of the Freedom of Emigration legislation in section 402, Title IV of the 1974 Trade Reform Act. He argued that there had been a "marked increase" of Romanian migration to the U.S. and Israel. In my testimonies before the Subcommittee on International Trade of the Senate Finance Committee (Sept. 8, 1976) and before the Subcommittee on Trade of the House Ways and Means Committee (Sept. 14, 1976), I correctly forecast that the 1976 Romanian emigration figures to the U.S. and Israel would show little change from the 1975 decrease—that is, a 3,000 total which compares with the 4,000+ totals for 1973 and 1974. The decline in terms of Israel was particularly marked, in no way balanced by the rise to the U.S., whose Romanian immigration barely exceeded 1,000 in 1976. The Romanian flow to Israel did not even reach 2,000 in 1976.

Large decline in Romanian emigration to Israel since 1973/4 but annual flow could easily revert to a more natural level of 4,000 in coming decade

It is my considered opinion that annual Romanian Jewish emigration, based on family reunion, could easily revert to the 4,000 of 1973 and 1974 for a decade to come. At times that figure could rise to 5,000 and beyond, particularly if the emigration were not so closely tied to family reunion.

Appalling accounts of increased harassment support statistical evidence

The statistical evidence cited above is overwhelmingly supported by the incessant flow of complaints of fear, harassment, job loss and demotion from would-be emigrants. Here are some brief documented extracts from my testimonies last year, before the congressional trade subcommittees, illustrating these appalling facts:

Discouragement of Applications for Emigration

The bare statistics just discussed do not convey the amount of unnecessary suffering often undergone in the process of leaving Romania. The extracts from the communications in my possession quoted here will give some indication of this. Unfortunately, after some soul searching, I decided not to name my sources at this time, though they are of course available to the Chairman and committee members on request.

Fear.—A very recently returned visitor informed me that he had been told in Bucharest that anyone whose name appeared on a list from abroad "will never leave"; that some of these people had been warned and intimidated because their names had appeared on such lists. Those who spoke to my informant all refused to introduce themselves. The work of gathering information this past year has been most difficult because of the lack of communication engendered by an often pervasive fear. There are persons who, though desperate to join their relatives in the U.S., "have not gotten to the stage of applying for a visa at the U.S. Embassy—in fact most never even contacted the Embassy for information" in the words of an authoritative source. We do of course know of persons who have gone. Last summer, for example, would-be applicants were emboldened by the knowledge that Congress was concerned.

Applying for A Passport.—Here there are several stages as reported by a knowledgeable source. The mere fact of applying for a passport implies a long ordeal:

1. Asking your employer for his permission. The applicant must appear before the Director of place of work and the local party committee to argue why he or she wants to leave and to face their aggressive questioning, threats and attempts to dissuade.

2. If he is stubborn enough, he will reach the next step, this time at the People's Council of the District—a similar test of steadfastness and obstination.

3. If he survives, he may register on a waiting list at the local police station for the application forms, only to be told that the forms are "out of print". In December, 1975 they remained unavailable for months.

4. After applying, the attempts to convince or frighten resume at regular intervals, sometimes every month.

"We cannot force our citizens to emigrate."—An extract from a recent letter, involving a simple case of family reunion in the U.S. with no complications of any kind, will illustrate the above: "Despite her repeated requests, they refused systematically to give her application forms for travel documents and exit visas. She was finally sent by the police in charge of handling these problems to the Communist party boss of the city who tried to intimidate and dissuade her from applying for the reunification of her family. Her problem was discussed by the party "cell" of her place of work. They called a meeting attended by the employees and she had to explain publicly her reasons for asking to leave. I believe the new strategem of the Romanian Authorities is to refuse the petitioners the right to file for travel documents and when questions from abroad arise, the answer may be "Sorry but the people you mention never filed an application, and we don't force our citizens to emigrate." This has indeed been a common reply by Romanian officials, from President Ceausescu down.

Some Consequences of Applying for Emigration

Job Displacement and Demotion.—These are not uncommon occurrences. An old couple in their 80s wrote—"Our son asked for a visa about two years ago. Ever since, he and his wife were sent out of their jobs and now they and their young children are close to starving. Every week they are told they will never leave".

From a smuggled letter—"I applied for emigration in July 1975 because I believed it was a fortunate moment, since at that time the Romanian Govt. got from the American Congress the Most Favored Nation clause which required the liberalization of emigration. I hoped that in such circumstances the Romanian authorities would agree to my leaving the country. But on the second day, I was put out of my scientific work, discharged of job and my wages cut down. Almost every day I have been called to several authorities and unofficially in a "friendly" manner advised to withdraw my petition, because anyway I shall not be allowed to go, I shall be fired and be jobless—my stubbornness would spoil my life and destroy me professionally—my situation is indeed desperate: to live for me in Romania is no more possible without job, and to leave the country I am not allowed."

Separation of Couples and Prohibition of Marriages with Ex and Non-Romanians

A young man wrote: "The permanent incertitude regarding emigration forced us to postpone our marriage and we lived four years as husband and wife (without formal marriage). I managed to leave Romania but my fiancée has little hope to leave. She was several times hindered to hand in the application. Moreover, the Govt. has forbidden (!) Romanian citizens living in Romania to marry those who left the country. *This law is kept secret, has never been published—as many others of the same kind.*"

A young woman of Romanian origin has returned to visit Romania many times during the past few years in her efforts to marry her fiancé, still trying to leave.

Punishing Children for the Deeds of their Parents.—A young woman writes—"My application for emigration was turned down because of father's alleged 'guilt'". A man with young children has been told again and again that he will never leave because of his father's "guilt", has been demoted from his professional position and forced to take a rough menial bare subsistence job. The family lives in a state of abject misery and constant humiliation from the neighbors.

Hardest Cases: The State Insists on Ceaseless Punishment in the Name of its Justice

A number of former managers, trade officials, administrators became enmeshed during the 1950s and 1960s in the power shifts of Romanian politics and

were scapegoated. Usually, they were accused of economic crimes. Often, whether their guilt was real or not, they were sentenced to long imprisonment and fined enormous sums, impossible to pay off. Now elderly, sick and old, many of these people are living out the remainder of their lives with bitter memories of prison and before that, the murder of their families by the Nazis. Mostly, they wish to leave Europe behind and join relatives in Israel or elsewhere. Whether they were guilty or not and whatever the degree of any guilt, they more than served their times, they have suffered enough. This kind of state-ordained eternal punishment can no longer be regarded as Justice but as something else. They should finally be let go.

A young woman from Israel wrote: "My father was unjustly involved in a deliberately made-up antisemitic trial. These were the trials of the Romanian Jews who had been working in Romanian foreign trade that took place 1958-1964. The principle aim of these terrible trials, with both economic and political consequences, was to remove all Jews holding senior positions in Romanian foreign trade at that time. It is hard to understand how the tragic reality of these trials, in which the only ones convicted were Jews, was hidden to world opinion". She concludes "My parents are elderly and sick, completely alone (all my mother's family is in Israel, while my father's was completely exterminated by the Nazis). Their single natural desire after having wrongfully suffered for so long is to join me, their only child, in Israel."

Another man was refused till he paid enormous fines for himself; the equally enormous fines of two others accused with him were also to be paid off, plus accumulated interest over the many years, plus collection expenses.

Conclusion: Romania violating the family reunion emigration provisions of the Helsinki Final Act and of American law, embodied in section 402, Title IV, 1974 Trade Act; the Commission should officially notify the President and Congress of these facts

For two successive years 1975/6, the Administration, and somewhat reluctantly, the Congress, accepted Bucharest's "assurances". "Give them a chance" was the phrase frequently heard. Yet the overall picture remains unchanged—most months very little emigration, a few flourishes round MFN time, at best, a tightly-controlled flow of up to 2,000 to Israel and slightly over 1,000 to the U.S., edging upward to curry favor with Congress. At the same time reports of harassment seem to be increasing, not lessening.

I submit that the Commission should officially notify the President and the Congress of these facts, the implications of which are obvious. Not only is Romania in violation of the family reunion emigration provisions of Basket III of the Helsinki Final Act but she is partaking of the privileges of Most Favored Nation trading status and other economic benefits under false pretenses.

Great advantages to Romania of changing emigration policies

In considering its emigration policies in the coming weeks, Bucharest will have to take into account the following three factors:

(a) the necessity for not antagonizing numbers of Congresspersons at a time when a large request list has been submitted to Washington, following the earthquake,

(b) the President must shortly decide whether to recommend renewed extension of MFN and attendant benefits,

(c) Romania's international reputation at the forthcoming Belgrade Conference.

Need for Washington initiative

It would seem that intensive discussions in Washington and Bucharest with a view to facilitating the emergence of an uncomplicated Romanian emigration policy should not be long delayed. The potential benefits for Romania would surely far outweigh any temporary embarrassments.

Major evidence of Romanian good faith required in return for benefits

This time much more than vague assurances must be sought and gotten from Bucharest, nothing less surely than the most concrete evidences of good faith to include:

1. Early permission to leave for those waiting more than a year, *not* excluding those unfortunates still being refused on account of long past "crimes against the state" for which they have completed long prison sentences.

2. Cease harassing would-be emigrants, simplify application procedures, no more job displacements and demotions.

3. Let emigration rates reach their natural levels, something in the order of 3-400 per month to Israel during the coming decade, while maintaining continued growth rates to the U.S.

RECOMMENDATIONS SUMMARIZED

I. The Commission officially notify President Carter and the Congress that Romania is in clear violation of the family reunion (and marriage) emigration provisions of Basket III of the Helsinki Final Act, and of American law, as embodied in the congressional Freedom of Emigration legislation in section 402, Title IV of the 1974 Trade Reform Act.

II. The Commission urge the immediate commencement of discussions between the White House and congressional groups with a view to structuring a firm unified approach for the purpose of obtaining substantial modifications of Romanian emigration policy.

III. The Romanian Government be required to provide early and solid evidence of good faith in this area, to be followed by major steps, in return for benefits.

ROMANIAN JEWS DESIRING TO EMIGRATE TO U.S. OR CANADA

Key for Abbreviations:

s.=son, d.=daughter, b.=brother, si.=sister, f.=father, m.=mother, w.=wife, ch.=child, chn.=children, cr.=close relative such as cousin, u.=uncle, a.=aunt, P.=Prisoner, FP.=Former Prisoner, BU.=Bucharest

**Extreme Cases, (E) Emigrated, (A) Rom. emigration approval but exist unknown to J.B.

Aronson, Janku—Nitu Vasile 46, BU.—cr. B. Rothenberg, 1909 Quentin Rd., Brooklyn, N.Y. 11229. Ernestina Korner, 8785 Bay St., Brooklyn, N.Y.

Albu, Dr. and Mrs., Eugene—3 Cibrian Porum Boscu, BU.

Adam, Anna Clara—Batistei 9, BU.—cr. J. Manoliu, 751 Layne Ct., Apt. 6, Palo Alto, Calif. 94306.

Abraham, Ghidali, w. Lisa, d. Anna—Udricani 25; b. Aron, 142 Pershing Crescent, Briarwood, N.Y.

(E) Breier, Fredi, w. Manuela, d. Hedi—Sabinelor 72a, BU. (see Tarnaceanu) U. Dr. A. Rogers, 70 Edgewood Dr., New Hyde Park, N. Y. 11040.

Benyik, Imro and Family, G. Enescu 30, Oradea: B. Julius, Vestal Plaza, Apt. 3-3, Binghamton, N.Y.

Benes, Solomon, w. Ludmilla—Hrisovului 26, BU.—Parents, Mr. and Mrs. Mortiz Benes, 1125 Commonwealth Avenue, Apartment 16, Boston, Mass.

(A) Bucicov, Vladimir—Bd. Micuiri 5a, BU.—A. Natasha Hirsch, 140 West 55th St., N.Y., N.Y. 10019.

Clejan, Mrs. Toni, s. Avrum, w. Eugenia, 2 chn.—Ramure 1, Ploesti. B. Silviu Schmelzer, 8807 Link Pass, Houston, Tex.

Cojocar, Aron Hers, w. Yenta—December 30, Dorohoi grands, Sholem Zelinger, 118-80 Metropolitan Ave., F.H., N.Y. 11415.

(A) Costescu, Minel—BLV. Magheru 7, BU. (see m. SITARU, Ruhla).

Dima, Cornel, w. Jeanna; Vinatori 25, F. Dima, Millo 51, Flushing, N.Y.

David, Kalman, w. Betti, Trandafirilor, Dorohoi s. David, Sumer, w. Suzanna, d. Lora, Trandafirilor, Dorohoi, cr. Sholem Zelinger, 118-80 Metropolitan Ave., F.H., N.Y. 11415.

(A) Elias, Baruch, w. Maria and son—Blv. 1 Mai 152, BU., b. David Cotter, Encia Dr., Escalon, Calif.

**FP Edelstein, Sami, w. Bhitla, Blv. Magheru 29, BU., si. Gita and Leen Litner, 52-23 97th St., Rego Pk., N.Y. 11368.

Florescu, Adrian (ne Friedman, Aron)—Mich. Brau 42 62, Bu.; w. Rosetta, 2 chn. si. Silvia Rosenfeld (nee Friedman); 5602 12th Ave., Brooklyn, N.Y. 11219.

(E) Frost, Leo, w. Anutza, s. Andrei—Bd. Dinicu Golescu 37, BU.—Passport received, cancelled si. Julia Han, 156 West 106th St., Apt. 4c, N.Y., N.Y. 10025. Friedman, Vladimir, Brezoiianu 26-32, Apt. 52, BU., wife: Leibovici Brandusa, 314 East 80th St., Apartment 4d, N.Y. 10021.

FP Ghinsbruner, Angelo, w. Silvia—Maria Rosetti 17, BU., cousins: Dr. Armin Casvan and Lucy Feuer, 140-95, Burden Crescent, Briarwood, N.Y.

Herscu, Dan; Schitu M. Gurenu 2733: cr. Alex Katz, Brooklyn, N.Y.

Illiovi, Sami, w. Dorothea, 2 chn. Patha Cogeniceanu, 1, Bu.—br. Illovi, Marc 51, Beacon St., Hartford, Conn.

(E) Illović Marc, w. Kathrin, d. Irina—Șipotul Fintinilor 5, BU., cr. Leonard Chase, West Hartford, Conn.

