report

International Citizens Helsinki Watch Conference

Bellagio Study & Conference Center, Lake Como, Italy

September 6-10, 1982

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I. REPORT

INTRODUCTION

The concept of an international citizens movement to monitor compliance with the human rights provisions of the Helsinki Final Act is inherent in the Act itself. The Helsinki accords are unique among international instruments in upholding the right of citizens to monitor their own governments' respect for the rights of the people they govern.

Principal VII of the Helsinki Final Act incorporates directly or by reference all of the human rights essential to a freedom-loving society. Principal VII also speaks of the rights of citizens "to know and act upon their rights," and it is this provision that inspired Dr. Yuri Orlov and others in the USSR to form the first citizens' Helsinki group in Moscow in 1976. The Moscow Helsinki Group called upon "the public of the other participating states to form national groups to promote complete fulfillment of the Helsinki agreements by the governments of their own countries." It also expressed "hope that a corresponding International Committee will be organized in the future."

Helsinki groups were soon formed in other parts of the USSR — the Ukraine, Georgia, Lithuania and Armenia —and in Czechoslovakia and Poland. Without exception, these groups have been brutally suppressed by their governments. Approximately fifty members of Soviet Helsinki committees are suffering right now in prisons, labor camps or internal exile; others have been expelled from their country or intimidated into leaving. Persecution of Charter 77 signers in Czechoslovakia has been intense, and, at the time of this writing, the Chairman of the Polish Helsinki Committee, together with some of his colleagues, is under arrest in Poland and charged with treason, for which he faces a possible death sentence.

Dr. Andrei Sakharov, in his 1978 book Alarm and Hope, appealed for an international committee to defend and unite the persecuted Helsinki monitors:

> "I appeal for the creation of a unified international committee to defend all Helsinki Watch Group members, to bring together the forces of several groups at work."

Citizens in the West responded to the appeals of the persecuted Helsinki monitors and of prominent human rights activists such as Dr. Sakharov. Some of them - in Norway, the United States, the Netherlands and France - acting independently of each other and using the Moscow Helsinki group as a model, formed parallel Helsinki committees in their countries. Unlike their East European counterparts, these Western groups began to grow in size, scope and influence. Free to criticize their own governments' human rights practices, they nevertheless operate freely and effectively within their own societies.

These Western groups, although similar to each other in structure and purpose, had only sporadic and inconclusive contact with each other until 1981, when the U.S. Helsinki Watch Committee, with the encouragement and financial help of the Rockefeller Foundation and the Ford Foundation, undertook a long-range project to promote the development of an international citizens' Helsinki movement.

The Rockefeller Foundation provided the use of the Bellagio Study and Conference Center at Lake Como, Italy, for an international organizing conference which was held in September, 1982. A grant from the Ford Foundation covered administrative, travel and meeting expenses connected with the conference and the organizing effort in general. During the year preceding the conference, members of the U.S. Committee traveled extensively in Eastern and Western Europe, seeking out groups and individuals interested in forming an International Helsinki Federation. The following countries were

visited, some more than once: Austria, Czechoslovakia, Denmark, England, France, Finland, Hungary, Italy, the Netherlands, Norway, Poland, Sweden, Switzerland, Spain, Yugoslavia, and the USSR.

In selecting conference participants, care was taken to ascertain that they were (1) people of influence with an established record of effective activity in their own countries; (2) genuinely concerned with fighting human rights abuse wherever it occurs, including violations within their own countries; (3) private citizens not closely identified with their governments or with a specific political party; and, perhaps most important, (4) committed to continue working after the conference in order to establish or strengthen Helskinki human rights groups within their own countries.

In June, 1982, a one-day planning meeting was held in Paris at which nine representatives from seven countries drew up an agenda for the September conference.

The International Citizens Helsinki Watch Conference took place from September 6 to 10, 1982, at Lake Como, Italy. Attending the conference were 22 participants from 18 countries, four observers, two staff people, and two translators. The list of participants (see II) reveals a stimulating diversity in age, ethnic background, profession and life experience. The participants, ranging in age from their 20's to their 70's, included lawyers, scientists, writers, publishers, businessmen, journalists, sociologists, historians, professors of law, and philosophers. Some were professional human rights activists; some were victims of human right abuses. Although countries such as the USSR, Czechoslovakia, Poland and Romania were necessarily represented by activists in exile, there were representatives from Hungary, Turkey and Yugoslavia, countries with repressive policies that had made such direct representation seem unlikely.

Four papers were prepared by participants for the conference (see VI). Two were background papers: "A View of the International Protection of Human Rights Today," by Gaetano Arangio-Ruiz, Professor of International Law at the University of Rome; and "The CSCE, Human Rights and Non-Intervention," by P. van Dijk and A. Bloed, Professors of International Law at the University of Utrecht and members of the Helsinki Committee of the Dutch Branch of the International Commission of Jurists. The other two papers were intended as working papers for specific sessions: "Mandate of Helsinki Watch Committees," by Aryeh Neier, Vice Chairman of the U.S. Helsinki Watch Committee, and "Plans and Proposals for Future Activities," by Kristoffer Gjotterud, Member of the Board of the Norwegian Helsinki Committee. The opening address "Some Considerations for Discussion," by Jiri Pelikan, Deputy from Italy to the European Parliament, has since been transcribed (see VI).

There were three parts to the conference discussions, roughly divided between the three working days: (1) reports on human rights violations in specific countries; (2) the formation of national Helsinki groups and the creation of an international federation of individuals and national groups; and (3) plans for future international activities.

The atmosphere of intensity and excitement that attended the conference was exceptional, stemming from a sense of purpose and of urgency. New friendships were made, old ones were renewed, information was exchanged and plans for future contact were developed. It was clear from the outset that an international citizens' movement would be created.

MINUTES

Monday evening
September 6, 1982

Introductions and Welcoming Remarks

Robert L. Bernstein, Chairman of the U.S. Helsinki Watch Committee, gave

the opening remarks. He introduced himself and four other representatives of existing Helsinki groups and asked them to discuss the work of their committees.

Ludmilla Alexeyeva described the Moscow Helsinki Group, of which she is the representative abroad, as the first of the Helsinki committees. She explained the significance of the Helsinki Final Act for human rights in the Soviet bloc.

Stein Ivar Aarsaether, Chairman of the Norwegian Helsinki Committee, spoke of the role that the Scandinavian countries played in urging the inclusion of human rights provisions in the Helsinki Final Act. The Norwegian Helsinki Committee has a council of 50 members representing all political parties in Norway, a board of five members which does the basic work of the committee, and a general membership of 2000. The committee works to influence Norwegian authorities on issues such as immigration, political asylum, the Turkish situation, and freedom for labor organizations. It receives about 60 percent of its funding from the Norwegian government.

Pierre Emmanuel spoke as Chairman of La Comite Parisien pour le Respect de l'Acte Finale de Helsinki and described his committee's relationship to other Parisian committees focussing on the problems of Eastern Europe. Since such committees are usually composed of a few prominent individuals who lend their names but have little time for actual work, Mr. Emmanuel said that an international structure would be helpful in explaining the Helsinki accords to the public and in creating a larger audience for the committee's work.

Professor P. van Dijk, member of three Helsinki committees in the Netherlands, spoke primarily of the Helsinki Committee established by the Netherlands branch of the International Commission of Jurists. He described its two purposes as (1) research and preparation of reports on legal aspects

of the CSCE process for governmental and nongovernmental bodies and (2) assessing the importance of the Helsinki Final Act in the Netherlands, especially the right to work and its implications. He serves on the committee that publishes the CSCE Weekly, a survey of implementation and non-implementation of the Helsinki accords.

Professor van Dijk also spoke of his vision for future cooperation between Helsinki groups, both those existing and those to be established: (1) regular exchange of information to enable groups to coordinate their activities; (2) coordination and cooperation without loss of individuality; and (3) regular meetings of a small international committee.

Mr. Bernstein spoke of the U.S. Helsinki Watch Committee as a nongovernmental citizens' committee. He described the work of the committee in (1) influencing the U.S. government in its preparations for the Madrid talks; (2) raising the issue of human rights in the U.S.; (3) placing influential articles in U.S. newspapers and serving as a resource for information; (4) working with the public members of the Madrid delegation, especially Orville Schell, vice-chairman of Helsinki Watch; and (5) forming the Americas Watch Committee, an offshoot of the Helsinki Watch Committee dealing with Latin American issues.

Mr. Bernstein then expressed four hopes for the Conference: (1) that it strengthen and help launch more Helsinki groups, each with its own agenda; (2) that it discuss the best ways to establish communication and to raise funds; (3) that it consider its position with regard to the Madrid Conference reopening on November 9; and (4) that it not forget the question: "What did Yuri Orlov have for dinner tonight?"

Aryeh Neier of the U.S. Helsinki Watch Committee pointed out that the diplomatic process in Madrid may "prove to be a failure" and suggested that

the conference emphasize the role of citizens' efforts in creating a permanent movement, more effective than governmental diplomacy.

Tuesday morning
September 7, 1982

Opening Address and Discussion

The conference agenda was formally adopted, and then amended so that discussion could focus immediately on the recent arrest of Zbigniew Romaszewski, chairman of the Polish Helsinki Watch Committee, who had been in hiding since the imposition of martial law in Poland. The case of Roger Noel, a Belgian journalist imprisoned in Poland on charges of smuggling radio equipment into the country, was also raised and ways of helping these men were discussed.

Jiri Pelikan gave an opening address on the meaning of the Helsinki accords and detente, with emphasis on ways Helsinki groups can link the three Baskets of the Final Act and ways they can support their East European colleagues (see VI).

Professor Gaetano Arangio-Ruiz questioned the connection between the Helsinki accords and human rights and whether human rights committees should be named "Helsinki" at all. He stressed the ambiguity in the Helsinki accords between human rights and "intervention in internal affairs;" the Soviet concept of the Helsinki accords as acknowledgment of the Soviet empire; the possibility of using other international documents in advocating human rights, and the difficulty of limiting human rights concerns to the Helsinki countries.

Aryeh Neier pointed out the symbolic significance of individual cases such as Yuri Orlov's, the publicity value of such cases and the positive role Helsinki committees can play in alleviating suffering for at least a few individuals.

Jeri Laber pointed to the value of the Helsinki review conference (1) as the only international conference currently in session where the West is in the ascendancy; (2) as a forum for dealing both with individual cases and with broader issues such as family reunification and freedom of travel; and (3) as a source of moral encouragement for East European human rights activists who look to the conference for support.

Frantisek Janouch stressed the importance of focussing not only on "dissident" issues but also on more general issues of interest to a broader segment of society, such as free access to information and freedom of movement.

Mumtaz Soysal stressed the solid framework of the Helsinki accords and the connection between human rights and the three Baskets of the Final Act.

Robert Bernstein spoke of the danger of organizations becoming too diffuse if they try to cover all human rights abuses around the world rather than focussing on one area. He also pointed out that "Helsinki" has come to mean "human rights," and that the Helsinki process is one way to keep human rights issues in the news.

Srdja Popovic pointed out that although the Helsinki accords are an inter-State agreement, the conference should concentrate on the citizen's role in the process. Since not all citizens have equal influence in their countries, however, Mr. Popovic questioned whether individuals living in countries where it is too risky to form Helsinki committees might join an international Helsinki federation as individuals.

Mr. Pelikan ended the session with a reminder that totalitarian regimes can be changed only by the peoples themselves and that those peoples need as much outside support as possible.

Tuesday afternoon
September 7, 1982

Urgent Human Rights Problems

Mumtaz Soysal spoke about the situation in Turkey, its place outside the traditional East-West conflict, the effect of international tensions on the internal situation in Turkey, and the degree to which the Turkish government uses national security as an excuse to crack down on individuals and movements which are not pro-West. He cited in particular the case of the members of the Turkish Peace Committee who cooperated with the Marxist World Peace Council and are currently in jail. The U.S. government, because of its special strategic interest in the area, is often more of an apologist for repression than even the Turkish government. Westerners also see issues through a cultural prism paying more attention to minor complaints of Assyrians, who are of the Judeo-Christian tradition, than to those of Moslems who are severely persecuted by the secular state and not protected by the rights accorded other minorities. If there had been more interest in the social and economic problems of Turkey, for example, before the imposition of martial law in September 1980, there might not have been a coup or it might have taken a different form. Human rights should be monitored before they are violated.

Turkey was discussed as a two-sided problem: both the repression within the country and the repression of Turkish minorities in other European countries.

Gyorgy Bence spoke of the Hungarian situation which he said was not as "urgent" as some, but which he described as a closed political environment that effectively inhibits individuals from organizing any opposition within the country. He described the economic sanctions used to maintain control

over society, both positive incentives for Party members in the form of economic rewards and negative discrimination against dissenters in the form of job loss and non-advancement.

Aryeh Neier pointed out the differences between Hungary and Turkey: one system has no political prisoners or torture but is totally repressive, while the other permits more freedom of movement but is guilty of torture and other extreme abuses of human rights.

In discussing the situation in Poland, Miroslaw Chojecki said the main tasks since the imposition of martial law are to help repressed persons, those in detention (around 600) and those under arrest, (about 4,000, of whom many have been given prison sentences ranging from 1-10 years). There is danger that the situation will be quickly forgotten, as was the case with Czechoslovakia in 1968 and Hungary in 1956. The Polish people no longer believe the promises of their government. They need guarantees they can count on.

Pierre Emmanuel reported that Poles in France are planning a major forum on December 13th to coincide with the anniversay of the imposition of martial law.

There was some discussion about loans and other economic aid being given to Poland.

Irwin Cotler spoke of a "multi-tiered" approach to human rights problems. On one level Canada insists that all bilateral agreements with the Soviet Union incorporate the Helsinki accords, making those accords legally binding. One another level, Canada acts through the media, "mobilizing shame" against those violating basic human rights. Still another approach is to use interest group advocacy.

Frantisek Janouch spoke of an escalation in police repression in Czechoslovakia during 1981 due to the authorities' fear of "another Poland." Mr. Janouch described recent acts of repression, beginning in May with the arrest of 20-30 Charter 77 members and the preparation of a political show trial. Seven to eight were held until March of 1982 when first one group and then another were released, possibly in connection with President Husak's planned visit to Austria. The case of Karel Kyncl illustrates a particular "Catch 22" in the system: he has been told he cannot emigrate until he gives the authorities the results of the criminal investigation against him, but, of course, he cannot produce the results of that investigation until it is completed which could take years. Mr. Janouch also described the work of the Charta 77 Foundation in Sweden which gives regular contributions (usually $70-80 per month) to about 100 people (families of those arrested and writers and artists).

Mihnea Berindei outlined human rights violations in Romania: disappearances; people imprisoned for participating in free trade unions; for expressing their opinions; for practicing their religions; for attempting to cross the Romanian border; displaced persons; persons incarcerated in mental hospitals. The state has apparently received one million requests for emigration. (The total population of Romania is 40 million.)

Mr. Berindei also described some current legislation: (1) decrees of October 10 and 17, 1981, stipulating prison sentences of six months to five years for stockpiling food in excess of the amount allotted to a family each month, including produce grown by farmers on their own plots; (2) a February decree requiring that all farm animals be registered with the authorities, under penalty of confiscation, and obliging all farmers to cultivate the land

according to state decree; (3) an agricultural law of January 24, 1982, decreeing that children down to the a of ten may be drafted to work in the fields if the local authorities consid. it necessary and that workers who leave their work place during work hours or bring alcohol to the work site will be punished with terms in prison; and (4) a law on "scientific alimentation" of July 14, 1982, stipulating the exact amount of food allowed to each individual according to sex and kind of work performed.

Srdja Popovic spoke of two groups of dissatisfied individuals in Yugoslavia: (1) Marxists, such as members of the Praxis group, who want an open discussion about the socialist state; and (2) democrats who give human rights the highest priority. The total number of political prisoners cannot be estimated exactly, although 300-600 arrests on political charges over the last seven years are officially acknowledged. The most common charge is the crime of "hostile propaganda," an example of which might be telling a joke in private conversation. Another charge is "terrorism" which can be invoked for contact with an emigre organization. Mr. Popovic described the vagueness of Yugoslav legal terminology, especially such clauses as "<u>any action leading</u> to...overthrowing the government, disturbing the unity of the people...." The phrase "leading to" also means that such charges can be retroactive, and they can be applied in different ways at different times.

The meeting adjourned with a recognition by the participants of the similarities between abuses in various countries. It was generally agreed that the day of testimonies had had great emotional impact.

<u>Wednesday morning</u>
<u>September 8, 1982</u>

<u>Discussion of Human Rights Compliance</u> (con't)

Ludmilla Alexeyeva continued the discussion of human rights violations

with a detailed description of the situation in the Soviet Union. She spoke about the different human rights movements; the role of the Moscow group as coordinator; the "frontal attack" on the whole movement launched by the Soviet authorities after 1979, especially against those individuals who served as links between the human rights movement and their own more specialized groups; the relationship between the attack on human rights and the end of detente; the increase in the number of women prisoners and the number of repeat sentences; the worsening of camp conditions; four suicide attempts; the human rights movement's loss of leadership; its role in collecting and disseminating information; the key role of Western radio stations; the growth of the independent peace movement; the contrasts between the older human rights activists and the newer dissidents; sociological surveys conducted in Moscow among non-dissidents which indicated that even those who were against the human rights movement felt it would continue; the use of nationalism as a divisive force keeping the diverse movements separated; and the extreme dependence of the human rights movement on the West in its continuing struggle for survival.

Cathy Fitzpatrick described her trip to Moscow in early September and her meetings with members of the Soviet independent peace group. She found them seriously involved in peace issues and determined to stand apart from human rights issues, despite harassment and the internment of one of their leaders, Sergei Batovrin, in a psychiatric hospital. She also mentioned the peace group's hope for support from peace movements in the West.

Aryeh Neier described the contradiction facing Soviet authorities who publicly advocate efforts toward peace yet seek to repress the independent peace group because it is not affiliated with official Soviet peace groups. The U.S. Helsinki Watch Committee has exploited this contradiction by

encouraging Western peace groups to acknowledge that genuine peace movements cannot exist without free expression.

Formation of National Helsinki Committees

The mandate of national Helsinki groups was discussed, including the question of whether to focus on individual victims or to take a broader approach dealing with general human rights abuses; the relationship with Helsinki groups in East European countries; and the immportance of focussing on abuses within one's own country.

The formation of an international committee was discussed, one which would federate existing national groups and stimulate the formation of additional committees through an international secretariat which would help with coordination, research, and fund-raising. International delegations of observers might be sent to countries with histories of abuse. The international group would address other international and intergovernmental bodies on behalf of Helsinki groups, especially at Madrid.

Professor Arangio-Ruiz questioned whether the Helsinki process was too closely linked to anti-Communism.

It was suggested that Helsinki committees might form as sub-committees of established organizations, as is the case with the Dutch branch of the International Commission of Jurists.

