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7 June

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MEMORANDUM

THE WHITE HOUSE
WASHINGTON

file
Dobriansky

June 5, 1984

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: ROBERT C. McFARLANE **SIGNED**

SUBJECT: Summary: CSCE Sixteenth Semiannual Report

The 16th Semiannual Report of the Conference on Security and Cooperation in Europe (CSCE) has been completed. It surveys significant developments in the implementation of the Helsinki Final Act during the period December 1, 1983 - March 31, 1984. This is the first Semiannual Report to assess compliance with the provisions agreed upon at the Madrid follow-up meeting. Key highlights of the Report include:

1. During the review period, the USSR and Eastern Europe record of compliance with the Helsinki Final Act principles deteriorated. In particular, they did not abide by Principle Seven -- which calls for participating states to respect human rights and fundamental freedoms (i.e., freedom of thought, conscience, religion or belief).
2. Continued deterioration of the Soviet Union's already poor record of compliance has been the greatest cause for concern. For example, Soviet laws on treason and anti-Soviet agitation were broadened; Soviet abuses of psychiatry and persecution of human rights activists were continued; levels of Jewish emigration dropped and anti-Semitic propaganda increased.
3. There were some minor improvements in East European implementation of the Final Act: Bulgaria's record of resolving divided family cases improved; a limited extension evolved in U.S.-Czechoslovakian cultural relations; Hungary and Romania continued to implement Basket II (economic) provisions satisfactorily; and the German Democratic Republic permitted a substantial number of its citizens to emigrate during the first three months of 1984. However, these improvements were offset by increased repression and stricter controls in each country.

Prepared by:
Paula Dobriansky

cc: The Vice President

THE WHITE HOUSE

WASHINGTON

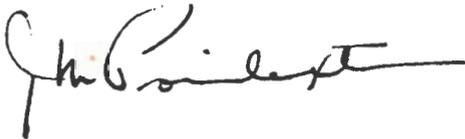
June 2, 1984

MEMORANDUM FOR THE HONORABLE GEORGE P. SHULTZ
The Secretary of State

SUBJECT: Sixteenth Semiannual Report by the President to
the Commission on Security and Cooperation in
Europe on the Implementation of the Helsinki Final
Act: December 1, 1983 - March 31, 1984

The text submitted by the Department of State for review under
memorandum of June 1, 1984, has been reviewed and approved for
transmission over your signature to the Commission on Security
and Cooperation in Europe.

FOR THE PRESIDENT:


for Robert C. McFarlane

*Put Bud's signature
block on this.*

MEMORANDUM

NATIONAL SECURITY COUNCIL

June 1, 1984

ACTION

MEMORANDUM FOR ROBERT C. McFARLANE

FROM: PAULA DOBRIANSKY ⁽⁷⁾

SUBJECT: CSCE: 16th Semiannual Report

I have reviewed and concur in the text submitted by the Department of State under memorandum of June 1, 1984 (Tab II), of the 16th Semiannual Report on the implementation of the Helsinki Final Act to the CSCE Commission. As required by Public Law 94-304, attached at Tab I is a memorandum to Secretary Shultz authorizing the transmission of the Report to the Commission on behalf of the President. Your authorization is needed by noon tomorrow, since the report is due at the Commission on Monday, June 4, 1984.

At Tab II is a memorandum from you to the President which summarizes the highlights of the Report. There is no need to forward the Report at Tab III to the President.

RECOMMENDATION

1. That you sign and forward the memorandum at Tab I to Secretary of State Shultz.

Approve _____ Disapprove _____

2. That you forward the summary memorandum at Tab II to the President.

Approve _____ Disapprove _____

^{PM} Matlock, ^N Wigg, ^{WR} Raymond and ^{SS} Steiner concur.

Attachments:

Tab I Memorandum to Secretary Shultz
 Tab II Summary memorandum to the President
 Tab III 16th Semiannual Report to the Commission on Security and Cooperation in Europe on the Implementation of the Helsinki Final Act: December 1, 1983 - March 31, 1984

THE WHITE HOUSE

WASHINGTON

MEMORANDUM FOR THE HONORABLE GEORGE P. SHULTZ
The Secretary of State

SUBJECT: Sixteenth Semiannual Report by the President to
the Commission on Security and Cooperation in
Europe on the Implementation of the Helsinki Final
Act: December 1, 1983 - March 31, 1984

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FOR THE PRESIDENT:

THE WHITE HOUSE

WASHINGTON

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Prepared by:
Paula Dobriansky

cc: The Vice President

Washington, D.C. 20520

June 1, 1984

UNCLASSIFIED

MEMORANDUM FOR MR. ROBERT C. MCFARLANE
THE WHITE HOUSE

SUBJECT: Sixteenth Semiannual Report to the CSCE Commission

Public Law 94-304 requires the President to submit a report on implementation of the Helsinki Final Act to the CSCE Commission semiannually. The attached draft report, which covers the period December 1, 1983 - March 31, 1984, is due on June 3, 1984. The report provides a factual survey of developments in the areas covered by the Final Act: human rights and humanitarian concerns; security; economic, scientific and technological cooperation; and educational and cultural exchanges. It concentrates on compliance with the Final Act, and focuses particularly on events in the Soviet Union and Eastern Europe.

The Department recommends that the Secretary of State be authorized to transmit the report to the Commission on behalf of the President in accordance with existing practice for this report.

The report has been cleared as appropriate by the Departments of Defense and Commerce, the U.S. Information Agency, the Arms Control and Disarmament Agency, and the Joint Chiefs of Staff. It has been reviewed thoroughly within the Department of State and incorporates working level CSCE Commission comments.

Richard D. Kausler
for Charles Hill
Executive Secretary

Attachment:

Draft Report

UNCLASSIFIED



United States Department of State

Washington, D.C. 20520

6/5

June 5, 1984

UNCLASSIFIED
MEMORANDUM

TO: Drafting and Clearing Officers for 16th Semiannual Report
on CSCE Implementation

FROM: EUR/RPM - Donald K. Bandler 

Attached is a copy of the 16th Semiannual report as
transmitted to the Chairman of the CSCE Commission on June 4.

Your help in drafting and clearing the document is very
much appreciated.

Attachment:
a/s

UNCLASSIFIED

SIXTEENTH SEMIANNUAL REPORT BY THE PRESIDENT
TO THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE
ON THE IMPLEMENTATION OF
THE HELSINKI FINAL ACT
DECEMBER 1, 1983 - MARCH 31, 1984

SIXTEENTH SEMIANNUAL REPORT

TABLE OF CONTENTS

- Chapter One - General Assessment of the Implementation of the Helsinki Final Act and Madrid Concluding Document
- Chapter Two - Implementation of Basket I: Questions Relating to Security in Europe
- Chapter Three - Implementation of Basket II: Cooperation in the Fields of Economics, of Science and Technology, and of the Environment
- Chapter Four - Implementation of Basket III: Cooperation in Humanitarian and Other Fields

CHAPTER ONE

OVERVIEW

The Final Act of Conference on Security and Cooperation in Europe (CSCE) represents a framework for the 35 participating states to work to resolve the humanitarian, economic, political, and military issues that divide Europe. The Final Act underscores that each area is of equal importance to genuine security and cooperation in Europe. The Western objective has been to preserve and strengthen this process by a thorough review of implementation of the Final Act and agreement on balanced and constructive steps forward.

The Final Act recognizes that followup meetings are essential for maintaining the Helsinki framework as a vigorous means of addressing problems in Europe. These conferences have three important aspects: review of implementation, discussion of new proposals, and adoption of a concluding document.

The Madrid followup meeting, the second such CSCE review conference, began on November 11, 1980, and came to a close on September 9, 1983. The Madrid Concluding Document met U.S. criteria for an acceptable, balanced, and substantive result. It confirms and expands upon the original Helsinki Final Act of 1975 and includes significant new provisions in the areas of human rights, trade union freedoms, human contacts, free flow of information, access to diplomatic and consular missions, and measures against terrorism.

This is the sixteenth semiannual report submitted by the President to the CSCE Commission under the provisions of Public Law 94-304 of June 3, 1976. It surveys significant developments in the implementation of the Helsinki Final Act and the Madrid Concluding Document during the period December 1, 1983 through March 31, 1984. This is the first semiannual report to assess compliance with the provisions agreed upon at the Madrid followup meeting. The purpose of the report is to assist the CSCE Commission in its task of monitoring and encouraging compliance with the Helsinki Accords. These reports are themselves an important element of the U.S. Government's effort to assess the progress and shortcomings in achieving the CSCE goals to strengthen security, expand cooperation, build mutual confidence, and protect human rights.

Review of Implementation

For most of the CSCE participating states, the status of implementation over the current reporting period did not change significantly from earlier periods. Some encouragement could be taken from progress by Bulgaria in resolving divided family cases, the continuing dialogue between the Polish government and the Roman Catholic Church, a limited extension in U.S.-Czechoslovakian cultural relations, and an upsurge during the first three months of 1984 in the number of citizens allowed by the German Democratic Republic to emigrate. The Eastern governments also generally complied with their undertaking to publish the Madrid Concluding Document. These relatively bright spots must be seen, however, in the wider context of strict government control and limitations on political and religious expression.

There were, moreover, a number of negative developments. In Czechoslovakia, "protective supervision," a harsh form of house arrest, was imposed against two political prisoners after their release. In Poland there appeared to be little or no progress toward genuine national reconciliation. Political activists and civil rights lawyers were subjected to increased pressures of arrest and detention, and the officially admitted number of political prisoners grew. Recent events suggest increased repression in Bulgaria and Romania. In the German Democratic Republic restrictions on contacts with Westerners and Western embassies were broadened. Harassment of samizdat activists and dissidents increased somewhat in Hungary.

Continued deterioration of the Soviet Union's already poor record of compliance, however, gave greatest cause for concern. The Soviet authorities introduced further amendments to the legal code to strengthen their hand against independent forms of expression and to lend a fictitious air of due process to the ongoing campaign of repression against dissident elements. Laws on treason and anti-Soviet agitation and propaganda were broadened. A new regulation introduced the concepts of "service secret" or "work-related secret" aimed at even further inhibiting the free flow of information and ideas between Soviets and foreigners.

Soviet persecution of individuals who attempted to express themselves outside the framework of state-controlled organs continued apace in the period under review. Religious believers, proponents of greater cultural and political rights for ethnic minorities, peace activists, and human rights monitors were all subject to arrest and imprisonment. Internationally known human rights activists Andrey Sakharov, Yuriy Orlov and Anatoliy Shcharanskiy continued to suffer varying degrees of unjustified confinement and persecution. Numerous less well-known figures were sentenced to terms in the notorious Soviet labor camp system. Soviet abuse of psychiatry also continued.

Despite commitments under the Helsinki Final Act to facilitate family reunification, the rate of emigration from the Soviet Union continued to decline below the disappointing figures of early 1983. The decrease in Jewish emigration was accompanied by an increase in the level of official anti-Semitic propaganda.

Failure by the Soviet Union and the Eastern European nations to improve their generally poor record of compliance with the provisions of the Helsinki and Madrid Accords was especially regrettable in view of the commitments they made in Madrid in September, 1983. The U.S., our Allies, and other CSCE participating states have responded with private diplomatic efforts and public diplomacy aimed at increasing Eastern adherence to the Helsinki principles. The President has also kept the U.S. Congress informed of Soviet actions which violate agreements, or appear inconsistent with Soviet commitments. On January 23, 1984, President Reagan submitted a report to the United States Congress covering seven different matters of serious concern regarding Soviet compliance with arms control agreements and commitments. One of these concerns was Soviet failure to comply with the exercise notification provisions of the Helsinki Final Act with respect to the Soviet military exercise "Zapad 81." In the CSCE meetings between Madrid and Vienna, we will continue to raise compliance issues related to the subject matter under discussion.