Ingel, Isu, w. Frida—Trandafrilor, Dorohoi: c. Sholem Zelingher, 118-80 Metropolitan Ave., F.H., N.Y. 11415.

Ivangu, Alexandrina, h. Alexandru; Al. Moghioros 13; si. Mrs. H. Flint 88-08 32 Ave., N.Y.

Katz, Israel, Ramos 10, Bu.—s. J. Katz 152-18 Union Turnpike, N.Y. 11376.

Lerner, Moishe, w. Liba, ch. Josilica—Trandafrilor, 17 Dorohoi, cr. Sholem Zelingher, 118-80 Metropolitan Ave., F.H., N.Y. 11415.

Lehrer, Mihail—Calea Pretenia 20, Radauti—U.S. brother.

Meitani, Alexandra Elena Ralu—Baba Novae 1=Husband on way to U.S.

Morangi, Anton, s. Rosalia, Communa Vladimirescu, Gare 4, Jud. Arad. d. Teresa Schneider, 77 Bronx River Rd. Yonkers, N.Y. 10704.

Margindeanu, Florina, w. Denisa Amado—Bu: cr. P. Ofer, 114 E. 44, N.Y.C.

(E) Moldoveanu, Victor, w. Viorica, d. Alice—De Mijloc 13, Brasov d. Monica Shevack, 201 Foster Ave., Brooklyn, N.Y. 11230.

**FP Morsky, Bernath—Gral Florescu 16, BU.—d. Mrs. Joe Borgida, POB 2848, St. Thomas, Virgin Id.

Marcus, Saul, w. Teresa, chn. Luiza, Cecilia, m. in law, Gitla Rabinovici, Lucaci 113, BU. b. David, 3811 N. Newhall St., Milwaukee Wis. 53211.

(E) Munteanu, Mariana—Dr. Lister 5a BU.—Fiancee, V. Radulescu, 43-33 46th St. N.Y. 11140.

Merovici, Mr. and Mrs.—Helesteului 21, BU.

**Mendelovici, Moshe—Al Pioneer Ilor, Visuel de Sus: cr. Leibl Mendelovich, 1427-55th St., Brooklyn, N.Y.

(E) Mihaescu, Dr. Edith, h. Constantin—Cartier Nord 40, Rimnicu Vilcea (s. Adrian) si. Elizabeth Herdan, 5910 Kirby Rd., Bethesda, Md. 20034.

Necula, Emanuel Carmen, Horia—Cal Grivitei 35, BU., 2 mothers—Necula, Maria Iordachita, Alexandrina, F. Dr. Virgin N. c/o St. Luke's Hospital, 1090 Amsterdam Ave., N.Y. 10025.

Prato, Rut—Bal. Grivitei 240, BU.

Preis, Adela, d. Erica—Vasile Conta 18a Oradea: cr. Mary Weiss, 81-; 4 Baxter Ave., Elmhurst, N.Y. 11373.

Rabinovici, Gitla—Lucaci 113, BU. (see Marcus S.).

**FP Saiovi, Martin—Parcu Traian 1, Jud. Oradea: U.S. brother.

Serban, Pia (Schwarz), Tudor Arghesi 26, BU. cr. Aron Schwartz, Brooklyn, N.Y. (212-435-8220).

Sharf, Solomon, Grivitei 168, BU.—U. Max Kluger, 149 E. Bradford Ave., Cedar Grover, N.J.

(A) Sigal, Dr. Kanku Solomon, w. Aura, d. Rolande—Al Avocat Salaganu 7, BU., cr. Eva Etrominger, 104-40 Queens Blvd., F.H., N.Y. 11375.

Simon, Isidor—Roselor 26, Matu Mare : b. Simon, Zelig, 950-43 Brooklyn, N.Y. 11219.

Simon, Martha, chn. Rita, Toma—Unirii 7, Cluj, cr. Lester Harrison, 80 Old Colony Rd. Hartsdale, N.Y. 10530.

(A) Sitaru, Ruhla—Dum Petrescu 79, BU. (See Costescu D.)

Soiman, Dumitru, w. Helena, s. Daniel—Al Moghioros 13; si. Mrs. H. Flint, 88-08 32 Ave., N.Y.

Sorin, Ada, Moise; Ramos 10, BU.—U. Jos. Katz, 152-18 Union Turnpike, N.Y. 11376.

Stern, Dr. Iuliu—w. & 2 chn.; Dostoiewski 2-4, CLUJ: cr. J. Ehrlich, 105 Claybrook Dr., Silver Spring, Md. 20902.

**FP Stosel, Josef, Florentina Blvd., 10 N. Sulea, Bl. 13, BU. U. Josef Stosel, 184 Routledge St., Brooklyn, N.Y.

**Wexler, Mrs. Viorica—Bolinteanu 2, BU., si. Carol Kohn, 90-56 Ave., N.Y. 11373 si. Silvia & Marcel (Mendel) Simon—M. Eminescu 36, BU.

(E) Tarnaceanu, Jean, w. Ruhla—Sabinelor 72a, BU. (see Breier), b. Dr. A. Rogers, 70 Edgewood Dr., New Hyde Park, N.Y. 11040.

Xonis, Isak, m. Sara—Al. Fetesti 6-12, bl.1-26, BU., F. Jacob Zonis, 17 Ft. George Hill, N.Y., N.Y. 10040.

Addendum to U.S. names

Glancz Yakov—Mikhail Viteazu 4, Oradea: U.S. Ambassador Bogdan wrote Congressman Fred Richmond (Oct. 23, 1975), that Glancz had permission to study in the United Talmudical Academy of Brooklyn. Unfortunately, nothing seems to be happening.

CANADA

Clejan, Mrs. Toni, s. Avrum, Eugenia, 2 chn—Ramure 1, Ploesti, brothers : David Schmelzer, 6266 Deacon Rd., Montreal, Bernard Schmelzer, 3450 Drummond St., Apt. 1424, Montreal.

(E) Frank, Defiderill, w. Ecaterina, s. Mark—Al. Compozitor ilor, 11, Apt. 57, BU., cr. Lawrence Cohen, 121 Hunter St. Apt. 616 Hamilton, Ontario.

(E) Mendel, Irena—Al. Zoe 2, Sect.1, BU., m. Vrabio, Adriana, Al. Zoe 2, Sect.1, BU. wish to join husband & son Ernst Mendel & Radu 5475 Rosedale Ave., Apt. 407, Montreal.

(E) Panijel, Marcel, w. Silvia, d. Rifca, si., Mihai Bravu 116-122, Bl.D 14, Apt. 162 BU. b. Mihael Habet 5105 Sax St. Apt. 202, Montreal.

Rubinger, Herman, w. Gina, Nicos Beloianis 9, BU., s. Rubinger, Bruno, w. Gaby s. Marchy Nicos Beloianis 9 BU. d. of Herman and Gina Carla Ulpian, 4680 Bouchester St., Montreal.

ROMANIAN JEWS DESIRING TO EMIGRATE TO ISRAEL

S.=son, d.=daughter, b.=brother, si.=sister, f.=father, m.=mother, w.=wife, ch.=child chn.=children, cr.=close relative such as cousin, u.=uncle, a.=aunt, P.=prisoner, B.=Bucharest, F.P.=former prisoner.

****Extreme Cases (E) Emigrated ; (A) Rom. emigration approval but exit unknown to J.B.**

****P. Asher, Andrei, w. Ibolica, Kolantina 11, B. b. Tibor, zahal 47, Haifa, s. Mrs. Isak Horenstein 1549—55th St., Brooklyn, N.Y.**

****Asher, Petru, w. Hermina, chn. Simona, Alize, Masine de Piine 69; B. (son of Andre).**

****P. Aronovici, Marcu—Sibiu Prison : 5 brothers, sister in Eldest b.—Haim Doron, Allenby, 40, Tel Aviv.**

Anghel, Dr. Razvan, w. Dr. Maria—Blvd Nic. Balcescu 35, B.

Abraham, Ghidali, w. Iisa, d. Anna—Udricani 25, B.—3 brothers in ISr., 1 in N.Y. (F.P.) b. Shimon, Aronovich 8, Holon ; Itshak Raines 15, Murasa, Ramat Hasharon.

Avrum, Saul Ber, Spiru Haret 34, Dorohoi.

Butoianu, Dr. Elena (nee Wexler), +h.&Ds.,—Galati 6, Bu.—Relatives in Israel.

Bucur, Viorel, si. Adina, si. Karmen—Zurchi 2, Tinisoa Grandm. Frida Jeger, Rehovot.

Bernstein, Miriam, Anni, Robert, Cecilia,—Tiglina III, Galati.

****Blum, Anna—Pope Soare 52 (F.P.) B.—A. Magda Barna Kariat Asor, 526, Nahariya.**

Belgrader, Andrei, w. Dora—Drobeta 3, B.—U. Boris Bendarski, U.S. or Canada.

Baltusch, Marian, w. Felicia, s. Alexandru : Drumul Taberei 23 B.

(A) Breitman, Harry, w. Vera, chn. Rolly, Yvonne : (A. Hedda Fodor Weltzman 6, Natanya.) Vacarescu 12, Timisoara.

Cheptea, Mircea ; 68-70 Cal.Victoriei, Bu.—Numerous relatives in Israel.

Chisinezschi, Emile, w. Odette, 2 sons : c/o Mrs. Chisinezschi, V. Manu 42, B. Yuri, w.Ina, baby Georghe, Blv. N. Balcescu, B. B. in Israel, Andrei, Kibbutz Gan Shmuel.

Cohn, Morel w. Nadia 2 chn ; Padurea Craiului 2, Bu. Bu—cr. H.Brandman, 23 Clearland Rd, Syosset, L.I., N.Y. 11791 ; Justin Duncan 13 Fuller St., Brookline, Mass. 02146.

David, Adrian and m. Dora—N.Balcescu, 86, B.

****FP Davidovich, Lazar—Carpati 17, Visuel de Sus ; W. & b. Josef, Yotfat, Bl.82, Natseret Alit, cr. Maurice Nemes, 518 McLean Ave., Yonkers, NY 10705. Donath, Paul, s. Peter+w.—Blv.Ilie Bintilic 12, B.**

****Doreman, Haim, w. Enta, c. Enech, c/o Mania Halperins, Soscauatuttora 15. Jassy.**

Glainer, Osias—Bradului, 16, Bu.

Ellas, Radu—Blv. Lenin 5, Cluj.

(A) FP. Faibish, Surica. Com. Bacosti, Jud. Vaslui : s. Sabinas Cohen, Nahlat Yitshak, 11, T.A.

Feldman, Julian, w. Lilian, s. Alexandru ; Romulus 17, B.—B. Aurel, Itshak Sadeh 88/6, T.A.

Fabian, Alexandru, w. Charlotte—Salicimilor, Satu Mare.

Fabian, Andrei—Galati 27, Cluj.

(E) Fleisher, Carolina, Bl. Leontin Salajan 43, B.

(A) Gainaru, Rodica & Viorica—Casa de Copii, Boius Oradea (16 year old twins waiting to join mother, Melinda Herskovic, Shikun Ramat 14/17, Lod.

FP. Geber, Aron—Intr. Lemnea 3, B.—s. Harry, Kiriati Ono.

Ghersin, Julian, w. Dana, Bucharest.

Goldenstein, Hartin—Lugofatul 60, B.

Kovacs, Susana and mother, Dobrogeanu Ghenea 12, Brasov: Relatives in Israel.

Herscovici, Max—Corvin, Cluj.

Herscu, Dan, Schitu M. Gurenu 2733—cr. Alex Katz, Brooklyn, N.Y.

Herscu, Radu—Piata Splaiului 3-5, B.

Herscu, Sofia—Palatului, Bl. 7, ap. 45, sect. 7, B.

Herscovici, Corina, h.—Al. Lapusneanu 24, Galati probably left, to be checked.

Hajos, Ladislau—Galati 48-50, B.—Fiance in Israel: Vita Milstein, Tagore 11 Ramat Avi.

(A) Hirsch, Nicolae—Comie 3, Brasov: Wife in Israel, Toni, 2 chn., c/o Yona Zaler, Rashbam 13, Bnai Brak.

Isser, Mendel—Poiana Narciselor 7, B. Israel, Iancu-Armenau 16, Jassy.

**P. Itzikon, Avram (Prison unknown here) B. Marcel, Hagana, 25/23 Rehovot.

**FP. Itic (Ungar), Avram Natan—Mamulari 8, B.—B. Arie, Rashi 15a, Haifa.

Iacob, Iosif, w. Roji-Mihail Eminescu 12, Nassaud Regcluj (Brothers in Israel) (Emil, Moshe, Noah Rubin/cousins in USA; (Eugene and Bertalen Siegelstein, Brooklyn, N.Y., (Richard Rubin, 9827 Kiakindine Ave., L.A. Calif.

Kaufman, Harry—Petru Rares 12, Galati.

Kirshenbaum, Bernath—Vlad Tepel 3, Dej.

Julian, Dumitru (ne Steinbrock, David), w. Paraschiva; Dr. Staicovici, 49.

BU: SI Freda Braunstein, Kib. Givat Brenner; si Sara Figer, Atzmaut 14, Hadera; M. Marta Steinbock, Netanya.

Lehrerm, Mihail—Calea Pretenia 20, Radauti.

Lackner, Julian, w. Rodica, baby; Schitul Maicilor 14, Bu.—Relatives in Israel.

**Leibovici, Mendel, w. Eliza—Al. Cimpul cu Flori 8, B.—Sisters in Israel, (F.P.) Frida Bercovici, Aticot Ashkelon 285/14, Bernacit Herscu, Der. Anitahon, Ashkelon.

Manescu, Vlad—Popa Savu 3a, Section 1; Bucharest (finance in Israel—Imberg, Suzana, Ramat Hasharon.

Manhaim, Georgho, w. Ernestina, chn, Andrei, Annmarie—Invoirii 12, B.

Moscovici, Maral, w. Sofia—Sfintulsava, 19, Jassy—want to join children.

Mendolovici, Sanilicu, Bl. 23, August 24, Timisoara.

Moscovici, Elias—Nicolina 3, Jassy.