Mumtaz Soysal pointed out a specific problem in Turkey, that forming an international committee would require the approval of all the Cabinet ministers, according to Turkish law.

Pierre Emmanuel, speaking for the Parisian Helsinki Committee, endorsed the formation of an international Helsinki committee.

Anton Pelinka stressed that national committees should deal with domestic

as well as international problems and that European committees should deal with the problems of foreign workers in their countries. Ellen Dahrendorf disagreed with the notion of a domestic focus, arguing that countries like England already have strong civil liberties groups, such as the National Council for Civil Liberties. Jeri Laber pointed out that an international accord like the Helsinki Final Act can offer a new dimension to work on domestic issues.

Discussion turned to the problems of recruiting individuals to set up committees in countries not represented at the conference, such as Germany and Denmark. The possibility of setting up Helsinki groups for East European countries outside the countries involved was discussed and rejected; in the case of countries where Helsinki groups have been repressed, representatives abroad will serve as consultants to the international Helsinki committee.

Wednesday afternoon
September 8, 1982

Disbandment of the Moscow Helsinki Group

Jeri Laber announced that she had just received news from Voice of America that the Moscow Helsinki Group was disbanding. The conference participants discussed a variety of reponses and decided to write a strong press release condemning the actions of the Soviet authorities which forced the group to disband and linking the founding of an international Helsinki committee with the dissolution of the Moscow Helsinki Group.

A small group was appointed to draft a joint press release, which was then discussed, adopted, and transmitted to the press in Italy and abroad (see V).

Liason between Helsinki Groups

The role of an international Helsinki committee was discussed, as a clearinghouse for information and a central point for liaison. It was decided

to form a coordinating committee of the existing national committees to act on behalf of the international committee as a whole. It was suggested that statements by national committees should indicate whether they are the views of one committee or of the whole international body.

The formation of an international secretariat was discussed. The Norwegian group offered to serve as the international center until a secretariat was established.

Wednesday evening
September 8, 1982

Liaison between Helsinki Groups (cont.)

The group reconvened in the evening to set up a coordinating committee composed of the heads (or their designated representatives) of the five existing Helsinki committees: Canadian, Dutch, French, Norwegian, and U.S. This coordinating committee will meet in Madrid at the reopening of the Madrid conference to further the work of the international Helsinki committee and act on behalf of the international committee at the Helsinki review conference.

With regard to adding new members, it was suggested that a "nonbureaucratic" approach be taken by the coordinating committee.

Thursday
September 9, 1982

Plans and Proposals for Future Activities

Kristoffer Gjotterud presented a paper on human rights and proposals for the Madrid meeting (see VI). Several suggestions were made for the Madrid reopening:

- that there be insistence on the human dimension of detente and that human rights principles not be compromised;
- that certain "small steps" be called for, e.g., the release of Polish

activists, the release of Shcharansky, Brailovsky, and Orlov;

- that a report on human rights violations in Turkey be presented;

- that there be an attempt to get increased press coverage of the Madrid meetings;

- that an exposition be mounted with photos of human rights violations, to be shown in Madrid and simultaneously in other Western signatory countries;

- that discussions and forums be held during the time of Madrid, as well as mock political trials;

- that individual cases be cited with detailed documentation, especially cases of symbolic value;

- that the next review conference not be held in Bucharest.

A meeting scheduled to take place in Oslo on September 12th, 1982, Ambassadors to the CSCE Conference from the NATO countries was discussed. It was agreed that Norwegian Helsinki members Messrs. Aarsaether and Gjotterud, together with Orville Schell of the U.S. Helsinki Watch Committee, would attend a reception for the Ambassadors in Oslo and urge them to take strong human rights positions.

A Letter of Intent was drafted and adopted expressing the main human rights objectives of the international Helsinki committee (see IV).

A press release announcing the formation of an International Helsinki Human Rights Committee was prepared and adopted (see V). It was decided that the formation of the Committee would be announced formally in Madrid, but that before that time each group or individual was free to release this notice in his or her own country.

The International Citizens Helsinki Watch Conference adjourned.

* The name was subsequently changed to International Helsinki Federation for Human Rights.

RESULTS

The International Citizens Helsinki Watch Conference was one major step in a long-range, ongoing project that will continue over a period of years. Significant progress has already been made in the few months that have passed since the September conference.

The international committee, which has now officially adopted the name of International Helsinki Federation for Human Rights, now has in its membership eight national committees, three new committees having been added to the original group of five. An Austrian Helsinki Committee and a Swedish Helsinki Human Rights Committee have been created at the initiative of participants in the Bellagio conference. The Belgian League for Human Rights, through its Bellagio representative, has agreed to act as Correspondent to the International Helsinki Federation for Human Rights.

In addition, the committees in Norway, France and Canada have expanded their activities considerably. Work is being divided among the eight existing committees, with the Norwegian committee and the U.S. committee acting as temporary centers.

The Coordinating Committee, which now consists of representatives of the eight existing national groups, met in Madrid from November 7-11, 1982. Six of the eight national groups sent the following representatives: Jana Starek (Austria); Pierre Emmanuel (France); Arie Bloed (Netherlands); Stein Ivar Aarsaether (Norway); Lennart Groll and Gerald Nagler (Sweden); Jeri Laber (USA). Members of the Coordinating Committee met with delegates and with the press in Madrid and urged attention to human rights. They issued a joint press release announcing the formation of the International Helsinki

Federation and setting forth its concerns. The press release was issued on November 9th when the conference opened, together with two reports which had been prepared by the International Helsinki Federation for the Madrid conference: Violations of the Helsinki Accords and Political Prisoners in Poland.

On November 10th in Madrid, the Coordinating Committee members met with Ambassadors to the CSCE conference from the eight countries where national Helsinki groups now exist. Among the things discussed were the strength of the peace movement in various countries and the resulting pressure upon diplomats to reach agreement on a separate disarmament conference. Also discussed was the value of a separate experts meeting on human rights. Coordinating Committee members were urged to provide information to the delegations to be used as background for speeches at the conference and to continue pressing the cause of human rights forcefully. The International Helsinki Federation was welcomed by the Ambassadors who promised their cooperation.

The following meetings of the Coordinating Committee have been scheduled for 1983: March 5-7 (Vienna); June 17-20 (Oslo); and September 17-19 (New York). In addition, plans are now being made for a second international conference to be held in Oslo following the Coordinating Committee meeting in June. The Coordinating Committee is working to establish new committees in countries where they do not yet exist. Representatives from these countries will be invited to the international conference in Oslo.

In addition to monitoring human rights violations in the more repressive Helsinki signatory countries, the International Helsinki Federation is preparing a report on West European human rights compliance, focussing on the

specific issues of asylum, immigration and migrant worker problems.

The International Helsinki Federation is also seeking funds to establish an International Secretariat in Vienna. A grant of 14,000 Dutch florins (about $5,225) has already been received from the European Human Rights Foundation for this purpose, and a request for additional funds has been submitted to the Ford Foundation. Additional sources of funds will be sought in Western Europe.

Regular bulletins, letters and other forms of contact have been frequent among the Bellagio conference participants, and enthusiasm remains strong. The goal of the conference has been fulfilled: an International Helsinki Federation for Human Rights has been formed, pledged to defend victims of human rights abuse in the Helsinki signatory states.

December 31, 1982

Jeri Laber
Executive Director
U.S. Helsinki Watch
Committee

International Citizens Helsinki Watch Conference

Bellagio Study and Conference Center
Lake Como, Italy

September 6-10, 1982

II. LIST OF PARTICIPANTS

Norway:

Stein Ivar AARSETHER, Journalist; Chairman of the Board, Norwegian Helsinki Committee.

Permanent Political Secretary and Economic Adviser to the Conservative Group of the Norwegian Parliament.

Chairman, Mikhail Stern Committee; Board Member, A Boat for Vietnam; Board Member, International Cambodia Hearing.

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tel: 47-2 31-30-50 (office)

USSR:

Ludmilla M. ALEXEYEVA, Soviet human rights activist now living in USA; Western representative, Moscow Helsinki Group.

Consultant, U.S. Helsinki Watch Committee.

Graduated Moscow State University, History Dept., 1950; Editor, USSR Academy of Sciences; expelled from the CP in 1968 for signing a letter in defense of Ginzburg and Galanskov; Founding member, Moscow Helsinki Group, 1976; emigrated to the West in 1977; Consultant, U.S. Helsinki Watch Committee; Consultant, CSCE, Washington, D.C.; Author of book on history of Soviet dissident movements (to be published in Russian by Khronika Press).

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Italy:

Gaetano ARANGIO-RUIZ, Professor of International Law.

Professor of International Law, University of Rome.

Degree in Law, University of Naples, 1941; Professor of International Law, University of Camerino, 1952-55; Prof. of Intl. Law, Padua University, 1955-68; Prof. of Intl. Law, Bologna University, 1968-74; Legal adviser to the Italian Nuclear Energy Commission since 1959; Legal expert with the Italian Delegation to the Eighteen Nations Disarmament Committee, Geneva, 1962-66; Legal expert with the Delegations of Italy to the 21st, 22nd, 23rd, 24th, 25th, and 26th sessions of the United Nations General Assembly; Legal adviser to the Italian Delegation to the CSCE, 1972-75; Legal adviser to the Italian Delegation to the Belgrade CSCE, 1978; Legal adviser to the Italian Delegation to the Madrid CSCE; Author of Human Rights and Non-Intervention in the Helsinki Final Act, and over 30 articles and books on international law.

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Hungary:

Gyorgy BENCE, Hungarian philosopher living in Budapest.

Masters degree from Eotvos Lorand University; Research fellow at the Institute of Philosophy of the Hungarian Academy of Sciences until 1972; deprived of his job for participation in the preparation of a critical analysis of Marx, unemployed since then; free-lance editor at Europa Publishers until 1978, when he participated in protests against the Czech showtrials of Charter 77 activists; Author of a book of philosophy of science (not allowed to publish).

Address: Köbölkut utca 12
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Romania:

Mihnea BERINDEI, Romanian historian now living in Paris.

Member, League for the Defense of Human Rights in Romania.

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USA:

Robert L. BERNSTEIN, Publisher; Chairman of the Board, U.S. Helsinki Watch Committee.

Chairman of the Board and President, Random House.

Graduate of Harvard University; Chairman, Association of American Publishers, 1972-73; Chairman, Soviet-American Publishing Committee, 1973-74, Intl. Freedom to Publish Committee, 1975-77; Vice-President, International League for Human Rights, since 1977; Chairman, Fund For Free Expression, since 1976; Board Member, Americas Watch, since 1981; Member, Council on Foreign Relations; National Advisory Committee, Amnesty International; Writers and Scholars International.

Address: Random House
201 East 50th Street
New York, NY 10022
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Poland:

Miroslaw CHOJECKI, Polish publisher now living in Paris; Member, Coordination Committee for Solidarity, Paris.

Former chief of book publishing and media adviser to Solidarity; Head of the NOWA independent publishing house in Poland, 1977-81; stranded in the West in December, 1981.

Address: 31, rue Dauphine
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Canada:

Irwin COTLER, Professor of Law.

Professor of Law, McGill University.

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International Citizens Helsinki Watch Conference

Bellagio Study and Conference Center
Lake Como, Italy

September 6-10, 1982

III. AGENDA

Monday, September 6

7:00 p.m. Cocktails

7:30 p.m. Dinner

9:00 p.m. Welcoming Remarks: Roberto Celli, Bellagio Study and Conference Center

Introductions: Robert L. Bernstein, U.S. Helsinki Watch Committee

Brief Statements by Helsinki Group Representatives:
Stein Ivar Aarsether, Norwegian Helsinki Group

Ludmilla Alexeyeva, Moscow Helsinki Group

Pierre Emmanuel, Paris Helsinki Committee

Prof. P. van Dijk, Helsinki Committee of the Dutch Branch of the International Commission of Jurists

Robert L. Bernstein, U.S. Helsinki Watch Committee

Tuesday, September 7

9:15 a.m. Opening Session (Chairman: Pierre Emmanuel)

1. Adoption of Agenda
2. Jiri Pelikan: Some Considerations for Discussion
3. Round-Table Discussion

2:30 p.m. Discussion of Human Rights Compliance in Various Countries (Chairman: Orville Schell)

1. Urgent Human Rights Problems
2. Common Issues and Actions

Wednesday, September 8

9:15 a.m. Formation of National Helsinki Committees
(Chairman: Stein Ivar Aarsether)

1. Aryeh Neier: Mandate
2. Structure
3. Program
4. Funding
5. Followup in Countries Not Represented at the Conference

4:15 p.m. Possibilities for Liaison Between Helsinki Groups
(Chairman: Professor P. van Dijk)

1. International Steering Committee
2. Central Office and Staff
3. Newsletter
4. Exchange of Reports and Materials
5. Future Meetings
6. Individual Membership

Thursday, September 9

9:15 a.m. Plans and Proposals for Future Activities
(Chairman: Frantisek Janouch)

1. Kristoffer Gjotterud: Proposals for Madrid Review Conference
2. Plans for Future Meetings
3. Tenth Anniversary of the Signing of the Helsinki Final Act, August 1985
4. Other

2:30 p.m. Plans and Proposals (cont.)

Conclusion

Friday, September 10

Informal meetings and departure

International Citizens Helsinki Watch Conference

Bellagio Study and Conference Center
Lake Como, Italy

September 6-10, 1982

IV. LETTER OF INTENT

I appeal for the creation of a unified international committee to defend all Helsinki Watch Group members, to bring together the forces of several groups already at work.

--Andrei Sakharov

INTERNATIONAL HELSINKI HUMAN RIGHTS COMMITTEE

Letter of Intent,
adopted at the International Citizens Helsinki Watch Conference
at Bellagio on September 9, 1982

1. Those who were present at this conference in Bellagio constitute a preparatory "International Helsinki Human Rights Committee."

2. A provisional coordinating group will be set up, composed of the Helsinki groups represented at this conference. The chairmen of those groups or persons designated by them will participate in the activities of the group.

3. The coordinating group shall be empowered to invite or not invite additional human rights groups to be represented. The determination to invite a group to be represented shall be based on the coordinating group's finding that it shares the principles and purpóses of the present members and is effectively advancing those purposes. Other persons could be invited on an individual basis as members, observers, or consultants.

4. The coordinating group will try to raise money in order to set up a small permanent secretariat.

5. Until a permanent secretariat of the group will be established by the coordinating group in consultation with the members of the committee, the coordinating group will decide how the work should be organized. A central office for the coordinating group will be designated, preferably somewhere in Europe.

6. The coordinating group will have a first meeting to discuss its functions and decide tasks. It will also meet in Madrid on the occasion of the re-opening of the Madrid follow-up meeting.

Any statements made by the group will be made on behalf of only those groups and persons who have consented to such statements.

(continued)

7. In addition to raising money and being present in Madrid, the coordinating group will stimulate the establishment of Helsinki Groups in other countries and establish contacts with possible existing groups or with persons who are active in the field.

8. As far as the more substantive activities in the field of documentation, study and action are concerned, it was suggested that focus should not be exclusively and not even in the first place on individual cases of arrests, denial of visas and the like, but on those structural violations of the Helsinki provisions which affect large groups of the population, such as: restriction of free expression and the free flow of information and ideas, freedom of civil, political, economic, cultural and religious association, free movement of persons, family reunification, and the protection of minorities and migrant workers.

International Citizens Helsinki Watch Conference

Bellagio Study and Conference Center
Lake Como, Italy

September 6-10, 1982

V. PRESS RELEASES AND ARTICLES

International Helsinki Human Rights Committee

For Immediate Release

Lake Como, Italy; September 9, 1982--

We are chairman of citizens' Helsinki Committees in France, Netherlands, Norway and the United States. It is ironic that the announcement that the Moscow Helsinki Committee has stopped functioning comes at the very moment that we are meeting in Italy with citizens from fourteen other countries from West and Eastern Europe that signed the Helsinki Accords for the purpose of launching an international citizens movement to secure compliance with the Helsinki Accords. We speak for all those participating in our conference. The Moscow group inspired our work. This announcement increases our determination to continue that work.

Though we have not yet been informed from Moscow of the reasons for this announcement, we can readily guess what caused it. Forty-seven members of Helsinki Committees in the Soviet Union are now in prison or exile. Of the handful of remaining members, one of the most prominent - the 74-year-old lawyer, Sofia Kalistratova - was interrogated this week by the KGB and faces a prison sentence that could endanger her life.

The Soviet authorities may have stopped the work of the Moscow group, but they have not stopped the struggle for human rights in the Soviet Union. We pledge to aid those who will carry on that work.

We call on our own governments and on other governments that signed the Helsinki Accords to denounce Soviet repression of the Moscow Helsinki Committee. If citizens are denied the right to testify publicly and produce evidence of violations of the Helsinki Agreement, it is a clear sign that the Soviet Union is not now and never has been sincerely ready to fulfill its obligation under this agreement. When the governments that signed the agreement reconvene in Madrid on November 9, we ask that they make clear that the Soviet government's repression of the Moscow Helsinki Committee stands in the way of meaningful continuation of the Helsinki process.

Signed,

Pierre Emmanuel, France
P. van Dijk, Netherlands
Stein Ivar Aarsether, Norway
Robert L. Bernstein, United States

International Helsinki Human Rights Committee

For Immediate Release

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FORMATION OF INTERNATIONAL HELSINKI HUMAN RIGHTS COMMITTEE

Lake Como, Italy; September 9, 1982 — Citizens from 18 countries that signed the 1975 Helsinki Accords met in Bellagio Italy from September 6-10 to launch an International Helsinki Human Rights Committee. Participants in the meeting included the chairmen of established Helsinki committees in Canada, France, the Netherlands, Norway and the United States. Also participating was the representative in the West of the Moscow Helsinki Committee, the just-disbanded pioneer group that inspired citizens groups in other countries to monitor compliance by governments with the human rights commitments they made at Helsinki.

The International Helsinki Human Rights Committee announced that it will:

1) seek continuation of the Helsinki process;
2) insist that peace, human rights and economic cooperation must continue to be linked as they are linked in the 1975 Helsinki Accords;
3) promote the view that just as peace is necessary for human rights, the protection of human rights is necessary for peace;
4) press for the rights of activists for peace and disarmament to express their views without harassment and to communicate freely with citizens in other countries;
5) above all to demand that citizens monitoring compliance with the Helsinki agreement must be freed from prison if the Helsinki process is to continue meaningfully.

(continued)

The International Helsinki Human Rights Committee will seek the establishment of citizens Helsinki committees in all countries that signed the Helsinki accords. When the Helsinki review conference reopens in Madrid on November 9, the International Helsinki Human Rights Committee will present detailed reports on the victimization of citizens in Czechoslovakia, Poland, Rumania, Turkey, the U.S.S.R and other countries that have committed gross violations of the commitments they made in signing the Helsinki accords. We will also be concerned with abuses of minorities and migrant workers in Western countries.

