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ABSTRACT

The Soviet Union (USSR) is a different place from what it was two years ago. The essential nature of these differences is, however, not obvious and the picture remains mixed. Recent developments involving political prisoners, freedom to travel and emigrate, broadcast jamming, and Czechoslovak relations seem to indicate that the Soviet society is at a turning point. It will be apparent whether Soviet society will turn in a positive direction only when predictions become reality, when promises become performance, when gestures become practices, when episodes become patterns, and when isolated steps become a long march. In the view of the United States, implementation is the key element in the entire process. New proposals can be an incentive to implementation; they must not be a substitute for it. In that spirit, the United States and 16 other Western countries have, during the past two weeks, introduced 16 proposals covering the entire human dimension of the Helsinki Final Act. They are focused a single objective: implementation. (BZ)

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The Evolving Soviet Approach to Human Rights

United States Department of State
Bureau of Public Affairs
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Following are addresses by Ambassador Warren Zimmermann, Chairman of the U.S. delegation, before the Conference on Security and Cooperation in Europe (CSCE) followup meeting, Vienna, Austria, on January 27 and February 20, 1987.

JANUARY 27, 1987

Over 5 weeks have passed since our last plenary meeting in Vienna. It is, thus, a good time to take stock, to record what has happened in the intervening period, and to assess its meaning for the obligations undertaken at Helsinki and Madrid.

I begin with a candid assertion: it is idle to assume that significant developments are not unfolding within the Soviet Union.

First, we see a country which seems to be trying to come to grips with its past. It is reported that a Georgian film depicting the evils of Stalinism will soon be shown to the public. It is reported that Boris Pasternak's *Dr. Zhivago* will soon be published in one of the few countries in which it is banned: his own. And it is also reported that Pasternak's house—the house where that great novel was written and where Pasternak's friend, Svyatoslav Rikhter, played the piano from dusk till dawn in homage on the day he died—will soon be opened as a museum. We hope these reports prove to be true because they appear to represent an effort to return to the Soviet people a priceless gift: their own history.

Second, the Soviet press describes what has, heretofore, seemed a contradiction in terms: the arrest of a KGB official for abuse of his official duties.

Third, Soviet cultural authorities are coming to realize that the greatness of Russian culture does not stop at the border. It is reported that the Kirov ballet star, Mikhail Baryshnikov, currently in New York, and the former director of the innovative Taganka Theater, Yuriy Lyubimov, currently in Washington, have been or will be invited to perform again in the Soviet Union.

These examples make an important point—that the Soviet Union is a different place from what it was 2 years ago. But how different? Is what we are seeing superficial or profound? Is it the reality, or just the appearance, of change? The answer is not obvious. The picture remains mixed. Based on events of the past 5 weeks, let me describe that picture as I see it today.

Recent Developments in the Soviet Union and Eastern Bloc

Political Prisoners. In my statement at the end of the first round of the Vienna meeting, I expressed concern that Mustafa Dzhemilev, who had been convicted six times for his work on behalf of his fellow Crimean Tatars, would be resentenced. I am glad to note that Dzhemilev has since been released. But the fate of most other political prisoners in the Soviet Union remains the same. With the death of Anatoliy Marchenko, over 35 Helsinki monitors

remain incarcerated, some in serious physical condition. And yet, these monitors make up only a small percentage of the political prisoners in the Soviet Union. Other human rights monitors, such as those connected with the human rights journal, *The Chronicle of Current Events*, and those who fought for genuine trade union rights, are similarly imprisoned.

Will another Marchenko die in detention? Will it be Anatoliy Koryagin, the courageous psychiatrist who spoke out against the abuses of psychiatry and has been weakened by hunger strikes? Will it be Iosif Begun, a scientist who has already served 9 years for his efforts to preserve the Jewish culture and the Hebrew language? Both are now confined to Chistopol Prison,¹ where Marchenko died. All here have noted Andrey Sakharov's appeal for the release of all political prisoners in the Soviet Union, and we have also noted Ambassador Kashlev's hints to the *New York Times* that there might be a response. May it be soon, may it be all-inclusive, and may it be untrammelled by limits and restrictions which could vitiate its effect.