The Helsinki and Madrid Accords are not juridically binding documents, and there are no enforcement mechanisms to ensure compliance. The U.S. will continue to exert political and moral pressure for improved performance, and will call to account those who fail to live up to their commitments in the Helsinki process.

CSCE Meeting Schedule

The final Madrid document provides for another followup meeting in Vienna beginning in November 1986. A series of supplementary meetings will also be held between those in Madrid and Vienna. The United States will use these to keep the Helsinki issues alive and before the public, while strengthening the Helsinki process. The meetings are:

- o The first stage of a Conference on Confidence and Security-Building Measures and Disarmament in Europe (CDE) which commenced in Stockholm on January 17, 1984, and was preceded by a 3-week preparatory meeting in Helsinki;
- o An experts' meeting on the peaceful settlement of disputes in Athens, which commenced March 21, 1984;
- o A seminar on Mediterranean cooperation in Venice, October 16-26, 1984;
- o A Cultural Forum in Budapest, commencing in October, 1985 and preceded by a preparatory conference in November, 1984;
- o An experts' meeting on human rights in Ottawa, starting May 7, 1985, preceded by a preparatory meeting in April, 1985;
- o A commemorative meeting in Helsinki in 1985 marking the 10th anniversary of the signing of the Final Act;
- o An experts' meeting on human contacts in Bern, Switzerland, commencing April 16, 1986; and
- o The third followup meeting of the CSCE in Vienna starting November 4, 1986.

The Stockholm CDE Begins

The Conference on Confidence and Security Building Measures and Disarmament in Europe (CDE), mandated by the Madrid CSCE review meeting, opened in Stockholm January 17, 1984. The mandate calls for it to negotiate measures which are militarily significant, politically binding, verifiable and apply to all of the CSCE area, including the entire European portion of the Soviet Union.

The first week was devoted to opening speeches by representatives of all 35 nations which are participating. Most were represented by their foreign ministers. Secretary of State Shultz delivered an important address in which he called for increased dialogue with the East and explained why the CSCE process is central to the continuation of that important dialogue. He called for progress toward a specific goal; "...to reduce the danger of surprise attack, miscalculation, or misunderstanding." Secretary Shultz met privately with Soviet Foreign Minister Gromyko as well a number of key Allied and non-aligned European foreign ministers while in Stockholm.

The first session of the CDE lasted from January 17 to March 16. As was expected when the CDE opened, no substantive progress was made during the first round. Nevertheless, the first weeks provided a useful opportunity to set forth and assess respective positions. During the first round, three packages of proposed confidence and security building measures (CSBMs) were introduced, one by the NATO nations, one by Romania, and one, near the end of the round, by the neutral and non-aligned (NNA) delegations.

The NATO Package. The NATO package was the first to be tabled. It is designed to fulfill the requirements of the mandate and build upon the confidence building measures adopted as part of the Helsinki Final Act in 1975. It provides for:

- Mutual exchanges of information about the organization and location of the significant military units of all participating states;
- Exchanges of annual forecasts of planned military exercises;
- Mandatory notification 45 days in advance of out-of-garrison military activities involving 6,000 or more personnel (in the Final Act, only major military maneuvers involving 25,000 or more troops must be notified, no more than 21 days in advance);
- Mandatory invitation of observers of all participating states to all notifiable activities (in the Final Act, invitation of observers is voluntary);
- Specific arrangements to monitor and verify each state's compliance with these CSBMs, and;
- Improvement of the facilities for communication among the 35 participant states.

Substantive negotiation of the Western package did not begin in the first round. Heads of delegation from the Alliance took turns explaining the Western package in the daily plenary sessions.

The Eastern Approach. The Romanians tabled an independent set of measures shortly after the NATO package was introduced. It was not a coordinated Warsaw Pact package. It included a number of concrete, verifiable measures somewhat similar to those introduced by NATO. It also included several measures designed to place limitations on military activities in Europe, and a number of declaratory measures including a call for the establishment of nuclear weapons free zones and a non-use of force treaty.

The Soviets and the rest of the Warsaw Pact did not table any measures during the round, but made their position on confidence building clear from the first. Soviet representative Grinevsky criticized the NATO package as being too "technical" and confusing to build real confidence in Europe. He also accused the West of seeking to spy on the East with its measures requiring the provision of information about military establishments.

The East also sought to use the conference as a forum for denouncing NATO INF deployments. Claiming the "perilous" European security situation requires broad-ranging responses, the Soviets called upon the conference to adopt:

- a non-use of force treaty;
- a no-first-use of nuclear weapons agreement;
- a ban on chemical weapons use in Europe and on deployment to new areas;
- establishment of nuclear weapons free zones in various parts of Europe, including the Balkans and the Baltic; and
- an agreement to reduce military spending;

The Soviets agreed that, in the context of the adoption of such measures, certain specific measures designed to build upon Helsinki would be appropriate.

NNA Proposal. The neutral and non-aligned nations presented a common proposal near the end of the first round. It resembled the NATO package much more closely than the Eastern proposals. Its primary focus is on Western-style concrete confidence building measures. It also includes the outlines of two constraint measures, and contains references to the principle of non-use of force.

Prospects for the Future. The West hopes that Stockholm can get down to serious negotiation of concrete confidence building measures as soon as possible. Western efforts in coming sessions will be directed toward developing meaningful negotiations which, it is hoped, would lead toward progress on concrete confidence building measures.

The Athens Meeting on Peaceful Settlements Begins

The CSCE experts' meeting on the Peaceful Settlement of Disputes began in Athens, Greece on March 21, 1984, and was scheduled to last no longer than six weeks. This account reviews developments during the reporting period (March 21-31).

The Athens meeting was a continuation in the CSCE framework of discussions which began in 1973 in Geneva, where Switzerland submitted an ambitious proposal for a convention on peaceful settlements. The Geneva discussions made little progress, but the idea of peaceful settlement was incorporated into the Helsinki Final Act as Principle Five.

Further consideration of the subject occurred at a six-week experts' meeting in Montreux, Switzerland in 1978. The Swiss proposed a modest agreement, including a graduated scale of third party dispute resolution procedures. The Eastern nations, however, would accept nothing beyond a commitment to compulsory consultations between disputants. Nevertheless, the participants did agree on a report including a "common approach." The Madrid CSCE meeting considered the Montreux report, and mandated the Athens meeting to "pursue the examination of a generally acceptable method."

In Athens, the period March 21-31 was devoted to opening statements and general debate. Those statements evidenced a serious, businesslike attitude. The opening statement by the Chairman of the U.S. Delegation, Louis B. Sohn, put peaceful settlement into a realistic political context by reviewing the history of compliance with Principle Five. The U.S. statement underscored that violation of human rights inevitably leads to tension among nations, and that "progress in the field of peaceful settlement of disputes will not be meaningful unless we also reduce the wellsprings of those disputes."

The U.S. and Western position was based on commitment to a graduated system of dispute settlement: when bilateral discussions proved unproductive, either party in a dispute would have recourse to third-party mechanisms such as good offices, inquiry, mediation, conciliation and arbitration.

The opening statements of the Eastern countries were reminiscent of the 1978 Montreux meeting, once again advocating bilateral consultations and opposing third party procedures. Their approach cast doubt on the likelihood of making significant progress in the remaining weeks of the Athens meeting.

Other Meetings and Consultations

The United States and Romanian governments held a roundtable meeting in Washington February 27-29, 1984, to discuss human rights matters. This was the second such human rights roundtable held in the context of the Helsinki process, the first one having taken place in Bucharest in 1980. The convening of such roundtables is specifically encouraged in the Madrid Concluding Document.

The areas of discussion included freedom of religion and of expression, rights of national minorities, the right of workers to engage in free trade unionism, the free availability and exchange of information, educational and cultural exchanges, freedom of emigration, and future human rights meetings within the CSCE context.

The discussions were candid, including both areas of agreement and of fundamental disagreement. Reiterating the belief that human rights issues are central to the Helsinki process, the U.S. side restated its commitment to press for full compliance, at home and abroad, with the human rights provisions of the Helsinki Final Act and the Madrid Concluding Document. At the conclusion of the roundtable, both delegations expressed willingness to maintain their human rights dialogue in the future.

CHAPTER TWO

IMPLEMENTATION OF BASKET I:
QUESTIONS RELATING TO SECURITY IN EUROPE

The first section or "basket" of the Final Act has two main parts. The first part is a declaration of ten principles guiding relations among states. It sets forth generally accepted precepts of international behavior which the CSCE participating states agree to observe in their relations with one another, as well as with other states. The second part of Basket I is devoted to security issues. Here the participating states endorse certain confidence-building measures that are designed to remove some of the secrecy surrounding military activities; they also make certain more general pledges with respect to the importance of arms control and disarmament.

DECLARATION OF PRINCIPLES GUIDING RELATIONS AMONG STATES

There are ten principles in the declaration of principles guiding relations among states in the Final Act:

Principle One. Sovereign equality, respect for the rights inherent in sovereignty;

Principle Two. Refraining from the threat or use of force;

Principle Three. Inviolability of frontiers;

Principle Four. Territorial integrity of states;

Principle Five. Peaceful settlement of disputes;

Principle Six. Nonintervention in internal affairs;

Principle Seven. Respect for human rights and fundamental freedoms, including the freedom of thought, conscience, religion, or belief;

Principle Eight. Equal rights and self-determination of peoples;

Principle Nine. Cooperation among states;

Principle Ten. Fulfillment in good faith of obligations under international law.

The Madrid Concluding Document contains complementary principles which strengthen and extend the Final Act. These include pledges to: take effective measures against terrorism; prevent territories from being used for terrorist activities; assure constant, tangible progress in the exercise of human rights; ensure the right of the individual to know and act upon his rights and freedoms; ensure individual freedom to practice and profess religion; consult with religious organizations; favorably consider applications for registration by religious communities; ensure respect for the rights of national minorities; ensure the right of workers freely to establish and join trade unions, and the right of trade unions freely to pursue their activities and other rights.

Implementation of Principles

Although the Eastern countries gave considerable publicity to their signing of the Final Act and more recently the Madrid document, the Eastern record of compliance with the Helsinki principles continues to deteriorate, especially in the Soviet Union. The United States remains dissatisfied with the implementation record of the Eastern countries so far, particularly with regard to Principle Seven. This principle calls on the participating states to respect human rights and fundamental freedoms, including freedom of thought, conscience, religion, or belief.

The following section provides a detailed survey of implementation of the Helsinki principles and related provisions of the Madrid document. It treats specific cases in an illustrative rather than comprehensive fashion. Lack of information detailing abuses in a given country may not indicate their absence.

Soviet Union. The Soviet Union has continued to violate the letter and spirit of the Helsinki Final Act principles. In the international arena, the U.S.S.R. continued its brutal struggle to occupy and pacify Afghanistan and its full support of the Vietnamese occupation of Kampuchea. This violated the general principles guiding the conduct of affairs between nations as outlined in the Final Act, including respect for the inviolability of frontiers, territorial integrity of states, and self-determination of peoples. In addition, the Soviet government remained adamant in claiming that it has the right to destroy any civilian aircraft which crosses, even accidentally, into Soviet airspace. This assertion was made despite the international outcry resulting from the downing without warning of a Korean Airlines aircraft on September 1 causing 269 deaths. The Soviet position contravenes not only moral principle, but obligations under the UN Charter and the Helsinki Final Act to make every effort to settle international problems by peaceful means.

Soviet performance in the field of human rights (Principle Seven) remained deplorable throughout the review period despite the renewed commitment to respect "the universal significance of human rights and fundamental freedoms" undertaken in signing the Madrid Concluding Document in September 1983. The Madrid Agreement stipulates that all signatories "stress their determination to develop their laws and regulations in the field of civil, political, economic, social, cultural and other human rights and fundamental freedoms."