The International Helsinki Human Rights Committee has elected a preparatory coordinating committee composed of Peter van Dijk (the Netherlands), Stein Ivar Aarsether (Norway), Robert L. Bernstein (the United States), Pierre Emmanuel (France), Irwin Cotler (Canada). These are the chairmen of the Helsinki committees in their countries.

THE INTERNATIONAL
HELSINKI HUMAN
RIGHTS COMMITTEE

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THE INTERNATIONAL HELSINKI FEDERATION FOR HUMAN RIGHTS

PRESS RELEASE - NOVEMBER 9, 1982

Madrid, November 9, 1982 ---- Citizens from eight countries that signed the Helsinki Accords announced today the formation of the "International Helsinki Federation for Human Rights" by national committees in Austria, Belgium, Canada, France, the Netherlands, Norway, Sweden and the United States.

At a news conference in Madrid at the re-opening of the Helsinki Review Conference the International Helsinki Federation released two reports, "Violation of the Helsinki Accords" and "Political Prisoners in Poland".

Spokesmen of the federation urged that citizens in prison for monitoring compliance with the Helsinki Agreement must be freed and allowed to continue their work.

"One of the fundamental principles of the Helsinki Accords is the right of each individual to know and act upon his rights. The persecution of the members of Helsinki Committees throughout Eastern Europe is clearly a violation of the agreement."

The International Helsinki Federation asked governments to join in putting pressure on Eastern countries' authorities to improve the situation of those people in Eastern Europe who are demanding the implementation of the Helsinki agreement.

"In signing the agreement, authorities in neutral and Western countries have taken upon themselves a moral responsibility to help protect those who live by the Act."

Spokesmen of the federation asked that it be made clear to the Soviet Union that, in order to reach fruitful results from the CSCE conference in Madrid, all countries must show their willingness to uphold all aspects of the agreements which they have signed.

"Peace is the overall goal of international cooperation," the spokesmen said. "But it is unrealistic to believe that lasting peace and disarmament can be secured if human rights are trampled. The fundamental reason for the arms race is the lack of mutual trust, but such trust is impossible as long as citizens are denied their right of freedom of expression and their right to monitor their governments' actions."

The International Helsinki Federation, which hopes to establish citizens committess in all of the 35 countries which signed the 1975 Helsinki Final Act, set forth the following goals:

1) to seek continuation of the Helsinki process
2) to insist that peace, human rights and economic cooperation must continue to be linked as they are linked in the 1975 Helsinki Accords
3) to promote the view that just as peace is necessary for human rights, the protection of human rights is necessary for peace
4) to press for the rights of activists for peace and disarmament to express their views without harassment and to communicate freely with citizens in other countries
5) and, above all, to demand that citizens monitoring compliance with the Helsinki Agreement must be freed from prison if the Helsinki process is to continue meaningfully.

The report "Violations of the Helsinki Accords" singles out Poland and the Soviet Union as the most blatant violators of the Helsinki Agreements. Since the Madrid talks recessed in March, Poland and the Soviet Union have escalated their repressive measures against citizen Helsinki monitors. The report also outlines the abuse of human rights in Czechoslovakia, Romania, Turkey, Hungary, Yugoslavia, and East Germany. All of these countries have systematically violated the Helsinki Final Act's agreement to respect human rights and promote the free flow of information and people. Citizens who have publicized violations of the Helsinki Accords in these countries have been imprisoned; international communications travel abroad, and emigration are greatly restricted.

While asserting that the right of the individual to know and act upon his rights is generally respected in the United States and Western Europe, the report points to areas where violations have occurred: in the United States in its treatment of refugees, particularly Haitians seeking political asylum in the United States, and in West European countries where there are abuses with regard to minorities and migrant workers.

Great concern must be expressed about the proclamation of the so-called "anti-parasite law" by the Polish Parliament. This law enables the Polish authorities to send jobless non-conformist Poles to labor camps in a fashion similar to proceedings in the USSR and Czechoslovakia.

3.

"Political Prisoners in Poland" was prepared for the International Helsinki Federation for Human Rights by the New York based "Committee in Support of Solidarity." It is a listing of 349 Polish citizens who, since December 12, 1982 have been tried and sentenced by civil and military tribunals under the decree of military law. The Committee in Support of Solidarity estimates that as many as 30,000 Poles have been sentenced to prison terms ranging from three months to nine years and that at least 10,000 are now serving sentences or are awaiting trial.

****

The International Helsinki Federation for Human Rights was organized in Italy in September of 1982 by citizens from 18 Helsinki signatory countries under the working name of "The International Helsinki Human Rights Committee." It federates Helsinki committees in eight Western countries and is working with human rights activists in other countries who plan to form Helsinki groups where they do not presently exist. Serving as consultants are representatives of groups in Eastern Europe as well as the representative in the West of Moscow Helsinki Group, the pioneer group that inspired citizens' committees in other countries to monitor their governments' compliance with the Helsinki accords and that was recently forced to discontinue its work.

The groups are represented in Madrid by:

Stein Ivar Aarsaether, Norwegian Helsinki Committee

- Pierre Emmanuel, Comite Parisien pour le Respect de l'Acte Finale de Helsinki
- Lennart Groll and Gerald Nagler, Swedish Helsinki Human Rights Committee
- Jeri Laber, U.S. Helsinki Watch Committee
- Jana Starek, Austrian Helsinki Committee
- Arie Bloed, Helsinki Committee, Dutch branch, International Commission of Jurists

Also included in the International Helsinki Federation are the Canadian Helsinki Watch Group and the Belgian League for Human Rights.

The New York Times, September 9, 1982

Harried Soviet Rights Unit Disbands

By SERGE SCHMEMANN

Special to The New York Times

MOSCOW, Sept. 8 — A group of Soviet dissidents that monitored Soviet violations of human rights announced today that it was disbanding because of arrests and deportations.

"Document 195" announcing the end of the so-called Helsinki group was given to reporters by Yelena G. Bonner, the wife of Andrei D. Sakharov, the physicist, along with a statement that the authorities were preparing to charge Sofiya V. Kallistratova, a 75-year-old lawyer, with spreading slander against the Soviet state.

Miss Bonner, Miss Kallistratova and Naum Meiman, a 70-year-old physicist barred from emigrating, were the last active members of a group that in its heyday in the late 1970's was the spearhead of the Soviet rights movement.

The Moscow group to Promote Observance of the Helsinki Agreements in the U.S.S.R., as the group styled itself, issued a stream of statements reporting on rights violations, law abuses, trials of political activists and world affairs.

16 Members Are Being Detained

The last statement of the group carried the names of 16 members now serving terms in labor camps or internal exile. They included Yuri F. Orlov, a physicist who founded the Helsinki group in May 1976, 10 months after the Soviet Union, the United States, Canada and the European governments signed the Helsinki accords on East-West cooperation that also affirmed a broad range of human rights. In May 1978, Mr. Orlov was sentenced to five years in labor camp followed by five years in exile, meaning assigned residence.

Others in the list included Anatoly B. Shcharansky, a Jew serving a 13-year sentence on charges of spying for the United States, and such dissidents as Vladimir Slepak, Viktor Nekipelov, Aleksandr Podrabinek, Tatyana Velikanova and a Russian Orthodox priest, Gleb Yakunin.

The last member of the group to be jailed was Ivan S. Kovalyov, 27 years old, who was sent to labor camp last April to join his father, Sergei Kovalyov, and his wife, Tatyana Osipova, on the roster of imprisoned dissidents.

The last statement said all members of satellite groups in the Soviet republics of Armenia, Georgia, Lithuania and the Ukraine had also been jailed.

"In these circumstances, the group cannot fulfill the duties it assumed, and under the pressure of the authorities is obliged to terminate its work," the statement concluded.

The end of the group confirmed a reality long evident here — that the dissident movement that developed in the early years of Leonid I. Brezhnev's 18-year tenure as Soviet leader had been decimated. It was a movement that began with scattered protests over the trials of Andrei Sinyavsky and Yuli Daniel in 1966 and gathered force with denunciation of the Soviet-led invasion of Czechoslovakia in 1968.

Many intellectuals came to the fore to demand Soviet compliance with the Soviet Union's laws and international obligations. Alongside the Helsinki monitors, groups with more narrowly defined goals were formed to protect believers' rights, to protest abuses of psychiatry, to press for Jewish emigration or to publicize the plight of other ethnic groups.

But the rights movement never generated significant support among the Soviet populace at large. Many believe that a major blow was the exile of Dr. Sakharov, whose Moscow apartment served as a sort of clearinghouse for dissident causes, to assigned residence in Gorky in January 1980.

The dispersal of the rights movement, however, has not put an end to dissent. Jews, Germans, Armenians, fundamentalist Christians and others seeking emigration remain active, and the authorities have demonstrated concern over the appearance of groups of pacifists, nationalists, reform socialists, Islamic fundamentalists or youths purporting to be hippies or punks in emulation of Western trends.

Recently a crackdown on a group of unsanctioned antiwar activists, and hunger strikes by Soviet citizens seeking to join spouses in the West have attracted publicity. And last April, Muscovites were stunned by reports that youths calling themselves fascists had tried to demonstrate on Hitler's birthday.

Many Trends Lack a Focus

Most of these trends, however, have lacked the relatively developed focus of the rights movement of the 1970's, and have been viewed as results of disillusionment with Communist ideology and reactions to social stagnation rather than as anti-Soviet movements.

Nonetheless, the authorities have shown no sign of letting up in their vigilance. Members of fundamentalist Christian sects have reported new arrests and searches; there have been reports of arrests of persons who had called for socialist reforms, and some veteran dissidents have received new warnings to forswear their activities.

Last month, Zoya A. Krakhmalnikova, a writer who had been editing an underground journal of Christian thought, was jailed in Lefortovo Prison here pending formal charges. According to Miss Bonner, the authorities have also asked Miss Kallistratova, a lawyer who defended dissidents before she was forced into retirement, to appear before the state prosecutor and be apprised of evidence against her, including several statements she signed as a member of the Helsinki group.

Other Helsinki Units Deplore Soviet Move

The heads of committees set up in the United States and a dozen other countries to monitor compliance with the Helsinki accords deplored the disbanding of the Soviet group.

The chairmen, in a statement made available in New York through the U.S. Helsinki Watch Committee, said the Soviet action "increases our determination" to to work for rights.

The statement was prepared in Bellagio, Italy, where Robert L. Bernstein, the president of Random House and the chairman of the U.S. Helsinki Watch Committee, and representatives of other Helsinki committees were meeting to start an international citizens' movement to insure compliance with the Helsinki accords.

"We speak for all those participating in our conference," the statement said. "The Moscow group inspired our work. The Soviet authorities may have stopped the work of the Moscow group, but they have not stopped the struggle for human rights."

Battered and bitter, Moscow's 'Helsinki group' decides to disband

By Ned Temko
Staff correspondent of
The Christian Science Monitor

Moscow

Moscow's dissident human-rights monitors, the "Helsinki group," have formally disbanded, battered and bitter from a six-year contest with the authorities.

The announcement came Sept. 8 from Yelena Bonner, wife of exiled physicist Andrei Sakharov. Mrs. Bonner is one of the three active members who have so far escaped arrest, prosecution, or confinement.

The move came almost 11 months to the day after a senior official of the KGB security apparatus, writing in the Communist Party's main ideological journal, in effect claimed victory over organized political dissidence.

The crackdown on the Moscow group began in earnest with the 1977 arrest of physicist Yuri Orlov.

The article charged that Western intelligence services had hoped to sow the seeds of organized struggle against the Soviet system, but that "they failed to set up a cohesive organization on a basis of anti-Sovietism."

Since its founding in May 1976, the "Helsinki group" here had churned out 194 typewritten statements detailing alleged Soviet violations of human-rights provisions in the Helsinki Accords.

Mrs. Bonner issued No. 195. Less than a single page in length, it charged that Soviet authorities had inflicted "cruel persecution" on the Moscow group since its inception and had, on Sept. 6, threatened possible prosecution of 75-year-old Sofia Kalistratova, a retired lawyer and another of the handful of group members still active. The third member is 70-year-old Naum Meiman, a retired physicist who has been denied permission to emigrate from the Soviet Union.

The statement, signed by the three, concluded with the words:

"In this increasingly difficult situation the group cannot fulfill the duties it assumed and, under pressure from the authorities, it is ending its work."

The official crackdown on the Moscow group began in earnest with the 1977 arrest of its founder, physicist Yuri Orlov. About a year later, a court sentenced him to seven years in a labor camp and five years in internal exile. There followed the imprisonment or exile of nearly all of the roughly 20 dissidents active in the Moscow group at one time or another. The authorities also moved against members of similar groups in the Ukraine, Lithuania, Georgia, and Armenia.

If Yuri Orlov's confinement was a blow to the Moscow group, the 1980 banishment of physicist Andrei Sakharov to the city of Gorky was surely another. By early this year the associated "Helsinki group" in the United States all but predicted the eventual demise of the Moscow organization.

Mrs. Kalistratova, a statement from the US group alleged, had already been told by the KGB of plans to prosecute her for "circulation of fabrications . . . which defame the Soviet state and social system." This was deemed "a great blow to the Moscow group," which "could signify the end of its activities."

On Sept. 6, the group's final statement suggests, Mrs. Kalistratova received a second notification of the case against her. She was told she would receive definitive word within the next few weeks on whether the state prosecutor's office would press ahead with a trial.

Andrei Sakharov and Yelena Bonner in Moscow before his exile to Gorky

"New International Helsinki Committee; The Victims of Tyranny Need Strong Advocates"

ringsja

Narvesen som motspiller

Narvesen A/S er igjen i skudlet. Denne gang gjelder det ikke å kleper over svett pettoist og fram kaffe til skynøys priser på søget, men det faktum at Narvesen har bestemt seg for å selge litteratur for Hedningesamfunnet. «Litteraturen» består i denne omgang av en tegneserie med tittelen «Jesus Kristus & Co» og er utgitt av «Hedningesamfunnets mest aktive gudsespotter», som Dagfinn Eckstøff betegnes i Vårt Land. Eckstøff har tidligere demonstrert til nivå ved å oppføre i «djevelskostyme» og andre forkledninger i Oslo sentrum. Vårt Land skilder at «Jesus Kristus & Co» romsetter Jesus som en fet down etter som en frymeste underskyter.

Det er det liten grunn til å hisse seg opp over kristendomskritikk av det slag som kommer fra Hedningesamfunnet. Ofte er den så uinteligent og vulgær i formen at resultatet blir det motsatte av hva Hedningesamfunnet ønsker å oppnå. Men det er all grunn til sperre øyeboer i alt verden et halvstatlig selskap tar på seg distribusjonen av «litteratur» som dette. Fra Narvesens side anføres trykkefriheten som forsvar for at man har sagt ja til tegneserien, men det argumentet er tynt og billig. Det at vi har trykkefrihet i landet vårt fratar ikke Narvesen ansvaret for hva det velger å distribuere.

Kanskje burde man ikke være overrasket over Narvesens holdning i denne saken. Narvesen har tidligere avvist kritikk som er kommet fra ulike hold over at selskapet distribuerer pornografisk og kvinnefiendtlig litteratur. Avgjørelsen denne gang sier en hel del om den linje man har lagt seg på, der selskapet med sin virksomhet fremstår som en motspiller ikke til kampanjen mot pornografi og prostitusjon.

Mange kjøpmenn rundt omkring i vårt land har i den senere tid sluttet å selge pornografiske blader, gjerne som et resultat av lokale kampanjer som viser at folk flest ikke ønsker denslags i dagligvareforretninger. Hva må til for at Narvesen skal komme til samme konklusjon?

(Budbæreren, Fredrikstad)

«His masters voice»

Et ærendig tekstlik har hittil vore ein folk som legg vekt på å verma «his masters voice». Det skal det vera heretter og. Men det er viktig at ein då ikkje forveksler his masters voice med det som biskopar og organisasjonsleiardar seglar. Ein er vår herre og meistar og det er Bibelens Gud. Og ein stad lærer vi his masters voice å kjenna, og det er i Bibelen.

Ikkje har vi fyrst lært det, har vi ett fast og unikkande punkt å stå på. Då står vi på Sannings grunn. Og vi skal segra. For vår tru er den makt som segrar over verdi, eller som den gamle og velkjende sa: Magna est veritas et praevalebit. (Stor er sannheten, og han verdi framfor alt vinn.)

(Red. Arthur Berg i Ut i det verden)

Ny internasjonal Helsingforskomite

«Ofrene for vold og tyranni trenger sterke talsmenn»

Av DAG STANGE og ØYSTEIN GLOPPESTAD (foto)

— Det er ikke tvil om at Sovjet har trådet med alle menneskerettighetsprinsippene i Helsingfors-avtalen, men jo mer dyster og håpløs situasjonen ser ut jo viktigere er det at vi fortsetter arbeidet for menneskerettighetene. Etterhvert som stadig flere av de som slåss mot tyranni og vold blir brakt til tausbet, desto viktigere er det at vi taler på deres vegne, sier den norske fysikeren Kristoffer Gjøtterud til Vårt Land etter hjemkomsten fra en Italia-konferanse der det ble dannet en internasjonal Helsingfors-komite med oppgave å koordinere det arbeid som er i gang i flere vesteuropeiske land.

Gjøtterud er medlem av Den Norske Helsingforskomiteen, og formannen her, Stein Ivar Aarsæther, ble valgt inn i i den internasjonale komiteens styre.

Fysiker Kristoffer Gjøtterud: Sovjet har trådet med alle menneskerettighetsprinsippene i Helsingfors-avtalen.

Opplest

Under møtet i Bellagio fikk man melding om at Jelena Bonner, Andrei Sakharovs kone, har sett seg nødt til å opplese den sovjetiske Helsingforskomiteen, som nå bare hadde tre medlemmer i frihet. Grunnen til opplæsningen skal ifølge Gjøtterud være at ett av de tre medlemmene nå trues av rettergang og fengsel. Møtet i Bellagio forfattet en skarp uttalelse om denne saken.

Fred

Konferansen fattet også en prinsipputtalelse der det blir slått fast at den internasjonale Helsingforskomiteen vil fortsette «Helsingfors-prosessen». Man påpeker nødvendigheten av å knytte begrepene fred-menneskerettigheter og økonomisk samarbeid sammen og betoner at fred er like nødvendig for menneskerettigheter, som menneskerettigheter er det for fred.

Først av alt krever man at de borgere som er blitt satt fast for å ha påpekt brudd på Helsingforsavtalen, må bli frigitt. Dette settes som betingelse for en meningsfull fortsettelse av «Helsingfors-prosessen».

Den nyetablerte internasjonale komiteen vil i forbindelse med gjenåpningen av oppfølgingskonferansen – etter Helsingfors i Madrid, presentere detaljrapporter om menneskerettighetssituasjonen i land som har undertegnet Helsingfors-avtalen.

