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Collection Name DOBRIANSKY, PAULA: FILES

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File Folder POLAND-SANCTIONS (IMF) 01/01/1987-02/17/1987

FOIA

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ID Doc Type	Document Description	No of Pages	Doc Date	Restrictions
64796 MEMO	SESTANOVICH TO DOBRIANSKY AND ERMARTH, RE MFN FOR POLAND	2	2/10/1987	B1
64797 CABLE	DRAFT RE MESSAGE ON LIFTING SANCTIONS	4	2/13/1986	B1
64798 CABLE	PRESIDENTS ANNOUNCEMENT ON LIFTING SANCTIONS	3	2/13/1987	B1
64799 CABLE	DRAFT PRESIDENTIAL MESSAGE ON LIFTING SANCTIONS	4	2/13/1986	B1

The above documents were not referred for declassification review at time of processing

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NATIONAL SECURITY COUNCIL
WASHINGTON, D.C. 20506

→ SANCTIONS

0929

FYI
PD

INFORMATION

February 11, 1987

MEMORANDUM FOR FRANK C. CARLUCCI

FROM: STEPHEN I. DANZANSKY

SUBJECT: Sanctions Against Poland

In preparation for the President's meeting with Secretary Shultz this afternoon, I was asked to pull together a brief summary of the history and issues involved in the Secretary's proposal to lift U.S. economic sanctions against Poland.

A. Brief history - U.S. sanctions against Poland were accomplished in two tranches:

- December 23, 1981 by Presidential address to the nation "About Christmas and the Situation in Poland," following the imposition of martial law and repression of Solidarity. The sanctions included:
 - Suspension of all U.S. sponsored shipments of agricultural and dairy products to the Polish government
 - Suspension of Polish fishing rights in U.S. waters
 - End of EX-Im Bank line of export credit insurance
 - Suspension of Poland's civil aviation landing rights in the U.S.
 - Further restriction (beyond normally restrictive national security controls) on export licensing for products and technology to Poland. This meant a "no exceptions" policy.
 - Termination of science and technology exchange programs

- On October 9, 1982 by radio address, upon a declaration by the Polish government that Solidarity or its activities were no longer legal, the President revoked Most Favored Nation (MFN) treatment to Polish exports to the U.S. In order to accomplish this, the USTR had to make a finding that Poland had not lived up to its GATT obligations to increase by a designated percentage its imports of U.S. goods and services.

B. Lifting Sanctions--Since 1982, in response to various ameliorative political gestures by the Polish government, the U.S. has relaxed all but two of its previously imposed economic restrictions.

- Fishing rights...restored in 1984 in response to Polish release of several prominent political prisoners
- Landing rights...restored in July, 1984 when Poland declared an amnesty for additional political prisoners.
- Opposition to IMF membership-dropped when Poland was allowed to join in June, 1986.
- No exceptions policy to export controls...lifted in December, 1986 for U.S goods following similar relaxation by Europeans through COCOM in September of 1986.

C. Current Situation - As a result of John Whitehead's visit, the State Department has concluded that the U.S should lift the remaining two sanctions: U.S. credit both Ex-Im and agricultural (through CCC and other programs) and denial of MFN treatment. The President should be aware of two economic issues which must be addressed and aired at Cabinet or PRG level--in addition to the political questions--before the decision goes forward:

- Restoring MFN treatment to Poland has both legal and political implication beyond the East/West policy question. To lift MNF the President found that Poland had not lived up to its GATT obligations to import an agreed upon percentage of U.S. goods. To change that decision would require a contrary finding, which in fact cannot be made given that Poland was clearly in violation of its GATT commitments. It might require special legislation to accomplish same i.e. a special dispensation for Poland by Congress. Such legislation might well raise additional GATT issues such as discriminatory treatment for one nation (as opposed to Rumania, Hungary etc.) and also raise a number of eyebrows within the protectionist community as to why we are allowing additional imports at a time of huge trade deficits.
- Restoring credits - I am informed by the

Department of Agriculture that Poland owes U.S. government about \$1.5 billion for credits previously issued. We simply cannot extend additional credits until the past obligations are paid or rescheduled.

- Thus the announcement of the lifting of political sanctions, does not mean an immediate resumption of either credit or the right to ship goods to the U.S.

These questions must be addressed further by the Cabinet and we recommend that a PRG be established cochaired by Econ and Eur to deal with the problems and perceptions.