This notwithstanding, the Soviet authorities made recent changes in criminal law which have further restricted the rights of Soviet citizens, increased penalties for offenses, and tightened state controls. The introduction of new statutes, often under the guise of improving due process, enable the authorities to pursue more readily their continuing repression of dissidence and of the free flow of information and ideas. These changes were promulgated by the regime without informing the Soviet public through the media. Some of the new provisions opened the door to a revival of Stalinist practices and reflected the increased power and influence of the KGB during the brief Andropov era.

This process began in the previous reporting period with a new law (Article 188(3) of the RSFSR criminal code) formalizing the practice of imposing additional labor camp sentences on prisoners who allegedly violate camp administrative regulations. In fact, such violations are often fabricated by camp administrators as an excuse to place political prisoners in special confinement or on reduced rations. Throughout the current review period there were numerous reports that camp authorities used Article 188(3) to try to intimidate and bully political prisoners into quiet submission to the indignities and injustices of camp life.

In January 1984 Soviet authorities formally announced the tightening of the law of December 25, 1958 on so-called state crimes. The repressive spirit of Article 188(3) is evident here as well. The law on "activities which disrupt the work of corrective labor institutions" is supplemented with a new provision authorizing a term of three to eight years for any inmate who "terrorizes" those who have "entered on the path of reform." (This phrase is a well-known euphemism for those inmates who cooperate with the authorities in harassing political prisoners.) A similar term awaits those who criticize the camp administration or who organize or participate in group actions against the administration.

The definition of treason in Soviet legislation was broadened to include acts which threaten the "state security" of the U.S.S.R. -- a concept which has never been clearly defined. Virtually any political offender could, in principle, come under the scope of this new amendment. The law on anti-Soviet agitation and propaganda, traditionally the harshest law under which dissidents are tried, was amended to expand the definition of anti-Soviet "literature" to include "materials...in written, printed, or any other form." It also specified heavier punishment for "actions carried out with the use of funds or other means of material value received from foreign organizations or from persons acting in the interest of such organizations." As amended, the law can be used against any Soviet citizen who arouses official displeasure and is found to have received "material" support from abroad.

A new paragraph added to the law on "the loss of documents containing a state secret" introduces the term "service secret" or "work-related secret" (sluzhebnyaya tayna). It declares that the transfer of information to a foreign organization, or the collection of information with the aim of so transferring it, is forbidden if the information contains economic, scientific-technical or "other" information comprising a "work-related secret." The language of the new paragraph is so broad that it can serve as the basis for prosecuting anyone for divulging any kind of information to a foreigner. It is clearly aimed at discouraging informal contacts between Soviet citizens and foreigners, and at isolating foreign diplomats, journalists, and businessmen from traditional professional contacts. Its effect is to inhibit the free flow of information and ideas.

Perhaps the single most telling illustration of Soviet attitudes toward human rights during the period under review took place on December 10--International Human Rights Day. Gathering at Moscow's Pushkin Monument early in the evening has become a recent tradition on that date. People come simply to stand at the base of the great poet's statue to protest the absence of political freedom in the Soviet Union. There is no demonstration as such, but some people remove their hats as an indication they are aware of the significance of the date. The Soviet security authorities are also aware of the occasion and traditionally detain anyone they suspect of coming to the square in connection with human rights.

On December 10, 1983 uniformed Soviet militia and plainclothes officials escorted some 16 people onto waiting buses and police vans for no reason other than their presence on Pushkin Square. One Western reporter trying to film the scene was nearly knocked from his feet by a Soviet plainclothes security official.

Soviet efforts to purge independent expression from society have claimed numerous victims during the reporting period. Religious believers, Jewish cultural activists, independent peace activists, proponents of greater regional autonomy for national ethnic groups, and those who simply wish to emigrate from the Soviet Union have all been persecuted by the authorities, even when their views are in principle fully compatible with official Soviet policy (e.g., the views of independent peace activists).

Iosif Begun was sentenced in October to seven years in a labor camp and five years internal exile. His teaching of the Hebrew language and Jewish culture was deemed "anti-Soviet agitation and propaganda." Begun's trial was delayed until after the close of the CSCE Conference in Madrid, even though this meant violating Soviet regulations on the length of time a person can be detained before being brought to trial. Orthodox Jew Moshe Abramov of Samarkand was sentenced to three years in a labor camp for hooliganism when he reportedly refused to comply with a request from the local authorities to withdraw his emigration application.

Among Christian denominations, Russian Orthodox priest Aleksandr Pivovarov of Novosibirsk was convicted in the fall of 1983 (the exact date of his trial is not known) of illegal trade and conspiracy, and received a labor camp sentence of three and one-half years. His only "crime," was to distribute copies of the Bible and other religious writings among his parishioners. Roman Catholic priest Sigitas Tamkevicius of Vilnius, like Iosif Begun, was convicted of anti-Soviet agitation and propaganda. His offense was his active participation in the Catholic Committee for the Defense of Believers' Rights, and his conviction made him the second major figure on that Committee to be sentenced in 1983 (the first was Father Alfonsas Svarinskas, chairman of the group). Over 123,000 persons in Lithuania signed petitions to General Secretary Andropov asking for the release of Fathers Tamkevicius and Svarinskas.

Pentecostal Christian Bishop Stephan Kostyuk was arrested in December and charged with leading an unregistered church (Article 227 of the RSFSR Criminal Code). He and Pentecostal colleague Robert Zimmermann were put on trial in Moscow in March. Pentecostal Christians have consistently opposed Soviet efforts to organize them in officially registered churches, primarily because such registration requires formal agreement not to conduct religious education among children and young people. Registered churches must also agree not to set up independent charities.

The Group to Establish Trust between the U.S.S.R. and U.S.A. is an independent group of concerned Soviet citizens whose non-partisan, non-polemical approach to the discussion of arms control and confidence-building stands in sharp contrast to the statements of the officially sanctioned Soviet Peace Committee. As in previous reporting periods, the authorities used a combination of trials and forced emigrations to attack and weaken the group. For example, Oleg Radzinskiy was sentenced to one year in labor camp and five years internal exile in October for anti-Soviet agitation and propaganda. While he was formally charged with discussing "anti-Soviet" material in a literature class he taught, the authorities' real concern was his association with the peace group. A letter which Radzinskiy subsequently sent to President Reagan claiming that his trial was unrelated to his peace committee connections has not been taken seriously by any Western or independent Soviet observers. At best, the letter is seen as a misguided effort to help relieve official pressure on other committee members.

A second committee member, Ol'ga Medvedkova, was tried in March for allegedly disobeying the orders of a militiaman on the day of Radzinskiy's trial. Five months pregnant, she was given a suspended sentence of two and one-half years in a labor camp. There is a three-year probation period, however, during which the sentence can be implemented if Medvedkova is found guilty of any other infractions. Yet a third member of the group, Valeriy Godyak, was forced to leave the country in February.

In addition to believers and peace activists, proponents of greater cultural identity and political autonomy for national ethnic minority groups came under continued state oppression. Ukrainian nationalist Valeriy Marchenko was arrested in October. Marchenko, who was sentenced to ten years special regimen camp plus five years exile on March 14, 1984 for "anti-Soviet agitation and propaganda," is in extremely poor health. He was previously convicted in 1973 of defaming the Soviet system, and served six years in a labor camp and two years internal exile. Mustafa Dzhemilev, a Crimean Tatar who has spent much of his adult life in labor camps for proclaiming his people's right to return to their native homeland, was reportedly convicted of slandering the Soviet state and sentenced to 3 years in a strict-regime labor camp.

The Baltic states of Estonia, Lithuania and Latvia have traditionally formed a center of national and religious opposition to the Soviet regime. Forcibly incorporated into the Soviet Union during World War II, the Balts had never developed firm cultural ties with the Slavs despite having once been part of the Russian Empire. Since their incorporation, the Soviet authorities have made a conscious effort to "Russianize" the population, moving numerous ethnic Russians into the Baltic States and forcibly evicting many ethnic Balts. Knowledge of Russian language is becoming ever more necessary for educational and professional success in the Baltics. Efforts to "Russianize" the populations of non-Russian Republics are not confined to the Baltic States, however. They have also been pronounced in the Ukraine, Byelorussia, and other areas.

Because of this situation, it is often difficult to distinguish readily among forms of dissent (religious, nationalist, etc.), and the Soviet regime is particularly sensitive to any form of independent expression. In Estonia, three dissidents were convicted in December of anti-Soviet agitation and propaganda: Lagle Parek, Heiki Ahonen and Arvo Pesti. Mart Niklus, a leading Estonian human rights activist and Helsinki Monitor, was denied visitation rights during his prison sentence. On March 26 he began a hunger strike after requesting permission--which was denied--to speak with his mother in his native language. In Latvia, Gunnars Astra and Gunnars Fremanis were convicted in December of similar charges, and Baptist leader Janis Veveris was sentenced to four years in a labor camp in November. As already noted, Vilnius was a center of activity for the Catholic Committee for the Defense of Believers' Rights, and Father Sigitas Tamkevicius was sentenced to six years in labor camp in November. Finally, Ona Lukauskaite Poskiene, the only member of the Lithuanian Helsinki Group who was still at liberty, died in December 1983. Other members of the group are in labor camps or psychiatric hospitals, have emigrated to the West, or have died.

Many Soviet citizens have suffered persecution for focusing attention on and attempting to alleviate the abuse of human rights in the Soviet Union. Within this category three figures are paramount: Andrey Sakharov, Yuriy Orlov, and Anatoliy Shcharanskiy.

Sakharov remained in exile in the closed city of Gor'kiy throughout the review period. Soviet authorities refuse, despite Sakharov's status as a member of the Soviet Academy of Sciences, to grant his request that he and his wife, Elena Bonner, be admitted to the Academy of Sciences Hospital in Moscow for treatment of heart ailments. Sakharov's health has remained relatively stable, if poor, throughout the past six months. His wife, however, suffered two heart attacks, one in October and one in January. Concerned by the apparent seriousness of her condition, Sakharov appealed directly to former Communist Party General Secretary Andropov in November. He asked that, in view of the refusal to grant himself and Bonner access to Academy of Sciences facilities, Bonner be allowed to travel abroad for medical treatment. There was no response to this appeal during the reporting period. Bonner's earlier application to travel abroad for treatment of a war-related eye injury, an application filed in September 1982 in accordance with all due Soviet procedure, had also gone unanswered. Despite this deplorable state of affairs, Soviet spokesman V.P. Ruben, chairman of the Council of Nationalities of the Supreme Soviet, publicly asserted at a December 8 press conference that Sakharov's exile to Gor'kiy was a "humanitarian gesture" and that he is living and working in Gor'kiy under perfectly normal circumstances. Ruben's suggestion that Sakharov is mentally unstable seemed designed to justify placing him in a psychiatric institution in the future, should that be deemed necessary. Such cynicism and hypocrisy typify the Soviet leadership's profound contempt for even the most basic norms of respect for fundamental human freedoms.

Yuriy Orlov, leader of the Moscow Helsinki Watch Group (a group organized in 1975 by concerned private citizens to monitor Soviet compliance with the Helsinki Accords), completed a seven-year term in a strict regime labor camp in February and was transferred into internal exile in the remote province of Yakutia. Orlov, who will be 60 years old in September 1984, now faces five years of exile under extremely harsh physical and psychological conditions. Repeated appeals for his release have so far been fruitless.

Anatoliy Shcharanskiy, also a founding member of the Moscow Helsinki Watch Group, is currently serving a 13-year sentence in Chistopol Prison on the patently false charge of spying for the United States. The Soviet authorities reaffirmed their commitment to this official fiction in a Sovetskaya Rossiya newspaper article of October 1. Shcharanskiy was allowed a meeting of several hours duration with his mother and brother in January. His mother, Ida Milgrom, was deeply disturbed by the state of his health, which has deteriorated dramatically under the combined effects of harsh prison conditions and a prolonged hunger strike conducted late in 1982. Mrs. Milgrom's efforts since January to have her son hospitalized, however, have so far been fruitless.