In the period since this meeting recessed, the existence of a new Helsinki Monitoring Group in the Soviet Union has been confirmed. Calling itself "Helsinki 86," it was formed last summer in the city of Liepaja in Latvia and

¹Koryagin and Begun were subsequently released on February 18 and February 20, 1987, respectively.

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has appealed to Pope John Paul II, to General Secretary Gorbachev, to the Soviet and Latvian Communist Party Central Committees, to the United Nations, to the American delegates at the September 1986 Chautauqua conference in Latvia, and to Latvian "countrymen in foreign lands." The signers of the letter to Mr. Gorbachev said, "We want to believe you that you will build a foundation for a democracy. Everyone will benefit from that, and there will not be any losers." Three of those signers have been reported arrested. The formation, for the first time, of an independent Latvian Helsinki Monitoring Group proves again the dictum of the British historian, Lord Acton, that "progress in the direction of organized and assured freedom is the characteristic fact of Modern History."

Freedom to Travel and Emigrate.

In early January, 50 Soviet emigrants were permitted by the Soviet authorities to return from the United States to the Soviet Union, many after several years of trying. It is understandable that the move from Soviet to American culture—cultures based on such different principles—could cause serious problems of adjustment. If, as the Soviet Foreign Ministry spokesman has said, there are a thousand more in the United States who desire to return, then we can only hope that the Soviet Union will abandon its former practice of treating them as pariahs and will permit them to exercise their right, guaranteed by the Final Act, to leave their country and return to it. After all, a few thousand emigrants desiring to return constitute less than 1% of the 400,000 who have left the Soviet Union in the last decade and a half. We must hope, as well, that the Soviet Government will honor its obligations to allow foreign citizens in the Soviet Union to return to their countries—Abe Stolar, for example: an American in his 70s who has been trying for decades to return his family from Moscow to the United States.

On a related issue, I referred earlier in my remarks to efforts apparently underway to bring back to the Soviet Union cultural figures who had left it. Why not go further and respect their right to leave in the first place and the right of others to leave as well? Last December, I cited the case of Vladimir Feltsman, a brilliant young pianist, whose application to emigrate 7 years ago has cost him the right to perform his musical art in the Soviet Union. Last year, in a letter to General Secretary Gorbachev, Feltsman asked:

Why does the problem of leaving the Soviet Union exist at all? Why do the authorities regard people who, for one reason or another, want to leave the Soviet Union, as virtual traitors? Why can't citizens of the U.S.S.R. leave their country and return to it without hindrance?

Why, indeed?

In the area of family reunification, there has been some progress. Of the American cases announced by Ambassador Kashlev in Bern, three-quarters have been resolved, although it remains a mystery why one-quarter of them are still unresolved after 9 months. During the Vienna recess, favorable decisions were made in several cases, and hints were made about several more. So far, the hints outnumber the decisions. We fail to see why the issues of divided spouses and blocked marriages cannot be settled once and for all. The numbers are not large, but the human cost is heavy. For example, Yuriy Balovlenkov, whose wife lives in Baltimore, Maryland, has now been separated from her for 8 years; he has never seen his younger child.

Many in this room have appealed for Soviet action to enable several Soviet citizens suffering from cancer to seek treatment in the West. Fortunately, those appeals seem to have been heard. Of the five cancer victims frequently named, three have been allowed to leave, and we understand that a fourth, Leah Maryasin, has exit permission. A fifth, Benjamin Charny, is in urgent need of help and—although he has a close relative, a brother, in the United States—he remains in the Soviet Union against his will.