Fritz Ermarth^{*}, Paula Dobriansky^{*} and Peter Rodman concur.

* cleared in concept.

BACKGROUND ON SANCTIONS POLICY
(CHRONOLOGY)

December 23, 1981: In response to the December 13 imposition of martial law in Poland, the Administration imposed the following sanctions against the Polish Government: the suspension of Polish civil aviation privileges in the United States; a freeze on the Export-Import Bank's line of export credit insurance for Poland; a "no exceptions" policy which restricts export licensing of high technology items to Poland; no extension of new credits and no support for Poland's entry into the IMF; curtailment of the shipment of non-humanitarian agricultural commodities for distribution by the Polish Government; curtailment of Polish fishing in U.S. waters. In the President's Christmas Day message, it was clearly stated that these sanctions would not be lifted unless three conditions were met -- the lifting of martial law, the restoration of dialogue among the Church, Solidarity and the Government, and the release of political prisoners. Simultaneously, we also imposed sanctions against the Soviet Union due to its heavy and direct responsibility for Poland's repression.

The Administration made clear that these actions were not directed against the Polish people. In fact, to offset any potential impact of the sanctions against the people, it was determined that the shipment of food through private humanitarian channels (CARE, CRS) would be continued.

May 1982: Two of our U.S. Embassy officials (the Cultural and Scientific Attaches) were PNG'd by the Polish Government on a charge of "engagement in activities incompatible with diplomatic behavior." In retaliation, we suspended joint travel under the Maria Sklodowska Curie Fund which finances joint scientific research projects.

October 1982: On October 8, the Polish Government banned Solidarity. On October 9, in the President's Saturday radio address, it was announced that as a result of the banning of Solidarity, the U.S. Government will suspend Poland's MFN status. This increased the tariffs on Polish manufactured goods exported to the U.S. and thus, reduced the quantities imported in the past.

December 1982: At the December 10 Human Rights Day Ceremony, the President delivered an address on freedom and Poland. His remarks were also intended to mark the first anniversary of the Polish imposition of martial law. Specifically, it was noted the sanctions are reversible, but that they will not be removed until the Polish Government takes some concrete action. If the Polish Government introduces meaningful liberalizing measures, we will take equally significant and concrete actions of our own. However, it will require the end of martial law, the release of political prisoners and the beginning of dialogue with truly representative forces of the Polish nation such as the Church and freely formed trade unions to make it possible for us to lift all the sanctions."

June 1983: In June, Pope John Paul II traveled to Poland. On the last day of the Pope's visit, the President addressed the Polish National Alliance in Chicago and stated, "The need for dialogue and reconciliation in Poland has never been more evident than it was during the Pope's visit. The gulf separating the Polish people from their government remains vast. I suspect that the Polish people are even more ready in the aftermath of the Pope's visit to begin a dialogue. Let us hope that Polish authorities will translate the restraint they showed during the visit into willingness to move toward reconciliation rather than confrontation."

December 1983: In response to Walesa's appeal for the lifting of economic sanctions, a Presidential statement was released which stated, "We have great respect and admiration for Lech Walesa, the courageous leader of Poland's free trade union movement. We shall give immediate and serious consideration to the issues he has raised and will consult closely with our allies on this matter."

January 1984: The President authorized the lifting of one sanction -- the ban on Polish vessels fishing in U.S. waters -- and permitted 88 LOT charter flights to land in the U.S. These steps resulted from Lech Walesa's appeal to ease some sanctions, the release of the vast majority of political prisoners and the successful visit by His Holiness Pope John Paul II to Poland.

July 1984: In response to the Polish Government's announced intention to release all political prisoners, we stated, "We welcome the announcement of the amnesty. This is a positive move. We hope the amnesty will lead the Polish authorities to take further steps to meet the aspirations so clearly expressed by the Polish people. Lasting political economic and social stability in Poland can only be achieved through genuine dialogue between the government and the people."

GENERAL TALKING POINTS RE: SANCTIONS POLICY
VIS-A-VIS POLAND

- Sanctions introduced by the President are reversible, but they will not be reversed until the Polish Government takes concrete steps toward national reconciliation (i.e., establishment of dialogue among the government, Church and people; the implementation of constructive economic reforms; and the restoration of free trade unions).
- The U.S. is prepared to respond to liberalizing actions by the Polish Government. If Warsaw takes meaningful liberalizing measures, we will respond with equally significant and concrete actions of our own (Pres. Statement - December 10, 1982).
- Any actions we might take will be the subject of careful discussions with our allies.
- The U.S. will respond only to deeds, not to words.
- The U.S. will continue to supply humanitarian aid to the Polish people through private relief agencies such as CRS and Project Hope.
- In December 23, 1981, the President stated that we would help rebuild the Polish economy once the Polish Government honors the commitments it has made to basic human rights.
- Our policy has been primarily aimed at persuading the Polish Government that it is in its own interest to adopt a policy of reconciliation with the Polish people.