Oppløftende

— Det er absolutt oppløftende at det i en vanskelig situasjon for menneskerettighetene i mange land lar se gjøre å danne en internasjonal komite som tilfellet er nå. Konferansen i Italia var arbeidssom, men fruktbar, sier Gjøtterud.

Det er nå dannet nasjonale Helsingfors-grupper i USA, Canada, Nederland, Frankrike og Norge, og det var både valgte representanter fra disse gruppene og enkeltpersoner som var til stede på Italia-konferansen.

Falt i søvn

Et døgn etter at den kanadiske svømmersken Cindy Nicholas innledet sitt forsøk å krysse den engelske kanal tre ganger måtte hun gi opp fordi hun ikke klarte å holde seg våken.

Den 25 år gamle jussstudenten ble hatt om bord i en båt ved 10-tiden tirsdag omtrent åtte kilometer utenfor Kent. Rekordforsøket måtte oppgis da hun var i gang med den tredje og siste etappen.

«Nato's atomstrategi må endres»

De liberale og radikale partiene i Vest-Europa og Canada støtter den amerikanske demokratiske opposisjonens krav om øyeblikkelig og fullstendig stans i atomopprustningen. I en uttalelse fra den liberale-radikale Internasjonalens årlige kongress som ble holdt i Haag i Nederland, heter det også at både NATO og Warsjawa-pakten må forpliktе seg til ikke å bruke atomvåpen først. Indirekte er dette et krav om å endre NATOs nåværende strategi for Europa bort fra bruk av atomvåpen med et eventuelt sovjetisk konvensjonelt angrep.

Enstemmig

Uttalelsen om nedrustning ble vedtatt så godt som enstemmig av kongressen som hadde deltakelse av omtrent samtlige vest-europeiske land, Canadas regeringsparti og av flere nye medlemspartier fra den 3. verden, spesielt Mellom-Amerika. I uttalelsen heter det at de liberal-radikale partiene ser med stor sympati på fredsbevegelsen mot atomvåpen og at en støtter nye initiativ for å fremme avspenning og samarbeid mellom øst og vest.

Det var etter et forslag fra det norske Venstre at disse punkter ble vedtatt av kongressen. Venstres forslag som på møtet ble lagt fram av Helge Hveem, fikk støtte både av det vest-tyske FDP, samarbeidspartner til de vest-tyske sosialdemokratene, og av de britiske liberale som deltok på kongressen under ledelse av partiformann David Steel. Steel understreket sterkt i en tale til kongressen at et aktivt arbeid for nedrustning nå måtte bli satt øverst på de liberal-radikale partienes program.

Krav mot Pedersen-bo

Tønsberg: Brannkasse har a en fordring på kroner i konkursb Drammens-rederi Martin Pederson. gjelder rederi banken Borg godkjent i en skift ling i bort mandag der Tønsberg Blad.

Forsikringselska hadde glemt eller sett kravet inntil tros for at Brannkasse tidligere fremmet andre kr ter Pedersens og Alstads virksomhet

Norcem med forundersøkel

Norcem Engineerin gjennom NORAD gjort for å utføre undersøkelser med på å bygge om sementfabrikker. sania fra olje- til fyring.

Undersøkelsen N Engineering skal omfatte gjelder sammen fire evne. omfatter lagerop ging av kull, kullm transportsystemer, er, vekt- og dose utstyr, samt brer. Oppdraget gjelder planlegging av u gingen, finansielle økonomiske analys forberedende in. ertjenester.

Tromsø-brua skal kontrolle

Tromsø: Vegkont Troms er av konsu firmaet dr. ing. Jacobsen blitt anbe foreta en omfat teknisk kontroll Tromsø-brua. I vå det utbedret skader var oppstått i beto under vann, og nå e nylig oppdaget spre på opp til en m lengde på en del l gående bjelker helt under kjørebanene, der Nordlys. Konsu firmaet mener sprek er oppstått for fler siden.

Ordre på 20 oljefartøyer

Tønsberg: Vest rederiene har 20 ski borefartøyer i ordre levering de nærmes årene. Samlet kontr sum ligger i overkan fire milliarder kro melder Tønsbergs Bla

10 skip og tre ri bygges for å bli satt oljevirksomheten. kontraktene er verd vel 2,5 milli kroner.

Byggeprogrammet fatter to borerigger, boligrigg, sju forsyni båter, en stand-by for offshoretjenester surveyskip for gru undersøkelser i forb else med oljevirkson ten, et bøyelastings to linjeskip, to bilbi to tankskip og et sp alskip for transport avispapir.

NEW YORK TIMES
NOVEMBER 10, 1982

West Bloc Bids East Accept Free Unions

By JAMES M. MARKHAM
Special to The New York Times

MADRID, Nov. 9 — The two-year-old conference that is reviewing the 1975 Helsinki accords on European security resumed here today with Western nations making fresh demands on the Soviet bloc to accept free trade unions and the right to political self-determination.

A list of suggestions that appeared to be both an effort to bridge the gap between the United States and Western Europe and a response to the situation in Poland was put forward by the 10 nations of the Common Market. The demands were supported by the United States.

Warning that "East-West relations remain at a low ebb characterized by mutual distrust and lack of confidence," Thomas Rechnagel, the Danish delegate to the conference, said the Common Market nations felt a need to respond to the abolition last month of the Polish union Solidarity, to the Soviet reduction of emigration permits and to Moscow's elimination of direct-dial overseas telephone connections. Denmark holds the European Community's rotating presidency.

The Western proposals were framed as amendments to a working document drafted last year by neutral countries at the conference, which recessed in March. They would commit the 35 nations that signed the Helsinki Final Act of 1975 to allow their citizens to form free trade unions and to monitor compliance with the human rights charter. Since the March recess, the Soviet security police have disbanded dissident Helsinki monitoring groups in Moscow and other cities.

Provision for Self-Determination

The fresh proposals would also insert into a concluding document for the Madrid conference criticism of "actions hindering the effective exercise of the right of all peoples to determine, in full freedom, their internal and external political status and to pursue as they wish their political, economic, social and cultural development."

When the conference adjourned on March 12, the United States delegation, led by Max M. Kampelman, insisted that the proclamation of martial law in Poland had made "business as usual" impossible at the Madrid meeting.

As the delegates reconvened today, the exchanges were fairly sharp. Accusing the United States of "a dangerous mixture of arrogance and ignorance," the head of the Polish delegation, Deputy Foreign Minister Josef Wiejacz, singled out the Reagan Administration's suspension of Poland's most-favored-nation trading status as a violation of the Helsinki accord's commitment to economic and technological exchanges.

Mr. Wiejacz declared that, though challenged by what he called "anti-détente maneuvers" and "threats and economic blackmail," the Polish authorities "will not depart from our determination to continue with the easing and lifting of martial law regulations and establishment of the broad coalition of patriotic forces."

New Soviet Delegation Leader

There was no immediate indication of what course the Soviet Union, under the new guidance of Deputy Foreign Minister Anatoly G. Kovalev, would follow in Madrid. Over the last two years, the Russians have failed to split the United States from its Atlantic alliance partners, and Moscow's main goal — a European security conference mandated by the meeting here in Madrid — appears elusive because it would have to be part of an overall accord incorporating some of the new Western demands.

To the extent that the Madrid conference has become a sounding board aimed at European public opinion — rather than a forum for realistic negotiations — some Western diplomats believe that the Soviet Union may want to exploit the conference to stir opposition to the North Atlantic Treaty Organization's planned deployment of medium-range missiles at the end of next year.

A group of activists from the United States, Austria, Belgium, Canada, France, the Netherlands, Norway and Sweden today announced the formation of the International Helsinki Federation for Human Rights, and released a list of 348 political prisoners who they said had been detained in Poland since the imposition of martial law. The organization singled out the Soviet Union and Poland as the worst violators of the Helsinki accords.

DAGEN

Onsdagen 24 nov. 1982

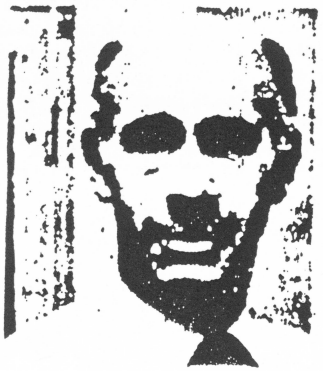
Där er skatt är, där kommer också ert hjärta att vara. Luk 12: 34.

Årg. 38 Nr 227 (9665)
Pris 3:00

den kristna dagstidningen

Kända svenskar riktar hård kritik mot öst och väst

FÖRTRYCKET av oliktänkande BARA ÖKAR!



Det trampas allt oftare på enskilda människors rättigheter. Speciellt nu då det råder ett frostigt klimat mellan stormakterna, då man hellre talar om nedrustning än om mänskliga rättigheter.

Det menar en rad framstående svenskar som nyligen bildat Svenska kommittén för mänskliga rättigheter enligt Helsingforsavtalet.

Gruppen lyfter speciellt fram Polen, Turkiet och Sovjet som de värsta förbrytarna i det här avseendet. Men Västeuropa och USA får också kritik.

Sidan 3

Gerald Nagler, en av initiativtagarna till kommittén för mänskliga rättigheter enligt Helsingforsavtalet.

Många kända svenskar i ny kommitté:

– Mänskliga rättigheter kläms åt vid frostigt klimat mellan öst-väst

– De mänskliga rättigheterna har nu kommit lite i bakvatten i en tid av krigsriks och ökad upprustning.

Det säger Gerad Nagler, en av ledarna för en nybildad kommitté för "mänskliga rättigheter enligt Helsingforsavtalet".

Tanken är att man skall bilda sådana kommittéer i samtliga de 35 länder som skrev under avtalet 1975.

Det var inte svårt att få framstående personer inom vetenskap, kultur, politik och näringsliv att ställa upp bakom kommittén.

– Vi har mött ett väldigt intresse, konstaterar Nagler.

Gerald Nagler visar tidningen Pravda från 1975 där Brezjnev undertecknar avtalet om mänskliga rättigheter. – Ett avtal man inte följer, säger Nagler. (Foto: Hasse Persson)

Bland medlemmarna märks Lars Carlzon, biskop, Astrid Lindgren, författare, Bo Strömstedt, chefredaktör, Lennart Groll, tidigare pressombudsman, Anders Ferm, en av Palmes närmaste män och utpekad som blivande FN-ambassadör, Olof Ljunggren, SAF.

– Vi kommer att verka för att frågor som har att göra med mänskliga rättigheter tas upp vid olika former av kontakter mellan länderna. Det kan exempelvis ske vid kulturutbyte, vid kontakter mellan vetenskapsmän och affärsmän, berättar Nagler. Tillsammans med Bonnie Bernström, Lennart Groll och Jan Gehlin sitter han med i arbetsutskottet.

Centrum i Wien

Det finns redan "Helsingforsgrupper" i sex länder – USA, Kanada, Frankrike, Holland, Norge och Sverige. I Österrike håller en grupp på att bildas.

Någon gång på nyåret är det meningen att den internationella kommittén som skall samordna de olika nationella kommittéernas arbete, skall börja att fungera med kontor i Wien.

Neutraliteten och närheten till de östeuropeiska länderna är anledningen till att Wien ansågs lämpligast.

– Vi är representerade i den internationella kommittén, men det är viktigt att påpeka att de olika nationella kommittéerna är politiskt, ekonomiskt och organisatoriskt oberoende, säger Nagler.

Fängslade

Det är främst förhållandena i Turkiet, Polen och Sovjet som gruppen i Sverige skjuter in sig på.

Bildandet av gruppen i Sverige skedde för övrigt som en direkt följd av att de tre kvarvarande i Moskvas "Helsingforsgrupp" tvingades upphöra med sin verksamhet. De är Naum Meiman, Jelena Bonner (Sacharovs hustru) och Sofia Kallistratova.

– 49 av de ursprungliga medlemmarna i den gruppen finns idag i fängelse eller har tvingats lämna Sovjet. Förföljelserna mot medlemmarna i denna Helsingforskommitté är ett klart brott mot själva avtalet, säger Nagler.

– Det borde vara en självklarhet att det skall finnas medborgargrupper i varje land som ges möjlighet att följa den egna regeringens handlande i förhållande till avtalet.

– Det är ett krav vi kommer att driva, säger Nagler.

Värdelösa namnteckningar

I en rapport som den internationella kommittén sammanställt inför den pågående säkerhetskonferensen i Madrid, pekar gruppen på en rad missförhållanden i Tjekoslovakien, Östtyskland, Ungern, Polen, Rumänien, Turkiet, USA, Sovjet, Västeuropa och Jugoslavien.

– Vi vill särskilt lyfta fram Polen och Sovjet som exempel på stater som den senaste tiden ökat trycket mot personer som vill kontrollera att avtalet följs, säger kommittén i förordet.

– Om den process som började i Helsingfors överhuvud skall kunna fortsätta, måste de människor släppas som sitter i fängelse för att de tillhör grupper som granskar hur avtalet följs. Utan att det sker, är dessa länders namnteckningar under ett nytt avtal helt värdelösa, konstaterar man.

Turkiet

NATO-landet Turkiet får svidande kritik i rapporten.

Man konstaterar att sedan militärkuppen 1980 flera tiotusentals människor arresterats godtyckligt.

Förhållanden i Västeuropa och USA som påkallar kommitténs uppmärksamhet rör flyktingars och invandrares situation.

I Västeuropa finns exempel på hur gästarbetare från Jugoslavien och Turkiet särbehandlas. I USA är det flyktingar från Haiti, som fått kännas vid en behandling som inte överensstämmer med Helsingforsavtalet, anser kommittén.

Magnus Ramstrand

Svenska Helsingfors-kommittén:

Mänskliga rättigheter förutsättning för fred

Från G-Ps utsände
Jan Ekberg

Madrid: — Man ser vid Madridmötet inga tecken på att man skall uppnå resultat, som leder till en ökad respekt för de mänskliga rättigheterna, säger Lennart Groll, ordförande i den svenska Helsingforskommittén för mänskliga rättigheter. — Nedrustning och fred förutsätter en verklig och bred tillämpning av de mänskliga rättigheterna, säger Lennart Groll till G-Ps utsände i Madrid.

— Man gör sig inte längre speciella förhoppningar om att detta gång av Madridmötet skall ge bättre resultat än vad man åstadkommit vid tidigare sessioner här i Madrid, säger Lennart Groll, som tillsammans med en annan medlem av den svenska Helsingforskommittén Gerald Nagler följt Madridmötets första vecka. Lennart Groll är jurist, domare i Svea hovrätt och har dessutom arbetat som allmänhetens pressombudsman. Tillsammans med företrädare för sju andra västländers Helsingforskommittéer har han och Gerald Nagler mött och diskuterat med cheferna för ev rad vasidelegationer vid Madridmötet.

— En av dessa delegater påpekade för oss att Helsingforsavtalet under en period dock medförde vissa förbättringar för t ex judarna i Sovjetunionen, säger Lennart Groll.

— Ett större antal av dem tillåts att resa ut under åren närmast efter Helsingforsavtalets undertecknande 1975. Det förekom också vissa annan uppmuntring, t ex i möjligheterna till familjeåterförening, säger Lennart Groll.

— Men de vinsterna gick senare förlorade inte minst efter händelserna i Afghanistan. Men dessa erfarenheter visar dock att det inte behöver vara meningslöst att förhandla med Sovjetunionen och dess övriga östeuropeiska staterna, och att överenskommelser kan medföra vissa förbättringar som i alla fall är mycket värdefulla för de människor som direkt berörs av dem, menar Lennart Groll.

Men ett radikalt genombrott för respekten för de mänskliga rättigheterna förutsätter kanske att det sker ordentliga förändringar i statsledningen i vissa stater, fortsätter han.

— Vi har nu här i Madrid bildat en internationell federation av Helsingforskommittén, och vårt skrivelse är att det skall skapas Helsingforsgrupper i varje och ett av de 35 länder som undertecknat Helsingforsavtalet. Dessa kommittéer skall övervaka att Helsingforsavtalets löften om respekt för mänskliga rättigheter efterlevs. Ett av de grundläggande kraven från Helsingforskommittéerna är att de östeuropeiska regimerna skall befria de medborgare som fängslats för sin verksamhet med att övervaka regimernas efterlevnad av Helsingforsavtalet.

— Vi anser att nedrustning och fred förutsätter en ökad respekt för de mänskliga rättigheterna. Och vi kommer ständigt att påpeka detta för länderna i Östeuropa och för Turkiet, som inte tillämpar avtalet.

— Vi understryker sambandet mellan fred och mänskliga rättigheter och vi betonar också att det måste finnas omsorgsfullt tillit och förtroende om man skall kunna ingå nedrustningsavtal. Om en part inte respekterar redan ingångna avtal såsom t ex Helsingforsavtalet är detta ett mycket svårt hinder också för nedrustning.

— Detta bör fredsrörelsen också beakta. Och den bör också kräva rättigheter för de inofficiella fredsrörelserna i Östeuropa, säger Lennart Groll.

— De delegationer vi talat med anser att det är mycket värdefullt att det växer fram en opinion för mänskliga rättigheter i väst.

— Fredsrörelsen spelar en betydande politisk roll i Västeuropas länder, och det skulle vara mycket värdefullt om denna kompletterades med vårt arbete. Det finns nämligen f n inte samma starka opinion i väst som kräver att de mänskliga rättigheterna skall respekteras.

— Frågan om fred eller krigshot tränger sig på människorna, säger Lennart Groll.

— Den kanske akut för var och en. För många människor i väst ter sig däremot frågan om mänskliga rättigheter kanske mer abstrakt. Den frågan är svårare att levandegöra för folk. De upplever inte det hotet i de egna länderna — t ex i Sverige. De har svårt att [illegible] sig att i vad det innebär att [illegible] t ex yttrande-frihet och mötesfri[illegible]. Men händelserna i Polen har säkert bidragit till att göra detta klarare också för folk i väst.

— Jag är också ordförande i den svenska avdelningen av den internationella juristkommissionen och har därmed arbetat med frågor som rör brott mot mänskliga rättigheter också i exempelvis Sydamerika, säger Lennart Groll.

— Helsingforskommitténs arbete är inriktat på Europa. Man kan alltid konstatera att Helsingforsavtalets löften om mänskliga rättigheter inte uppfyllts. Man ser här vid Madridmötet inga tecken på att den situationen kommer att förbättras.

— Om Madridmötet inte ger resultat skall vi utvidga och stärka vår verksamhet. Vår internationella federation kommer exempelvis att sända rapporterar till olika regeringar.

— Vi har redan producerat ett par rapporter om brott mot mänskliga rättigheter. Vi skall fortsätta att samla in material som skall användas för opinionsbildning och som skall överlämnas till våra regeringar, säger Lennart Groll.