Numerous lesser-known human rights activists also suffered at the hands of the Soviet authorities during the review period. Sergey Khodorovich, chairman of the Moscow branch of the Russian Social Fund (Solzhenitsyn Fund), was convicted in December of slandering the Soviet state and sentenced to three years in a labor camp. Although this is impossible to confirm, many normally reliable sources in Moscow indicate Khodorovich was severely beaten in prison while awaiting trial.

Vladimir Albrekht, former active member of the Moscow branch of Amnesty International, was also sentenced to three years in camp in December for allegedly slandering the Soviet state. Mykola Rudenko, leader of the Ukrainian Helsinki Group was transferred from a camp to internal exile during the reporting period. Sergey Grigoryants was sentenced to seven years detention (two in prison and five in labor camp), plus three years exile for his role in editing unofficial underground publications (samizdat). Tat'yana Trusova, a grandmother and an invalid, was charged with parasitism (article 209 of the RSFSR Criminal Code). She was arrested, tried, convicted, and sentenced to 18 months in a labor camp all in one day -- an unusually crude judicial proceeding even by Soviet standards. The sentence was ultimately changed to three years internal exile. Her real offense, of course, had nothing to do with parasitism, but with activities in support of human rights.

Incarceration in psychiatric hospitals is frequently utilized by Soviet authorities as an alternative to legal prosecution of individuals whose activities are considered to run counter to the interests of the party and government. The Soviet Union has, in fact, amassed such a deplorable record in abuses of psychiatry that it withdrew from the World Psychiatric Association in 1983, rather than face near-certain censure or expulsion. Far from chastened by the experience, the Soviet authorities continued these inhumane practices during the current review period. In February a young Soviet couple, Nikolay and Nadezhda Pankov, were incarcerated in Moscow's psychiatric hospital No. 13 after appealing to new CPSU General Secretary Konstantin Chernenko for permission to emigrate. The Pankovs have pursued their emigration effort with a singlemindedness and independence which the authorities finally decided could not be tolerated. However, the Pankovs have never engaged in any activity which could be even remotely connected with the traditional laws under which dissidents are tried (anti-Soviet agitation and propaganda, slandering the state, etc.). The decision to commit them to a mental hospital--a decision in no way based on independent medical judgment--conveniently circumvents the necessity to show due judicial cause.

Dr. Anatoliy Koryagin, himself a psychiatrist, was sent to labor camp in 1981 for publicly criticizing the authorities' psychiatric abuses. In an appeal dated December 30, 1983 and made public by the American Psychiatric Association, Dr. Koryagin speaks of terrible conditions in his labor camp and of being subjected to "physical and psychological torture." He is now in Christopol prison where he has reportedly been subjected to brutal beatings.

Despite commitments under the Helsinki Final Act to facilitate family reunification, the Soviet Union continues to deny exit permission to thousands of its citizens who wish to join relatives living abroad. Jewish emigration continued its dramatic decline since the peak year of 1979, when over 50,000 left the country. In the period October 1 through February 29, 405 Jews left the Soviet Union. This compares with approximately 850 Jews who left the U.S.S.R. in the previous six-month period. The Soviet authorities continue to maintain, despite abundant evidence to the contrary, that the vast majority of Jews who wanted to leave the country have already left and the rate of emigration is declining naturally as fewer and fewer families remain to be reunited. The authorities have also stated that family reunification refers only to those families divided by World War II.

The current review period has also witnessed increased levels of anti-Semitic rhetoric thinly veiled as "anti-Zionism." Soviet propaganda maintains that Israeli and Western intelligence encourages emigration in order to obtain state secrets from Soviet citizens. It further alleges that "Zionists" collaborated with Fascists during World War II to send many innocent Jews to their death. These Zionist elements, so the argument goes, now comprise the ruling circles of Israel, which has inherited Hitler's Fascist mantle. Crude Soviet propaganda posters often depict images of Hitler together with Israeli officials.

Individual Jewish "refuseniks" (Jews who have been refused when they apply to emigrate) have responded in various ways to official intransigence on emigration. Some have reacted with despair and, for the time being, have stopped applying to leave, while others apply as frequently as possible--once every six months. One Leningrad refusenik, Nadezhda Fradkova, renounced her Soviet citizenship and went on a hunger strike in December. In January she was taken to a hospital, force fed, and threatened with confinement in a psychiatric hospital.

Ethnic German emigration from the Soviet Union remained at low levels throughout the reporting period. From October 1 through February 29, 523 ethnic Germans left the Soviet Union. This compares with 579 during the previous six months.

Romania. The Government of Romania (G.O.R.) complies with the first six Helsinki principles, and advocates them in international forums. Romania does not support the notion that armed forces of ruling Communist parties have the right to intervene to support another Communist Party faced with domestic or foreign threat to its monopoly of power. Romania has even criticized on occasion its Warsaw Pact allies for apparent violations.

In contrast, Romanian observance of basic human rights (Principle Seven) has been poor. Human rights and fundamental freedoms, many of which are guaranteed by the Romanian constitution and laws, are in fact severely limited by the government. The government and the ruling Communist Party tolerate no opposition. All forms of mass media are state-owned and tightly controlled. Freedom of speech is restricted. Romanian citizens must obtain official permission to organize or assemble. It is granted only when the activity is determined to be in the interest of the government. Because Romania does not recognize the right of its citizens to emigrate, many of those who ask to leave face official harassment, confiscatory forced sale of property, loss of employment, eviction from their homes and other abuses. However, annual emigration of several thousands does take place.

Religious belief is discouraged and closely monitored. Romania recognizes, supports and closely controls the Romanian Orthodox Church and the activities of the 13 officially-approved "cults." Religious practitioners who go beyond the narrow limits defined by the G.O.R. for the practice of religion often face repression. For example, Orthodox priest and human rights advocate, Father Gheorghe-Calciu-Dumitreasa, has been a prisoner of conscience since early 1979. In March, he reportedly engaged in his most recent of a series of hunger strikes. Party members cannot practice a religious faith without jeopardy to their careers.

During the reporting period, the number of incidents of government harassment of Protestants, particularly Baptist pastors, substantially increased. In addition, on two occasions during this period, the publication by government-supervised publishing houses of a number of anti-Semitic articles, poems and a book has led the Romanian Jewish community to suspect the government of supporting a new campaign of anti-Semitism.

There were few changes in Romanian observation of human rights principles during the reporting period. Continuing a practice instituted several years ago within the framework of the Helsinki Accords, the U.S.-Romanian Human Rights Roundtable met for the second time February 27-29, 1984. The discussions highlighted the fundamental differences between the two countries on a full range of human rights issues, but the fact that such discussions occurred at all is notable.

Despite Romania's active role at the Madrid Review Conference and its statements of support for the Conference's Concluding Document, observance of the provisions of that document has been at best mixed.

The Madrid Concluding Document states that the participating states "will favorably consider applications by religious communities of believers practising or prepared to practice their faith within the Constitutional framework of their states, to be granted the status provided for in their respective countries for religious faiths, institutions, and organizations." Soon after Romania agreed to implement the provisions of the Madrid Concluding Document, Romania rejected attempts by the Church of the Latter-day Saints to gain official recognition because "Romania already has enough churches." The Eastern-Rite Catholic, or Uniate Church, banned in 1948, remains illegal. Church leaders petitioned the Madrid Conference for reinstatement by the Government of Romania, but there has been no discernible progress toward recognition.

Through a number of state and party structures, Romania maintains tight control over the nation's labor force. As in other Socialist bloc states, trade unions are merely an extension of the Party and the state. The last attempt to organize a free trade union here was brutally suppressed in 1979. Despite continued reports of labor unrest, the government security apparatus appears to be successful in stifling further attempts to organize similar new movements.

Poland. Eight months after the ending of martial law, Poland is attempting to reassert its place as a fully functioning member of the international community. This attempt began with the Pope's visit immediately before the lifting of martial law, and has continued with the visits of the UN Secretary General and Poland's increased participation in bilateral and multilateral endeavors. However, human rights abuses remain a serious problem in Poland.

Domestically, the Polish government has emphasized its policy of maintaining public law and order. The government appeared to have considered the possibility of permitting greater democracy in the hopes of achieving a degree of national reconciliation. In the end, however, caution and political inertia prevailed. Elaborate formal structures including the PRON (Patriotic Movement of National Rebirth) are charged with bringing about national reconciliation, and there have been highly publicized consultations with non-party elements and the general population on such matters as the size of proposed price increases and the new law on local elections. A new passport law has resulted in a sharp increase in the issuance of passports for foreign travel, and there has been some increase in the supplies of consumer goods in shops. However, while the average citizen continues to enjoy a degree of personal freedom of expression unusual in most of Eastern Europe, there appears to have been little or no perceptible progress toward genuine reconciliation after the major release of thousands of martial law internees and arrestees which took place earlier. Political activists, both in and outside the underground Solidarity movement, and civil rights lawyers have been subjected to increased pressure from arrests, searches, and detention. The officially admitted number of political prisoners grew to 427 in March 1984, from 199 in September 1983. Most of the newly arrested are charged with participation in underground press or broadcasting activities.

Throughout this period, several dozen persons arrested during the period of martial law and declared ineligible for amnesty have remained in prison, including 11 top leaders of Solidarity and KOR. Appeals for their release, from the Church and from others, have been without result to date as have Moscow Radio broadcasts forecasting their impending trial and conviction.

A number of political prisoners have engaged in hunger strikes in an effort to obtain political status and rights in their prison regime. The government has so far refused officially to grant political prisoner status, although most political prisoners appear to have at least some access to reading and writing materials and to be able to receive visitors. There are credible reports of prisoners sustaining severe injuries from beatings by guards after having reported ill-treatment. The government has resorted to hospitalization and forced feeding to deal with hunger strikes. The arrests of people associated with opposition activities have created a growing atmosphere of fear among many, although underground literature continues to circulate widely. Others appear resigned to their inability to affect significantly political developments in the country. As a result, many Poles have shifted their attention to their daily needs and the erosion of their standard of living. Yet, positive identification with the values and aims of the Solidarity movement continues to be widespread in Polish society.

The party held a series of plenums and a national conference in March, which reaffirmed general Jaruzelski's course since 1981 and endorsed current government policy. The Polish government has postponed the Sejm (Parliament) elections, originally scheduled for spring 1984, to an indefinite future date expected to be one or two years hence. Local elections are scheduled for June. The new electoral law has disappointed those who hoped it would provide a vehicle for greater democratic participation in public affairs. Opposition elements have called for a boycott, and the extent of participation is a matter of concern for the government. The consultations on local election procedures led to some interesting proposals for expanded participation, but these were almost totally ignored in the final legislation, which may create a precedent for future Sejm elections.

The period was marked both by a continuing and active dialogue between the Polish government and the Roman Catholic Church and by tension between these institutions. There was dialogue on issues including the legal status of the church in Poland, the possibility of establishing diplomatic relations with the Vatican, the legal framework for a proposed church scheme for aid to private agriculture, and the political activities and statements of various priests and bishops. Most recently attention has focused on a heated dispute over a government order for the removal of crucifixes in schools and other public buildings in Poland, a dispute recently resolved in a compromise which allowed the retention of one cross in each school building. The government has also harassed and threatened priests.

Following is a more specific assessment of Polish implementation of the Final Act principles and related provisions of the Madrid Concluding Document.

In general, Poland's implementation of the first six principles has been satisfactory, although its interpretation of these principles was often distorted. For example, the government is critical of what it calls encroachments on its sovereignty (Principle One) and intervention in its internal affairs (Principle Six). Poland has invoked these principles when subjects such as union membership, church-state disputes and political prisoners are presented in Western media as reflecting unfavorably on Polish human rights. In view of Polish commitments to abide by agreed principles in the Final Act and Madrid document, this position is unjustified.