NOTE: (These are general talking points on our sanctions policy that have been used over time.)

MAJOR STATEMENTS ON POLAND

U.S.

<u>Statement</u>	<u>Date</u>	<u>Highlights</u>
President Reagan Christmas Speech	December 23, 1981	Suspended civil aviation and fishing rights; closed export/import bank line of export credit insurance; urged release of prisoners from arbitrary detention; lifting of martial law and restoration of rights of free speech and association; offered to "do share to help the Polish economy" if conditions met
President Reagan Radio Address	October 9, 1982	Suspended MFN in response to delegalization of of solidarity; renewed "earlier offer to provide recovery assistance"
President Reagan Remarks at Signing of Human Rights Day Proclamation	December 10, 1982	Outlined step-by-step approach to relations with Polish Government: "If the Polish Government introduces meaningful, liberalizing measures, we will take equally significant and concrete actions of our own"; lifting of all sanctions tied to end to martial law, release of all political prisoners, and dialogue of government "with truly representative forces in Poland such as the church and freely formed trade unions."
President Reagan Address to Polish American Congress	June 23, 1983	Reiterated call for end to martial law, release of political prisoners, restoration of "freely formed trade unions" as necessary to "embark on a path of growing national reconciliation"
<u>NATO</u>		
North Atlantic Council Declaration	January 11, 1982	Called for end to martial law, release of political prisoners, restoration of dialogue with the church and solidarity; suspended commercial credits except for food, suspended participation in debt rescheduling discussions, resolved that "quality of their relations with the military regime in Poland should reflect the abnormal nature of the present situation"

NATO RESTRICTIONS

<u>SANCTION</u>	<u>DATE</u>	<u>STATUS</u>
<u>Credits</u> Suspension of official credits except for food	January 1982	Still in effect
<u>Contacts</u> Discouragement of high-level <u>Contacts</u> counterparts in Polish Government	January 1982	Still in effect
<u>Debt Rescheduling</u> Suspended rescheduling of Poland's debt "for time- being"	January 1982	Modified October 1984, lifted March 1982

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DEPARTMENT OF STATE

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UNCLASSIFIED UPON REMOVAL
OF CLASSIFIED ENCLOSURES
2012/11/14
AF/101

MESSAGE NO. 014438 CLASSIFICATION CONFIDENTIAL No. Pages 4
FROM: LYNN PASCOE S/S 73126 7224
(Officer name) (Office symbol) (Extension) (Room number)

MESSAGE DESCRIPTION NIACT IMMEDIATE CABLE TO ROME:
PRESIDENTIAL MESSAGE ON THE LIFTING OF U.S. ECONOMIC SANCTIONS AGAINST POLA

TO: (Agency)	DELIVER TO:	Extension	Room No.
NSC	ROBERT PEARSON	6534	
	EXECUTIVE SECRETARY		
	GREEN		
	COBB		
	DOBREANSKY		

FOR: CLEARANCE INFORMATION PER REQUEST COMMENT

REMARKS: PLEASE CLEAR BY: 10 AM Sat 2/14

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S/S Officer: [Signature]

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64797	CABLE DRAFT RE MESSAGE ON LIFTING SANCTIONS	4	2/13/1986	B1

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OF CLASSIFIED ENCLOSURES
2/11/87

MESSAGE NO. 014443 CLASSIFICATION SECRET No. Pages 3
FROM: Lynn Pascoe S/S 647-3126 7224 MS
(Officer name) (Office symbol) (Extension) (Room number)
MESSAGE DESCRIPTION CABLE TO WARSAW -- SUBJECT: PRESIDENT'S ANNOUNCEMENT
ON LIFTING SANCTIONS AGAINST POLAND

TO: (Agency)	DELIVER TO:	Extension	Room No.
NSC	<u>Robert Pearson</u>	<u>456-6534</u>	
NSC	<u>Executive Secretariat</u>	<u>395-3723</u>	
	<u>GREEN</u>		
	<u>DOBRIANSKY</u>		
	<u>DANZANSKY</u>		
	<u>P THOMPSON</u>		