Lennart Groll på plats i M[illegible]

International Citizens Helsinki Watch Conference

Bellagio Study and Conference Center
Lake Como, Italy

September 6-10, 1982

VI. PAPERS

International Citizens Helsinki Watch Conference

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A View of the International Protection of Human Rights Today

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Background Paper

The international protection of human rights has been seriously handicapped for some time by the distortion of an otherwise justified distinction. I refer to the distinction between "gross" or "mass" violations and "simple," "individual" or "small group" violations of human rights.

Correctly applied, this distinction serves the useful purpose of stressing the difference between the occasional human rights violations taking place in a free country, on one side, and those massive violations of human rights and freedoms which are inherent in any totalitarian system, Fascist or Communist, on the other side. Of course, this distinction is a relative one: just as there are exceptional cases of systematic gross violations in a free country (to the detriment, for example, of religious, racial or other minorities -- or majorities), one faces sensational, dramatic cases of individual or small group violations in a country under dictatorship. Anybody can see, however, that the distinction between gross and simple violations is basically correct. It marks essentially the difference between violations (simple) constituting exceptions to the norm in free countries, and violations (gross) constituting the norm in countries run by despots. Properly applied, the distinction should help one avoid being deceived by the seeming absence or infrequency of sensational, dramatic "cases" of human rights violation in a totalitarian country. Neither absence nor infrequency of such kind of cases could reasonably be understood as a sign that human rights are not systematically trodden upon by the rulers. Absence or infrequency must rather be understood as an indication that the despotism is so thorough --and so effective in repressing--that people do not even hear about violations: and if they ever do, they have little or no chance of telling anybody, least of all foreign observers.

Unfortunately, the same after-war period that witnessed a positive trend in the international protection of human rights witnesses a distortion of the distinction between simple and gross violations: and the distortion affects very seriously, in ny opinion, international "humanitarian" action at both intergovernmental and nongovernmental levels.

The distortion consists in putting such a unilateral emphasis on the gross violations of human rights perpetrated by Fascist dictators and by a few governments of multi-racial societies as to leave completely out of the picture the equally (at least equally) gross violations of human rights which are inherent in the very structures of the so-called "socialist" regimes of Soviet making or inspiration. It follows that the human rights violations by Communist governments which attain the threshold of international concern (private as well as governmental) are, as a rule, only those which belong -- or seem to belong -- to the same category of occasional, simple or individual violations which are typical, as exceptions to the norm, of the societies of the free world. The gross violations typical of Communist regimes, violations which constitute the everyday practice of Communist legislators, judges and administrators, escape instead, as a rule, the kind of international attention which focusses either on the similarly gross violations imputable to Fascist governments or on the individual or small group violations perpetrated by the Communists in a few sensational cases. I refer now to such dramatic cases as those of Daniel and Sinyavsky, in 1966, of Zinoviev, Shcharansky, Solzhenitsyn, Amalrik, Bukovsky, Orlov, Plyushch, Sakharov, and Filatov in 1978; and to the cases of Ginsburg, Kuznetzov, Moroz, Vins, and Dirusidky in 1979.

There have been, indeed, exceptions. Gross, massive violations by Communist governments have aroused widespread, intense, international reaction in cases such as Hungary, 1956, Czechoslovakia, 1968, Poland, 1981, 1982. As a rule, however, the Communist governments are spared the kind of severe and persistent condemnation of systematic, inherent, violations of human rights and freedoms (thought, creed, opinion, expression, press, political association, labor union, etc.) which is rightly the lot of Fascist and racist regimes. Nevertheless, these are surely amongst the most gross violations of human rights and freedoms, affecting for generations, hundreds of millions of people. A tremendous evil in themselves, they constitute in

addition the most serious threat to international peace and to the rights and freedoms of the whole of mankind. Considering actually that the international reaction to the Hungarian, Czech and Polish crises was prompted by Russian intervention in those countries more than human rights violations on the part of local tyrants, the immunity of Communist governments from adequate international condemnation of inherent gross violations seems to have become a permanent feature of international relations in the contemporary world. It looks almost absurdly like a matter of customary international law. Considering further the nature of the massive violations thus practically condoned, the condemnation of the few dramatic violations involving single persons or small groups appears in a way like a hypocritical gesture which makes the immunity of the system as such even more evident. One seems to overlook -- as the peoples of the Third World and the proletariats of the Western countries themselves so often appear to overlook -- the obvious fact that every sensational "individual" or "small group" case is but an infinitesimal bit of an iceberg, the mass of which is composed of the millions and millions of "invisible," practically condoned, violations of the most elementary human rights and freedoms committed by Communist rulers every day, every hour, every minute by the simple fact of occupying the seats of power in the unfortunate societies they control.

In addition to the immunity they get to enjoy for what I call inherent gross violations, the Communist rulers draw a further advantage from the distortion of the distinction between simple and gross violations of human rights.

As everybody knows, the main diplomatic defense by which governments resist international "humanitarian" action --particularly action in favour of respect for human rights and freedoms-- is the argument that such action violates the "domestic jurisdiction" of States. However, according to the prevailing doctrine -- a doctrine firmly maintained by the USSR -- the defense of domestic jurisdiction operates differently for

gross violations and for individual (or simple) violations. Gross violations are, according to everybody, "international crimes," offending every other State. As such, gross violations are not covered by the defense of domestic jurisdiction, any State being entitled to some international action against the responsible State. Individual or simple violations, on the contrary, would remain, according to the doctrine in question, exclusively national matters. Apart from the exceptional cases in which a State has agreed to submit to an international control machinery (no such agreement having been given by a Communist government), simple violations remain within the domestic jurisdiction of each State, no other State being entitled to file a complaint, let alone obtain satisfaction, for such an alleged violation.

Immune with respect to gross violations (thanks to the distortion discussed above) and allegedly immune (thanks to the defense of domestic jurisdiction) in the area of simple violations, Communist governments are thus little embarrassed by international "humanitarian" action. International action for gross violations remains focussed upon South Africa, Southern Rhodesia... or Latin American dictatorships... or Israel.... or the United States or the United Kingdom. International action for individual or small group violations, in its turn, is strictly reserved for the European States bound by the 1950 Human Rights Convention.

Indeed, the Western countries -- notably the Western group in the CSCE--do not accept the notion that individual violations are matters of domestic jurisdiction. On the contrary, they do attempt some action in the most dramatic cases. It may also be admitted that in a few such cases international action has attained the result of reducing the victim's suffering. The question remains, nevertheless:

i) whether that action should not be accompanied by a far more vigorous stand on the gross violations inherent in the Communist regimes;

ii) whether the often meager results obtained by

action on individual or small group cases is not outweighed by the negative effects of the condonation which the restriction of international action to the so-called "simple" Communist violations inevitably implies (in the eyes of most people) and of the inherent gross violations not pursued.

To list all the causes of the distortion that has led to this situation would take too long. Mention of a few may be useful to make my point clearer.

One cause is certainly the undeniable contribution made by the USSR and a number of Communist parties to the defeat of Nazi-Fascism, and the aura of liberalism thus acquired by the Communist movement. Another cause lies in the easy advantage the Communists enjoy vis-a-vis the Fascist regimes because of the sufferings imposed by the latter upon the rest of the world in the thirties and forties; and vis-a-vis the free democracies thanks to the lip service the Communists themselves pay to the alleged primacy of socio-economic rights over civil and political rights. The inherent sacrifice of civil rights and freedoms in Communist countries is thus still deemed, by the masses of too many countries, to be a necessary price to be paid for the cause of anti-Fascism and/or the renovation of society.

Whatever the causes, the practical immunity of the Communist government from international condemnation of the gross violations of human rights inherent in their systems is morally intolerable and politically dangerous.

Morally, it is inadmissible that the Communist envoys to international bodies and the leaders of the Communist parties all over the world (including particularly the Western Communist parties) should be at such an easy advantage in denouncing real or alleged gross violations committed by non-Communists while their governments and the whole movement are exposed at most to occasional outbursts of international action for a

few sensational individual cases. No person seriously concerned with human rights and freedoms can accept what Bernard Levin (The Times, October 22, 1975) rightly denounced as "the indecent spectacle of Tyrants condemning Tyranny."

Politically, the immunity enjoyed by Communist governments, notably by the susceptible despots of the USSR, puts into serious question the credibility of any international action aimed at the promotion of human rights. Together with credibility such action loses any effective weight it might otherwise exert on the conduct of governments of any color or denomination. Worst of all -- I insist -- international humanitarian action becomes, in the light of the inconsistency it shows with respect to inherent gross violations, counterproductive. To concentrate on simple sensational cases leaves too much unsaid about too much. It may well produce such damage to the cause of human rights and freedoms as a whole, as to make the cost of the single person's or small group's relief too high.

In conclusion, I believe that any institution or group dedicated to the cause of human rights and freedoms is utterly wrong if it concentrates on the so-called individual or simple violations.

By all means, such violations should always be treated with the maximum efficiency compatible with the maintenance of peaceful, possibly friendly, relations amongst governments. By all means, no stone should be left unturned in order to stop, suspend or reduce the human suffering involved in any such violation notice of which has reached the free world.

At the same time, however, no occasion should be missed to call or maintain the attention of world opinion and governments on violations the inherence of which in the essence of Communist regimes is at the root of every individual or small group violation. In practice:

i) constant reminders by any appropriate means should be made by institutions and groups concerned in order to keep the inherent gross violations perpetrated by Communist governments on the international

agenda of official and unofficial bodies;

ii) the pressure exercised by national and international diplomacy and by the mass media on the Communist governments should be at least as intense as the pressure exercised on any other totalitarian government, notably upon Fascist regimes;

iii) pressure on totalitarian governments should be exercised by private agencies and by governments by any means compatible with the maintenance of peace and essential cooperation among States. However, private, unofficial agencies or bodies should not feel constrained by those exigencies of diplomacy which obviously condition the "humanitarian" action of governments;

iv) in no case should simple (individual or small group) violations by Communist governments be taken up by private agencies or the mass media without putting the maximum possible emphasis upon inherence of such violations in the Communist-- as well as the Fascist -- systems.
Otherwise, any gain in the cause of the victim(s) of simple violations will be outweighed by a loss and a bigger loss -- in the defence of human rights and freedoms in the Third World, in the Communist World and in the free world itself. One should never forget that Communist governments do export totalitarianism in every direction: and that some of the NATO countries are exposed to such action.

NOTE: This paper was originally written as a letter from Professor Gaetano Arangio-Ruiz to Jeri Laber, Executive Director of the U.S. Helsinki Watch Committee. It continues a discussion begun at a June 21, 1982 planning meeting for the International Citizens Helsinki Watch Conference.

International Citizens Helsinki Watch Conference

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The CSCE, Human Rights and Non-Intervention

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Background Paper

1. Introduction

The relationship between the provisions in the Final Act of the Conference on Security and Cooperation in Europe (CSCE) concerning human rights and the provision on non-intervention is one of the main issues which kept and keep the delegations of the participating states sharply divided. This was demonstrated both at the first follow-up meeting in Belgrade in 1977-1978 and at the second meeting in Madrid, which started in 1980 and has not yet ended. The issue could be summarized as follows:

> May delegations of the States participating in the CSCE rely on Principle VI of the Declaration on Principles Guiding Relations between Participating States, embodied in the Final Act of Helsinki, which Principle prohibits intervention in the internal or external affairs falling within the domestic jurisdiction of another participating State, to ward off charges brought by other delegations on violations of Principle VII of the same Declaration, which concerns respect for human rights and fundamental freedoms, and on violations of the provisions of the "Third Basket" of the Final Act concerning cooperation in humanitarian and other fields?

As the records of the two follow-up meetings show, this issue is not one of merely academic interest, but has great practical significance for the dialogue envisaged with the follow-up meetings. Moreover, it is neither a discussion that has come up recently nor an issue typically associated with the CSCE. As was said by one specialist on the matter: " 'Domestic jurisdiction' and its counterpart 'non-intervention' have confused and bedeviled international human rights activities since their inception." [2)]

There would seem therefore to be sufficient reason for a close investigation of the genesis and content of the principle of non-intervention, as ultimately laid down in Principle VI of the Final Act. In fact, since "East" and "West" invoke the same principle to

defend entirely different views, the question arises as to the intention on that point of the participating States when the Final Act was drafted. The following points are of great importance for the determination of this intention, and consequently for the assessment of the value of the arguments advanced on either side: (1) the formulation ultimately chosen, (2) the travaux préparatoires, and (3) the general views on the non-intervention principle prevalent in the East European and the Western countries at the moment the CSCE negotiations started.[3)]

2. The concept of "intervention"

The non-intervention principle as it stands today, as a principle derived from the sovereign liberty and equality of states, forms a phase in a development the origin of which lies back many centuries. Isidro Fabela, quoting Henry Wheaton, even dates it back to Grotius' De Jure Belli ac Pacis.[4)] Be this as it may, so much is certain that the ideas of the French Revolution (see the reference just made to the principles of liberty and equality) played a substantial part in this development, although the practice of the new French republic was not very consistent in this field.

In the established doctrine and the practice of states in the nineteenth century, too, the principle occupied an important place, although this implies by no means that it was always respected. The latter may be accounted for by the system of the "European Concert", with its delicate balance of power, then applying on the European continent; this system was maintained within the framework of the Great Alliance by the Great Powers, which sometimes considered interventions necessary for the sake of the stability and the maintenance of the dynasties.[5)] All the same, there was a steadily growing conviction that observance of the non-intervention principle was ultimately in the interest of all states, because by this means a source of international conflicts which had become apparent in the course of time could be banished and thus a positive contribution could be made towards the creation of a more stable international order.

The early years of the twentieth century were marked by the Hague Peace Conferences of 1899 and 1907, where all the participating states, also from outside Europe, were admitted on a footing

of equality, and which resulted, inter alia, in the Convention for the Pacific Settlement of International Disputes, which was intended to obviate the use of force in the relations between states. This was also the main purpose of the League of Nations established after World War I. The Covenant of the League of Nations started from the unlawfulness of the use of force as a means for states to take the law into their own hands, and it contained the obligation for the members to settle their disputes by peaceful means. In the context of the procedure for pacific settlement of international disputes within the League of Nations itself the non-intervention principle was mentioned in Article 15, paragraph 8 of the Covenant in the sense that the Council of the League of Nations was not to deal with a dispute which was claimed by one of the parties, and found by the Council, "to arise out of a matter which by international law is solely within the domestic jurisdiction of that party". This was therefore a prohibition for the organization to intervene in matters within the jurisdiction of the Member States. The abstention from the use of force in international relations, which was not mentioned expressly in the League of Nations Covenant but was assumed to be a legal duty, was expressly agreed upon by a number of countries in the Briand-Kellogg Pact of 1928.

In the Charter of the United Nations the prohibition of the threat or use of force is laid down expressly in Article 2, paragraph 4. The prohibition of intervention too is mentioned explicitly, viz. in Article 2, paragraph 7, but here again, as in the League of Nations Covenant, exclusively with respect to the relations between the Organization and its Member States. Opinions differ on the question as to whether this provision itself also prohibits intervention in the relations between the states amongst themselves.[6)]

It is precisely on account of this lack of clarity that persistent efforts have been made particularly on the part of the socialist countries, supported in this by the Latin-American countries and the young African and Asiatic Member States, to have the non-intervention principle defined as explicitly and unequivocally as possible within the UN context. After a Declaration on non-intervention had been adopted by the General Assembly in 1965,[7] these efforts culminated in the incorporation of the principle into

the Declaration on Principles of International Law Concerning Friendly Relations and Cooperation Among States in Accordance with the Charter of the United Nations, established by Resolution 2625 (XXV) of the General Assembly of October 24, 1970. The answer to the question to what extent the legal basis of the non-intervention principle was reinforced by these Declarations depends upon the amount of consensus between the states on the normative power of the two Declarations, in particular on the question as to whether they merely amount to a codified interpretation of the Charter or to a progressive development of the law, and in the latter case, as to the stage of development into law in which the two documents are. On this there is no consensus.[8] This applies to an even much higher degree with regard to the interpretation that must be given to the formulation chosen. This formulation is so broad and so ambiguous as to the correlation of the various elements that every state may read into it a confirmation of its own views. There is, however, one aspect on which there does seem to have been a consensus during the negotiations, viz. that it is the coercive nature of an interference which makes the latter an intervention.[9] This coercive nature, however, appears to have two aspects: (1) The interference takes place against the will of the country whose affairs are interfered with. This is self-evident: if a state consents to the interference, there is no question of prohibited intervention. (2) The interference involves a certain amount of coercion or pressure, by means of which one state tries to impose its will upon the other state. It would seem to be less clear whether there is a consensus on this aspect as well, although all the examples of prohibited intervention mentioned in the two Declarations do point to the direct or indirect use of coercion or pressure. The difference of opinion focuses of course on the question as to what form of coercion or pressure must be involved if the interference is to fall under the prohibition of intervention.

As regards the CSCE process, the lack of clarity has not been removed by the incorporation of Principle VI into the Final Helsinki Act. Since the Final Act does not have the character of a treaty or other agreement binding under international law, Principle VI does constitute a further important indication of the

general recognition of the non-intervention principle, but cannot give to it an independent legal basis.[10] And since the formulation of Principle VI does not give a further definition of the terms "intervention" and "domestic jurisdiction", the lack of clarity which the UN Charter and the Declaration of 1970 - on which documents the Final Act relies to a large extent - have left on this point is not brought nearer to a solution here either.

The following is a brief discussion on what might very roughly be called the Western view and the socialist view of the non-intervention principle.

a. The Western view

The classic Western definition of intervention, to which many autho refer, is that of Oppenheim-Lauterpacht: "Intervention is dictatorial interference by a State in the affairs of another State for the purpose of maintaining or altering the actual condition of things." [11]

In this definition a distinction is made between intervention and interference, a distinction which also turns up again and again in the discussion concerning Principle VI of the Final Act. According to the above definition this distinction consists in the dictatorial character which converts an interference into an intervention. It does not become clear from the sequel of the treatment by Oppenheim-Lauterpacht what this character amounts to. From the fact that it is stated: "Therefore intervention must neither be confused with good offices, nor with mediation, nor with intercession, nor with cooperation, because none of these imply dictatorial interference," [12] one might infer that this is a reference to the first of the above-mentioned two aspects of "coercive", viz. the fact that the interference takes place against the will of the country in question, rather than to the second aspect: the actual coercion or pressure involved. Nevertheless, the historical examples mentioned by Oppenheim-Lauterpacht and the exceptions which in their opinion apply to the prohibition create the impression that the term is primarily associated with military actions.