Mayerson, Samson, w. Hermina—Mantuleasu 12, B.—M. in Israel. Rebecca. Nitsana 199, Ramat Josef and 3 sisters.

Liber, Liviu, w. Monica—Cuza Voda 45, Bu.—relatives in Israel.

**Negrea, Anton, w. Maria, 5 chn—Blv Magheru 9, B.—Desperate parents in Israel, Herscu Schwartz (82), w. Rebecca (78), Maon Haakademain, 225 Kiriati Haim, Haifa.

Osiat, Hersu, w. Draga, d. Mariana—Cerbulin 32, Brasov—multiple refusals

Roll, Teofil, wife, 2 chn, m. in. law; Al. Moldovita 6, Bu.—relatives in Israel.

**FP's wife Pal. Paraschiva—Kogalniceanu 27, Dej. Jud. Glui.

Poper, Zoltan—Trib. Jud. Bihor 1785/1968, Oradea.

**Popescu, Silviu—Apolodor 18, B. U. Leelefner, R. Kibbutz Greyat 658/2, Ashdod, Israile, B. Nathan Kaufman, Rue General Riberio da Costa 121, Ap. 401, Rio de Janeiro, Brazil.

(E) ** FP. Redu, Misu, w. Franchetten—Solca 5, B.—2 ds. in Israel: Violet Wilk, Hamlasha 7, Ramat Gan; Marcela Garon, Hadar Yosef.

**FP. Rosinger, Adalbert w. Malvino—Stirbei-Voda 4 B.—D. Veronica, Hana Sonesh 2, Bnai Brak; M. Haia Herscovici, Der. Tsarpat 15/16, Kiriati Sprinzak, Haifa.

**FP Rosenberg, Heinrich, w. Lilica—Lapusneanu 24, Galati; D. Corina Hershovici arrived in Israel with husband.

Reichman, Herman—Deda Brista Reg. Tg. Mures.

Reichman, Isidor—Gral Florescu 16, B.

Smilovici, Herscu Marcel—Decembru, 60, B.

(A) Solomon, Leon—Stefan Cel Mare, 33 Birlad, Jud. Vaslui: cr. Rabbi Daich, Ahad Haam, Petach Ti.

**FP Scheener, Otillia—Cal Grivitei 67, B.—A. Lotte Schener, Hamaleh Korech, 16, T.A.

**FP. Suzin, Micu, w. Veronica, d. Mariana—Piata Buzesti Q.B.—Si Lili Deutsch, Yavneh.

Solomon, David, w. Clara, and daughter—Decembrie 30, 43, Dorohoi.

(A) Sigal, Dr. Janku Solomon, w. Aura, d. Rolande—Al. Avocat Salaganu 7, PU. b. Marcel Segal in T.A., si in Haifa, Clara Schechter.

Schwartz, Benjamin, w. Corina—Prof. Georgescu 27a, B.

Schwartz, Martin, w. Adriana III Calarosi, B.

Schwartz, Mayer, w. Miriam—Antin 37, B.

Schechter, Ichil—m Decebal 67, Constanta.

Salomon, Alexandru Garrli 35, Osorhoi, Jud. Bihor.

**P. Schwalb, Dr. Naftali—Dr. Petru Maior 10, Braila, W. Dr. Betty, 5 chn Si Eva Bar Sina (Schwalb), Hanasi 24, Haifa.

**P. Simian, Samoil—Tauti de Sus 18, Baia Mare 4800: Si, Esther Berger, Nordau 5, Petsch Tikv.

Schachter, Y.—13 Decemerie 9, Falticani Reg Suceava.

**Unger, Nathan (FP)—Mamulari 8, B.—B. Arie, Rashi 15a, Haifa.

**FP Useriu, Mihail—Justitei, 7, B.—B. Israel Ochri, Habas 61, Haifa.

**Usher, David (FP)—Negresti Vaslui, Decebal 4, Jassy—B. Avraham, R. Avoda 23, T.A.

Vasilescu, Stefan, w. Leontina—Al. Episcopul Ambroisie, Apt. 5, B.—Trying 9 years.

Vianu, Irene, h. Raymond, 2 chn—homeless, earthquake; M. Sofia Wilhelm, S. Tzipornim, 7, Ramat Yosef, Bat Yam.

(A) Weinberger, Zoltan.—N. Balchescu 5, Brasov.

**FP. Weiss, Nissim David, w. Floreta, s. Lucian—Intr. Pictor Vermont 3, B. b. Jancu, Haifa P.O.B. 4072, b. Lazar, Kikar Histadrut, 6, Noscher Haifa.

Wulich, Milea—Prisaca Dornei 6, B.

Zeid, Lovi, w. Golda—Calarosill, B.

STATEMENT SUBMITTED BY THE VERY REVEREND F. M. GALDAU, CHAIRMAN, THE AMERICAN ROMANIAN COMMITTEE FOR ASSISTANCE TO REFUGEES (AIRCAR)

Dear Mr. Chairman, we are enclosing herewith a list of near relatives of some of our parishioners, U.S. citizens and permanent residents, who for the last few years have been trying to rejoin their families in the United States, and another list with the most pertinent cases of Romanian citizens who cannot leave Romania.

We do not know the present emigration policy of the Romanian Government, especially after the disastrous earthquake of last week. But up to now it has not been encouraging, despite an easing up of emigration restrictions during the past few months. However, we note that with most people, the policy has been the following:

1. The Romanian Government continues to deny its citizens the right to obtain passports and exit visas guaranteed in the Helsinki Agreement, and the United States—Romanian Trade Pact, giving the latter Most Favored Nation statutes (provided they honor provisions of title IV, Sec. 402(a) (1), (2) and (3) concerning Freedom of Emigration). These guarantees of free emigration are also written into the Romanian Constitution.

2. The Romanian Government has increased its harassment of citizens trying to apply for exit documentation. Formalities of application for a simple form to fill out have increased to a point of near impossibility during the past year; the application process has become so costly and time-consuming (months, even years) that few dare attempt it. Moreover, the Romanian Government is depriving citizens applying to leave of their jobs, homes and civil liberties. The latter is a great irony as these rights are guaranteed in the Helsinki Agreement and the U.S.—Romanian Trade Pact.

3. Persons wishing to leave Romania cannot do so with any possessions (valuables, objects d'arts, personal property and even personal documents must be "donated" to the Government). Most citizens leave their country and start life anew in another country penniless.

4. They cannot leave Romania unless they have valid proof of an entry visa to a new country which, with present immigration legislation, is difficult in the United States and some other Western countries.

The Romanian Government has confiscated exit documentation of citizens who have waited months and years for entry visas to other countries. For ex-

ample, Romanian passports are valid for two or three months only, after which they have to be renewed and the whole difficult process of application repeated. Another point is that people without close relatives in the U.S.A., or unless they are specialists in their fields, cannot at present apply for U.S. entry visas, but must travel to either Austria or Italy to apply to the local I.N.S. representatives for Conditional Entrant visas.

This is all gist for the mill of the Romanian Government and allows them to refuse to comply with the provisions of the Helsinki and Trade Agreements.

5. Should a Romanian senior citizen leave his country, temporarily or permanently, his Government does not pay him the senior citizen pension he is entitled to. On the other hand, more than 10,000 U.S. senior citizens of Romanian origin are regularly getting their U.S. Social Security checks in Romania which they spend there together with their small savings, and the Romanian Government is delighted to see their U.S. dollars, despite calling the U.S. citizens "American Imperialists."

By enclosing the lists, Mr. Chairman, we would like to draw your attention to only some of the most flagrant breaches of faith of the above-mentioned Agreements. It goes without saying that there have, of course, been breaches of faith too numerous to mention in any letter.

CASE LIST NO. 1

1. Mr. and Mrs. Harry Flynt, U.S. citizens, of 88-08 32nd Avenue, Jackson Heights, New York 11370, an elderly and invalid couple, have since five years tried to bring their Romanian relatives here to help take care of them.

They are: Dumitru Soiman, wife Elena who is Mrs. Flynt's neice, and son, Daniel; Alexandru Ivanciu, wife Alexandrina who is also Mrs. Flynt's niece, and son, Dinu. They live at Str. Alexandru No. 13, Bucharest. Several Senators and Members of Congress have vainly attempted to help the Flynts bring their relatives over.

The U.S. I.N.S. Service insists on these kinds of relatives obtaining labor certification (which under present U.S. economic conditions is difficult) before they issue entry visas. Were the Romanian Government, however, to give them exit documents, they could travel to Vienna or Rome where I.N.S. could process them as Conditional Entrant refugees.

2. Mrs. Gabriela Tuculescu will become a U.S. citizen May 5 of this year. She lives at 70-25B Yellowstone Blvd., Apt. #3 L, Forest Hills, New York 11375. For three years she has tried to bring her sister, Geraldina Pandeale, here for a visit or permanent stay. She lives at Str. Maxim Gorki No. 4A, Sector I, Bucharest. The Romanian Government which is actually her employer, refuses to even permit her to ask for her passport application endorsement at her place of work, without which the process cannot be started. During Romanian President Ceausescu's visit here in 1975, an appeal was made on behalf of Miss Pandeale and he promised to have her released. Subsequently, a member of the Romanian Foreign Affairs Ministry visited her and advised her to apply for her exit documentation. So far, absolutely nothing has developed.

3. Permanent U.S. resident Constantin Rauta, P. O. Box 634, Washington, D.C. 20044 has been trying for four years to bring his wife Ecaterina Gabriela, 29, and son, Mihai Catalin, 4, to join him here. His wife was arrested and subjected to severe persecution and persuasion to divorce her husband. Efforts of the U.S. Embassy in Bucharest at assisting her have failed.

4. Permanent resident Vasile Snacoveanu, of 43-33 48th Street, Apt. #1A, Astoria, New York 11104 is completely blind and needs his son, Vasile Jr., 18, here to help him. The son lives at Str. Fildesului No. 3, Buc. H2 Scara 2, Apt. 1, Bucharest, Sector 4. So far there has been no result.

5. Mrs. Adriana Timus, a U.S. citizen, of 444 East 82 Street, Apt. 58, New York, New York 10028 has been trying to bring daughter Roxana Deleanu, 16, and sister, Anca Enculescu, here since 1970. Roxana lives at Str. Barbu Vacarescu Nr. 119, Bucharest 1, with her grandparents. The Romanian Government had forced the courts to award custody of the girl to her father, a prominent member of the Communist Party, although Roxana refused to stay with him. She claims he is an immoral person and an alcoholic who beats and tortures her. The courts have allowed her now to stay with her grandparents. Her mother, who has a good relationship with her daughter, wishes her to come over and live with her.

As of 1971, the number of U.S. citizens who have been admitted to the U.S. is 1,000,000.

CASE LIST NO. 2

1. Name: Arnow, John—U.S.A. Citizen, 3 Lawson Lane, Great Neck, N.Y. 11023.
Persons involved: Elena Pereteanu, age 27, Bookkeeper, Bvdul 1 Mai Nr. 339—Bl. 15, Sc. D. Et. 1, Apt. 102, București—Sect. 7—Romania.

2. Name: Badescu, Marta—Conditional Entrant—23-38 31 Street Apt. 3 B, Astoria, N.Y. 11103.

Persons involved: Viorel Bădescu, Husband, age 46, Afrodita Bădescu, daughter, age 18, Roxana Bădescu, daughter, age 16, all residing at Bvdul Dacia, Nr. 46 parter Bucuresti, România.

3. Name: Bebelea, Irina, Permanent Resident, 155 Logan Street, Brooklyn, New York 11208.

Persons involved: Florian Bebelea, son, 20 years, Marcela-Gabriela Bebelea, daughter, 19 years, Str. Otet Nr. 6—Brasov, România.

4. Name: Botosani, George P., U.S. Citizen, 72 Seeley Street, Bridgeport, Conn.
Persons involved: Paul, Roger Popescu-Botoșani, son 37 years, Maria-Cristina Popescu-Botoșani, daughter, 35, Str. Nuferilor Nr. 65, București-România.

5. Name: Bucur, Seren, Permanent Resident, 200 Park Avenue South, New York, N.Y. 10003.

Persons involved: Carmen Bucur, daughter, 17 years, Str. Zurich Nr. 2, Et. II., Apt. 11—Timisoara—România.

6. Name: Ciobanu, Vasile, Permanent Resident, 43-10 44th Street Apt. 2-4, Sunnyside, New York 11104.

Persons involved: Vasile Ciobanu, father 75 years, Tatiana Ciobanu, mother 65 years, Str. Nazarcea Nr. 59—București 7 România (for short visit).

7. Name: Cocloba, Emil Trandafir, 1 Laurel Drive, Huntington, New York 11743.

Persons involved: Serban Cocloba, son, Viorica Cocloba, daughter-in-law, Rareș Cocloba, grandson, Str. Crinu de Pădure Nr. 2, București 7, România.

8. Name: Dr. Constandis, Decebal, U.S. Citizen, 115 West 68th Street, New York, N.Y. 10023.

Persons involved: Dr. Călin-Gheorghe Constandis, brother, 35 years, Strada de Miloc Nr. 11, Brasov, România.

9. Name: Dr. Cristescu, Teodor, 370 Ridelle Avenue apt. 21-04, Toronto, Canada.

Persons involved: Elena Cristescu, wife, 38 years, Laurențiu Cristescu, son 17 years, Strada Poiana Narciselor Nr. 14 Atp. 5, Sector 4, București, România.

10. Name: Mrs. Flynt, Mary, U.S. Citizen, 88-08 32nd Avenue, Jackson Hts., New York 11370.

Persons involved: Dumitru Soiman, brother, 45 years, Elena Soiman, sister-in-law, 44 years, Daniel Soiman, nephew, Alexandrina Ivanciu, sister, Alexandru Ivanciu, brother-in-law, Dinu Ivanciu, nephew, Str. Alexandru Moghioros Nr. 13, București, România.

11. Name: Fara, Gheorghe, Permanent Resident, arr. 4.26.1973, So. Plainfield, New Jersey 07080.

Persons concerned: Mircea Meleasa, cousin, 23 years, Str. Emil Rodnăraș Nr. 3 43 (fosta Bujoreni), Bl.P.13 Sc. 2 Ap. 38, București 7, România; Ilie Tutuianu, cousin, 35 years, Bdul. Gh. Dimitrov Nr. 121, Bl. G. Sc. 5, Ap. 24, București 3, România.