The overall human rights situation (Principle Seven) has deteriorated during the reporting period. Poland does generally tolerate greater freedom of speech and criticism of official policies than most other Warsaw Pact countries. Since early December 1983, both the official press and unofficial sources have reported an increase in the number of arrests, of underground organizations broken up, of printing equipment confiscated, and of illegal broadcasting facilities either liquidated or effectively jammed. Attorneys who handle cases of dissidents have been arrested, disbarred, and harassed. Maciej Bednarkiewicz, one of whose clients was Barbara Sadowska, the mother of a young Warsaw student who was fatally beaten, has been under investigative arrest in Rakowiecka prison since January 11, 1984. Piotr Andrzejewski, one of the attorneys supporting the KOR-Solidarity Eleven, has been disbarred for a year. Wladyslaw Sila-Nowicki, the dean of Poland's civil rights lawyers, is being investigated for "slandering the Polish Peoples Republic" (allegedly in an open letter he wrote to General Jaruzelski).

As of September 29, 1983, the Polish government stated that there were 83 martial law and 116 post martial law arrestees in jail for political offenses. According to government spokesman Jerzy Urban, as of March 23, 1984, there were 427 persons under arrest for politically motivated offenses, 58 of them sentenced and the rest under investigation. Some unofficial estimates confirm these numbers; others believe the actual numbers may be higher, and that the government interprets the definition of political prisoners too narrowly. Imprecision over what constitutes a "political" prisoner makes an accurate estimate virtually impossible. None of the political prisoners imprisoned after the end of martial law is eligible for amnesty under the legislation passed July 22, 1983. The current totals are lower than the over 10,000 persons the government acknowledged having interned and imprisoned during the martial law period. Nevertheless, there has been a clear upward trend in the current reporting period. A substantial portion of the post-martial law offenders appear to have been arrested for either printing or distributing underground literature.

The most important group of political prisoners remains in jail under investigative arrest: four leaders of KOR, the former Committee for the Defense of Workers, (Jacek Kuron, Adam Michnik, Henryk Wujec, and Zbigniew Romaszewski); and seven leaders of Solidarity (Andrzej Gwiazda, Seweryn Jaworski, Karol Modzelewski, Grzegorz Palka, Andrzej Rozplochowski, Marian Jurczyk, and Jan Rulewski). Reports of church-state negotiations on their behalf have circulated in Warsaw, and the government spokesman stated that the eleven would be free to go if they agreed to leave Poland for an unspecified period of time. There is no evidence that the eleven would accept, and Adam Michnik wrote a sharp rejection circulated in the underground press.

No trials of international significance took place during the reporting period, although many trials of local importance, for example in Lubin, Czestochowa and Opole Provinces, have occurred. A trial of government employees suspected of the fatal beating after a demonstration of a young Warsaw student, Gregorz Przemyk, was delayed by the government on the basis that an ambulance driver reportedly has provided new evidence implicating himself. Przemyk's mother, Barbara Sadowska, has pressed for the case to proceed. During the reporting period, a former rural Solidarity activist, Piotr Bartoszcze, was found dead in a drainage ditch. His death is widely believed by opposition elements in Poland to have resulted from a deliberate beating by security personnel. The preliminary investigative report maintains that Bartoszcze was intoxicated and involved in a car accident the night he died, but there is widespread skepticism about this version of the facts.

Although Communist ideology provides ample basis on which to seek to limit the practice and influence of religion, there is a significant amount of religious freedom in Poland. Churches have freedom to preach, to publish church texts (subject to the availability of paper), and to proselytize. The Roman Catholic Church broadcasts weekly mass on the state radio. The government has granted several hundred building permits in the last three or four years, and the church says about 900 churches are under construction. Seminaries have more students than ever before. On the other hand, those who do practice their religion openly and consistently seldom rise to senior positions in government or industry. The government insists that crucifixes should not be hung in secular institutions such as factories, schools, and hospitals. Church groups maintain that the vast majority of Polish citizens want to have crucifixes present in such institutions. Removal of crosses by the authorities has generated public disputes in some local areas. In other areas they remain, apparently without dispute. Both the government and church leaders are seeking to defuse the controversies and resolve the matter in the local areas concerned.

The government meets frequently with representatives of the Roman Catholic Church in Poland. Contacts in the joint church-state commission and between individual church and government leaders address numerous subjects of common concern including: the rights of the church and its legal status in Poland, the possibility of diplomatic relations with the Vatican, the political activities of some clergy, the proposed church aid plan for private agriculture, and matters concerning political prisoners and the employment of ex-Solidarity activists. There are also less important contacts with representatives of other minority religious groups.

Although there are some dozen religious sects in Poland, most are inconsequential in numbers given the overwhelming predominance of Roman Catholics. However, the government lets the other sects practice their faith, with the usual proviso that their activity be confined to religious rather than political matters.

In the area of trade union freedoms, the currently applicable trade union law (passed October 8, 1982) banned the freely-formed Solidarity union and other existing trade unions. The new law only permits Polish workers to join newly established unions. Each enterprise employing more than 50 workers is entitled to form one such union. Certain exceptions are permitted: printers, teachers, civilian workers in defense plants, and Polish United Workers' (Communist) Party office workers, for example, are allowed to join "monolithic" (country-wide) unions. Each of the enterprise-level unions has the right to join national federations engaged in similar kinds of work. The 1982 law also provides that a central, interfederal labor council may be set up in 1985. The current labor law will be applicable during the period October 8, 1982-December 31, 1985, unless otherwise extended by the Sejm. As presently constituted, the new unions are not an effective substitute for the Solidarity locals which once united Polish workers regardless of their place of employment. During the fifteen months of Solidarity, Poles were able to make free choices about the union they would join, and were able to associate into local union councils, national federations and, of course, into Solidarity itself. According to government figures, the new unions in March 1984 had over four million members, but unofficial estimates suggest that these figures may be inflated. Supporters of Solidarity claim that large numbers of Poles still pay dues to the now banned Solidarity union.

The growth in membership of the new unions can be partly attributed to their ability to control the dispensing of such valuable fringe benefits as subsidized vacation resorts and summer camps, group foreign travel, tickets for social and cultural events and the like. They seem to be more active than their pre-Solidarity predecessors in pressing for higher wages and better working conditions in a variety of specific instances. However, their proclaimed independence continues to be regarded with either total disbelief or deep skepticism by the majority of the labor force, including many of their own members.

The government of Poland dissolved Solidarity (in 1982) in violation of its commitment to the International Labor Organization Convention's principle that only members of a union may dissolve it. Poland does not have free union elections, in the sense that representation is limited at the outset to the new unions permitted under the October 1982 legislation.

Officially, Poland subscribes to the principle of equality for all citizens, regardless of ethnic, religious, or national background, age or sex. The country's population of about 37 million is well over 90 percent ethnically Polish and Roman Catholic, and the minorities number in only the hundred of thousands. The Byelorussians and Ukrainians along Poland's eastern borders differ linguistically and often by allegiance to non-Roman Catholic religions. While they have greater difficulty building churches, training clergy, and maintaining their languages, there is no legal discrimination against them. Whatever prejudice they encounter occurs in the context of their small numbers, regional history, and rural setting with more traditional views. Only a few thousand Jews, as well as very small Muslim and Protestant communities still live in Poland.

While the position of women is legally equal, it is also affected by traditional views of woman as wife, mother and homemaker. Over 65 percent of Polish women work (over 93 percent in rural areas), and only 20 percent are supported by their husbands, but few women have achieved executive positions in their professions and fewer still are represented at central government levels. It is widely acknowledged that working women hold two jobs-- at work and at home--and this is sometimes cited to explain women's supposed reluctance to take on the additional burden of supervisory/governmental positions. The state maintains a network of child care centers and kindergartens, fees for which are relatively low, in order to permit mothers to work. Press articles admit that the economic crisis has lengthened a women's typical workday by the hours she must spend, for example, in queuing to buy food and other necessities, in clothing and home repair, and in other tasks made necessary by the lack of household appliances and previously available commercial services.

The Polish government adopts a careful, legalistic approach to the question of international obligations (Principle Ten) and generally fulfills the letter of its understanding of obligations assumed. Poland, however, has not cooperated at all with the International Labor Organization's Special Board of Inquiry to investigate Poland's violation of ILO conventions. At the U.N. Human Rights Commission, Poland remains uncooperative and has used procedural obstacles to thwart criticism. In public statements, the GOP condemns terrorism. However, its pronouncements on this issue tend to be selective, and closely parallel Soviet positions.

Hungary. Hungary's record of implementation of the Helsinki Final Act remained generally satisfactory during the reporting period. Economic reform has been the key to the country's relatively tolerant domestic policies and cultural atmosphere.

The consensus on economic policy is an important factor in sustaining a complementary leadership consensus that the country must maintain a positive relationship between economic liberalism and social and cultural policies. The party understands that Western perceptions that Hungary is trying to improve its Final Act implementation record in all fields influence Western governments' and institutions' willingness to assist Hungarian economic efforts. Although harassment against dissidents in the samizdat movement increased somewhat throughout the present reporting period, Hungary continues to have a relatively tolerant human rights and human contacts record. Though subject to the same cooling of the atmosphere, cultural life continued to flourish within fairly broad limits.

Hungary's desire to develop its Western ties and be more active on the international scene led to an unusually heavy schedule of meetings with Western and Eastern leaders. The highlight of the period was the visit of British Prime Minister Thatcher. While Hungary supports Soviet positions, there is a conviction that a way must be found to resume INF negotiations and to produce progress in other areas such as the Stockholm CDE.

There was also substantial bilateral political activity with the U.S. Senators Hatfield and Eagleton led a delegation to Budapest in January. Later that month, Secretary Shultz met with Foreign Minister Varkonyi in Stockholm at the opening of the CDE. In February Assistant Secretary of State for European and Canadian Affairs Burt met with Hungarian officials in Budapest. U.S.-Hungarian bilateral relations are facilitated by the fact that there are presently no unresolved family reunification cases on the U.S. Embassy representation list.

Hungarian dissidents continued during the reporting period to publish and disseminate samizdat literature which addresses topics and themes not permitted in the official media. Since the closing of Laszlo Rajk's samizdat boutique under official pressure a year ago, samizdat literature is distributed in a decentralized fashion primarily to young people and intellectuals, including many who are not themselves dissidents. A major new journal, "Hirmondo" (Chronicles), was begun and at least three issues circulated. A mixture of news about human rights activity in Hungary and other Eastern European countries and analytical articles, it appeared to a successor to "Tajekoztato," a journal that was discontinued under official pressure last spring.

The authorities continued to respond with a number of harassing measures similar to those launched in the previous reporting period. These measures appear to constitute a mixture of reassurance to allies, and warnings to Hungarians that the authorities are watchful and intend to set some kind of limit to at least the more prominent samizdat activity.

These steps have had an effect. Most notably, periodic raids and confiscations of materials appear to have persuaded some would-be sympathizers and potentially curious persons to keep their distance. Thus while the dissidents themselves have been able to continue their activity, they may be more isolated than previously.

The most dramatic and potentially serious negative step was the trial of Gabor Demszky, the leading figure in the "AB Press," which prints samizdat materials. Rajk and the other most prominent samizdat activists, including several of the editors of "Beszelo," frequently were stopped in their cars by the police as an obvious harassing tactic during the spring and summer. During the course of one such incident in September, Demszky was beaten by two policemen after he objected to an illegal search of his possessions without a warrant. He suffered a concussion and spent three days in the hospital. He was convicted in December of assault on a policeman and given a six-month suspended sentence.

Subsequent to his conviction, Demszky has maintained his samizdat activities. The type of harassment through periodic car searches which led to the incident has ended, apparently an implicit recognition by the authorities of its impropriety, or at least potential for undesired escalation. The fact of a trial itself is regarded seriously, however, because it marked the first time in a decade that a Hungarian dissident had been brought before a court in a matter with political overtones.