I will refer to one of those cases, in particular, because it illustrates a disturbing paradox in Soviet conduct. Inna Meiman arrived in Washington 8 days ago; she suffers from cancer of the spine, a condition whose extreme seriousness was confirmed last week by the Georgetown University Hospital. Unbelievably, Mrs. Meiman was not allowed to be accompanied by her son, Lev Kittroskiy, and his family or by her husband, Naum Meiman. Naum Meiman is a 75-year-old man, a retired mathematician, and a former Helsinki monitor. He has congestive heart failure and quite possibly suffers from cancer himself. He also has an American citizen daughter living in the United States, a fact that qualifies him for emigration even under the most restrictive interpretation of the new Soviet legislation. The reason given for his many visa denials is that he did classified work 30 years ago; for that "reason," an old, sick man is not permitted to join a suffering wife and a daughter in the United States. The

Kafkaesque quality of this story can only make one wonder how much has really changed in the Soviet Union.

The end of the year 1986 set a record of sorts in the field of Jewish emigration from the Soviet Union. Those allowed to emigrate numbered fewer than 1,000—under 100 a month, the lowest figure since accurate statistics have been kept. The new Soviet legislation, which took effect January 1, shows no sign of alleviating this crisis in emigration and may even exacerbate it. The law is inherently restrictive, limiting the right to leave to those with close family abroad, and so far, it seems to be being applied restrictively. Applications for exit visas, which were previously at least accepted, are now being refused.

Broadcast Jamming. Finally, in the area of information, the BBC [British Broadcasting Corporation] Russian service has, for the last few days, reached the Soviet Union unjammed. We hope that this is the harbinger of a trend and that the Soviet Union will finally recognize the illegality of jamming by keeping the jammers off the BBC permanently and taking them and keeping them off the Voice of America, Radio Liberty, Radio Free Europe, Deutsche Welle, and the other stations prevented from reaching the Soviet people.

Czechoslovak Developments. A constant concern during our Vienna meeting has been the fate of the members of Charter '77 and of the Jazz Section in Czechoslovakia. Fortunately, in the past several weeks, five members of the Jazz Section have been released from detention. Two, however, remain in prison, and apparently some variety of trial awaits all seven. Thus Czechoslovakia's obligations under the Final Act remain squarely at issue in this sorrowful affair.

Inconclusive Evidence

In closing, let me return to the questions with which I began. We have heard predictions and promises from Soviet officials—on a cultural renaissance, on the release of political prisoners, on genuine openness. They seem to be telling us that Soviet society is at a turning point. But will it turn? The evidence is not conclusive.

We will know whether Soviet society will turn in a positive direction only when predictions become reality, when promises become performance, when gestures become practices, when episodes become patterns, when isolated steps become a long march. Only then will we know.

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The Vienna meeting has just moved into a new stage. From agenda item five, which encompassed a review of implementation and the examination of proposals, we have now passed on to agenda item eight, which foresees drafting of a concluding document. According to the text of agenda item eight, such drafting will include decisions relating to the above-mentioned items. Those items include, of course, implementation review and examination of new proposals—two subjects which, therefore, remain clearly within the competence of this new stage of our meeting. In fact, it could hardly be otherwise, since our concluding document must refer to both implementation and to new proposals.

As we enter this new stage, it is, thus, entirely appropriate, with a view to drafting, to take stock of progress that was made in implementation of Helsinki and Madrid obligations and proposals that were introduced to improve such implementation. I intend to do so today and in the future as well.

Positive Trends in the Soviet Union

In my first statement to this Vienna meeting, I referred to violations of the human rights provisions of the Helsinki Final Act. I said that these violations must be reversed because they are a threat to the Helsinki process and because they will make it impossible for the violating states to have the kind of dialogue and relationship which they profess to want with their Western neighbors. And I stated that positive action to reverse violations will find a positive response from the American people and from the American Government.

Since the Vienna meeting began, the Soviet Union and some of its allies have continued to violate important elements of their Helsinki and Madrid obligations and have even committed new violations. These have been described by the American delegation and many other delegations. Today, I want to recognize, with equal openness, that there has been some progress toward improved compliance with commitments. In Poland, the release of nearly all political prisoners, together with other positive steps, has caused the U.S. Government to review and to lift its economic sanctions. And in the Soviet Union, some fresh winds have begun to blow.