12. Name: Florea, Stefan and Viviana, 1709 Putnam Ave., Ridgewood, New York 11227.

Persons involved: Maria Zaharescu, mother, 59 years, Violeta Maria Zaharescu, sister, 23 years, Nicolae Zaharescu, step-father, 57 years, Str. Gloriei, Bl. 205, Ap. 30, Sc. B Et. 4, Ploiești, România.

13. Name: Graur, Walter, 454 Trautman Street, Brooklyn, N.Y. 11227.

Persons concerned: Mioara Graur, wife, age 29, Melania Graur, daughter, age 3, Res. Str. Caporal Duimitrescu Nr. 68, Ploiesti, Regiunea Prahova-Romania.

14. Name: Kaladjan, Ardashes, U.S. Citizen, 50 West 89th Street, New York, N.Y. 10024.

Persons involved: Elena Andrei, niece, 17 years, Bd. Dimitrie Cantemir Bl. 18, Sc. 2, Et. 3, Apt. 47, Bucuresti 5, România.

15. Name: Mateescu, Ioana, Conditional Entrant, 45-15 42nd Street Apt. 2-C, Sunnyside, N.Y. 11104.

Persons involved: Coralia Mateescu, mother, Bdul. Muncii Nr. 8, București 4, România; Daniela Stancu, sister, Constantin Stancu, brother-in-law, Bogdan Stancu, nephew, Alin-Sebastian Stancu, nephew, Etr, Emil Racoviță Nr.2 29—31 Bl. E M 2, Bucuresti 5, România.

16. Name: Meleasa, Alexandra, permanent resident, 3 Lawson Lane, Great Neck, New York 11023.

Persons concerned: Niculae Meleasa, son, 26 years, Str. Siret Nr. 15, Bucuresti 8, Romania.

17. Name: Muresan, Anton, permanent resident, 351 West 53rd Street Apt. 1-E, New York, N.Y. 10019.

Persons involved: Anton Dorel Muresan, son, 18 years, Str. Libertatii Nr. 5 Apt. 179, Oraş Gheorghiu-Dej, Jud. Bacău, Romania.

18. Name: Nace, Victor, permanent resident, 32-24 74th Street, Jackson Hts., N.Y. 11370.

Persons involved: Ileana Constantinescu, sister, Brăduţ Constantinescu, nephew, Str. Pitar Moş Nr. 25, Et. 6 Ap. 20, Bucuresti 1, Romania.

19. Name: Pitu, Ilie and Angela, Conditional Entrants, 44 Cabot Street, Beverly, Mass. 01915.

Persons involved: Marin Pitu, 27 years, single, son, Mihai, Pitu, 24 years, single, son, Bd. Ana Ipătescu Nr. 2, Bucuresti 1, Romania.

20. Name: Rauta, Constantin, permanent resident, P.O. Box 6343, Washington, D.C. 20044.

Persons involved: Ecaterina-Gabriela Rauta, wife, 27 years, Mihai Cătălin Răuţă, son 2, Str. Alexandru Moghioros Nr. 32 B1. A-11, Sc. f Ap. 90, Bucuresti 7 Romania.

21. Name: Reznice, Stefan, permanent resident, 43 Grove Street, E. Massapequa, New York 11758.

Persons involved: Anton Reznice, father, 54 years, Ana Reznice, stepmother, 40 years, nee Pietraru, Paris Emanuel Reznice, stepbrother, 7 years, Carmen Luminiţa, Reznice, stepsister, 5 years, Str. Salciilor Nr. 17, Tulcea, Romania.

22. Name: Steclaci, Lucian, U.S. Citizen, 195 Torrington Heights Road, Torrington, Conn. 06790.

Persons involved: Adrian Steclaci, brother, 57 years, Livia Steclaci, sister-in-law, nee Buzila, 51 years Str. Stirbei Vidă Nr. 2 Apt. 153, Et. 3 Sc. 8, Bucuresti 7, Romania.

23. Name: Stefanescu, Raluca, permanent resident, 133-24 Sanford Avenue, Ap. 3G, Flushing, New York 11355.

Persons involved: Corneliu George Stefanescu, father 59 years, Str. Viting Nr. 6, Bucuresti 7, Romania.

24. Name: Stoica, Adriana, permanent resident with son U.S. Citizen, 45-19 42nd. Street, Apt. 2-C, Sunnyside, N.Y. 11104.

Persons involved: Angela Gall, mother, Mihail Gall, father, Str. Ciucea Nr. 1.B1.P.16, Sc.3 Et.1, Ap.33, sector 4 Titan, Bucuresti, Romania.

25. Name: Teodorescu, Iosif, 324 East 34th Street, Apt. E-4, New York, N.Y. 10016.

Persons involved: Dana Maria Sufana, 34 years of age, wife, professional designer (draftsman), Str. Caragiale Nr. 18, Bucuresti 2, Romania.

26. Name: Vladescu, Narcis, U.S. Citizen, 111 Van Nostrand Ave., Englewood, New Jersey 07631.

Persons involved: Anton Constantin Maza and family, Str. Baba Novac Nr. 2, Et.1, Ap.4, Bucuresti, Romania; Mihai Mina Vasile Maza and family, Sos. Mihai Bravu Nr.106 B1.D 16 Ap. 113, Bucuresti, Romania.

27. Name: Teodorescu, Surmenian, Alice and Dinu, 43-09 44th Street 4-H, Sunnyside, New York 11104.

Persons involved: Atzataber Surmenian, father 57 years, Hribsime Surmenian, mother 55 years, Eduard Gabriel Surmenian, brother, Bd. Lăpuşneanu 173, B1.7 1, Et.3 Ap. 24, Constanţa, Romania; Mihail Teodorescu, brother-in-law, Elena Teodorescu, sister, Doina Teodorescu, niece, Str. Săpunari nr.4, Ploiesti, Romania.

28. Name: Tuculescu, Gabriela, permanent resident, 70-25 B Yellowstone Blvd. Ap. 3-L Forest Hills, New York 11375.

Persons involved: Geraldina Pandele, sister, 35 years, Eglantint S. Ionescu, mother, 62 years, Str. Maxim Gorki Nr.4 A, Et.3 Ap. 7, Bucuresti Cod 7, Romania (for short visit).

29. Name: Timus, Adriana, U.S. Citizen, 49 West 71 Street, New York, N.Y. 10023.

Persons involved: Anca Enculescu, sister, 30 years, Serban Enculescu, brother-in-law 35 years, B1. 37 (A+B) Titan, Sc.A/Et.7 Ap. 29, Bucuresti 4 Romania; Roxaana Deleanu, daughter, 16 years, Str. Barbu Văcărescu Nr.119, Bucuresti 1, Romania.

30. Name: Tuculescu, S. Mihai, permanent resident, 70-25 Yellowstone Blvd., Ap. 175, Forest Hills, N.Y. 11375.

Persons involved: Traian Radulescu, 35 years, Calea Grivitei Nr. 159 Et. 6 Ap. 101, Bucuresti-Romania; Elena Galaction, aunt, 63 years, Str. Gala Galaction Nr. 51, Bucuresti 8 Romania; Mircea Lupa, 35 years, Str. Fluierului Nr. 24 bis, Bucuresti 3, Romania.

31. Name: Badea Marieta, Permanent Resident, 50 W 89 St., New York, N.Y. 10024.

Persons involved: Badea Viorel-Sorin, 44 years, husband, Badea Marius, 22 years, son, Str. Andrei Muresan No. 1 A, Bucuresti, Romania.

32. Name: Balaban, Cristache, U.S. Citizen, 355 W Saratoga Str., Ferndale, Mich. 48220.

Persons involved: Balaban Ion, 39 years, brother, Balaban Rodica 37 years sister-in-law, Balaban Roxana, 11 years, niece, Balaban Gratiela 9 years, niece, Blvd Păcii No. 94-100 Bucuresti Sector 7.

33. Name: Bucurescu, Marius, U.S. Citizen, 15 Vermilyea Av., N.Y.C., N.Y. 10034

Persons involved: Bucurescu Alexandru-Viorel, brother, Bucurescu Magdalenafi sister-in-law, Bucurescu Monica, 16 years, niece, Bucurescu Gabriela 6 years, niece, Blvd. Păcii No. 74-76 apt. 24 Sect. 6 Bucuresti.

34. Name: Carbunescu, Maria, Permanent Resident, 802 Seneca Ave, Ridgewood, N.Y. 11227.

Persons involved: Carbunescu, Panait, 56 years, husband, 18 George Bacovia St. Sector 5 Bucuresti.

35. Name: Carbunescu, Elena, Permanent Resident, 18-23 Cornelia St. Ridgewood N.Y. 11227.

Persons involved: Scarlet Dumitru 62 years, father, 15 Cpt. Mircea Vasilescu St. Sector 5 Bucuresti; Scarlat Georgeta, 46 years mother, Comuna Balota, Jud Dolj, Romania.

36. Name: Ciobotenco, Valeriu, 31-35 Crescent St. 3L, L.I.C., N.Y. 11106.

Persons involved: Cebotenco Iraida, sister, Bd. Dimitrie Cantemir No. 15 Ap. 173 sc., Sector 5 Bucuresti.

37. Name: Davidovici, Olimpia Elena Maria, 160 West End Ave Apt. 22 G, N.Y. 10023.

Persons involved: Mironescu Emilia, 45 years, sister, Manea Vasile, 45 years, brother-in-law, Manea Ileana 12 years, niece, Str. Bujoreni No. 19 et. 5 Apt. 57 sc. 2 Sect. 7, Bucuresti.

38. Name: Fanous, Anca Maria, Permanent Resident, 102-55 67th Road, Forest Hills, N.Y. 1137.

Persons involved: Stoicescu Valentina, 29 years, sister, Str. Călușei No. 40 Bucuresti Sector 3.

39. Name: Gallu, Victor, U.S. Citizen, 50 West 89 St. N.Y.C., N.Y. 10024

Persons involved: Gallu, Veronica, 40 years, wife, Gallu, Vasile Damian, 6 years, son, Str. Ceahlău No. 9 Timisoara, Jud. Timis, Romania.

40. Name: Gogoiu, Dorel, 50 West 89 St. N.Y.C., N.Y. 10024.

Persons involved: Gogoiu, Estera, 24 years, wife, Gogoiu, Călin, 3 years, son, Str. Romulus No. 30, Timisoara, Romania.

41. Name: Kaushik, Maria, 43-42 48th St. Sunnyside, N.Y. 11104.

Persons involved: Levarda, Doru Liviu 20 years, son, Levarda, Dan Mihai 22 years, son, Valea Oltului St. Bloc P2 Scara 7 et. II, Apt. 130 Bucuresti, Sector 7.

42. Name: Ilies, Maria, U.S. Citizen, 1263 Park Ave, Apt. 6A, New York, N.Y. 10029.

Persons involved: Barutia-Popa, Delia daughter 28 years, Popa Gheorghe, son-in-law, 31 years, Str. Hrisovului No. 13 Bloc D3, Apt. 7, Sector 8 Bucuresti, Romania.

43. Name: Lupulescu, Ioan, 920 West Seven Mile Road, Detroit, Mich. 48203.

Persons involved: Lupulescu, Luiza, 18 years, daughter, Lupulescu, Lilian, 8 years, daughter, c/o Constantin Lupulescu, Comuna Schela, Jud. Gorj, Romania.

44. Name: Marin, Cristina, Permanent Resident, 33-43 Crescent St., Astoria, N.Y. 11106.

Persons involved: Georgescu, Paul, 49 years, brother, Georgescu, Maria, 45 years, sister-in-law, Georgescu, Florentina, 22 years, niece, Sos. Pantelimon No. 254 Bloc 55 Sc.C Apt. 128, et.10 Sector 3, Bucuresti.

45. Name: Mihaiescu, Adriana, Permanent Resident, 447 A State St., Brooklyn, N.Y. 11217.

Persons involved: Mihăiescu, Gh. Ilie, 40 years, husband, Blvd Leontin Salajan No. 43, Bloc D 1 et.5 apt. 118, București, Romania.

46. Name: Necula, Lucia & Virgil, U.S. Citizens, 1090 Amsterdam Av., 8 H, N.Y. 10025.

Persons involved: Necula, Carmen, 26 years, daughter, Necula, Horia, 21 years, son, Necula, Emanuel, son-in-law, Necula, Maria, mother, 73 years, Iordachița Alexandrina, mother-in-law, 75 years.

47. Name: Motora, Gherghina, Permanent Resident, 32 Kissena Blvd, Apt. 16 K. Flushing 11350.

Persons involved: Motora, Luminița, 13 years, daughter, Str. Occidentului No. 10, Apt. 3 București.

48. Name: Palamaru, Ludmila, U.S. Citizen, 209-39 34 Rd., Bayside, N.Y. 11361.

Persons involved: Palamaru, Georgescu Galina, 38 years, sister, Georgescu, Petronius, 40 years, brother-in-law, Georgescu, Monica, 8 years, niece, Georgescu, Simona, 6 years, niece, Palamaru, Ilie, 80 years, father, Palamaru, Nina, 76 years, mother, Comuna Movilita Jud. Ilfof Raion Urziceni, Of.Postal, Fierbinti, Romania.

49. Name: Snacoveanu, Vasile, Permanent Resident, 43-33 48th St. Apt. 1 A, Astoria, N.Y. 11104.

Persons involved: Snacoveanu, Vasile, Jr., 18 years, son, St. FildeSului No. 3 Bloc H 2, Sc. 2 Apt. 1 Sector 4, București.

50. Name: Serban, Stefan, Permanent Resident, 1870 Drunciole Rd., E. Staten Island, N.Y. 10309.

Persons involved: Stefan, Mihăiță, 22 years, son, Str. Edgar Quinet No. 3 Sector 1, București.

51. Name: Tuculescu, S. Mihai, Permanent Resident, 70-25 Yellowstone Blvd., Apt. 1275, Forest Hills, N.Y. 11375.

Persons involved: Rădulescu, Traian, 35 years, Cal. Griviței No. 159 Et.VI, Apt. 101 Sector 8, București, Romania, Galaction, Elena, aunt, 63 years, Str.Gala Galaction No. 51 Sector 8, București (For a short visit), Lupa Mircea, 35 years, Str. Fluierului No. 24 bis, Sector III, București.