It is round this latter point that the differences of opinion between the Western authors have long centered, and to a certain extent this is still the case. According to a number of authors there is question of intervention only if the interference involve the use or threat of force.[13] In that view the prohibition of intervention for states therefore coincides with the prohibition of force, as laid down in Article 2, paragraph 4 of the UN Charter. Other authors take the view that interference involving economic and political coercion also falls under the prohibition of intervention, although some of them add the requirement that, if this coercion is to be sufficiently weighty to make it possible to speak of intervention, it must involve the threat of military or economic sanctions or otherwise must be of such magnitude that the state cannot freely determine its will, or it must imply an abuse of an exceptional situation in which the state in question finds itself.[1] Finally, there are some authors who consider any direct or indirect pressure on another state with the intention to force that state to act or omit to act in a given way to be covered by the prohibition of intervention, irrespective of whether the pressure used is suited to produce that effect.[15]

The view that exclusively the use or threat of physical force is covered by the prohibition of intervention under international law has long been the traditional position adopted by the United States and most of the countries of Western Europe. The developments within the United Nations outlined above, however, have resulted in the adoption, also by these countries, of a document in which a wider concept of intervention is held to be in conformity with the purposes and principles of the Charter; a concept which, as Rosenstock rightly concludes, apart from physical force, at any rate also includes "economic and political pressures of sufficient magnitude to affect political independence",[16] and which refers at the same time to the prohibition of subversive activities directed against a state and to interference with the political, economic, social, and cultural right to self-determination of the state.[17] It can, however, hardly be assessed to what extent, by assenting to the Declarations of 1965 and 1970, the states in question have also accepted an extension of their obligations under international law. And at all events they did not wish to endorse the view that any

attempt to exercise a certain influence upon the behaviour of another state is intervention. The British Government in one of its proposals formulated the Western standpoint concerning this matter as follows: "In considering the scope of 'intervention', it should be recognized that, in an interdependent world, it is inevitable and desirable that States will be concerned with and will seek to influence the actions and policies of other States, and that the objective of international law is not to prevent such activity but rather to ensure that it is compatible with the sovereign equality of States and the self-determination of their peoples." [19)]

b. The East European view

The principle of non-intervention in the internal affairs of other states is considered by the East European states as one of the essential elements of peaceful co-existence, the ideological and subsequently juridicized doctrine concerning the relations between the socialist and the non-socialist states. However, even before the official adoption of the doctrine of peaceful co-existence in the mid-fifties, the non-intervention principle occupied a central place in the foreign policy of the Soviet Union. In fact, as the fervently desired world revolution failed to be realized it had become clear to the Soviet leaders already a few years after the October Revolution that first and foremost they ought to put their own house in order. From this it resulted that the authorities concentrated on national security vis-à-vis a hostile outside world; in that policy a strict maintenance of the non-intervention principle was of vital concern. Especially towards the late twenties therefore the Soviet Union is seen to uphold this principle in a variety of ways. Still, such a policy gave rise to tension, because the continued pursuit of the purposes of world revolution of the marxist-leninist ideology definitely did not form a harmonious whole with a state policy which held in the first place that states must not interfere with each other's affairs. This contradiction was resolved in the period between the two world wars by making a distinction between inter-state relations and international non-governmental relations. By reference to this distinction it was possible to maintain that the non-intervention principle applied

only to inter-state relations, because only subjects of international law[20] are bound by this principle of international law. In this way the legitimacy of the highly interventionist actions of the Comintern could also be defended, because this was alleged to be a non-governmental organization.[21] It is self-evident that the Western countries considered this distinction, particularly in the case of the Soviet Union with its entanglement of party and state, as highly artificial and therefore were not prepared to accept it.[22] Nevertheless, it is useful to mention this distinction because it also plays a part precisely in the Soviet view in connection with the present human rights discussion.

In the opinion of the socialist states the effect of the non-intervention principle extends not only to the purely internal affairs of the state, but also to its external affairs, a conception which is reflected, inter alia, in the above-mentioned Declaration of 1970 as well as in the Final Helsinki Act. It must, however, at once be added that even among the socialist countries there is no consensus on the question as to what internal and external affairs exactly are still under the exclusive domestic jurisdiction of states.

As to the forms of prohibited intervention, socialist lawyers now usually merely refer to or cite the relevant part of the said UN Declaration of 1970, which is in close agreement on this point with their views of the matter.[23] The above-mentioned uncertainties which this Declaration left in existence are, as a rule, simply not discussed by them. In this context it is significant that they consider the non-intervention principle, as formulated in the Final Helsinki Act, as a reconfirmation of what they now call the "weltweit verbindliche authentische Interpretation des völkerrechtlichen Einmischungsverbots" (universally binding authentic interpretation of the prohibition of intervention under international law) from the UN Declaration of 1970.[24] They disagree, at least officially, with those Western views which are based on the idea that the incorporation into the Final Act of Principle VII concerning the protection of human rights as one of the fundamental principles governing the relations among the participating states has considerably restricted the non-intervention principle included therein as Principle VI. The official view in Eastern Europe appears

to be that the incorporation or non-incorporation of the human rights principle makes no difference at all on this point.[25] Entirely in accordance with this line, the East European states take the position that the international human rights conventions expressly mentioned in Principle VII provide for specific supervisory procedures. Interference with the internal human rights policy of states outside the framework of the procedures there agreed upon, e.g. within the context of CSCE, is alleged to be an unlawful intervention.

In this connection it has to be pointed out that the opinion rather frequently heard in the West that in practice the socialist states themselves in Belgrade abandoned their fundamental view in the matter does not appear very convincing. Although indeed they answered the Western "charges" against them after some time with passionate reproaches about alleged violations of human rights in the Western world, the East European states expressly did so sans préjudice: in fact, they declared that their counter-attack was not to be regarded as an abandonment of the non-intervention principle, but had to be viewed as a reaction to the constant violation of this principle by the West. Whatever queries one may place against such an argumentation, in any case it indicates that in Belgrade and Madrid too the socialist states manoeuvred in a juridically extremely cautious way on this point.

As is evident from the above, a state may very soon anticipate reproaches about violation of the non-intervention principle if it brings up the human rights situation in the socialist countries. Furthermore, the "intervening" states are frequently charged with an ideologization of inter-state relations, which is said to be an infraction of an unwritten rule of international politics. The above-mentioned distinction between states and non-governmental groups comes in very handy for the East European countries in support of such a charge. If the Western states were to accept this construction - quod non the consequence would be that they disqualify themselves to voice protests against gross violations of human rights in socialist countries, whilst the East European states might continue to agitate against the Western states via their communist or labour parties, scarcely hindered by obstructions under international law. Moreover, the thesis that the Western human rights policy is a weapon in the ideological struggle would

seem to imply that with this policy the Western states do not pursue any genuinely humanitarian purpose. In fairness it ought to be said that this thesis of the East European countries about the ideological - or, if one prefers, system-political - aspects of the Western human rights policy in the East-West context is not altogether unfounded (but this applies equally vice versa!).

It does not ensue from the East European view outlined above that the states are not entitled at all to bring up the situation in the field of human rights in another country. According to this view, invocation of the non-intervention principle does not apply in cases of apartheid, fascism, colonialism, aggression, genocide, and racial discrimination. These cases are regarded as such massive and systematic violations of human rights that they constitute a threat to world peace. And according to this argumentation, if world peace is threatened by the behaviour of a state, according to Article 2(7) of the UN Charter not a single state can shelter behind its domestic jurisdiction.[26)]

3. Non-intervention in the Final Act

a. Non-intervention

The interpretation of the non-intervention principle in the Final Act current in Western countries implies that the prohibition of intervention refers exclusively to the use of military and other coercion. Thus, for instance, in a publication devoted by the Dutch Ministry of Foreign Affairs to the CSCE, which also contains a detailed analysis of the Final Act, it is submitted that the text as finally incorporated into the Declaration of Principles is in conformity with the starting-points, and in general also with the text of the French and the Yugoslav, ergo the Western proposals, viz. that the prohibition applies exclusively to the kind of interference which is attended with coercion, threat, and use of force.[27)] An argument advanced, inter alia, in favour of this view is that in the final text the word non-intervention was chosen, although the delegations of the USSR and her allies would have preferred non-interference. Whilst the latter term was alleged to have the wide meaning of "not concerning oneself with", non-intervention was said always to imply the use of coercion.

A problem involved in this argumentation is the fact that this legal distinction can indeed clearly be indicated in the English language by the terminology chosen, but that this does not apply to all languages. Thus in Russian the term "nevmeshatel'stvo" is always used - and therefore also in the Final Act; a term which may mean non-intervention as well as non-interference. Since both the English and the Russian text of the Final Act - as well as the German, the French, the Italian, and the Spanish text - are authentic, the two texts have equal force. If upon comparison of two authentic texts a difference in meaning becomes evident, or at least a lack of clarity arises, it is necessary, according to the customary rules of interpretation, to arrive at a reconciliation of the two texts on the basis of the intention of the parties such as it emerges, inter alia, from the travaux préparatoires.

From the travaux préparatoires it appears that during the negotiations on the formulation of the non-intervention principle in 1974 in Geneva the delegate of the Soviet Union explicitly showed that he was aware of the difference between the two said English terms, for which the Russian language had only one and the same word. Nevertheless, the Russians definitely do not appear to have firmly opposed the use of the term non-intervention in the English text of the Final Act. Although in 1973 in the very first Russian proposal, contained in a draft mandate for the committee which was to occupy itself with the elaboration of the First Basket, in the English version the term "non-interference" was still put forward, in its later proposals the Soviet delegation explicitly used the term "non-intervention" in the English and French texts and agreed to the exclusion from the Final Act of the word "non-interference" proposed by them (and other delegations) at an earlier stage. There are no signs that this has involved much discussion or friction.

The above in our opinion does not allow of any but the following conclusion: the Soviet Union has assented to the inclusion of the term non-intervention, while showing that she realized the more restrictive effect of it. She thus implicitly accepted that in the context of the Final Act the Russian term "nevmeshatel'stvo", which may admit of two different interpretations, is to be understood in this same restricted sense of non-intervention, and not of non-interference. Indeed, only in this way can the authentic texts be

reconciled with each other, whilst there is no evidence at all of an intention to include a wider concept of non-interference. When the matter is viewed in this light, the terminology can no longer be a serious point of dispute between East and West.

As to the substantive content of the non-intervention principle it appears from other parts of the numerous exhaustive discussions devoted to this principle in Geneva that the East European countries too - like the West - assumed that an essential element of the non-intervention principle is the use of one form or another of coercion or pressure. From the discussions in Geneva it is at any rate evident that the delegates did not wish to stick to proposals to bring wider forms of influence under the prohibition of intervention as well.[28)]

The question remains, however, when there is a situation of coercion or pressure. In this context it may be of interest to recall to memory that during the negotiations long discussions took place on proposals to use, instead of the expression "act of (...) coercion" ultimately laid down, the terms "kind of coercion", "forms of intervention", or "pressure", which latter formulations would appear to have a (much) wider scope than the definitive text.

When the question focuses round the principle of respect for human rights and round the Third Basket, it actually amounts to whether bringing up cases of alleged violations of human rights constitutes acts of coercion. The practice after 1975 shows that East and West are diametrically opposed to each other in answering this question, the issue in practice being not so much the actual effect of the disputed action, but rather the intentions behind it, or assumed by the opposing party to be behind it. However, thus one gets on the slippery ground of the subjective views which the parties involved have of each other, and these views can hardly be objectified to undisputed testing criteria.[29)]

But even assuming that the position of the Soviet Union that criticism on the part of the West concerning alleged violations of human rights in the socialist countries amounts to intervention is correct, the question still remains whether "intervention (...) in the internal or external affairs falling within the domestic jurisdiction of another participating State" is at issue.

b. "Domestic jurisdiction"

What affairs fall within the (exclusive) domestic jurisdiction of a state? In the above-mentioned publication of the Dutch Ministry of Foreign Affairs it is stated that the determination of the affairs which are within the domestic jurisdiction is not subject to the discretion of the State in question. These affairs are rather those in which no international obligations, commitments, or liabilities are involved.[30] This is no doubt correct. Indeed, it is quite evident that an international regulation where each of the parties can freely determine in each individual case what does or does not fall within the domestic jurisdiction is in actual fact no regulation at all.[31] In the same publication subsequently the following conclusion is drawn: The principle of non-intervention therefore is not applicable to matters concerned with respect for human rights, which are referred to in this same Declaration of Principles.[32]

Where in the East European literature the question as to what falls within domestic jurisdiction is discussed, the writers as a rule merely state that the content of that exclusive jurisdiction cannot be determined once and for all, among other things because that content is subject to historical changes. On the whole, however they do seem to agree that in any case the economic, social, and political regime of a state is a matter with which other states may not interfere.[33] And whatever may be precisely understood by this, at all events it is clear that in the East European view, too, human rights play a central role in the establishment of the social and political regime of a state, because these rights regulate fundamental aspects of human society. The East European position is therefore diametrically opposed to the Western view on the relation between the non-intervention principle and the principle of respect for human rights.

The matter here discussed played an important part during the CSCE negotiations in Geneva in relation to Principle VII and the Third Basket of the Final Act. The issue was put in the centre there by a Finnish proposal to add to the formulation of the non-intervention principle a paragraph in which the states were to declare themselves in favour of respect for the political, economic, and cultural foundations of the participating states and in favour of respect for the national legislation and administration of the

states. This proposal, which was also intended to put an end to the difficulties round the preamble of the Third Basket, into which the East European states wished numerous restrictions to be incorporated was welcomed by the socialist countries, but ran up against strong opposition of the Western states. The latter considered that the passage proposed by Finland was definitely out of place in a regulation of the non-intervention principle. Moreover, they were very much afraid that the East European states would use this clause as a safety brake for the Third Basket, an evident East European interest which the West did not wish to meet. On the contrary; during the negotiations on the non-intervention principle the Western countries acted with extreme caution, also and particularly in order not to restrict their own freedom of movement with regard to the Third Basket too much. The utmost concession which the Western states might have been prepared to make consisted in acceptance of the Finnish clause, but then in another place in the First Basket, and with the addition of the words "with due allowance for international obligations and commitments". By this it would at any rate have been prevented that the East European countries could parry any criticism concerning human rights and other humanitarian issues on the part of the Western states by simply referring to their exclusive control of their national legislation. Opposition to an amendment to that effect, which had been officially put forward by the Swedish delegation, ultimately led to the Finnish proposal being split up: the passage on respect for the freedom of the state to choose and develop its political, social, economic, and cultural system and to determine its laws and regulations was transferred to Principle I - which deals with the sovereignty of the states without a reference to international law, while on the other hand in Principle X - on the fulfilment in good faith of obligations under international law - was inserted a clause to the effect that the participating states undertook to conform with their legal obligations under international law in determining their laws and regulations. In order to prevent that all this could be interpreted in two different ways, the Western countries at the same time stressed the necessity of clearly laying down in the Final Act the correlation of all the principles. For the Soviet delegation all this formed an unwelcome development. It therefore made it clear during the negotiations that it was by no means in favour of these

proposals, because it did not like the connection between the way in which the Soviet Union formulates her national laws and the observance of her obligations under international law to be imposed on her in such a way. On the part of the East European countries accordingly several attempts were made to tone down the consequences of these proposals as much as possible: instead of the principle ultimately agreed upon in Principle X that in determining their laws and regulations the states would "conform with their legal obligations under international law", inter alia, the much less far-reaching formulae "pay due regard to ..." or "duly respect ..." were proposed. Ultimately, however, the East European countries yielded, and the provisions advocated by the Western and neutral countries were incorporated into the Final Act.

From this exposition of the course of the negotiations on this point in Geneva it is evident that the Soviet Union cannot find any support in the content and the genesis of the Final Act for the view she (nevertheless) repeatedly enunciated that the way in which a country regulates and protects human rights still pertains to the exclusive domestic jurisdiction of that state (with the exception of the aforementioned cases of massive and systematic violation Attempts of the USSR to get this view laid down in the Final Act have manifestly failed. In our opinion no other conclusion can be drawn from the travaux préparatoires.

4. Conclusion

The foregoing leads to the conclusion that in the Final Act no support can be found for the assertions of the socialist states that criticism of the human rights situation in one of the participating states, outside any specific procedures that may have been agreed upon for this in conventions, as a rule conflicts with the non-intervention principle.

The question, however, remains as to whether in this respect it is not necessary to make a distinction between on the one hand the assessment of the situation concerning the implementation of Principle VII in general and on the other hand the bringing up of concrete cases of alleged violations of human rights. In fact, one may wonder whether in the latter case the procedural framework is not departed from such as it is laid down in the "Fourth Basket" of

the Final Act for the supervision of the observance of the obligations entered into, viz. "a thorough exchange of views on the implementation of the provisions of the Final Act". The latter approach would rather assume the character of an inter-state complaint, which strongly resembles the complaint procedures such as they are provided for in certain human rights conventions. These procedures are sometimes optional[34] and sometimes compulsory[35], but the states concerned must in any case have expressly established such a procedure. As is well-known, the socialist states have always taken a very reserved attitude as regards complaint procedures. It should definitely not be assumed therefore that a similar procedure is implicitly provided for in the Fourth Basket of the Final Act.

As has been said, in this Fourth Basket "a thorough exchange of views on the implementation of the provisions of the Final Act" has been agreed upon. This points rather in the direction of an analogy with the reporting procedure, such as it has also been provided for in a number of human rights conventions. It is characteristic of this procedure, which is always compulsory for all the contracting states, that the states themselves submit reports on the national implementation of their international obligations, and that by reference to these reports the other states, or some of them, represented in the international body charged with supervision, may give an opinion, frequently after the report has been studied by a committee of independent experts.[36] In practice it is found characteristic of this procedure that in the so-called "political phase" - i.e. the phase of the reporting procedure in which the organ composed of government representatives forms an opinion on the matter - this organ directs its attention not so much at individual cases of alleged violations of human rights, but at general structures in legislation, administration, and adjudication, and in this respect too confines itself mainly to what could be called a "structured dialogue", resulting in generally formulated statements and in general recommendations to the relevant state for the improvement of established defects.

The question may therefore be raised whether it is not advisable that the different delegations use such a procedure as much as possible in the "exchange of views" during the follow-up meetings, and that to that end procedural arrangements are agreed upon

in connection with future follow-up meetings, e.g. on the timely drafting of reports by each of the participating countries. Not only would such an approach start from a more positive point of departure than complaints based on the information of the complaining state - which may have a favourable influence on the overall climate during the conference - but in this way the participants would at all events undoubtedly remain within the scope of international law and of the commitments as laid down in the Final Act.