The authorities seek to discourage dissident activities by restricting job possibilities and treating requests for permission to travel arbitrarily. Rajk and two other prominent dissidents, Miklos Haraszti, and Balint Nagy, both editors of the journal "Beszelo," were granted permission during the reporting period to travel to the West for several months to pursue professional interests. Others, however, were denied similar opportunities.

The fledgling organization called "Peace Group for Dialogue" put out a number of samizdat publications and maintained links with several Western European peace movements, but was otherwise not very active. Its membership has reportedly dwindled, as several hundred students dropped away under official harassment. Those leaving the group apparently concluded that the authorities were not prepared to tolerate a genuine autonomous organization and they did not wish to risk their careers by remaining with an organization whose members were increasingly being treated as dissidents.

A specialized form of dissent continued in the Catholic Church. It centers around the "basic community" movement, which has charged that the church hierarchy is "collaborationist." The hierarchy continues to receive support from the Vatican. Cardinal Casaroli has sent several communications calling upon basic community members to obey the hierarchy. This has made it easier for the Hungarian government to take no action against church members of the "basic community" movement. Nevertheless, tension increased because of the pacifist activity of several priests and their lay supporters. We are aware of no new sentencing of young people influenced by pacifist teaching of the more radical wing of the basic community movement. Approximately a dozen young people are believed to be serving jail sentences ranging up to three years for refusing military service.

There were also a number of positive developments in church-state relations. The State Secretary for Church Affairs acknowledged that interest in religion is growing, particularly among young people. He and other state and party officials have expressed a desire to work more closely with the church on the solution of social problems of mutual concern such as the high divorce, alcohol and juvenile delinquency rates. In general, there has been an increase in favorable media treatment of religion and religious persons. There was wide coverage in October of the church celebrations of the 300th anniversary of the freeing of the city of Esztergom from the Turks, a celebration in which the Polish Primate, Cardinal Glemp, took part. A movie was screened during the February film festival on religious life in Hungary ("The Open Way"), which is scheduled for nationwide release in the spring. Serious discussion is going on between church and state about the establishment of an order of nuns who would serve as nurses in both church and state hospitals. This would mark a significant change in official policy, since most religious orders were disbanded in 1950.

Human rights issues involving the Hungarian minorities in Romania and Czechoslovakia continued to attract widespread interest and concern. The Party, apparently responding to complaints from those countries, sought to tone down the incipient national debate by citing the alleged dangers of "chauvinism" and arguing openly that public references to problems in neighboring countries make them more difficult to solve.

While Hungarian cultural life continued to flourish within fairly broad limits, a number of party statements indicated a perceived need to reaffirm ideological vigilance. The most concrete manifestation of an apparent slight chilling of the overall atmosphere was the announcement in September that Ferenc Kulin, the editor of the liberal monthly literary journal Mozgo Vilag, had been fired because his editorial policy allegedly left it unclear whether the journal was still Marxist. This dispute continued throughout the reporting period. The protest of intellectuals against the authorities' resort to "administrative" methods to enforce cultural policy reached high points with an open meeting at the university at which the Deputy Minister of Culture was sharply criticized, and with a student petition campaign on behalf of the old board of Mozgo Vilag, which resigned in sympathy for Kulin. The Party insisted that the Mozgo Vilag affair was unique. The first issue of the reconstituted journal, which appeared in March, was close enough in content to the old to suggest an effort by the regime to reduce fears that a tighter policy would be applied more generally. Nevertheless, many young writers continue to refuse to write for the new editors, and there are reports that they may try to organize a counter-Mozgo Vilag.

German Democratic Republic. There have been no changes in German Democratic Republic (G.D.R.) practices regarding the first six principles. The G.D.R. continues its active support of Soviet activities in developing countries.

The major development in overall CSCE implementation during the reporting period was an upsurge in the number of G.D.R. citizens allowed to emigrate. The decision to permit increased emigration is fully consistent with the Helsinki and Madrid accords. It is too early, however, to tell whether there will be a lasting change in emigration policy. The G.D.R. has not changed the arbitrary nature of its emigration procedures. Some emigration applicants face reprisals, including loss of job and educational opportunities, harassment and discrimination directed at their children, and imprisonment. The August 13 Working Group, a West German human rights organization has alleged that in 1983 there were 7,000 political prisoners, the majority of whom were imprisoned for filing emigration applications or for trying to flee the GDR illegally.

The G.D.R. has continued to restrict the fundamental freedoms of thought, conscience, religion, and belief among its people. The activities of the Ministry of State Security's secret police are pervasive. Without judicial controls, the police do not hesitate to install listening devices, open private mail, surveil or interrogate whomever they choose.

With the exception of church-sponsored events held on church grounds, individuals are not allowed to organize events without official approval. On November 4, 1983, approximately 300 East Germans across the G.D.R. were held in preventive detention for 24 hours in an attempt to prevent a planned demonstration by autonomous peace activists in front of the Soviet and American Embassies to protest nuclear weapons. More generally, church leaders have been warned by the government to restrain activist pastors and laity. Two leading figures of the "Women for Peace" group in East Berlin were arrested in December 1983 because of their activism, including contacts with Westerners. Karlheinz Bomberg, a writer of peace and dissident songs who has been prohibited from performing publicly since 1983, was arrested in February 1984 under Article 219 of the G.D.R. Penal Code (transmitting materials of a derogatory nature to a foreigner) after he gave the texts of some of his songs to Westerners. In addition to preventing the November 4 demonstrations mentioned above, G.D.R. authorities moved swiftly to break up an East Berlin demonstration in October 1983 by the "Women For Peace" group. Many literary works, including non-conformist books by authors as Stefan Heym and Christa Wolf, are not allowed to be published in the G.D.R. or are censored.

Open and active adherence to religious beliefs often results in effective disqualification from preferred job and educational opportunities. The state monitors statements and writings by church figures and regulates the printing and distribution of religious materials. Members of some faiths-- notably Jehovah's Witnesses and Christian Scientists--are prohibited entirely from practicing their faith in the G.D.R.

Self determination by means of democratic elections is not possible in the G.D.R. Every five years citizens are presented with a list of candidates, most unopposed, for the "People's Chamber" (Volkskammer) and various local assemblies (Volkvertretungen). Though a 1976 election law states that voting will be secret, it is not in fact always so, and East Germans who refuse to vote or who reject entire ballots may suffer reprisals.

Foreign diplomats in the G.D.R. are effectively protected by government security forces. However, the government reportedly provides military training to members of groups which have been associated with terrorism in the past. The G.D.R. curtailed access to several non-Communist embassies in early 1984,

arresting numbers of East German citizens who attempted to contact embassies on consular or other business. The number of uniformed police and plainclothes Ministry for State Security officers patrolling the areas around many Western embassies has increased, serving to intimidate, and at times prevent, visitors. East German pedestrians near Western missions may be questioned by police without cause and many East German visitors have their IDs checked by the authorities or are detained for questioning after departing a Western mission. The government has also reportedly broadened restrictions on contacts with Westerners by party and government officials.

Non-government controlled unions are prohibited, and strikes are not permitted in East Germany. Union assemblies are rigidly controlled by the state. Unions are a controlled political arm of the government and are used to carry out official and party policy.

Czechoslovakia. Czechoslovakian implementation of the Helsinki and Madrid principles remains fundamentally flawed, particularly on Principle Seven human rights issues. There has been no observable change in Czechoslovak performance regarding principles one through six, nine, and ten.

The major groups within Czechoslovakia who monitor the government's implementation of the Helsinki Final Act and its human rights record are the signers of Charter 77 and the members of the Committee for the Defense of the Unjustly Persecuted (VONS). During the reporting period, Charter 77 issued a number of documents noting the failure of the Czechoslovak government to inform its citizens of important political and social developments and, in some cases, the government's policy to conceal information on such topics.

On December 30, 1983, the Charter published an analysis of the Madrid Concluding Document. It placed special emphasis on the necessary relationship between observance of human rights and the achievement of greater confidence and stability in international relationships, a position which Charter 77 has often taken in the past. The document also notes the right of citizens to call the attention of their government to human rights issues, a right forming "the basis for the creation of citizens' initiatives," which is a formulation Charter 77 uses to characterize itself. It then states that the Czechoslovak government has engaged in repressive acts against participants in "citizens' initiatives," calls on the government to stop such behavior which is at odds with the Final Act and other international agreements, and concludes that it will be the actions of the police, courts, and others which will demonstrate Czechoslovak intentions in this area. The document concludes, "we wish for a proof that is positive."

Thus far, the actions of the Czechoslovak regime have not given encouragement to this wish. The apartment of the editor of "Information About the Charter," for example, was ransacked for ten hours by the police the day after the official announcement was made in Paris that the Charter's monthly bulletin had been awarded the Jan Palach Prize for 1984.

Czechoslovak practice regarding Principle Seven, calling for respect for human rights and fundamental freedoms, appears to have worsened somewhat in the last six months. Probably the most significant change in human rights observance in Czechoslovakia was the treatment of two persons (Ladislav Lis and Jan Litomisky) released from prison at the end of February/beginning of March, 1984. These are the first political prisoners whose sentences also included terms of "protective supervision" to follow their prison sentences. "Protective supervision" is a legally defined status which, at the time the law was passed, was said to have been intended largely for control of recidivists. The previous application of this provision against habitual criminal offenders has been relatively lenient compared to the provisions applied against the released political offenders. Lis and Litomisky must report daily at a specified time, seven days a week, to the police station in their place of residence. More than five minutes tardiness is punished, and a third violation of "protective supervision" may lead to an additional sentence of two-to-five years in prison. In addition, the men must provide information on all employment and salaries, allow their homes to be searched at any time the police choose (including all persons found in the home), observe tight curfews, and obtain prior permission to travel outside their places of residence. Several other persons still serving sentences are due to have these sanctions applied against them upon their release. Application of this law against human rights activists is a new and harsh form of persecution.

In addition to these new restrictions, there were several political trials during the reporting period. One, against Jiri Wolf, involved charges of subversion and resulted in a sentence of six years, a harsh term imposed on a young man for whom this is the third sentence. The second was the trial of Jiri Gruntorad who is now serving a prison sentence; he is charged with "false testimony" for having accused prison guards of severely beating him last spring. The trial began in February, but was recessed several times because key witnesses were unavailable. We understand it has now been indefinitely postponed because of conflicting testimony. Nevertheless, the case can be reopened, a threat which can be used against Gruntorad.

The regime continues to be concerned about religious activity and groups not authorized by the state. The Czechoslovak government does, from time to time, "consult" with religious organizations within its territory, but only on its terms. State authorities have met with religious officials on several occasions, particularly with regard to regime-sponsored peace initiatives. During this reporting period, leaders of several religious organizations issued statements supporting Soviet peace initiatives and condemning U.S. missile deployments in Western Europe. One or two religious groups condemned the production and deployment of missiles by both East and West, but these statements have not met with approval from the authorities.

While the Czechoslovak Constitution and government state that there is freedom of religious practice, in fact this right is severely constrained by regulations. All priests and ministers must be licensed by the state, and the license may be withdrawn at any time. Religious education of children and clergy is strictly controlled, and unofficial gatherings such as privately celebrated masses, prayer meetings, or educational sessions are forbidden. The printing and distribution of unauthorized religious material is illegal and liable to criminal penalty. The state registers all approved religious organizations, and some, such as the Mormons and Jehovah's Witnesses, are declared illegal. Applications for registration by such actively proselytizing groups would probably not be approved.

Virtually all workers in Czechoslovakia are enrolled in the officially-sponsored trade union movement, the Revolutionary Workers' Movement (ROH). Intellectuals such as artists, writers, and others are organized in professional associations which are under the control of the Communist Party. No organizations which are not approved by the state are allowed to exist in Czechoslovakia. Unauthorized trade unions are not permitted. Therefore, workers are not allowed "freely to establish" unions, nor are they allowed not to be members of the regime-sponsored workers' organization. One unauthorized group, calling itself the Preparatory Committee for Free Trade Unions, did issue a statement in late 1983 which criticized the official trade unions for having supported the government's decision to accept the deployment of Soviet missiles in Czechoslovakia. Rights of unions, such as the right to strike, do not exist. On occasion, however, workers' organizations within industries or factories have been able to gain some improvements in working conditions through negotiation with management.