52. Name: Ungureanu, Vasile, Permanent Resident, 31-06 42nd St., Astoria, N.Y. 11103.

Persons involved: Ungureanu, Buliga Zoe, 21 years, daughter, Buliga, Viorica, 3 years, niece, Str. Cartierul Kiselef Bloc A 8, Apt. 17 Sc. 4, Turnu Severin, Romania.

53. Name: Wigder, Victoria, U.S. Citizen, 155 Puritan Drive, Scarsdale, N.Y. 10583.

Persons involved: Bogosian, Viorica, sister, widow, Str. 23 August, Bloc C4, Sc. 2 Apt. 11, Mangalia Constanța.

RECAPITULATION

The number of the above-mentioned persons can be summarized as follows:

(a) Parents: Fathers: 7, Mothers: 10.

(b) Children: Boys: 28, Girls: 25.

(c) Husbands: 4.

(d) Wives: 6.

(e) Brothers: 16.

(f) Sisters: 18.

Total persons involved 114.

The Very Rev. F. M. GALDAU.

STATEMENT SUBMITTED BY THEO JUNKER, PRESIDENT, MATTHIAS ARINGER, SECRETARY GENERAL, AND EMIL AND ANNA WIEDMANN, REFERENTS, OF THE DANUBE SWABIAN ASSOCIATION OF THE U.S.A., INC.

In his address to the Council of Working People of German ethnic origin on February 21, 1971 President Nicolae Ceausescu conceded that this minority group has suffered injustices during the period following World War II. At the same time, he stated, however, that their rights and duties as citizens of the Socialist Republic of Romania were recognized now. This statement was a source of encouragement for our countrymen who are living in their native country of Romania as well as for those who have been displaced after World War II to the United States, South America and Europe.

It is the implementation of this official statement that we are seeking for our countrymen who are settled in their native country and also for those who have been born on Romanian soil and have been displaced to a foreign country. It is our main desire that those living in their native country be assured the full exercise of their citizen rights as guaranteed by Article 13 of the Constitution of the Socialist Republic of Romania of March 13, 1969. The practical implementation of those provisions will certainly contribute to, and promote, the achievement of the national and international aspirations of the Socialist Republic of Romania.

With respect to the fundamental rights and duties of citizens, Article 17 of the Romanian Constitution states that the citizens, irrespective of their ethnic origin, race, sex or religion, have equal rights in all fields of the economic, political, juridical, social and cultural life. The state guarantees the equal rights of citizens. No restriction of these rights and differences in the exercise, on the grounds of ethnic origin, race, sex or religion, are permitted. Article 21 of this Constitution assures the right to education. Article 22 guarantees the co-inhabiting nationality groups the free use of, and education in, their native language. Article 30 protects the free exercise of their native cult and the training of religious servants thereof. And Article 23 defends and protects the institution of marriage and the family.

Mindful of these constitutional guarantees, we request that the Romanian authorities resolve in a positive, constructive, and humanitarian manner the petitions and applications of our countrymen of German ethnic origin. The right of petition is guaranteed by Article 34 of the Romanian Constitution which expressly states that the public authorities have the obligation to resolve the petitions of citizens with respect to their public rights. These certainly include the right to petition for marriage and for the reunification with their families at home and with those family members who have been displaced from their homeland and are now settled in a foreign country.

It has come to our attention that some of our countrymen who have applied at the Romanian authorities for a passport and for an exit visa in order to be married, to visit, or to be reunited with their family members displaced abroad, have not been able to do so because of a shortage of printed application forms. Moreover, some of those persons have been persuaded by different organizations to withdraw their applications, and even to divorce their spouses. Others have lost their jobs, their property, and their pension rights for the simple reason that they have petitioned to be reunited with their families or because they were granted that request. Such cases have been reported to us in spite of the fact that Article 18 of the Romanian Constitution guarantees the right of citizens to work, and that in accordance with their abilities and their educational qualifications. Article 36 protects the right to personal property, while another one, Article 37 guarantees the right to inheritance. These are fundamental human rights which are fully guaranteed.

Pursuant to the text of Article 16 of the Constitution, Romanian citizenship shall be acquired in accordance with the provisions of the law. In spite of this constitutional provision, we have experienced cases in which the administrative authorities have been causing difficulties to those who have been born on Romanian soil and who have acquired another citizenship when displaced after World War II. This has equally happened, to those of our countrymen living at home to give up their Romanian citizenship in order to be reunited with their families settled in another country. In accordance with the provisions of Article 15 of the Declaration of Human Rights of December 10, 1948, no one shall be deprived of his nationality, nor denied the right to change his nationality, that is his citizenship. This is especially valid if it is done for family reasons. This implies the right to leave one's country and to return back home free of any punishment.

Article 32 of the Romanian Constitution likewise declares that a person's domicile is inviolable. It further states that no one can enter the dwelling of a person without his consent. It follows, therefore, that no one should be prevented from admitting to his home at least those family members and persons who are related to him. This should include the temporary visit of those persons who have been displaced in the course of history and who have established their domicile in another country, whenever they intend to visit the members of their family, as well as the graveyards of their ancestors buried in their native homeland. These are fundamental human rights granted by all countries of the United Nations. As a consequence, the compulsory exchange of foreign currency and the mandatory stay in hotels should not be required when relatives visit and want to stay with their families.

The Romanian authorities should also consider favorably travel applications submitted by our countrymen of German ethnic origin when they intend to visit their relatives in another country. They should also be permitted to exchange their money into foreign currency in order to cover travel and other expenses.

Since Article 20 of the Romanian Constitution protects the citizen's right to material security in case of old age, sickness, and incapacity to work, no Romanian born person should be deprived of this right, when he has been displaced from his native country and has today a domicile in a foreign country, and when he is permitted to leave his native country in order to be reunited with his relatives abroad. Therefore, we request that the Romanian authorities issue complete employment and work records to all those concerned within a reasonable time so that they can establish their pension rights in the countries in which they are domiciled today.

It is our hope that the Government of the Socialist Republic of Romania will also adhere to the Charter of the United Nations, whose principal function it is to promote universal respect for, and the observance of, human rights. The Charter of the United Nations makes several references to the matter of human rights. Already the preamble reaffirms faith in fundamental human rights, in the dignity and worth of the human person, and the equal rights of nations, large or small. Article 1 of the Charter lays emphasis on the purpose of promoting and encouraging respect for human rights and for fundamental freedoms. Article 35 of the Charter even includes the obligation to promote universal respect for, and observance of, human rights and fundamental freedoms for all, without distinction to race, sex, language, or religion.

The granting of these basic human rights to Romanian citizens of German ethnic origin will not destroy the established order of the Socialist Republic of Romania. On the contrary, it will enhance the country's prestige in the world, in particular in the United States and in Europe, and will maintain in the future the benevolent attitude which the Romanians of German ethnic origin have displayed toward the Romanian state and its people, at home and abroad.

It is not our intention to interfere in the internal affairs of the Socialist Republic of Romania. It is merely our urgent request that the Romanian born people of German ethnic origin who have been displaced to a foreign country, as well as those who are today, and who have been for centuries, living in their native country, be granted the fundamental human rights which are guaranteed by the Constitution of the Socialist Republic of Romania, the Charter of the United Nations, the Human Rights Declaration of the United Nations, and the Helsinki Agreements.

The Joint United States-Romanian Statement of December 5, 1973 expressly permits us to raise the consideration of these humanitarian questions.

Our modest request is in full harmony with the century old traditional Romanian attitude of "omlenie" which was enjoyed by all those who have been born on Romanian soil.

LIST OF MEMBERS OF THE ASSOCIATION AND THEIR RELATIVES IN ROMANIA SUBMITTED FOR THE PURPOSE OF FAMILY REUNION

Applicant in United States and address	Name and address of sponsor in West Germany	Name, degree of affinity to sponsor and address in Romania	Remarks
Eva Kaiser, 1336 North Ridgeway Ave., Chicago, Ill. 60651.	Elisabet Roehrich, 8264 Waldkraiburg, Lindenthalstr. 3/C.	Josef Roehrich, son Margarete his wife, Elisabet Wolfram, aunt of Margarete. Address: Comuna Varias Nr. 499, judetul Timis.	Immigration papers have been provided.
Sigrun K. Szilagyi, 22169 Betlen Way, Castro Valley, Calif. 94546.	Sara Hellwig, 6901 Nussloch/Heidelberg, Kries Altheim.	Joan J. Schuster, son and his wife Ecaterina and their children Renate and Hans Gerhard. Address: Sighisoara, Str. 6 Martie 30, judetul Mures.	
Edmund Hillier, 134 Lathrop Ave., Forest Park, Ill. 60130.	Emil Hillier, 83 Landshut-Alt-dorf-Sud, Egleserweg 8/I.	Egon Hillier, son Elisabeth his wife and their son Robert. Address: 1900 Timisorara, Ill, Str. Gh. Doja 14.	
Gertrude Dargelies, 1628 East Amelia St., Appleton, Wis. 54911.	Hans Dahinten, 6 Frankfurt a.M., Am Villaberg 8.	Ernst Dahinten, brother Renate his wife and Heidrum their daughter. Address: 2400 Sibiu, Str. Bilea Nr. 29.	Do.
Emmerich Wirs, 2049 West Touhy Ave., Chicago, Ill. 60645.	Nikolaus Schuetz, 8312 Dinsgolfing-Albert Schweitzerweg 11a.	Peter Wirsz, nephew Gerda his wife and Ortrum their daughter. Address: 1953 Jimbolia Str. Stefan cel Mare Nr. 14, jud. Timis.	Do.

LIST OF MEMBERS OF THE ASSOCIATION AND THEIR RELATIVES IN ROMANIA SUBMITTED FOR THE
FAMILY REUNION—Continued

Applicant in United States and address	Name and address of sponsor in West Germany	Name, degree of affinity to sponsor and address in Romania	Remarks
Margaret Scholl, 166-31 26th Ave., Flushing, N.Y. 11358.	Edith T. Mazilescu, 85 Nuernberg, Wandererstr. 9.	Helga Pegler, sister Adolf her husband, Edith and Lothar their children. Address: 2900 Arad, Str. Busteni 14 Bloc, etaj III, apt. 14.	Do.
Richard Jakobi, M.D. 615 Page St., Kewanee, Ill.	Michael Jakobi, D7104 Obersulm 1 Affaltrach, Hoelderlinstr. 8.	Johann Jakobi, brother Johanna, his wife, Jakobi Hans Guenther, their married son, Jakobi Magdalena, daughter i.l., Rotraut and Elke, their children. Address: Medias, Str. Plevnei 8, Judetul Sibiu.	Do.
Fritz Wintergerst, 1110 Wjbert Rd., Cleveland, Ohio 44107.	Irene Becker, 8011 Neubaldham, Bahnhofstr. 104.	Rose Goetz, sister, Viktor her husband, their son Bruno Goetz and wife Elfriede, their daughter Renate Kolleth nee Goetz, her husband Eduard and son Erhard. Address: Rose Goetz: 1968 Teremia Mare Nr. 30, judetul Timis; son Bruno Goetz: 1900 Timisoara, Zona Circumvalatiunii, Bloc H. Sc.A. apt. 32, daughter Renate Kolleth: 1968 Teremia Mare Nr. 30, judetul Timis.	Do.
Julius J. Fernbach, 70 Dellwood Dr., Elma, N.Y. 14059.	Maria Thoma, 7208 Spaichingen Ostpreussenstr. 16.	Eva Guth, sister and husband Nikolaus, Norbert and Bruno, their children. Address: Tomnatic Nr. 278 judetul Timis.	Do.
Do.-----	Marika Ruf 6700 Ludwigshafen, Hafenstrasse 82.	Josef and Katharina Meszaros, parents, Josef M. Meszaros, brother, Rosalia Meszaros, grandmother. Address: 1947 Johannsfeld Nr. 309, judetul Timis.	Do.

THE VOW

I ----- (name) swear to serve with loyalty the Rumanian Socialist Republic, to put (or give) my whole working capacity for materializing the internal and external politic of our party and state, to bring about with my whole responsibility, all those duties which are given to me (or required, entrusted duties), to act unflinchingly for consolidating and developing our socialist system (society) for defending homeland, sovereignty, independence and integrity of our country.

I swear to keep and respect the Constitution of the Rumanian Socialist Republic and also the laws of our country, to keep and take care (in safety) about state secrets, to defeat (for) the socialist property to act in concordance with the principles of socialist democratism, socialist ethics and equity.

Signature _____

This vow has been presented in front of us (means leading staff) today.

STATEMENT OF MR. DIMITRIE G. APOSTOLIU (COSTIN JUREA)

Member of the Accademia Internazionale Di Propaganda Culturale, Lettere-Scienze, Arti, Roma, Italy; Secretary of the Underground Romanian National Committee for Human Rights since 1965; Spokesman of Three Romanian Hunger Strikes for Family Reunion in the U.S.A.

The Final Act on Cooperation in Humanitarian and Other Fields. The participating states will deal in a positive and humanitarian spirit with the applications of persons who wish to be reunited with members of their family, with special attention given to requests of an urgent character. They will deal with applications in this field as expeditiously as possible.

Honorable Chairman, Honorable Congressman, as a dissident writer, I served 13 years in Romanian Communist jails, and in the concentration camp, Danube Black Sea. I was condemned to death by the Council of State Security in 1962, but when the Security guards drove me to the place of execution, I jumped from

their car and escaped. I survived two more years as an underground fugitive, and in April, 1964, after the first and last political amnesty in communist Romania, with God's help, I came back home alive. However, I did not find anybody there; my mother, my father, and my brother were all killed by the Romanian Communist Security.

In 1965, The Romanian National Committee for Human Rights was founded, a group which, given the specific conditions of Nicolae Ceausescu's Stalinist terror, was forced to do its work there underground—as it still must. From 1965 until January 18, 1974 when I left Communist Romania, I was the Secretary of this Committee. And now, as the organizer and spokesman of Three Romanian Hunger Strikes for Family Reunion in the United States of America (from July 17, 1975–Sept. 8, 1976), and founder of The American Romanian National Committee for Human Rights, I feel it my duty to start this testimony with the following statement:

I was proud when I arrived in America, my new homeland; because 200 years ago Thomas Jefferson was standing up for the cause of human rights in this country. Now, in 1977, I am even prouder, because more than Thomas Jefferson, our President Jimmy Carter, is standing up for human rights all over the world! And you Honorable Congressmen also! The proof lies in today's hearing, as a demonstration of your firm determination to give your humanitarian support to our efforts for family reunion with our hostage relatives in Communist Romania. They are hostages because of Nicolae Ceausescu's Stalinist terror and total violation of the Helsinki Agreement.