Apart from the fact that the discussion structured as advocated here about the situation in the field of human rights and with regard to structural implementation problems and not in the form of complaints relating to concrete cases is legally quite justifiable in the CSCE context, such an approach would also appear preferable as to its effectiveness. Indeed, it is an established fact that the socialist states tend to become extremely irritated by the greatly detailed criticism of certain Western states on putative or non-putative violations of human rights in Eastern Europe. Although it is clear that such violations cannot in any way be justified and therefore are not to be tolerated, still one may wonder whether the approach chosen by some delegations in Belgrade and Madrid is after all very efficient, at least if one assumes that it was really prompted by humanitarian and not by general political motives. Indeed, one should take into account that the practice of governments standing up publicly for individual subjects of other states, even though this may result in an improvement of their personal conditions, need not by any means have a positive effect on the situation of the population as such in the country concerned. It is often difficult to anticipate the exact effect in each individual case, but this is indeed a matter which must always be kept in mind in deciding on a human rights policy. In general it may be said that it appears from practice that "silent diplomacy" will usually result more smoothly in a solution of individual problems and moreover presents the advantage that delicate matters of prestige, with all their attendant repercussions, will come less soon to the surface. In such a way the issue of human rights in the East-West context might perhaps be depoliticized to a certain extent. In fact, it is of great importance for the cause of human rights that attempts be made to remove the impression prevailing among the East

European countries that the Western states want to use the issue of human rights merely as a political trump card against them. Even if such attempts cannot quickly achieve complete success, this does not detract from their importance.

It would therefore seem preferable that governments choose with regard to individuals first and foremost the method of "silent diplomacy", while in addition endeavours to bring about improvements in the situation of individuals would have to take place mainly via non-governmental and professional organizations.

Footnotes

1) The present study is a slightly revised version of an article published in Dutch in: Internationale Spectator 1980, pp. 549-558. Both authors teach international public law at the Europa Institute of the University of Utrecht and are members of the Helsinki Committee of the Dutch branch of the International Commission of Jurists (N.J.C.M).

2) Louis Henkin, "Human Rights and 'Domestic Jurisdiction' ", in: Thomas Buergenthal (ed.), Human Rights, International Law and the Helsinki Accord, Montclair, N.Y. 1977, pp. 21-40 (21).

3) The authors received the permission of the Dutch Ministry of Foreign Affairs to include in their research the archives relating to the CSCE Conference. This means that their conclusions are based upon those archives as well as upon the published records and other materials. This does not necessarily form the complete "travaux préparatoires".

4) Isidro Fabela, Intervention, Paris 1961, p. 14. See also: A. van Wynen Thomas & A.J. Thomas, Non-Intervention: The Law and Its Import in the Americas, Dallas 1956, p. 4.

5) Thomas & Thomas, loc.cit., pp. 8-10.

6) See: R.J. Vincent, Nonintervention and International Order, Princeton 1972, pp. 233 et seq.

7) This Declaration on Inadmissibility of Intervention in Domestic Affairs of States and Protection of their Independence and Sovereignty referred expressly to the incorporation of the principle into the basic conventions of the Organization of American States, the Arab League, and the Organization of African Unity.

8) It is true that the Special Committee which had been charged with the preparation of the Declaration of 1970, laid down in a resolution that the Declaration of 1965 "by virtue of the number of States which voted in its favour, the scope and profundity of its contents and, in particular, the absence of opposition, reflects a universal legal conviction which qualified it to be regarded as an authentic and definite principle of international law", but considering the reservation made about this by a number of Western countries this statement would seem not to be very authoritative.

9) Vincent, loc.cit., p. 245.

10) See P. van Dijk, "The Final Act of Helsinki - Basis for a Pan-European System?", Netherlands Yearbook of International Law XI (1980), p. 97 and pp. 106-115.

11) L. Oppenheim, International Law; A Treatise, Vol. I: Peace, 8th ed. by H. Lauterpacht, London etc. 1955, p. 305.

12) Ibidem.

13) See e.g. E.C. Stowell, Intervention in International Law, Washington 1921, p. 318; H. Kelsen, Principles of International Law, New York 1952, p. 64.

14) See W. Friedman, "Intervention and International Law" in: L.G.M. Jacquet (ed.), Intervention in International Politics, The Hague 1971, pp. 47-55; M.S. McDougal & F.P. Feliciano, Law and Minimum World Public Order, New Haven and London 1961, pp. 29-36.

15) Thomas & Thomas, loc.cit., pp. 69-73, in particular p. 72.

16) R. Rosenstock, "The Declaration of Principles of International Law Concerning Friendly Relations: A Survey" in: American Journal of International Law 1971, pp. 727-729.

17) See Vincent, loc.cit., pp. 257-258.

18) In 1970 the Dutch delegate contended that the Declaration cannot be interpreted in the same way as "a carefully drafted legal document would be interpreted"; quoted in: Vincent, loc.cit., p. 260.

19) Included in an appendix in: Vincent, loc.cit., p. 397.

20) This refers primarily to states. However, besides states and international organizations, the Soviet doctrine also considers nations and "peoples fighting for their independence" as subjects of international law. See e.g.: Völkerrecht, Lehrbuch, vol. 1, East Berlin 1973, pp. 55-61; N.T. Blatova & L.A. Modzhorian (eds), Mezhdunarodnoe pravo, Moscow 1979, pp. 138-139.

21) In the Soviet doctrine communist parties are not considered as state organs, but as societal organizations.

22) For a good review of these problems reference may be made to Vincent, loc.cit., pp. 154-161.

23) Without giving exhaustive enumerations, the socialist literature usually distinguishes military, economic, political, diplomatic, and "other forms" of intervention. See D. Frenzke, "Das Interventionsverbot und das Gewaltverbot in der sowjetischen Völkerrechtstheorie" in: B. Meissner & A. Uschakow (eds), Probleme der Konferenz über Sicherheit und Zusammenarbeit in Europa, Berlin 1975, p. 78.

24) See e.g.: Wörterbuch der Aussenpolitik und des Völkerrechts, East Berlin 1980, p. 437.

25) For clearness' sake it may be pointed out that the socialist countries self-evidently consider themselves to be bound by this Principle VII: its inclusion therefore is definitely considered not unimportant by them as such.

26) V. Kartashkin, "Les pays socialistes et les droits de l'homme" in: K. Vasak (ed.), Les dimensions internationales des droits de l'homme, UNESCO Paris 1978, pp. 680-701 (692-694).

27) Conferentie over Veiligheid en Samenwerking in Europa; Helsinki Genève - Helsinki 1973-1975, Publication No. 115, The Hague 1976, p. 109.

28) Thus a Romanian proposal, which referred, inter alia, to "any (...) form of interference", was not adopted.

29) As an example of an attempt in that direction, see the very complicated analysis of "the processes of coercion" by McDougal & Feliciar loc.cit., pp. 1-59, in particular pp. 27-36 ("methods"). The problen has sometimes been simplified by stating that the intention is manifested in the coercive action: an action making use of coercion is always the manifestation of a will to coerce. In this way the problem of course moves in a vicious circle. An objectification may perhaps be approached most closely by giving an enumeration - not intended to be exhaustive - of actions considered to be coercive. However, it has rightly been objected to such attempts that the inevitable incompleteness of such an enumeration creates more problems than it solves; cf. Vincent, loc.cit., pp. 244-248.

30) Loc.cit., p. 109.

31) Cf. the separate opinion of Sir Hersch Lauterpacht in the Norwegian Loans Case, ICJ Reports 1957, pp. 48-51.

32) Loc.cit., p. 109.

33) Kurs Mezhdunarodnoyo Prava, Vol. II, Moscow 1967, pp. 183-185; Blatova & Modzhorian, loc.cit., p. 190; cf. V.A. Mazov, Printsipy Khel'sinki: mezhdunarodnoe pravo, Moscow 1980, p. 40.

34) E.g. in the case of the UN Covenant on Civil and Political Rights of 1966: Art. 41.

35) E.g. in the case of the Convention on the Elimination of All Forms of Racial Discrimination of 1965: Art. 11.

36) See e.g. Art. 40 of the UN Covenant on Civil and Political Rights; Arts 16-21 of the UN Covenant on Economic, Social, and Cultural Rights; Art. 9 of the Convention on the Elimination of All Forms of Racial Discrimination; Arts 22-23 of the Statute of the International Labour Organisation.

International Citizens Helsinki Watch Conference

Bellagio Study and Conference Center
Lake Como, Italy

September 6-10, 1982

Some Considerations for Discussion

by Jiri Pelikan
Italian Deputy to the
European Parliament

Given at the Opening Session
Tuesday morning, September 7, 1982

First of all, I would like to thank our American friends for having taken the initiative to organize this conference. Together with the courageous fighters for civil rights in the USSR they have shown that the Helsinki process is not strictly a matter of governmental concern but primarily involves public opinion.

When the Helsinki Final Act was first published, the reaction of public opinion was quite different in the West and in the East. Whereas in the West it was published only by a few newspapers and mainly by government agencies and did not arouse any great attention because the principles of the Final Act are an integral part of the Western parliamentary system, in Central and Eastern Europe the reaction was quite different. The Final Act was published in the official newspapers and its text acted like a bombshell because it spelled out certain principles such as freedom of expression, travel, religion and the circulation of ideas -- all at variance with the daily practices of these regimes.

This should be the basis of our evaluation, namely whether the Helsinki Conference constitutes progress and a step forward for the peoples of Eastern Europe, or whether it is a step backwards, or even a kind of "cemetery" as it was called by Alexander Solzhenitsyn. In my opinion it is a positive step forward although certain illusions which were linked with this conference have disappeared. In this connection I want to make it clear what we should understand by detente. Here in the West we are often faced with the false presentation of detente by some of the Western press and certain politicians. They say that the only alternative to detente is a return to the cold war. This is completely false. The real alternative is what kind of detente we want since we have two concepts of detente before us.

The first concept of detente is that shared by the Soviet leadership, which sees detente as a re-assertion of the political status quo in Europe, i.e., the division of Europe into two spheres of influence, each of them controlled by one of the two superpowers. In this context the Soviet leadership regards the principles of the Helsinki conference as being valid only in relations between States with different social and political systems. All the rest is the internal affair of the Soviet bloc where the principles of the Final Act are not valid and the West is not entitled to interference. What is even stranger is that this concept of the Soviet leadership is shared also by certain politicians and businessmen in the West. They consider that this recognition of the political status quo protects the West from Soviet interference, it allows them to promote business relations with the Soviet Union and Eastern Europe and at the same time enables them to use the nonfunctioning of the Soviet system as an argument against the idea of socialism before their own public opinion. A different but similar attitude is adopted by some leaders of social democratic parties in the West who believe that economic cooperation with the East will automatically lead to liberalization and reforms and who are afraid that criticism of the Soviet Union and the dissident movement within the Soviet bloc could lead to the destabilization of Europe and an end of detente.

Another concept of detente, which I share, is, on the contrary, to overcome the political status quo in Europe by paving the way for all peoples of Europe to choose their own road of development free from the danger of political, economic and military pressure and intervention by the great powers. This means the gradual abolition of the rigid political, military and economic blocs in Europe and consequently the abandoning of the so-called Yalta agreements as expressed by France's President Mitterand ("sortir de Yalta").

This different or even contradictory approach to the Helsinki Final Act has caused various misunderstandings and illusions.

now, but that it should also be directed against the governments of the USSR and Eastern Europe. Citizens in Eastern Europe, should, furthermore, be informed about the military expenditure of their governments, about foreign military bases on their territories, about the sale of arms to third countries, about the functioning of the Warsaw Pact, etc. Only thus will the peace movement be effective as a pressure group in both West and East, and the problems of disarmament and peace become issues of public interest.

Economic problems which are linked with Basket Two of the Helsinki conference are currently in the center of public interest in connection with the huge debts accumulated by Poland and certain other Soviet-bloc countries and with the Siberian pipeline. I don't think that Helsinki Committees should interfere directly in problems of trade relations between East and West, but they ought to support the principle that the USSR and the East European countries should not be granted unwarranted advantages which are contrary to the spirit of Basket Two. There need be no disagreement on whether or not Western Europe should buy Soviet natural gas but rather on the type of advantageous credits which the Soviet government is receiving from West European governments to build this pipeline and whether certain technology from the West will not be used for military purposes.

These are some examples of the broad spectrum of interests which the movement to monitor the Helsinki agreements can cover. We should not limit our activities only to the violation of civil rights and to the problems of "dissidents' ghettos." We must naturally continue our firm defense of those citizens and movements in the USSR and Eastern Europe who are fighting with great courage for the defense of civil rights and who are persecuted by the authorities. But we must simultaneously look at broader issues important to wider sections of the population.

Finally, I should like to answer the question of whether we should support the continued Helsinki process or interrupt it. Since the military coup d'etat in Poland, some have argued that Western governments would do well to abandon the Madrid conference.

In my opinion, this would be wrong since we would abandon one of the few platforms which exist for the confrontation of views between East and West and for the deploration of the violation of civil rights in one half of Europe. But the delegations of the US and Western Europe should adopt a clear stand on the way they see the implementation of the Helsinki agreements and should not slacken their pressure on the Soviet government. The main political issue at this stage of the conference should be the request for an end to martial law in Poland, the liberation of Lech Walesa and other political prisoners, as well as the recognition of the trade union Solidarnosc and a return to a dialogue between the State, the trade unions and the Church. The Soviet leaders must understand that without the fulfillment of these conditions there can be no return to genuine detente and cooperation. We should, moreover, request that all political and trade union leaders invited to Poland should make the release of Walesa, or at least the possibility of visiting him, a condition for their trips.

Although we are in favor of holding the European Conference on Disarmament, we should oppose the tendency to make this the sole result of the Madrid conference and to this end to make concessions in the fulfillment of other aspects of the Helsinki conference. The Madrid conference must also bring certain positive results in the sphere of information, travel, the reunification of families and the rest of civil rights. Otherwise there is the danger that the entire idea of the Helsinki conference will be discredited by public opinion. It is also important that the next review conference be held in a country where journalists and representatives of public opinion have free access and good working conditions.

Finally, I would like to give my full support to the idea of creating a kind of international committee for monitoring the Helsinki conference which will coordinate the work of national committees established in all countries whose governments have signed the Helsinki Final Act. This type of work may sometimes appear to bring few results but I can assure you, from my own experience, that it is of utmost importance for our friends and

Some initiatives such as Charter 77 in Czechoslovakia and the Committees to Monitor the Helsinki Agreements in the Soviet Union were based on the presumption that the official authorities would respect, at least partly, their international commitments and open up to a dialogue with their citizens. But the only way the authorities responded to these initiatives was by repression. This has, in turn, created some kind of disillusionment and false hopes that only pressure by the Western governments can compel the authorities in Eastern Europe to respect their international commitments. A correct path is being found only gradually, i.e., that pressure must be applied by both sides: by the citizens within the country and from outside, that is to say, by other governments who, as signatories of the Helsinki agreements, are entitled to request that other signatories, too, observe their commitments.

But here again we are faced with a false alternative: some governments consider that they should either negotiate with the official authorities and thus keep silent about human rights violations or else criticize such violations and so not negotiate with the official authorities. Experience has shown that even though it is difficult, it is nevertheless possible to combine both attitudes: to negotiate with the official authorities, to develop trade, and at the same to draw the attention of these authorities to the Helsinki Final Act and express support to those citizens and groups who are fighting for the fulfillment of the Helsinki agreements inside the East European countries. That was the position adopted by the Dutch Minister of Foreign Affairs who paid a visit to the Czechoslovak government in Prague but at the same time received a spokesman of Charter 77. I would suggest that we should insist that political leaders, representatives of trade unions or political parties invited by the governments of the USSR or Eastern Europe, consider it their right to meet not only the official representatives in the course of such visits but also persons such as Walesa, Dubcek, Sakharov and other "dissidents"

holding ideas different from those of their governments. This is a principle of reciprocity, since Mr. Brezhnev and other leaders of East European countries, when invited by West European governments, also have regular meetings with representatives of Communist and other parties in opposition to these governments.

There is yet another false alternative raised by some political leaders in the West: whether to insist in public on the respect of civil rights and press for the liberation of political prisoners or to do this in a more discreet manner. In my opinion both methods should be used: while certain specific cases can be solved better in bilateral talks or through diplomatic channels, there are certain violations of principle which must be deplored publicly.

Movements and groups working for the fulfillment of the Helsinki agreement should not confine themselves to drawing attention to individual cases of dissidents and citizens who are being persecuted in Eastern Europe on political grounds but concentrate on those general violations of the Final Act which concern entire categories of the population such as censorship of publications and information, the restriction of free travel, job discrimination, the violation of religious freedom, etc. Criticism, if it is to be credible, must be applied to all signatories of the Helsinki agreements, irrespective of their political system. This means that we must not criticize solely the military regime in Poland and the suspension of trade unions there, while keeping silent about the military regime and suppression of trade union and civil rights in Turkey. I think that the U.S. Helsinki Watch Committee constitutes a good example of such an attitude.

When monitoring the observance of the conclusions of Helsinki, our movement should not confine itself merely to the Third Basket, i.e., human rights provisions, and leave military and economic problems, i.e., Baskets One and Two, to the so-called specialists. At present we can see keen interest among Western public opinion in disarmament and peace. Our movement should also take part in this discussion and contribute to make sure that pressure on governments about disarmament should not be one-sided, that is to say, not be applied solely to the West as it has been until

public opinion in Eastern Europe to feel that they have not been abandoned and isolated. We, who are able to speak up, must not keep silent.

International Citizens Helsinki Watch Conference

Bellagio Study and Conference Center
Lake Como, Italy

September 6-10, 1982

Mandate of Helsinki Watch Committees

by Aryeh Neier
Vice-Chairman
U.S. Helsinki Watch Committee

for Wednesday morning session:
"Formation of National Helsinki Committees"

Nine months after the signing of the Helsinki Final Act on August 1, 1975, the first Helsinki Watch group was formed in Moscow. It published the statement below announcing its formation:

The Public Group to Promote Observance of the Helsinki Accords in the USSR was founded on May 12, 1976, in Moscow.

The Group's purpose is to foster compliance with the humanitarian provisions of the Final Act of the Conference on Security and Cooperation in Europe. This includes the following articles of the Final Act:

1) Declaration on Principles Guiding Relations between Participating States. VII. Respect for human rights and fundamental freedoms: including the freedom of thought, conscience, religion or belief.

2) Cooperation in Humanitarian and Other Fields: 1. Human Contacts (in particular (b) Reunification of Families). 3. Cooperation and Exchanges in the Field of Culture. 4. Cooperation and Exchanges in the Field of Education.

The Group considers that its most urgent task is to inform all Heads of States signatory to the Final Act of August 1, 1975, and the public at large of direct violations of the provisions mentioned above. In this regard, the Group:

1) will accept directly from Soviet citizens written complaints which concern them personally and which relate to the provisions mentioned above. The Group will forward such complaints in abridged form to all Heads of States signatory to the Final Act and inform the public at large of the substance of the complaints. The Group will retain the original complaint signed by the author;

2) will gather, with the assistance of the public, other information on violations of the provisions mentioned above, organize this information, evaluate its reliability and forward it to Heads of States and to the public. When the Group encounters specific information on flagrant acts of inhumanity such as:

taking children from the custody of religious parents who wish to rear their children in their own faith;

compulsory psychiatric treatment for the purpose of altering a person's thought, conscience, religion or belief;

dramatic instances of separation of families;

extremely brutal treatment of prisoners of conscience,

the Group intends to appeal to Heads of State and to the public to form international commissions to verify such information on the spot, since it will not always be possible for the Group to verify such crucial information directly.