Czechoslovakia publicly maintains its opposition to all forms of international terrorism. To what extent official policy and actions mirror this public stance is impossible to verify. Occasionally, Western press reports carry stories alleging that there are terrorist training camps on Czechoslovak territory.

There has been little notable change during the reporting period with respect to Principle Eight (equal rights and self-determination of peoples). There are occasional indications that the sizeable Hungarian minority located almost entirely in Slovakia suffers some discrimination in cultural matters and political representation. We are unaware of any flagrant case of such treatment during the past six months. The same may be said of the treatment of the gypsy population of Czechoslovakia, which suffers here from the prejudice which this group has unhappily met elsewhere.

Bulgaria. Bulgarian compliance with the Final Act and the Madrid Concluding Document has not improved markedly during the last six months. The Government of Bulgaria's performance in human rights and free flow of information and ideas remains unacceptable by Western standards. Bulgaria generally complies with Principles One through Five of the Final Act. During the past six months, Turkey has arrested alleged Bulgarian intelligence agents accused of promoting subversion inside Turkey, evidence that Bulgaria may not comply with Principle Six, non-intervention in the internal affairs of other states.

Bulgarian performance on Principle Seven concerning basic human rights is poor. Bulgaria simply neither respects nor encourages "...the effective exercise of civil, political, economic, social, cultural, and other rights and freedoms..."

Bulgaria has no organized political opposition. An elaborate system of informers directed by the party and security apparatus monitors Bulgarian society in search of signs of dissidence or other unacceptable behavior. Those who speak or take action against the party are subject to arrest and detention, and are dealt with swiftly. There are indications that psychiatry and psychiatric hospitalization have been employed by the government to control dissidence.

The cases of two dissidents, Valodya Nakov and Yanko Yankov, came to a head during the period under review. Both men were found guilty of offenses against the state. Both cases show clear restraint on the individual's freedom to pursue his basic human rights. The Nakov case was one of several examples of Bulgarian failure to comply with the Madrid document provisions guaranteeing access by visitors to diplomatic missions. The number of dissident Bulgarian citizens who have approached Western embassies for support over the last six months appears to have increased, but remains small.

We have seen no signs during the reporting period of any government attempts to promote greater freedom for any religious or ethnic minorities, both of which remain closely regulated and constrained by the state. The relationship between the church and state in Bulgaria has not changed in recent years although the government's attitude toward the church has relaxed considerably since the severe repression of the regime's early years. The state limits the activity of all of Bulgaria's religions. Orthodoxy, Islam and Judaism are the only "recognized" religions. As the country's historically and culturally dominant religion, Bulgarian Orthodoxy enjoys the most favored position of all the religions.

The Moslems are divided among the Turkish minority, the Pomaks (ethnic Bulgarians whose ancestors adopted Islam during the period of Turkish rule), and gypsies. Bulgaria's large Turkish minority accounts for most of the country's 800,000 or more nominal Moslems. The Turkish minority is mistrusted and discriminated against by the government. Access to higher education is restricted, the group is under-represented in responsible government and party positions, and over-represented in labor details in the armed forces. The Pomaks are subject to periodic government campaigns to persuade them to give up their Moslem names, religion, and way of life. Because the birthrate of Bulgaria's Moslems is much higher than that of its Slavic population, the Moslem proportion of the population is rising. Following heavy post-war emigration, only about 5,000 Jews, mostly elderly, remain.

Besides the three "recognized" religions which receive government subsidies, there are also 60,000 Catholics and 16,000 Protestants who maintain greater autonomy from the government and do not receive financial support. The Catholic leadership has been the most outspokenly critical of the government's religious policies. The Church has also had the most severe problems with the government, including disputes over the training and ordination of new priests, religious instruction of the young, baptism, and travel to Rome by church leaders. The government has tried to give the appearance of good relations with the Vatican through high-level contacts in recent years, but official persecution of Catholics in Bulgaria and the strain of the rumored "Bulgarian connection" in the attempted Papal assassination constrained these efforts.

Bulgarian workers are not free to establish trade unions. The Bulgarian trade union movement is under complete party and government control.

Bulgarian support for terrorist groups and individuals is a complex and sensitive area. Palestinian Black June Faction Leader Abu Nidal has visited Bulgaria. Other prominent Palestinian leaders, such as the PFLP'S George Habbash, also visited Bulgaria during the period. Allegations that the government supports terrorist activities through arms sales by the state enterprise KINTEX resurfaced throughout the reporting period. While we cannot substantiate the claims, there is legitimate reason to suspect the sincerity of Bulgaria's commitment to "taking effective measures for prevention and suppression of acts of terrorism."

The government does nothing to promote a better understanding of the people and policies of the West among its citizens. In fact, the official government view of the West is distorted, often grotesquely so, in order to paint the bleakest possible picture of a "decadent society." Contacts with Westerners and Western ideas are actively discouraged. With respect to Principle Ten, the Bulgarian government does not, in our view, live up to its international obligations under the Helsinki Final Act, the Madrid Concluding Document, the UN Declaration of Human Rights, and numerous other agreements which seek to protect the individual from interference in his private life by the totalitarian state.

Principle Eight: Equal Rights and Self-Determination of Peoples

Principle Eight reaffirms the right of all peoples to determine freely their own political status and to pursue their political, social, and cultural development without outside interference. Preferences of ordinary citizens are, of course, difficult to ascertain in countries which allow no political opposition and restrict the right of free expression. In connection with Principle Eight, the United States continues not to recognize the forcible and unlawful incorporation of Estonia, Lithuania, and Latvia into the Soviet Union. Expressions of nationalism in the Baltic republics, as detailed elsewhere in this report, are severely repressed by the Soviet Government.

The United States has also made clear that, in accordance with Principle Eight, the resolution of Poland's problems by the Poles themselves can best be achieved in an atmosphere of calm and moderation free of all outside interference. However, the Soviet Union continues to exert pressure on Poland's political process.

Meanwhile, the Soviet Union's four-year occupation of Afghanistan continues to strike at the heart of the Final Act principles related to the rights of sovereign countries, the threat or use of force, the right to self-determination, and the acceptance of rules of international conduct. With a permanent military presence of over 100,000 troops, Soviet armed forces have directed a calculated terror campaign, including destruction of villages, killing of women and children, poisoning water supplies, burning crops, and, most recently in the Panjsher Valley, indiscriminate high-aerial bombings against civilian targets in an effort to demoralize the resistance. In Southeast Asia, the Soviets continue to provide the Vietnamese with the support necessary to maintain Hanoi's efforts to subjugate and colonize neighboring Kampuchea.

In addition, the Soviet Union continues to justify the wanton destruction of the civilian Korean airliner that accidentally strayed into Soviet airspace in September, 1983. The Soviet Union also refused to cooperate with the ICAO investigation of the tragedy.

Document on Confidence-Building Measures

The signatories of the Helsinki Final Act are required by the Act's Document on Confidence-Building Measures and Certain Aspects of Security and Disarmament to give prior notification of "major military maneuvers exceeding a total of 25,000 troops, independently or combined with possible air or naval components." Notification is required for maneuvers that take place on the territory, in Europe, of any participating State, and must be made 21 days or more in advance. The notification "will contain information of the designation, if any, the general purpose of and the States involved in the maneuver, the type or types and the numerical strength of the forces engaged, the area and time-frame of its conduct. The participating States will also, if possible, provide additional relevant information, particularly that related to the components of the forces engaged and the period of involvement of these forces."

In addition, signatories are encouraged to engage in other confidence-building measures (CBMs) on a voluntary basis. These voluntary CBM's include the invitation of observers to maneuvers, military exchange visits, prior notification of major military movements, and prior notification of exercises involving fewer than 25,000 troops.

Implementation

During the present reporting period the exercise "Druzba-84" was carried out in February in Czechoslovakia involving troops from that country, the Soviet Union and Hungary. The command-and-staff exercise "Soyuz-84" was held in Bulgaria, Hungary and Romania, the Southwestern USSR and the Black Sea during March. No notifications were made of these maneuvers, which apparently did not involve more than 25,000 troops; while information regarding the maneuvers did appear in Eastern media, this cannot count as discretionary notification under the Final Act. We have no indications that maneuvers requiring notification occurred during the reporting period.

The Eastern record of compliance with the spirit (and in some cases with the letter) of the provisions for confidence-building contained in the Final Act has been generally very poor, in stark contrast to the excellent record of the members of NATO. When they make notifications, the East countries normally provide a bare minimum of information; discretionary notifications of maneuvers involving fewer than 25,000 men and the invitation of observers from neutral/non-aligned or NATO countries are the exception rather

than the rule. (Only Hungary and, for the first time in the previous reporting period, the Soviet Union, have made discretionary notifications.) The March-April 1981 exercise "Soyuz-81", which may have involved more than 25,000 men, was not notified, and in notifying "Zapad-81" in September 1981, the Soviet Union did not provide the information required under the Final Act on the maneuver's designation, the types of forces engaged, and most importantly, the number of troops taking part. The United States, through diplomatic channels, sought clarification of these matters, but no further information was provided by the Soviet until the second day of the maneuver, when the Soviet news agency TASS reported the name of the maneuver and the fact that approximately 100,000 troops were taking part. This press announcement did not, of course, meet Final Act requirements of formal diplomatic notification 21 days prior to the start of the maneuver, and the United States formally protested the Soviet Union's failure to live up to its Helsinki obligations. In November 1981, Ambassador Max Kampelman, head of the U.S. Delegation, denounced the "Zapad-81" notification to the conference as a "sham." Another example of the Eastern approach to maneuver notification was Bulgaria's minimalist notification in September 1982 of "Shield-82". Bulgaria failed, among other things, to specify in the notification the area involved or the countries taking part.

The June 1-November 30 1983 reporting period saw some improvement in Eastern practice regarding maneuver notification, however, as the Soviet Union notified two major maneuvers and made its first discretionary notification of a maneuver involving fewer than 25,000 men (the maneuver in question had 23,000 participants). In addition, the Soviets invited observers from three NATO countries-- Turkey, Greece and Italy--as well as from Yugoslavia, Switzerland, Algeria and Austria, to observe the maneuver which was the subject of the discretionary notification.

It remains to be seen whether the improvement in Eastern performance noted above will continue when the East next holds maneuvers of a size to require notification.

CHAPTER THREE

IMPLEMENTATION OF BASKET II:
COOPERATION IN THE FIELDS OF ECONOMICS,
OF SCIENCE AND TECHNOLOGY, AND OF THE ENVIRONMENT

There have been some improvements during this period in the implementation of Basket II provisions by a few East European countries. However, generally there have been no major actions by the Soviet Union or most of the East European countries to further the principles set out in the Helsinki Final Act and reiterated in the Madrid Concluding Document on cooperation in the fields of economics, science and technology, and the environment. Business facilitation in the Soviet Union and Eastern Europe remains well below Western standards, with substantial differences among the individual countries. Pressures on Western suppliers to accept countertrade arrangements continue to increase.

Significant Basket II provisions reaffirmed by the the Madrid Concluding Document include the reduction of obstacles to the development of trade, the improvement of facilities and working conditions for representatives of foreign firms and organizations, the regular publication and rapid dissemination of economic and commercial information, and upgrading of economic and commercial statistics.