Nicolae Ceausescu, the Romanian Communist President, who is Brezhnev's spy in the free world and the Stalinist terrorist of the Romanian people, played a very important role as main organizer of the Helsinki Conference. There, he pretended to be standing up for human rights. He said, he swore, that he would respect human rights, and called upon all of the thirty-five nations which signed the Helsinki Agreement to do likewise. But, as a good communist, he played games. He lied without shame in front of the representatives of all other thirty-four nations. He returned to Communist România and became more Stalinist than he was before signing the Helsinki Agreement.

Honorable Congressmen, you know, there were three Romanian hunger strikes for family reunion in the United States of America. The first one was May 17, 1975–July 17, 1975, and then came the signing of the Helsinki Agreement. In September of 1975, Nicolae Ceausescu halted emigration from Romania, and we were forced to begin our second (November 11, 1975–January 11, 1976) and third (May 24, 1976–September 8, 1976) hunger strikes. In 1976 there were Romanian hunger strikes for family reunion in Canada, Australia, Italy, France, West Germany and Sweden, and now we are preparing a fourth one here in the U.S.A. Why?

Because, with total disregard for human rights and the Helsinki Agreement, Nicolae Ceausescu ordered his security men to: interrogate under terror, day and night, all applicants for family reunion exit visas; lay them off their jobs; expell their children from high schools and universities; cut off their mail from relatives in the free world; cut their telephones; and arrest all those who visited with Romanian dissidents and signed their memorandum.

A LIST OF RELATIVES OF HUNGER STRIKERS WHO ARE STILL HOSTAGES IN COMMUNIST ROMANIA

1. Vasilică Teodorescu, wife; Beatrice Teodorescu, daughter, 6; of Strada Recrutului, Nr. 9, Sector 6, Bucuresti. This is the hostage family of the hunger striker, Grigore Teodorescu of New York.

2. Ihai Teodorescu, brother; Elena Teodorescu, his wife; Doina Teodorescu, 13, their daughter; of Strada Sapunari Nr. 4, Ploiesti Romania. The Security of Ploesti City will not give them the application forms for exit visas. They are the relatives of Mr. Dinu Teodorescu of New York.

3. Florea Berbecaru, brother; Florica Berbecaru, his wife; Aurelia Berbecaru, 14, their daughter; Ioan Berbecaru, 17, their son; of Satul Serboleni, Comuna Buzoiesti, Judetul Arges. Hostage relatives of hunger striker Ioan Munteanu from New York.

4. Angela Gall, mother; Mihai Gall, father; of Strada Ciucea L. Bloc p. 16, Ap. 33, Sector 4, Bucharest. Hostage relatives of hunger striker Mrs. Adriana Stoica of New York.

5. Cornelia Mateescu, mother, of Bulevardu I. Muncii 8, Sector 4, Bucuresti; Daniela Stancu, sister, Constantin Stancu, her husband; Bogdan Stancu, their

son; Alin Sebastian Stancu, their son; of Strada Emil Racovita 29-31 Bloc L E M Sector 5, Bucuresti. Relatives of the Hunger Striker, Mrs. Ioana M. Teescu of New York. They were arrested by Security because they visited the Romanian dissident writer, Paul Goma, and signed the Memorandum for family reunion.

6. Mioara Graur, wife; Melania Graur, daughter; of Strada Caporal Dumitru, 68, Ploesti, Judetul Prahova (the Security of Ploesti City will not allow them application forms for exit visas); Ana Botan, mother; Elisei Botan, brother, with his family; Caita, Mandrea Serafim, nephew with his family; of Strada Traian Vuia 12, Petrila, Judetul Hunedoara. Hostage relatives of hunger striker Mr. Avam Botan of 18-17 Palmeta St., Ridgewood, Brooklyn, N.Y. 11227.

7. Ilie Tutuianu and Ilie Meleasa, cousins of Bulevardul Gheorghe Dimitrov, 124 Bloc G 5, Sector 3, Bucuresti; Arsavir Actarian, of Piata Dorobantilor 3, Sect. 1, Bucuresti. Hostage Relatives of Hunger Striker Mr. George Fara of 20 Harwey Street, New Brunswick, New Jersey, 08901.

8. Gabriela Teodorescu, sister; Liviu Teodorescu, husband; Dan Cristian, son; of Strada Virgiliu 15, Sector 7, Bucuresti. Relatives of Mrs. Valeria Secu.

9. Florian Bebelea, son, 20; Marcela Bebelea, daughter, 19; of Strada Oltet Nr. 6, Brasov. Relatives of Hunger Striker, Mrs. Irrina Bebelea.

(Mr. Brutus Coste, of the Truth About Romania Committee, submitted a reprint of his statement to the Trade Subcommittee of the House Ways and Means Committee's September 14, 1976 hearing on extension of Most-Favored-Nation status to Romania. The full text of that hearing may be obtained from the Government Printing Office, Jacket 78-421 O.)

CONSTANTIN RAUTA,
Washington, D.C., March 11, 1977.

HON. DANTE B. FASCELL,
Chairman, Commission on Security and Cooperation in Europe, U.S. Congress,
Washington, D.C.

DEAR MR. CHAIRMAN: My name is Constantin Rauta, I am an Electronic Engineer, a Romanian and a U.S. resident.

I respectfully request permission to present to the Commission a grave violation by the authorities of the Socialist Republic of Romania, of the Final Act of the Conference on Security and Cooperation in Europe and the Universal Declaration of Human Rights.

I also respectfully request that this violation be presented at the Follow-up Conference on Security and Cooperation in Europe at Belgrade in this summer.

I love my country, Mr. Chairman, and I respect my people, but I reject the tyranny in which Romanian people are forced to live and the dictatorial regime in which the individual is considered and treated as a slave.

Although the Human Rights Declaration stipulates at Article 14, that everyone has the right to seek and enjoy in other countries political asylum. Mr. Nicolae Ceausescu, Chairman of the Romanian Communist Party, considers it a crime to refuse to live in the society he created and a personal offense to seek political asylum.

Because in the past and at the present in Romania, with the exception of the "new class", that is, the ruling class, no Romanian can travel abroad without leaving behind a family member usually a spouse or children, to serve as hostages and to "guarantee" that he (she) returns to the communist regime detrimental to the development of human beings, I did not have the possibility to emigrate or to travel abroad together with my family. Therefore, I was forced to ask for political asylum with the occasion of official travel to the United States.

For my request of political asylum in the United States, Mr. Ceausescu ordered my family be punished. Because of my request, he ordered that my son be denied the right to see his father, that my wife be denied the right to see her husband.

It is now more than three years since my family, including my old and beloved parents have suffered continued harassment and persecution by the authorities and Mr. Ceausescu's secret police. Contrary to all human decency, *my family is punished because of my political position.*

For the past three years my wife and son have been denied exit visas without any legal explanation and held hostage in Romania in clear violation of Basket III of the Final Act, Chapter 1, Provision (a) and (b) (Appendix I A) and Human Rights declaration, Art. 13.

None of my relatives (parents, brothers, sisters, etc.) were allowed to travel abroad and they were informed that they will never leave Romania, in complete violation of provision (a) and (d) of Chapter 1, Basket III of Final Act, and Art. 13 of United Nations Human Rights Declaration.

Just two weeks after Mr. Ceausescu signed the Final Act, in August 1975, my wife was physically prevented from entering the United States Embassy in Bucharest where she was seeking help in obtaining a passport and exit visa to emigrate to the United States.

She was held at that time two days in a jail with the divorce papers in front of her and threatened with physical torture if she did not sign the divorce papers. My wife refused to sign and up to this date, she is still asking for exit visas for herself and our son.

Besides the violation of Diplomatic Convention from Vienna by preventing my wife to visit the U.S. Embassy, this act of Mr. Ceausescu's regime is a clear indication that Mr. Ceausescu did not intend from the beginning, to fulfill the human rights provision of Final Act, namely Principle VII, Respect for human rights and fundamental freedoms and Principle X—Fulfillment in good faith of obligation under international law.

The continued harassment of my family by secret police, especially the harassment of my wife, strains her morale and health to the point of danger; contrary to the article 5 of Human Rights Declaration.

Mr. Chairman, I love my wife very much and my son, and I am ready to do everything possible to save them from this cruel and unusual punishment for my desire of freedom. An eventual return to Romania will put them in more and immediate danger.

On behalf of a four year old child and his mother I am appealing to you, Mr. Chairman, and to your Commission, and I appeal to the people of the United States (Appendix I A & B). I am appealing to you to investigate or to check the treatment of my family by the authorities of the Socialist Republic of Romania and to inform the Follow-up Conference about the injustices and the gross violation of Human Rights and the Final Act provisions in the case of my wife and son. And I urge you to listen to so many other Romanians who suffer inhuman treatment from Mr. Ceausescu's regime, to take into consideration the pledge of Mr. Paul Goma and other Romanians who seek freedom and justice.

AN APPEAL TO THE PEOPLE OF THE UNITED STATES

DEAR CITIZEN: Please help me save my wife and child you can see in the picture. For the past three years they have been held hostages in Romania because I refused to live in a communist society and I cannot return.

Mr. Ceausescu, chairman of the Romanian Communist Party, ordered that my family be destroyed as an example to other Romanians who are seeking human rights and freedom.

If you believe that *no one* has the right to interfere with your family, to hold your wife and child hostages for political or any other reasons, to harass or punish your parents, brother, or sister for your beliefs, ideas or decisions, and if you believe that Mr. Ceausescu has no right to destroy my family or any other family, please stand up for human decency!

At the present, with the exception of the ruling class, no Romanian can travel abroad without leaving behind a family member, usually a spouse or children, to serve as hostages and to "guarantee" that he (she) returns to the communist regime which is detrimental to the development of human beings.

You can help to reunite my family by writing or calling the Socialist Republic of Romania Embassy here in Washington, D.C. (Tel: AD 2-4747; AD 2-4748; 232-4749; or 232-6534). And to express your concern about such inhuman acts and to ask, for the immediate release of my wife *Ecaterina Rauta* and my son *Mihai Rauta* from Bucharest, Romania. You can stand up for human decency by writing to the President of the United States and asking him to terminate financial and economic aid to the communist regime of Mr. Ceausescu, or by writing to your Senator or Congressman, asking them to terminate the "most-favored Nation" treatment for a regime which denies the basic human rights.

Gratefully,

CONSTANTIN RAUTA.

AN OPEN LETTER TO PRESIDENT GERALD FORD, NOV. 25, 1975

Mr. President, today is a family holiday, but I sit alone in my room. I have sat thus, here in the United States, during three Thanksgivings, Christmases, Fourth of Julys, and New Years. I am unable to enjoy that simple, natural happiness that is without equal—the happiness to be with my family. It is now three years since Mr. Nicolae Ceausescu, Chairman of the Romanian Communist Party, ordered that my son be denied the right to see his father, that my wife be denied the right to see her husband. Three years since my family, including my old and beloved parents, have suffered continued harassment and persecution contrary to all human decency, contrary to the "Universal Declaration of Human Rights", a United Nations document which the Romanian Communist regime has signed.

A few moments ago, Mr. President, I heard on the radio that you were with your family at Camp David enjoying a much-earned respite in the presence of your loved ones, and I thought I would write to you.

I want, first of all, to wish you many happy and healthy years and many happy moments with your family.

And I want to write you about my family.

I have a delightful wife, Ecaterina, who is the most beautiful and wonderful woman in the world. I love her and she loves me. I felt tears in her eyes a few days ago when she told me on the phone how much she wanted us to be just one day together again.

We are very proud of our son Mihai you can see in the picture. I remember how happy I always was when I had a chance to carry him in my arms, but now my son knows me only from pictures and as a voice on the phone.

I am Romanian, Mr. President, I love my country and I respect my people, but I reject the tyranny in which Romanian people are forced to live and the communist society in which the individual is considered and treated as a slave who must be exploited in his work and denied his rights. Although the Human Rights Declaration stated that "everyone has the right to leave any country including his own" and that "everyone has the right to seek and to enjoy in other countries asylum from persecution", Mr. Ceausescu considers it a crime to refuse to live in the society he created.

Because I refused to live in that society and left with the occasion of official travel in the United States, Mr. Ceausescu ordered that my family be destroyed as an example to other Romanians who are seeking human rights and freedom.

What is, Mr. President, the difference between the terrorists who seek political or financial gain by holding individuals against their will, and Mr. Ceausescu who is holding families of thousands of Romanians living abroad? It is ironic that in this century of space flights and computers, the embassies of the Romanian communist regime, including the Washington embassy, traffics in human beings by setting prices (up to \$10,000 as has been documented in hearings before the Committee on Finance, U.S. Senate, June 6, 1975, page 180), for head of children, spouse, parents, brothers and sisters of Romanians living abroad.

I respectfully submit, Mr. President, that it is regrettable that such a man responsible for such inhuman acts was received at the White House to the strains of the National Anthem. And that you have decided to aid the Bucharest communist regime economically and financially by granting the "most-favored nation" treatment. The Romanian people do not benefit from this aid; the communist regime does.

Such support only serves to reward and unwittingly encourage Mr. Ceausescu to continue his practice of violating human rights. I cannot help but believe that it was this encouragement that caused the Bucharest regime to violate the rights of the U.S. embassy there to have free access to the Romanian citizens, to ignore, at the point of rudeness, the letters and inquiries of many senators and congressmen concerned with injustices such as those against my family.

Mr. President, I feel that it is a misguided view that economic and financial aid to Mr. Ceausescu's communist regime will change its dictatorial nature or can help Romania to get out from under Soviet Trusteeship.

This policy has not achieved freedom and the realization of human rights in Romania—an ideal to which the people of the United States I think are committed.

Before this coming January 20, you have the power under the law to terminate economic aid and financial credits to the Romanian communist regime. I urge you to consider taking such action most seriously.