The Group hopes that its information will be taken into account at the official meetings called for in the section of the Final Act entitled "Follow-up to the Conference."

The Group's members are inspired in their activities by the conviction that humanitarian problems and freedom of information have a direct bearing on international security. We appeal to the public of the other Participating States to form national groups to promote complete fulfillment of the Helsinki agreements by the governments of their own countries.

We hope that a corresponding International Committee will also be organized in the future.

The members of The Public Group to Promote Observance of the Helsinki Accords in the USSR:

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Moscow, May 1976

In response to the appeal from the Moscow group, several Helsinki Watch groups were organized in the USSR and other countries. For the most part, subsequently organized Helsinki Watch groups have perceived their mandate to be the same as the mandate adopted by the Moscow group. Citizen effort to enforce human rights agreements has seemed particularly appropriate because, as governments are the source of human rights abuses, they cannot be trusted to enforce such agreements against themselves. Like the Moscow group, subsequently organized Helsinki Watch groups have focussed on: 1) Principle VII, the provision of the Helsinki Final Act committing the signatory states to respect human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief; and 2) Basket III, the part of the Helsinki Final Act committing the signatory states to cooperate in humanitarian fields, including human contacts, reunification of families, and cultural and educational exchanges.

Some differences have developed in the manner in which this mandate is carried out. Helsinki Watch groups operating in Western countries that have well-developed governmental and non-governmental mechanisms for dealing with individual abuses of rights have not sought to create duplicate mechanisms. For the most part, these groups have promoted compliance by their own governments by publicizing abuses to which the Helsinki Final Act has special relevance -- such as interference with the free movement of people and ideas. The major part of the work of Helsinki Watch groups in the West, however, has focussed on abuses in other signatory states where effective mechanisms for redressing abuses of human rights are not available. The methods for doing this have been:

1) by undertaking research about abuses in other signatory states and by publicizing those abuses;
2) by establishing contact with human rights monitors in repressive countries and, to the limited extent possible, extending them aid and comfort;
3) by publicizing particularly repression directed against human rights monitors;
4) by attempting to influence their own governments to make compliance with the human rights provisions of the Helsinki Final Act an important factor in their relations with other signatory states; and
5) by attempting to influence the "Helsinki process" so as to make the governments involved develop ways

g about compliance with the human rights
ons of the Helsinki Final Act.

Like ow group, subsequently organized Helsinki Watch gro held to the view "that humanitarian problems and freedo ormation have a direct bearing on international securit this reason, they have resisted the argument that peace armament are such urgent concerns that consideration n rights should not be allowed to stand in the way. F standing in the way of peace and disarmament, the promoti undamental rights has been perceived by Helsinki Wat ups -- as it is perceived in the Helsinki Final Act it as an essential condition for peace and security.

The Mos oup stated at its founding that, "We hope that a corres ng International Committee will also be organized in uture." The U.S. Helsinki Watch has taken this as part s mandate and, through the organization of this meeting at Bel , hopes to contribute to the formation of an Internation ommittee. In our view, such an International Committee could

1) federa xisting Helsinki Watch groups;
2) stimula the formation of additional national committ
3) maintai ontacts between national committees
4) act as a international secretariat for national committe

5) conduct research on abuses of human rights for national committees and publicize the findings

6) when authorized by national committees, speak for them to intergovernmental bodies, including to the delegates assembled at periodic review conferences.

The substantive mandate of an International Committee would be the same as for the national committees.

International Citizens Helsinki Watch Conference

Bellagio Study and Conference Center
Lake Como, Italy

September 6-10, 1982

Proposals for Madrid Review Conference

by Kristoffer Gjotterud
Norwegian Helsinki Committee

for Thursday morning session:
"Plans and Proposals for Future Activities"

We shall try to outline a few questions, challenges and possibilities that are facing us in our future struggle for human rights within the framework of the Helsinki Final Act and the CSCE at Madrid. We do not pretend completeness concerning either questions or possibilities and do not intend to give complete answers or conclusions.

The purpose of this note is rather to invite a cooperative discussion that may hopefully result in a clarification and an agreement as to what we want to do and how we can possibly reach our aims.

The actual position of human rights

Recognizing that Turkey has been summoned by the European Human Rights Commission in Strasbourg because of violations of human rights following the introduction of martial law in September 1980, and admitting that there are human rights problems in other Western countries as well, we suggest that the scope of our discussion is limited to the systematic and severe violations of human rights in Eastern countries.

We feel that it would not be proper to discuss Turkey while the process at Strasbourg is going on. We also feel that the marked qualitative difference as to the attitude of Eastern and Western countries towards criticism in the field of human rights and in the readiness to change practice for the better, justify that our own problems are not discussed in this connection. Looking at the development in the field of human rights in Eastern countries after the signing of the Final Act in August 1975, a first glance gives the impression that very little is gained. In many respects the development has been for the worse.

The Helsinki process created great hopes in Eastern countries, and we saw the spontaneous establishment of Helsinki watch groups in many cities in the Soviet Union, in Poland and in Lithuania.

Since the exiling of Andrei Sakharov to Gorki, the KGB has continued its round-up of Soviet human rights campaigners. Among the very few of the active members of the Moscow Helsinki Monitoring Group still not deprived of their liberty is Elena Bonner, the wife of Andrei Sakharov, and Nahum Meiman. As of last August Ivan Kovalev was arrested. His father, the biologist Sergei Kovalev, was arrested and sentenced in 1974 to seven

years labor camp and three years internal exile for his work on the samizdat "Chronicle of Current Events". His wife, the computer engineer Tatyana Osipova, received in 1981 a sentence of five years labor camp and five years internal exile as a member of the Helsinki Watch Group.

In early 1981 Ivan Kovalev expressed his views on the situation and the future prospects of the human rights movement in the Soviet Union in an interview with Guy Daniels, published in "Index on Censorship" No. 1 1982. We shall quote some of Ivan Kovalev's statements that bear relevance to our discussion. In answering a question about the current situation of what is commonly known as the dissident movement, Ivan Kovalev states:

"... The current situation of the dissident movement does not in my opinion afford much hope for its further development, for its very existence, in its present form..... Today the authorities are directing their heaviest blows against various free associations. Many associations have been forced to discontinue their activities. A dramatic example is the recent destruction of the Working Commission on Psychiatry, which was formed in 1977. As of September 1980, after the arrest of Irina Grivnina, the Commission was reduced to one member, Feliks Serebrov, and its consultant the psychiatrist Anatoly Koryagin. Serebrov was arrested in January 1981, and Koryagin was arrested in February. I believe these arrests testify unequivocally to the authorities' intention to step up psychiatric repressions against the dissidents.

... Recently, another threatening trend has been noted. Prisoners of conscience are quite often subjected to new arrests and convictions, either shortly after their release or even at the end of their prior sentence.

... The members of still functioning associations are threatened with arrest. I also suspect that the list of those who will soon be arrested, is not limited to "organized" human rights activists. Blows have been struck in other directions as well: not only to put an end to human rights groups and associations and the editorial boards of free journals, but to isolate those who constitute the genuine moral core of the human rights movement. I have in mind repressions against persons who are not formally members of any associations,

but who nonetheless enjoy great prestige. Such actions include the exile of Andrei Sakharov and the arrest of Tatyana Velikanova, Alexander Lavout ..."

So far the voice of Ivan Kovalev. We shall refrain from adding further examples of the dark situation in the field of human rights in the Soviet Union. Unfortunately, there seems to be little room for doubt about the determination of the Soviet authorities not to comply with human rights as agreed upon in the Final Act, and not to accept individual or "organized" criticism or expression of concern about human rights questions by its citizens, contrary to Principle VII, which guarantees the right to know and act upon one's right.

The determination of the Soviet authorities to come forth with an interpretation of their own about the human rights commitment of the Final Act was made utterly clear by the arrest of Victor Brailovsky on November 13., only two days after the opening of the Madrid Meeting.

Just as the exiling of Andrei Sakharov signalled the determination of the authorities to silence and crush the human rights movement and the Helsinki monitoring groups, the arrest and conviction of Victor Brailovsky to five years of internal exile, signalled the determination to uproot the Soviet Jewish movement striving for religious, educational and cultural rights and for the right to emigrate so as to make possible reunification of families. The flow of news telling about threats, harassments, humiliations and arrests seems never to cease. Lately a number of Jewish scientists were humiliated and invalidated by being deprived of their scientific degrees.

The official practise in the Soviet Union in the field of human rights does not sustain the dreams and hopes that were awakened among many of the suppressed by the signing of the Final Act.

At a Basket I meeting in Madrid in December 1980, devoted to Principle VII of the Final Act, a Western delegate politely appealed to the Soviet Union to show "good will" in a number of specified cases related to human rights. The spokesman of the Soviet delegation reacted with an emotional outburst of anger. He stated that Western insistence on human rights was a provocation of their social system that might result in another cold war, a psychological warfare, stimulating only revisionist and fascist forces and threatening the very possibility of a continuation of the Madrid Meeting.

This sketchy summary of the situation of and the attitude towards human rights in the Soviet Union, which may, notwithstanding the great differences, serve as a prototype of the status of human rights in the Eastern countries, seems inevitably to supply a very pessimistic answer to our question about what has been gained in the field of human rights so far. The picture is, however, not completely dark. We shall again quote Ivan Kovalev from the interview mentioned above:

"...It does not seem relevant to debate whether the human rights movement is "useful" - whether it makes "sense". I see it not as a struggle in which there can be victories and defeats but as a profoundly moral phenomenon which is foreign to utilitarian calculations.

... If, nonetheless, we want to talk about the results of human rights activities, then with rare exceptions it seems likely that persons who have been repressed despite expressions of protest, would have been subjected to more severe sanctions without those efforts on their behalf.

..., although I don't like the word "victory", there is no doubt a kind of victory in the very existence of the movement, despite the efforts of the authorities. In that, and in the sometimes noticeable sympathy of ordinary people, who have had it pounded into their heads for so many years that "the renegades are enemies:they have sold out". Fortunately, not everyone believes this propaganda."(End of quotation)

The evaluation of the position of human rights in Eastern countries has to be made on two distinct levels: the official level and the level of individual citizens. At the official level we experience an almost complete neglect of the obligation to implement Principle VII in domestic regions. At the Madrid Meeting we have seen the application of systematic obstructions to avoid substantial discussions of Principle VII and of appeals on issues related to this principle. Principle VI (Non-intervention in internal affairs) is applied to reject criticism for the neglect and violation of human rights.

At the level of citizens we see that the Final Act has established a norm for human rights and has encouraged individuals and groups to fight against falsehood and violence at great personal risks and sacrifices.

Except for Poland, we do not find strong popular movements, but the size and strength of the human rights movement, notwith-

standing the systematic repressions of the last years, should not be underestimated.

THE FUTURE PROSPECT OF HUMAN RIGHTS

"I consider the defense of human rights to be my life's work, because the violation of these rights is a tragedy for humanity". This is a statement by Tatyana Osipova, now serving her term in a labor camp.

We shall once more lend our ear to the voice of Ivan Kovalev:

..."I realize full well that by means of repressions the authorities will achieve their ends: there will be no more overt public groups and associations. But whether they will go furtner, is hard to say. I am convinced, however, that they will not achieve complete success with their present methods.

...As long as the authorities and the organs fear the people, they are at war, and hide from a "miserable handful of renegades", things are not so bad for those renegades, and there is still hope for that people.

... But if we are going to talk about today, yes, there is still hope. That hope is sustained not only by abstract considerations, but, strange as it may seem, by what is going on now. For example, I have noticed that Western sources are usually better informed about events in our country than our best-informed human rights activists. This means that the usual sources of news have been supplemented by additional ones.

...Overt protests - publicity - is one of the principal traits, perhaps the principal trait, of the human rights movement as it now exists. Overt actions by individual human rights advocates, led eventually to the creation of overt human rights groups and associations. Now the authorities are destroying them. I do not believe that even if all such groups are eliminated, overt human rights actions will cease.

...But if my hope that the human rights movement will survive by adopting new forms (most likely reverting to earlier forms) is disappointed and ceases to exist, then it will be replaced by terrorism. And the authorities will respond with terror on an unpredictable scale. That could mean the destruction not only of the human rights movement, but of the whole country. The only way I see to oppose that is to continue to speak out openly against tyranny." (End of quotation)

We shall not enter into a discussion of the likelihood of a development of terrorism as foreseen by Ivan Kovalev as the only alternative to a continued human rights movement, but shall accept the statement as an evaluation and a warning from a person of high integrity and great courage. Ivan Kovalev's evaluation, cited above, of the hopes and possibilities for, and the importance of the human rights movement, constitutes a valuable reference when we are to figure out a program for our activities.

It seems obvious that one important task will be to continue the collection of detailed information on human rights violations that the Eastern authorities are trying to conceal. In this work it will be most important and useful to develop a practical coordination of the efforts made by the Western Helsinki watch groups. Through such work we will be able to support and aid in a substantial way our professional politicians and diplomats working on human rights problems either through a continuation of CSCE or through other available official channels.

It will be another important task to act as the voice of the silenced Eastern individuals and groups that spoke out against tyranny. This task is facing us with challenges that call for an extensive use of mass media and of pressures and appeals on a high political and diplomatic level. To optimize such efforts it will again be most important and useful to coordinate the moves of the Western Helsinki watch groups.

THE MADRID MEETING

The sharing on an equal basis of the time spent on Basket I for the discussion of military problems and of problems of human rights is the result of the firm Western claim that Principle VII is an integral and inseparable part of the Final Act.

Insistence on the human dimension of detente should not be relaxed. Without acceptance of and compliance with human rights as stated in the Helsinki Accords, there is not much hope of creating a level of mutual confidence between East and West, which is a necessary premise for achieving control of the present arms race.

The very convening and the structure of the Madrid Meeting,

in its first phase, shows that the Eastern attacks on the wholeness of the Final Act have been refuted by the Western participants. So have the Eastern tactics to manoeuvre CSCE into a bureaucratic procedure that would drain the meeting of any political significance as to the obligation to comply with Principle VII. The introduction in December 1981 of martial law in Poland inevitably called for a hot confrontation between East and West. Instead of being trapped into "business as usual", the Madrid Meeting became a political battlefield of the greatest importance. At the opening of the fourth session the Foreign Ministers of the NATO countries were present and united in condemning the imposition of martial law in Poland as a violation of the Final Act. The repression in Poland was seen as the sole responsibility of Polish authorities and the Soviet Union.

In the political atmosphere created by the Polish crisis a continuation of the work towards a concluding document was impossible. There was no longer a political basis for resuming the interrupted negotiations according to the working agenda. The Soviet Union finally acceded to neutral demands for a recess beginning March 12.

The continuation of the meeting was put off until November 9 1982. To underscore the importance of the CSCE process and the need for progress when the meeting reconvenes, Foreign Ministers from three NNA (Neutral and Non-alligned) countries attended the final plenary session on March 12. On the premise that the situation in Poland and the Soviet Union will have improved, negotiations on a balanced concluding document will be resumed.

An evaluation towards the end of August of the situation in Poland and the Soviet Union does not show much of an improvement as compared with the situation at the recess of the meeting. The few released from detainment in Poland should not be misinterpreted as a reduction of the repression, and the violations of human rights in the Soviet Union is unabated. Students and staff at Polish universities are restricted by regulations unknown in Eastern Europe since the end of the Stalinist era. The Soviet Jewish emigration has almost ceased.

The necessary premise for a resumption of constructive negotiations following the reopening of the Madrid Meeting in November, seems simply not to exist. If this will also be the conclusion on November 9, the meeting will be left with nothing but a discussion of the future of the CSCE process and possibly the future political status of the Final Act. The most positive

outcome of the meeting would then very probably be an agreement as to the date and place of a following review meeting. The implication of a minimum agreement as to "date and place" is that the Madrid Meeting is given up as a forum and an instrument that can mediate an improvement of the present situation. It will also bring closer the possibility that the CSCE process and the Final Act are abolished altogether.

There is, however, hopefully a common interest among the 35 signatory states to save the Final Act and the CSCE process. This common interest may constitute a sufficient basis for making the mutual compromises necessary to save the political relevance and meaning of the Madrid Meeting.

We would like to end this note by suggesting that the Western countries propose the following compromise as a sufficient premise for a resumption of negotiations for a balanced and substantive concluding document on November 9:

The Western countries accept, on the basis of a recognition of the obvious internal problems characteristic of the Eastern countries, an extended time scale for an adjustment to the full requirements of the Final Act in the field of human rights, by the Eastern countries.

The Eastern countries, on their side, agree to make small steps, specified by the Western nations, regarding human rights, to prove "good will" to move in the direction demanded by the Final Act.

To be more specific about the meaning of "small steps" we shall give some examples:

One could ask the Polish authorities to release the members of the PEN-club and allow PEN to resume its activity; one could ask the Soviet Union to release Yuri Orlov, Anatoly Shcharansky and Victor Brailovsky, and allow them, and Andrei Sakharov, to choose their place of residence according to their wish.

There is a wide range of possible and reasonable requests for "small steps" that can be made, also requests involving other Eastern countries as well. We will close this note by quoting Yuri Orlov:

"I am convinced that our sacrifices have not been made in vain! I look to the future with optimism."

International Citizens Helsinki Watch Conference

Bellagio Study and Conference Center
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September 6-10, 1982

I. REPORT

INTRODUCTION

The concept of an international citizens movement to monitor compliance with the human rights provisions of the Helsinki Final Act is inherent in the Act itself. The Helsinki accords are unique among international instruments in upholding the right of citizens to monitor their own governments' respect for the rights of the people they govern.

Principal VII of the Helsinki Final Act incorporates directly or by reference all of the human rights essential to a freedom-loving society. Principal VII also speaks of the rights of citizens "to know and act upon their rights," and it is this provision that inspired Dr. Yuri Orlov and others in the USSR to form the first citizens' Helsinki group in Moscow in 1976. The Moscow Helsinki Group called upon "the public of the other participating states to form national groups to promote complete fulfillment of the Helsinki agreements by the governments of their own countries." It also expressed "hope that a corresponding International Committee will be organized in the future."

Helsinki groups were soon formed in other parts of the USSR — the Ukraine, Georgia, Lithuania and Armenia —and in Czechoslovakia and Poland. Without exception, these groups have been brutally suppressed by their governments. Approximately fifty members of Soviet Helsinki committees are suffering right now in prisons, labor camps or internal exile; others have been expelled from their country or intimidated into leaving. Persecution of Charter 77 signers in Czechoslovakia has been intense, and, at the time of this writing, the Chairman of the Polish Helsinki Committee, together with some of his colleagues, is under arrest in Poland and charged with treason, for which he faces a possible death sentence.