Since our 35 delegations first assembled in Vienna, we have witnessed the following positive actions:

- Irina Ratushinskaya, the noted Orthodox Christian poet, was released from prison and allowed to emigrate to the West.
- Of the five cancer victims about whom many of us spoke, three were finally permitted to seek medical treatment in the West and a fourth has exit permission. Others desiring to emigrate for humanitarian reasons, such as Dr. David Goldfarb, have been allowed to depart.
- Of the American divided family cases which the Soviet government promised at Bern to resolve, some three-quarters have now been successfully resolved.
- There has been progress in bringing divided spouses together; 18 of the 28 cases on record at the time of the Geneva summit have now been settled.
- Nearly 100 former Soviet citizens have received permission to return permanently to the Soviet Union.
- Dr. Andrey Sakharov has been allowed to return to an unfettered life in Moscow, and his wife, Yelena Bonner, has been pardoned and also allowed to return to Moscow from exile.
- Mustafa Dzhemilev, an activist on behalf of his fellow Crimean Tatars, was released from prison.
- Significant new initiatives in the area of culture, particularly in the publication of previously banned books and the release of previously censored films, have been launched.
- Jamming has ceased on the BBC Russian service.
- Finally, a number of prisoners of conscience have been released from detention. So far, we can document about 35 who have actually returned, including 10 individuals whom the U.S. delegation has mentioned at the Vienna meeting. Andrey Sakharov believes that the total number is about 60.

There is another category—a category of assertions and promises—which at least offers a potential for positive results. For example, Soviet officials have announced that 142 political prisoners have been released and that others will follow. Massive changes in the penal code have been promised. It is also asserted that the new legislation on entry/exit will liberalize emigration, although the restrictive text of the legislation and the initial use of it imply the reverse. If these potential steps forward are actually taken, they, too, will be worthy

of note. At present, however, they remain simply assertions and promises.

In the catalogue of constructive actions, I have not referred to the reverse side of this progress—to its partial nature, to parallel actions which undercut it, to the fact that so much remains to be done to bring the Soviet Union into compliance with its obligations. There will no doubt be a need to return to these persistent problems in the near future. The point I want to make now is that certain positive trends are visible in the Soviet Union. We recognize them, we welcome them; we encourage them.

Implementation and New Proposals

General Secretary Gorbachev, in his address last Thursday, denied that the new Soviet approach on humanitarian problems is the result of Western pressure. Rather, he said, it is the result of a new way of thinking. It is not for this meeting to analyze the motivation for the actions we have observed; our interest is in deeds, not motives. But it would be a welcome fact if these actions are, indeed, the result of a new way of thinking, since that means they should be followed by more comprehensive and more significant actions to comply with commitments.

There is a necessary connection between implementation and new proposals. In the view of the United States, implementation is the key element in the entire Helsinki process. New proposals are valuable insofar as they underline this vital principle. New proposals can be an incentive to implementation; they must not be a substitute for it.

In that spirit, the United States and 16 other Western countries have, during the past two weeks, introduced 16 proposals covering the entire human dimension of the Helsinki Final Act. They constitute the most comprehensive set of proposals on the human dimension ever put forward at a CSCE followup meeting. And they are focused on a single objective: implementation.

Fourteen of these proposals are textual—that is, they describe obligations which could become part of the final document of this meeting. They cover virtually all the major human elements of the final act: freedom of thought, conscience, religion, or belief; national minorities; the contribution of individuals and groups to the Helsinki process; persons in confinement; freedom of movement; human contacts; information; culture; and education. In

addition, two followup proposals—one a multifaceted conference on the human dimension, the other an information forum which would involve working journalists—are a means of extending our focus on the human dimension beyond this Vienna meeting.

These proposals build upon our experience in Ottawa, Budapest, and Bern, reflecting the best ideas from these meetings. They also spring directly

from the problems and issues discussed during the implementation phase of our Vienna meeting. They represent no threat to any states devoted to a new way of thinking about human issues. On the contrary, they offer a test of the extent to which these states are prepared to put new thinking into practice. They would not undermine the political system of any state, but they

would require all states to live up to commitments which they have undertaken of their own free will. ■

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