I also urge you as a husband and father to similarly consider the plight of my family and the others suffering separation and to express your concern to the Romanian authorities.

With deep appreciation for your time and consideration, I remain.

Respectfully yours,

CONSTANTIN RAUTA.

(Translated in English, December 15, 1976, Washington, D.C.)

NEW YORK, N.Y., February 16 1977.

To: Hon. DANTE B. FASCELL,
Chairman,
Helsinki Commission.

DEAR SIR: We would like to ask for your humanitarian support in a problem regarding the violation of human rights in a communist country.

Our mother and mother-in-law, Elena Dimitrov, is living in Romania, Str. 30 Decembrie No. 7, village Ocnita, town Ocnele Mari, Judet Valcea. She is 74 years old, suffering from a serious diabetes mellitus and osteoarthritis. In addition, the last time, she got a kind of desperation that "she is going to die and she will see no more, before, her daughter".

The last year, Sept., we sent to her an invitation to visit us (for 3 months) and getting, also, a medical treatment in New York. We sent also to her an affidavit of support while she will stay in the U.S.A., as well as the ticket for the travel (see the enclosed copies).

She applied for the passport but after going back and forth some months, the communist officials told her that they do not take into consideration her application unless we deposit in their bank \$10-15, as . . . so called "travel expenses". (What kind of "expenses", when we payed everything?). We sent a money order of \$10, in Nov. 1976 and she was told to wait for her passport.

Other months passed and now they rejected her application on the "ground" that . . . we did not give our former Romanian passports (for Czechoslovakia, 1969), to the Communist Romanian Embassy, in Washington, D.C. First of all we have no more those passports. But above all, what could be the relations between those former forgotten passports of ours and the human right of that woman in obtaining a passport to visit a close relative in the U.S.A., and get a medical treatment? These are only cavils and harassments in order to discourage people to ask for passports, for their elementary human rights. The "independent" Communist Romanian Government signed Helsinki's agreements and it is continuously flouting human rights provisions.

As for our mother, her conditions became critical after that rejection of the passport. The only hope of her life was "to see for the last time her daughter"; now they took her last hope.

Dear Sir, please, give to her your humanitarian assistance. She is living in terror, she has a miserable life, she is underfed, she is suffering and she has no right to complain, to talk about.

Please, help her to get, at least, the human right to see her daughter.

Thank you.

Please, use the above statement as our true testimony for the Public Hearing of Helsinki Commission, on March, 10th 1977.

Sincerely yours,

DUMITRU MARIN, M.D.
COSTANTA MARIN,

GREAT NECK, N.Y., February 22, 1977.

To: Hon. Dante B. Fascell.
From: ALEXANDRIA MELEASA,
The Helsinki Commission,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN FASCELL: I want to take the opportunity of the Public Hearings you have on March 15, 17 to make the following statement to be used against the Romanian Government who does not comply with the Helsinki 1975 Agreement.

I have a son in Romania, Nicolae Meleasa, living at:

Str. Siret, nr. 15, Sector 8, Bucharest, who has tried for the past year (since March 1976) to apply for an exit visa to emigrate to the United States, to join me and my other son here.

So far he has not been able to apply, because the Militia Office of Sector 8 in Bucharest keeps refusing to handle him the necessary forms for exit visa application. To release the forms, the Militia Office asked my son to bring in addition the approval of his employment, and this includes: all his fellow-workers, the worker's Union, the party organization in the company, and the Company Management.

In addition he is continuously threatened that he will lose the right to live in the house we have in Bucharest if I do not return back to Romania. Anyway, the house where my son is presently living, is in process to be confiscated by the Romanian Government, because I do not want to return back to Romania.

My above statement illustrates that the Romanian Government has no intention to comply with the 1975 Helsinki Agreement.

Sincerely yours,

ALEXANDRA MELEASA,

To: Hon. Dante B. Fascell.

From: Gheorghe Fara, South Plainfield, N.J.

*The Helsinki Commission,
U.S. House of Representatives,
Washington, D.C.*

DEAR CONGRESSMAN FASCELL: I am Gheorghe Fara, a U.S. permanent resident (A-19-567-306) to become an American citizen next year in 1978.

I have tried several times for the past three years to have some of my relatives visit me here in the United States. They are:

1. Ilie Tutuianu, cousin, living at: Bd. Sh. Dimitrov nr. 121, Block G5, apt. 24, Sector 3, Bucharest, Romania;

2. Mircea Meleasa, cousin, living at: Str. Emil Botnarus nr. 43, Block P-13, apt. 38, Sector 7, Bucharest, Romania.

My present statement has the purpose to demonstrate that there is no right of travel observed by the Romanian Government, even though this right is guaranteed by the 1975 Helsinki agreement.

All my efforts here and their attempts in Romania to get an exit visa to travel to the United States have been in vain. For the past three years they could not even get the forms from the local Militia office to apply for a passport. The local Militia office people told them that they do not have the form and they should try some other time. When the office had the forms, my cousins were asked to bring first the approval for traveling from their company.

Ilie Tutuianu had tried for two years to get the company approval and finally he got it last December, so that he forwarded the application for the exit-visa in December 1976. So far the exit-visa has been denied to him without any official reason whatsoever.

Mircea Meleasa has been unable to get his company approval to travel, because there are too many people involved. His fellow workers have to agree in a public meeting with his traveling in a capitalistic country, then the Union, then the Company Management, then the local Party organization. So far it has not been a meeting of minds of so many people, and Mircea Meleasa, my cousin did not get the application forms.

On February 2, 1977, I met accidentally Consul Gaspar from the Romanian Embassy in Washington, while waiting in the Kennedy Airport, and I asked him why it is not possible for my cousins to get the exit visa; after telling me the stereo-type sentence that everybody in Romania is free to apply he got quickly into his car and drove away.

Please use my true testimony to prove that Romania does not respect the right of travel of its people, that there are all kinds of methods of intimidation to discourage people to travel, such as public meetings of hard criticism at one's job, threats of losing the job, etc.

Sincerely yours,

GEORGHE FARA.

JACKSON HEIGHTS, QUEENS, N.Y., March 11, 1977.

To: Hon. Dante B. Fascell.

*The Commission on Security and Cooperation in Europe,
House Annex 2, Rm. 2257,
Washington, D.C.*

DEAR MR. CHAIRMAN: I, Manuela Colban, employed with Columbia Broadcasting System in N.Y.C., want to take the opportunity of the Public Hearings to be held on March 15 by the Commission on European Security and Cooperation, to make the following statement:

I arrived in the United States the summer of 1974 to marry my fiance and applied for U.S. naturalization. At present time I still have the following first degree relatives in Romania: Victoria Bardeanu, 59, mother, widow since 1974, Dina Gabriela Bordel, 31, sister, with son, Alexandru, 5.

I would like to bring the rest of my family to join me here in the United States.

Three days after I left the country, my father died of a heart attack.

The building in which my family lived together was destroyed during the last week's earthquake and at present they are left without a home.

More than ever before I am determined to bring them to join me here. My mother succeeded to submit her application for an exit visa, but so far received no answer. My sister has not been able as yet to forward her application forms for the same visa.

We all want to be reunited, but it seems extremely difficult. We all appeal to your office to use your influence to persuade the Romanian Government to speed up the formalities for my family visas, especially now, when after the earthquake disaster, they have no place to live.

Respectfully yours,

MANUELA COLBAN.

LETTER TO HON. DANTE FASCELL,
Chairman of the Helsinki Commission

WASHINGTON, D.C., March 1, 1977.

DEAR SIR: This short statement is prepared on behalf of my brother ION DIMA and his family, citizens of Romania, who wish to leave Romania and come as immigrants to the United States; as well as on behalf of all those Romanians who desire to leave Romania in dignity and build a new life in dignity in the United States.

My name is Nicholas Dima. I am an eastern orthodox christian and ethnic Romanian. Though I am now an American citizen I love dearly my native Romania and I will probably always feel attached to it. Yet, I had to leave it as many others attempt to leave it now.

I never liked the oppressive attitude toward elementary human rights of the former government of Communist Romania, and I do not trust it at present, either. Hundreds of cases of recent disregard for human rights and interference by the present Romanian government with the right of many Romanians to reunite with family abroad make me appeal to you and bring to your attention a personal case.

I came to the United States in 1969 and became an American citizen in 1974. In this country, I worked hard, I studied and acquired a PhD at Columbia University in New York; I worked as a professor, and eventually I was employed by the Federal Government in Washington, D.C.

Among other first degree relatives whom I have in Romania, is my brother ION DIMA, age 48, his wife SEVASTITA DIMA, age 49, and their son of 8 CRINU DIMA; who wish to join me as immigrants in the United States. They all live in BUCHAREST, SECTOR I, CALEA FLOREASCA 126.

Though they have been granted the necessary immigration visas by the Washington Immigration and Naturalization Service in December 1976, I understand that they encounter difficulties in obtaining an exit visa from the Romanian authorities in Bucharest. Along the same lines, I wrote to several U.S. Senators; I brought the case to the attention of the State Department, and I wrote to the U.S. Consul in Bucharest, but with no practical results by now.

I would like to offer to you at this point several facts about my brother ION. When he was 25 and a student at Bucharest University, he was involved in political activities considered against the "communist state," and sentenced to 20 years in prison. Consequently, he spent ten awful years in the political prisons of communist Romania, eventually being freed in 1964. In prison, he was sub-

ject to unbelievable cruel treatment and brainwashing. After he was freed, however, he married; he worked extremely hard; he studied night time, at Bucharest Polytechnic Institute and became an engineer. Now, however, having me in the United States, he wishes to emigrate and join me, together with his family, in this democratic country. It appears, nevertheless, that without strong outside intervention, the Romanian authorities are not willing to let him emigrate. This is why I appeal to you, asking you to intervene on my brother's behalf, as well as on the behalf of all those Romanians desiring to emigrate or visit their relative abroad. Your kind intervention, in any way you find most appropriate would be extremely appreciated and helpful.

Sincerely yours,

NICHOLAS DIMA.

(Please find enclosed a copy of the approval for immigration in the United States on my brother's name Ion Dima.)

UNITED STATES DEPARTMENT OF JUSTICE
IMMIGRATION AND NATURALIZATION SERVICE

NOTICE OF APPROVAL OF RELATIVE IMMIGRANT VISA PETITION

NAME AND ADDRESS OF PETITIONER

Nicholas Dima
50 REV USER II
#107 215 E ST, S.E.
WASH. D.C. 20003

NAME OF BENEFICIARY ION DIMA	
CLASSIFICATION 26-365	FILE NO.
DATE PETITION FILED 11-17-76	DATE OF APPROVAL OF PETITION 12-6-76

Your petition has been approved and is valid for the duration of your present relationship to the beneficiary.

Please be advised that approval of the petition confers upon the beneficiary an appropriate classification. The approval constitutes no assurance that the beneficiary will be found eligible for visa issuance, admission to the United States or adjustment to lawful permanent resident status. Eligibility for visa issuance is determined only when application therefor is made to a consular officer; eligibility for admission or adjustment is determined only when application therefor is made to an immigration officer. Also please note the items below which are indicated by "X" marks concerning this petition:

- ☐ YOUR PETITION TO CLASSIFY THE BENEFICIARY AS AN IMMEDIATE RELATIVE OF A UNITED STATES CITIZEN HAS BEEN FORWARDED TO THE UNITED STATES CONSULATE AT BUCHAREST, ROMANIA. THIS COMPLETES ALL ACTION BY THIS SERVICE ON THE PETITION. THE UNITED STATES CONSULATE, WHICH IS UNDER THE SUPERVISION OF THE DEPARTMENT OF STATE, WILL ADVISE THE BENEFICIARY CONCERNING VISA ISSUANCE. Inquiry concerning visa issuance should be addressed to the Consul. This Service will be unable to answer any inquiry concerning visa issuance.
- ☐ IF YOU BECOME NATURALIZED AS A CITIZEN OF THE UNITED STATES AND AN IMMIGRANT VISA HAS NOT YET BEEN ISSUED TO THE BENEFICIARY, NOTIFY THIS OFFICE IMMEDIATELY, GIVING THE DATE OF YOUR NATURALIZATION. AT THE SAME TIME, IF THE PETITION WAS IN BEHALF OF YOUR SON OR DAUGHTER, ALSO ADVISE WHETHER THAT PERSON IS STILL UNMARRIED. THIS INFORMATION MAY EXPEDITE THE ISSUANCE OF A VISA TO THE BENEFICIARY.
- ☐ YOUR PETITION FOR PREFERENCE CLASSIFICATION, AS SHOWN ABOVE, HAS BEEN FORWARDED TO THE UNITED STATES CONSULATE AT BUCHAREST, ROMANIA. THIS COMPLETES ALL ACTION BY THIS SERVICE ON THE PETITION. THIS SERVICE HAS NOTHING TO DO WITH THE ACTUAL ISSUANCE OF VISAS. VISAS ARE ISSUED ONLY BY UNITED STATES CONSULS WHO ARE UNDER THE JURISDICTION OF THE U.S. DEPARTMENT OF STATE. UNDER THE LAW ONLY A LIMITED NUMBER OF VISAS MAY BE ISSUED BY THAT DEPARTMENT DURING EACH YEAR AND THEY MUST BE ISSUED STRICTLY IN THE CHRONOLOGICAL ORDER IN WHICH PETITIONS WERE FILED FOR THE SAME CLASSIFICATION. IF, BY THE END OF THE YEAR, THE QUOTA HAS BEEN REACHED, THE UNITED STATES CONSUL WILL INFORM HIM AND CONSUMER OF THE VISA. Inquiry concerning visa issuance should be addressed to the Consul. This Service will be unable to answer any inquiry concerning visa issuance.
- ☐ THE APPROVAL OF THE PETITION IS CONDITIONED UPON THE BENEFICIARY BEING ACCOMPANIED TO THE UNITED STATES BY THE PARENT OR SPOUSE THROUGH WHOM IT IS CLAIMED THE BENEFICIARY IS CHARGEABLE TO A COUNTRY IN THE EASTERN HEMISPHERE OR A DEPENDENT AREA AND, IF SUCH PARENT OR SPOUSE IS NOT A LAWFUL PERMANENT RESIDENT ALIEN, IN OR IN THE ISSUANCE OF AN IMMIGRANT VISA TO SUCH PARENT OR SPOUSE, PROVIDED TO PROVIDE THAT SUCH VISA MADE SIMULTANEOUSLY WITH THE BENEFICIARY.
- ☐ THE PETITION STATES THAT THE BENEFICIARY IS IN THE UNITED STATES AND WILL APPLY TO BECOME A LAWFUL PERMANENT RESIDENT. THE ENCLOSED APPLICATION FOR THIS PURPOSE (FORM I-485) SHOULD BE COMPLETED AND RETURNED BY THE BENEFICIARY WITHIN 30 DAYS OF ACCOMPANYING WITH THE INSTRUCTIONS CONTAINED THEREIN. IF THE BENEFICIARY HAD PREVIOUSLY SUBMITTED FORM I-485 WHICH WAS RETURNED TO HIM, HE SHOULD SUBMIT THAT FORM WITHIN 30 DAYS.
- ☐ THE BENEFICIARY WILL BE INFORMED OF THE DECISION MADE ON HIS PENDING APPLICATION TO BECOME A LAWFUL PERMANENT RESIDENT (FORM I-485).
- ☐ THE PETITION STATES THAT THE BENEFICIARY IS IN THE UNITED STATES AND WILL APPLY TO BECOME A LAWFUL PERMANENT RESIDENT. HOWEVER, IF IMMIGRANT VISA NUMBER IS NOT PRESENTLY AVAILABLE, THE OFFICE, THE BENEFICIARY MAY NOT APPLY TO BECOME A PERMANENT RESIDENT.
- ☐ SINCE THE BENEFICIARY IS A NATIVE OF THE WESTERN HEMISPHERE, HE IS ELIGIBLE TO OBTAIN A LAWFUL PERMANENT RESIDENT OTHER THAN BY OBTAINING FROM THE UNITED STATES AND REENTERING IN POSSESSION OF AN IMMIGRANT VISA ISSUED BY AN AMERICAN CONSUL.
- ☐ ORIGINAL DOCUMENTS SUBMITTED IN SUPPORT OF YOUR PETITION UNACCOMPANIED BY COPIES THEREOF HAVE BEEN MADE A PERMANENT PART OF THE PETITION. ANY CHANGES ARE REFLECTED HEREWITH.