In general, Hungary and Romania have continued to implement Basket II provisions satisfactorily. However, the quality of Romanian statistical data, which had not been high, deteriorated further during this period. The overall business climate in Bulgaria improved slightly and there was some improvement in the availability of commercial statistics, although Bulgaria continues to lag far behind the other East European countries in the publishing of such data. In the German Democratic Republic, some improvement in the area of business facilitation was noted during the period leading up to the Leipzig Spring Fair. Western commercial interests in Poland have been minimal due to the poor state of the Polish economy and Poland's heavy debt burden. Despite the internal unrest in Poland, however, the Polish government continued to allow the visit of U.S. and other Western business representatives. However, during this period, the Polish Chamber of Foreign Trade cancelled participation in a joint meeting of the private Polish-U.S. Economic Council. In the Soviet Union, conditions for Western business representatives were little changed, and certain important, previously-published economic statistics were omitted. In the aftermath of the KAL incident, U.S.-Soviet cooperation in the scientific area has been reduced.

The following country-by-country survey specifies the extent that the Soviet Union and East European countries have implemented the Basket II provisions of the Helsinki accords.

USSR

General Assessment

While general business conditions underwent little change during the reporting period, the KAL incident had a negative impact on cooperation and exchanges in science. This strained political atmosphere greatly decreased the number of Soviet and American scholars traveling under various exchange agreements. The number began to return to near-normal levels in 1984. Despite the chill in relations, the U.S. and the Soviet Union agreed to renew bilateral exchange agreements dealing with housing and meteorology.

Business Working Conditions

No new American firms received Soviet accreditation during this period. International Harvester, which earlier had plans to let its accreditation lapse, maintained its office. There are twenty-seven accredited U.S. firms with offices in Moscow and one, U.S.- USSR Marine Resources, with an office in Nakhodka. Hotel and housing accommodations for business have not changed. Housing is satisfactory, although the lack of adequate provision for fire safety continues to be a problem. Travel and visa restrictions are essentially unchanged from the last report. Businessmen have lodged few complaints about travel and visa restrictions, but business representatives travelling by automobile for equipment installation inspections have faced problems. They are barred from using restricted roads, which extends their travel time. The Nakhodka-based representative must use the Khabarovski airport instead of the much closer one in Vladivostok.

Other Working Conditions for Business Offices

Improvement in operator-assisted telephone service between the USSR and the West has reduced the inconvenience to foreign business caused by the elimination of direct-dial telephone service in the summer of 1982. Calls from the U.S to Moscow may be booked on the day of the call, whereas in the previous reporting period delays on calls to Moscow lasted up to a week. Calls still may not be booked for a specified time of the day, however. Operator-assisted calls from Moscow to the West have improved for foreign businessmen and are now generally placed within one hour at the normal rate. Increased customs duties initiated during the prior period have been maintained.

Availability of Economic and Commercial Information

The availability of economic and commercial information is unchanged from the previous report. It is limited and the quality of the information which is made available is often poor. Initial Soviet statistics for 1983 have omitted some items previously reported, including several crop categories in agriculture. Access to Soviet officials to discuss current economic developments and plans is severely limited.

Policy Developments

Soviet policy toward cooperation arrangements with U.S. firms has not changed. Soviet officials encourage such cooperation. We are not aware of new complications for existing cooperation arrangements with U.S. firms.

There were no official U.S. visits related to CSCE basket II concerns. Business visits continued, including several by chief executives of major U.S. firms who are participants on the board of the U.S.-U.S.S.R. Trade and Economic Council.

Romania

General Assesment

Romanian Basket II performance remained satisfactory during the reporting period. Current trade policy stresses Romania's need to build up foreign exchange reserves and reduce hard-currency debt. Trade officials are encouraged to limit hard-currency imports. Payment in counterpurchase of Romanian goods is becoming a requirement for Western firms which conclude sales contracts. Policies limiting investment and reorganizing foreign trade have contributed to a decrease in the number of contracts concluded with Western firms.

Business Working Conditions

Embassy officials have good access to Romanian government officials involved in U.S.-Romanian trade and economic relations. Senior U.S. officials and business leaders are frequently received at the highest levels of the Romanian government. Business representatives also have adequate access to foreign trade organization directors and their staffs. Because of recurring personnel changes the largest problem business representatives face is pinpointing responsible decision-makers for negotiations.

During the reporting period, one U.S. firm closed its Bucharest office, presumably because of a lack of business while two U.S. firms opened offices. The total number of U.S. firms represented in Romania is 28. It still takes six to eight months or longer to process a Western firm's application for authorization to open a representative office. Costs of maintaining a business office remain high; rents charged by Romanian agencies are comparable to market rates in world commercial centers. Telecommunications services are extremely costly and this impedes the development of commercial relations. Hotel accommodations are available at rates comparable to world commercial centers. Housing is difficult to obtain. While prices are comparable to those in Western Europe, furnishings and facilities are often inferior. Rental charges have remained constant over the past few years; utility rates rose sharply in 1983.

Availability of Economic and Commercial Information

Performance on publication of statistical data, already poor, is deteriorating further. Data are published late and are often not comparable from year to year. On the other hand, Romania continues to distribute in several languages a range of useful information on doing business there. In conjunction with its foreign debt rescheduling, Romania has made an effort to provide specific information to foreign banks, governments and international financial institutions.

Policies on Economic and Commercial Cooperation

The Romanians continue to promote joint ventures and production collaboration but only one such venture involving a U.S. firm exists in Romania. There are four such joint ventures in the United States. Romania remains particularly interested in cooperation in third markets, especially in the development of natural resources. No such ventures exist yet. Romanian enterprises routinely ask Western firms which seek to sell goods to take payment in counterpurchase of Romanian goods, but U.S. firms often have difficulty identifying acceptable Romanian goods for counterpurchase. Romanian purchases of Western goods without countertrade have declined significantly.

Official Visits

The U.S.-Romanian Economic Commission and Romanian-U.S. Economic Council ensure regular contact between senior U.S. officials and businessmen and their Romanian counterparts. In October 1983, the U.S. Secretary of Commerce, Malcolm Baldrige, visited Romania for the Ninth Session of the Joint American-Romanian Economic Commission.

Poland

General Assessment

There has been no official change in the government's policy toward economic/commercial cooperation during this period. To a limited extent, government relaxation of passport restrictions has permitted more Polish economists, business representatives and scientists to travel to conferences and academic institutions. Generally, however, the poor state of the Polish economy and the continued debt burden have kept Western commercial interest in Poland to a minimum. Poland continues to seek cooperation in the field of science and technology, particularly in the area of environmental protection. Cooperation in permitting travel of U.S. business representatives and agricultural visitors was good.

Business Operating Conditions

Access to business contacts and commercial officials remains unchanged. One American firm applied for and received permission to open an office during the reporting period.

Hotel accommodations for visiting business representatives are readily obtainable. Suitable housing for resident business representatives is in short supply but can usually be obtained.

There are no restrictions on business travel within Poland. Air service to and from Poland is satisfactory, though the choice of flights is limited. Business representatives visiting Poland for the most part do not encounter difficulty in obtaining visas.

Availability of Economic and Commercial Information

The Western business community has full access to organizational information. Economic data are published monthly and include foreign trade and industrial production statistics. Most disaggregated information released is not current and does not contain enough detail to permit thorough economic analysis or adequate market research. The Polish Government has been generally forthcoming in providing financial information necessary to discuss rescheduling of its debt with Western banks and governments.

Policies Concerning Economic and Commercial Cooperation

There have been no significant developments in Poland's attitude toward industrial cooperation arrangements. Poland continues to seek foreign investment in underutilized industrial capacity and participation in Polish trade fairs. A long-awaited liberalized joint venture law still has not been approved by the Polish Parliament. In theory, Poland has a flexible attitude toward such cooperative arrangements, especially those that would generate sizeable exports. There have been no large scale cooperative arrangements involving U.S. firms, though some smaller ventures were undertaken. Poland's economic crisis and Western sanctions continue to discourage such efforts.

During this reporting period, the Polish Chamber of Foreign Trade abruptly cancelled participation in a joint meeting of the private Polish-U.S. Economic Council, apparently because of the strained state of official relations.

Official Visits

There have been official U.S. economic and commercial visits to Poland during this reporting period. The Polish Ministry of Foreign Trade sent a delegation to the United States to negotiate an Orderly Marketing Arrangement for the sale of Polish alloy tool steel in the U.S. market.

Policies toward Countertrade Arrangements

Officially, Poland does not encourage or discourage countertrade arrangements. The Ministry of Foreign Trade will approve countertrade proposals only if they appear to be in thenational economic interest, i.e., by contributing to expanded exports and reduced hard currency outlays. Generally, countertrade is possible only in products of which Poland possesses an ample supply or to which it has access. Foreign Trade Organizations (FTOs) frequently urge business visitors to include countertrade provisions in contracts. The FTO either seeks to substitute goods equivalent to part or all of the value of a sale (counterpurchase), or a foreign seller is asked to take payment in products produced by the equipment it has sold (compensation). U. S. firms facing countertrade demands often find goods offered in countertrade to be unacceptable. Occasionally, they are unable to remarket goods which are accepted in payment.

Policies Affecting Small-and Medium-sized Enterprises

Small- and medium-sized businesses have encountered no special problems, with the exception of certain firms operating under special investment laws governing so-called Polonian firms established in Poland by foreign owners (usually of Polish ancestry) and their Polish partners. Many report thicker red tape and occasionally overzealous enforcement of regulations. Polish authorities are becoming more strict about where in Poland a Polonian firm may set up business and what products it is permitted to manufacture. Many Polonian firms, however, continue to prosper and their existence enjoys government backing. The complex and frequently changed regulations under which they operate are allegedly designed to prevent profiteering and other abuses.

Hungary

General Assessment

Hungary's implementation of Basket II provisions remained satisfactory during the reporting period. The leadership continues to recognize that reform is the only long-term solution to Hungary's economic problems. Its strategy is to give greater play throughout the economy to market forces and to integrate Hungary more fully into the world economy. This has been translated into efforts to link wage differentiation and corporate profitability, to rationalize financial capital and the use of labor, to implement concessions made to small entrepreneurs in the private sector, and to revise the banking and tax systems.

A broad extension of the economic reforms to cover the rest of the decade, proposing sharp changes in the structure of corporate management, pricing, collective bargaining, capital and labor mobilization, budget planning and taxation is under consideration by the political leadership.

Hungarian performance remains directed toward impressing upon the West that Hungary is trying to improve its Final Act implementation record in all fields, with the expectation that this will increase the willingness of Western governments and institutions to assist Hungarian economic efforts.

Business Working Conditions

Working conditions for Western businesses remained satisfactory during the reporting period. Import restrictions are gradually being withdrawn this year, although foreign exchange reserves are still below the level desired by the National Bank. A twenty percent surcharge on imported spare parts was dropped on April 1. Basic imports should increase as Hungarian companies begin to restock their inventories.

Business access remains generally satisfactory. Small and medium-sized firms still experience some difficulty and delay in getting to end-users. Some end-users, though, are exercising new autonomy under recently gained foreign trading rights and have actively sought out Western business partners without governmental or foreign trade organization middlemen. The total number of Hungarian firms with full foreign-trading rights continues to grow.

No U.S. firms opened representation offices during the reporting period; two West German firms did establish new offices in Budapest. The representatives of two U.S. firms with accredited offices are well established and enjoy excellent accommodations. The cost of maintaining operations remains high, however. Western firms seeking office and housing accommodations and facilities such as telephone and telex services can expect considerable delays in obtaining them.

Deluxe and first class hotel accommodations for business travelers and for convention and tourist purposes are still expanding. Medium-priced hotel rooms remain at a premium but several hotels in this category are now undergoing renovation.

Availability of Economic and Commercial Information

Business and commercial information is disseminated fairly freely in newspapers, journals and specialized economic publications. Western business representatives' visits to plants and enterprises also continue to yield detailed economic and commercial information. In addition, Hungarian entry into the IMF and World Bank, and participation in an IMF standby program have resulted in a fundamental qualitative improvement in the economic and financial information available in the West.