FOR: CLEARANCE INFORMATION PER REQUEST COMMENT

REMARKS: PLEASE CLEAR BY: 10 AM Saturday 2/14

CLEAR - with one change S/S Officer: [Signature]

P Dobriansky
2/14/87

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64798	CABLE PRESIDENTS ANNOUNCEMENT ON LIFTING SANCTIONS	3	2/13/1987	B1

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105 2/18/09

014439

MESSAGE NO. _____ CLASSIFICATION CONFIDENTIAL No. Pages 4
FROM: LYNN PASCOE S/S 73126 7224
(Officer name) (Office symbol) (Extension) (Room number)
MESSAGE DESCRIPTION NIACT IMMEDIATE CABLE TO ANATO AND TOKYO:
PRESIDENTIAL MESSAGE ON THE LIFTING OF U.S. ECONOMIC SANCTIONS AGAINST POLAND

TO: (Agency)	DELIVER TO:	Extension	Room No.
NSC	ROBERT PEARSON	6534	
	EXECUTIVE SECRETARY		
	GREEN	J. Kelly	
	DOBRIANSKY	THOMPSON	
	MAHLEY		
	ERMARTH		

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S/S Officer: *Bryan Roy*

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Statement by the AFL-CIO Executive Council

on

Poland

February 16, 1987
Bal Harbour, FL

On December 23, 1986, the Polish government denied visas to an AFL-CIO delegation headed by President Lane Kirkland which sought a meeting with Solidarnosc President Lech Walesa. The Polish authorities made it clear that the visas would be issued only on the condition that the delegation agree to meet representatives of the official, state-sponsored "unions" established by the Jaruzelski regime after it crushed Solidarnosc. This they refused to do.

The AFL-CIO will not be coerced by any government into meeting with any "trade unions" that it does not recognize as legitimate representatives of working people. In insisting that we do so, the Polish authorities were playing their part in a global Soviet campaign to force recognition of Communist labor fronts by the free trade union movement and to foster contacts and exchanges between them.

The decision of the Polish government belies its claim to be pursuing national reconciliation and dialogue, just as its refusal to cooperate with the ILO's commission of inquiry displays contempt for international public opinion at the very time it seeks economic assistance from the West.

The AFL-CIO wished to meet with Lech Walesa and his colleagues to clarify Solidarnosc's views on proposals to lift the remaining U.S. sanctions against Poland. Since the inception of Solidarnosc, the AFL-CIO has sought--as in our relations with other trade unions struggling for freedom of association--to reflect the policies and defend the interests of Solidarnosc, as defined by its democratically chosen leaders.

We have been given to understand that the leadership of Solidarnosc now favors the removal of the sanctions imposed by the United States after December 13, 1981, in the hope that this action will encourage the Polish government to enter on the road of

positive change and social dialogue and the maintenance of economic and cultural ties with the West.

In deference to Solidarnosc, the AFL-CIO withdraws its objections to the lifting of the sanctions against Poland.

We call upon the Administration, however, to link the timing of the lifting of the sanctions to concrete steps by the Polish authorities toward the goals expressed by Solidarnosc. The first step should be the unconditional release of all remaining prisoners of conscience. The granting of Most-Favored-Nation status and other economic benefits must be conditioned on progress toward trade union pluralism, which must be regularly reviewed. In the absence of such progress, or in the event of renewed repression, the U.S. should be prepared to reimpose sanctions

Just as the AFL-CIO has insisted that nations that violate workers' rights and international labor standards be denied the benefits of the Generalized System of Preferences, and is working for the inclusion of that condition in all trade programs, so will we insist that Poland be held to, and judged by, the conventions and standards of the ILO and other international agreements.

In the final analysis, it is not the application or removal of the sanctions--which, in any case, are far weaker than those proposed by the AFL-CIO--that will bring about a more democratic evolution in Poland. That can be achieved only by the democratic movement within that country--as pre-eminently represented by Solidarnosc. Any lifting of sanctions must therefore be coupled with increased political, moral and material support for the democratic movement of Poland.

The AFL-CIO applauds the affiliation of Solidarnosc to the International Confederation of Free Trade Unions, where it takes its place as the authentic voice of Poland's workers. We pledge to maintain and expand our assistance to Solidarnosc and call upon all free trade unions everywhere to do likewise.