0 ☐ REMARKS

VERY TRULY,
Joseph R. Mongiello
DISTRICT DIRECTOR

SOUTH PLAINFIELD, N.J., March 10, 1977.

HON. DANTE B. FASCELL,
Chairman, Helsinki Commission,
Washington, D.C.

DEAR SIR: In 1968 I escaped from Communist Romania and in 1969 I was legally admitted to the U.S.A. In 1973 I renounced my Romanian citizenship, and since 1975 I am a naturalized U.S. citizen. In 1976 I filed a petition with the Immigration and Naturalization Office on behalf of my mother Maria Muntean, the petition being approved on October 11, 1966. [petition attached below].

In Romania, my mother, after years of intimidation and harassment by the local authorities, was allowed to apply for a passport and exit visa. Her first petition was received by the passport bureau on July 9, 1976. She was called back for questioning to various branches of Government and Secret Police several times, last time that I know being January 25, 1977.

On March 9, 1977, in a telephone conversation, I learned that she did not get any answer, although the "legal" term to answer a petition designated by the Romanian "law" has expired.

My case was listed under the number 99 in the "Résumé of the Testimony of Very Reverend Father Florian M. Galdan, Chairman of the American-Romanian Committee for Assistance to Refugees", page 232 of the Hearing before the Subcommittee on International Trade of the Committee on Finance, U.S. Senate, of September 8, 1976.

I am especially worried about her security and well being since, according to *New York Times* of February 18, 1977, a new wave of terror is under way in Romania; all would-be emigrants were denounced as "traitors to Romania".

The recent earthquake, came to add more to the suffering of the people in Romania, and to my family since their house was badly damaged.

Gentleman, I am urging you to use your influence and determine the Romanian Government to allow my mother Maria Muntean of 27 Teodor Aman, Bucharest to join me here, after 9 years of separation.

Sincerely yours,

MIHAI A. VINATORU.

[The newspaper article and petition Mr. Vinatoru refers to follows:]

[From the New York Times, Feb. 18, 1977]

ROMANIA SEIZES LEADING DISSIDENTS; CEAUESCU TERMS THEM 'TRAITORS'

BUCHAREST, ROMANIA, Feb. 17.—A number of well-known campaigners for human rights were arrested here today as President Nicolae Ceausescu delivered a speech denouncing dissidents and would-be emigrants as traitors to Romania.

Among the first to be taken into custody were Paul Goma, a novelist, and other signers of an appeal for greater respect for the human rights guaranteed by the Romanian Constitution. Before the arrests began, the authorities disconnected the telephones of various critics of the Government.

The extent of the roundup was not immediately known, but from the tone of the President's speech, delivered at a meeting of Communist Party secretaries here and broadcast nationally, it appeared that the Government intended to crack down hard.

The arrests began three days after the Romanian human rights appeal became publicly known.

[In Moscow, the dissident physicist Andrei D. Shakharov showed reporters a letter he had received from President Carter assuring him of the "firm commitment" of the United States to human rights. Page 3.]

The appeal, described by its signers as the first to be made in Romania, was addressed to the 35 countries that signed the 1975 Helsinki accords—West European and East European nations plus the United States and Canada. They were asked to use their good offices to persuade the Romanian Government to honor the country's constitutional guarantees.

Like dissidents and campaigners for human rights in other East European countries such as Czechoslovakia, East Germany and the Soviet Union, where critics of the Government have also been arrested recently, the Rumanians, who signed the appeal, are looking forward with hope to an East-West conference to be held in Belgrade, Yugoslavia, in June.

The countries that participated in the Helsinki conference of 1975 are due to assess at Belgrade how the accords on East-West cooperation, including pledges of respect for fundamental freedoms, have been carried out.

President Ceausescu referred to this in his speech as he charged that "some circles are attempting to use the Helsinki Final Act to interfere in the internal affairs of other nations."

He applied the term "traitor" to Rumanian citizens seeking to emigrate and to "those carrying on propaganda against this country."

Unlike the recent Czechoslovak human-rights manifesto known as Charter 77, which had hundreds of signers, the Rumanian appeal has only 15 signatures. A spokesman for the Rumanian Foreign Ministry commented during the day that the Belgrade meeting could become a "pointless forum of polemics" if such appeals are introduced, but he said felt certain the meeting would be held in any case.

The homes of those Rumanians who were seized today were cordoned off by policemen, and no contact could be made with anyone in the areas involved. Policemen barred all access, for example, to the new housing development on the outskirts of Bucharest where Mr. Goma, the 42-year-old novelist who writes on political themes, has a small apartment.

It was believed that Mr. Goma's wife had also been arrested, but it was not clear what had happened to the couple's year-old-son.

Others apparently arrested today included Sergiu Manoliu, a 24-year-old artist, his mother, Carmen Maria Manoliu, and Adalbert Feher, a would-be emigrant, all signers of the Rumanian appeal.

SOME DISSIDENTS GET EXIT VISAS

In the last week, Rumanian authorities have issued exit documents to several dissidents, including Mr. Manoliu and his mother, and to two other signers of the appeal, Erwin Gesswein and his wife, both ethnic Germans.

Mr. Goma has said he does not intend to leave Rumania even if a passport should be issued to him. He has also expressed his intention to continue public criticism of conditions here, even at the risk of imprisonment. He has served in prison for three years on political charges.

The apartment building in which the Manolius live was sealed off from outside callers tonight. Policemen examined and recorded the identity documents of all who sought entry including a representative of the French Embassy and this correspondent.

Callers were told that no one was permitted to enter the building during the course of a "congress" being held across the street in the city's Congress Hall. It did appear that a meeting of the Rumanian Communist Party had been convened in the building.

President Ceausescu is scheduled to begin a tour of several African countries this weekend, and diplomats believe that his speech today may have concided with the opening of the party meeting.

APPENDIX—EXCERPTS FROM THE FINAL ACT OF THE CONFERENCE
ON SECURITY AND COOPERATION IN EUROPE RELATING TO FAMILY
REUNIFICATION AND BINATIONAL MARRIAGE

VII, *Respect for human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief.*—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.

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.

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 participating States recognize the universal significance of human rights and fundamental freedoms, respect for which is an essential factor for the peace, justice and well-being necessary to ensure the development of friendly relations and co-operation among themselves as among all States.

They will constantly respect these rights, and freedoms in their mutual relations and will endeavor jointly and separately, including in co-operation with the United Nations, to promote universal and effective respect for them.

They confirm the right of the individual to know and act upon his rights and duties in this field.

In the field of human rights and fundamental freedoms, the participating States will act in conformity with the purposes and principles of the Charter of the United Nations and with the Universal Declaration of Human Rights. They will also fulfil their obligations as set forth in the international declarations and agreements in this field, including inter alia the International Covenants on Human Rights, by which they may be bound.

X. *Fulfillment in good faith of obligations under international law.*—The participating States will fulfil in good faith their obligations under international law, both those obligations arising from the generally recognized principles and rules of international law and those obligations arising from treaties or other agreements, in conformity with international law, to which they are parties.

In exercising their sovereign rights, including the right to determine their laws and regulations, they will conform with their legal obligations under international law; they will furthermore pay due regard to and implement the provisions in the Final Act of the Conference on Security and Co-operation in Europe.

The participating States confirm that in the event of a conflict between the obligations of the members of the United Nations under the Charter of the United Nations and their obligations under any treaty or other international agreements, their obligations under the Charter will prevail, in accordance with Article 103 of the Charter of the United Nations.

CO-OPERATION IN HUMANITARIAN AND OTHER FIELDS

The participating States,

Desiring to contribute to the strengthening of peace and understanding among peoples and to the spiritual enrichment of the human personality without distinction as to race, sex, language or religion,

Conscious that increased cultural and educational exchanges, broader dissemination of information, contacts between people, and the solution of humanitarian problems will contribute to the attainment of these aims,

Determined therefore to co-operate among themselves, irrespective of their political, economic and social systems, in order to create better conditions in the above fields, to develop and strengthen existing forms of co-operation and to work out new ways and means appropriate to these aims,

Convinced that this co-operation should take place in full respect for the principles guiding relations among participating States as set forth in the relevant document.

Have adopted the following:

1. HUMAN CONTACTS

The participating States,

Considering the development of contacts to be an important element in the strengthening of friendly relations and trust among peoples,

A firming, in relation to their present effort to improve conditions in this area, the importance they attach to humanitarian considerations,

Desiring in this spirit to develop, with the continuance of détente, further efforts to achieve continuing progress in this field,

And conscious that the questions relevant hereto must be settled by the States concerned under mutually acceptable conditions,

Make it their aim to facilitate freer movement and contacts, individually and collectively, whether privately or officially, among persons, institutions and organizations of the participating States, and to contribute to the solution of the humanitarian problems that arise in that connexion,

Declare their readiness to these ends to take measures which they consider appropriate and to conclude agreements or arrangements among themselves, as may be needed, and

Express their intention now to proceed to the implementation of the following:

(a) *Contacts and Regular Meetings on the Basis of Family Ties.*—In order to promote further development of contacts on the basis of family ties the participating States will favourably consider applications for travel with the purpose of allowing persons to enter or leave their territory temporarily, and on a regular basis if desired, in order to visit members of their families.

Applications for temporary visits to meet members of their families will be dealt with without distinction as to the country of origin or destination: existing requirements for travel documents and visas will be applied in this spirit. The preparation and issue of such documents and visas will be effected within reasonable time limits; cases of urgent necessity—such as serious illness or death—will be given priority treatment. They will take such steps as may be necessary to ensure that the fees for official travel documents and visas are acceptable.

They confirm that the presentation of an application concerning contacts on the basis of family ties will not modify the rights and obligations of the applicant or of members of his family.

(b) *Reunification of Families.*—The participating States will deal in a positive and humanitarian spirit with the applications of persons who wish to be reunited with members of their family, with special attention being given to requests of an urgent character—such as requests submitted by persons who are ill or old.

They will deal with applications in this field as expeditiously as possible.

They will lower where necessary the fees charged in connexion with these applications to ensure that they are at a moderate level.

Applications for the purpose of family reunification which are not granted may be renewed at the appropriate level and will be reconsidered at reasonably short intervals by the authorities of the country of residence or destination, whichever is concerned; under such circumstances fees will be charged only when applications are granted.

Persons whose applications for family reunification are granted may bring with them or ship their household and personal effects; to this end the participating States will use all possibilities provided by existing regulations.

Until members of the same family are reunited meetings and contacts between them may take place in accordance with the modalities for contacts on the basis of family ties.

The participating States will support the efforts of Red Cross and Red Crescent Societies concerned with the problems of family reunification.

They confirm that the presentation of an application concerning family reunification will not modify the rights and obligations of the applicant or of members of his family.

The receiving participating State will take appropriate care with regard to employment for persons from other participating States who take up permanent residence in that State in connexion with family reunification with its citizens and see that they are afforded opportunities equal to those enjoyed by its own citizens for education, medical assistance and social security.

(c) *Marriage between Citizens of Different States.*—The participating States will examine favourably and on the basis of humanitarian considerations requests for exit or entry permits from persons who have decided to marry a citizen from another participating State.

The processing and issuing of the documents required for the above purposes and for the marriage will be in accordance with the provisions accepted for family reunification.

In dealing with requests from couples from different participating States, once married, to enable them and the minor children of their marriage to transfer their permanent residence to a State in which either one is normally a resident, the participating States will also apply the provisions accepted for family reunification.

(d) *Travel for Personal or Professional Reasons.*—The participating States intend to facilitate wider travel by their citizens for personal or professional reasons and to this end they intend in particular:

gradually to simplify and to administer flexibly the procedures for exit and entry;

to ease regulations concerning movement of citizens from the other participating States in their territory, with due regard to security requirements.

They will endeavour gradually to lower, where necessary, the fees for visas and official travel documents.

They intend to consider, as necessary, means—including, in so far as appropriate, the conclusion of multilateral or bilateral consular conventions or other relevant agreements or understandings—for the improvement of arrangements to provide consular services, including legal and consular assistance.

