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C-M(77)30(Final)

REPORT ON THE IMPLEMENTATION OF THE FINAL ACT OF THE CSCE

REVIEW OF IMPLEMENTATION

Note by the Secretary General

Attached is the Fourth Report by the Council in Permanent Session on the Implementation of the Final Act of the CSCE.

2. This report is a follow-up to that prepared in November 1976(1), and covers the period 26th November, 1976 to 28th April, 1977.

3. Paragraph 2 of the attached report draws attention to the most important events in the period under review, and summarizes generally the situation since Helsinki. These developments are considered more closely in the rest of the report. Further details are contained in an Annex. Paragraph 3 of the report contains the recommendation.

4. Since paragraphs 18 and 19 of this report were drafted, the 32nd Plenary Session of the UN Economic Commission for Europe has adopted a Resolution relevant to the Brezhnev proposals for the holding of All-European Congresses in the fields of environment, transport and energy. It was agreed that the Commission, at its 33rd Plenary Session in 1978, will consider constructively, under certain criteria and in the light of reports to be submitted by the Executive Secretary, the holding within the framework of the ECE of a high-level meeting on the protection of the environment. On transport and energy, the Resolution merely calls for the circulation of views which member governments may wish to communicate.

(Signed) Joseph M.A.H. LUNS

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This document includes: 1 Annex

(1) C-M(76)73(Final)

N A T O C O N F I D E N T I A L

IMPLEMENTATION OF THE FINAL ACT OF THE CSCE

Fourth Report by the Political Committee
(26th November, 1976-28th April, 1977)

REVIEW OF IMPLEMENTATION

INTRODUCTION, SUMMARY AND RECOMMENDATION

1. At its meeting on 1st October, 1975, the Council agreed that a report on those aspects of the implementation of the Final Act of the CSCE which have a particular importance for the members of the Alliance could be prepared by the Political Committee. This should be done, in collaboration with other relevant committees, for the Council on the eve of each Ministerial Meeting, within the larger framework of the examination of East-West relations and the general problem of détente. This is the fourth such report and it covers the period from 26th November, 1976.

2. The most important points to draw to the attention of the Council regarding developments during the period of this report are the following:

- (i) the Warsaw Pact countries have maintained the coherent and assertive stance towards implementation of the Final Act evident since early 1976. However, they have become increasingly pre-occupied with the need to defend themselves against criticism of their record on human rights in general and on specific Basket III issues. They continue to attempt to build up an implementation record in all parts of the Final Act (paragraphs 4-10);
- (ii) they have made a further large-scale proposal within the CSCE context in an area of special interest to them (a treaty on the Non-First Use of Nuclear Weapons); they have continued to press ahead with their Brezhnev Proposals and some other earlier initiatives (e.g. the Hungarian bilateral proposals) (paragraphs 6, 8, 18, 28);
- (iii) they have continued to take a limited number of small steps of importance to Western countries, but at a declining rate:
 - human contacts: the Soviet Union has taken no new steps during this period, though it has maintained some earlier patchy progress:

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some East European countries have solved a varying number of family reunification cases. The general position since Helsinki remains one of only some limited improvement in certain areas (paragraphs 23-28);

- information: there has been hardly any improvement since Helsinki in dissemination of Western material. The minor improvements in working conditions for journalists made in 1976 by the Soviet Union and some East European countries have recently been counter-balanced by increased harassment to limit contact with dissidents (paragraphs 29-35);
 - confidence-building measures: Eastern countries are continuing to comply with the strict minimum of the Final Act provisions (paragraphs 15-16);
 - economic questions: there have been virtually no significant improvements since Helsinki in areas of particular interest to Western countries such as access to information and contacts (paragraph 17);
- (iv) both the activities of human rights movements in Eastern countries and the repressive measures taken against them have underlined the continued lack of respect for human rights in those states. It is not yet clear whether or how the highlighting of this issue has affected the attitudes of Eastern governments to other aspects of East-West relations covered by the Final Act (paragraphs 7, 12-14);
- (v) Warsaw Pact countries have strengthened their criticisms of Western countries for alleged misinterpretation of the Final Act and inadequate compliance with some of its provisions; this campaign has heightened as Eastern countries have felt themselves increasingly on the defensive over human rights (paragraphs 9, 22, 28, 31, 36);
- (vi) the overall Eastern performance is still far from satisfactory. There are a few positive developments, but it remains to be seen whether the process of implementation will continue. Eastern countries may have some further highly visible measures in reserve for nearer the main Belgrade meeting (paragraphs 5-7).

Recommendation

3. It is recommended that the Council should take note of this report.

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MAIN REPORT

Main Trends

4. During the last six months the Eastern countries have continued along the general post-Helsinki course which they set themselves in late 1975 and early 1976, and which was described in the Political Committee's two previous reports (C-M(76)26(Final) of 13th May, 1976 and C-M(76)73(Final) of 3rd December, 1976). They have persisted in their efforts to use the Final Act as an instrument to pursue the Soviet Union's established foreign policy aims (the legalization of the status quo in Europe, the "irreversible" process of détente, "military détente", pan-European inter-state co-operation). To this end they have emphasized those elements of the Final Act of particular importance to them (some of the principles, the general disarmament provisions, Basket II). However, during the period of this report, they have become increasingly preoccupied with the need to defend themselves against criticism of their performance, especially as regards human rights. They have attempted with even greater tenacity than in the past to attempt to re-interpret and minimize the significance of those parts of the Final Act they dislike (the Seventh Principle on "respect for human rights" and Basket III). They have claimed to be implementing all the provisions of the Final Act, and have continued to attempt to build up a record of implementation in all Baskets. At the same time their counter-attacks on the West for non-compliance have intensified.

So far the Eastern approach does not seem to have had any effect on Soviet policy towards Berlin.

5. Early in 1976 the Eastern countries embarked on a concentrated programme of a few large-scale initiatives in areas of special interest to them (the Brezhnev Proposals) together with a series of small steps in areas of special interest to Western countries (CBMs, Basket III). The Soviet Union was the first to take action, followed later in the year by the East Europeans. In spite of the slow-down of activity throughout

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the second half of 1976, the Committee's last report (C-M(76)73(Final)) noted that Eastern governments had continued to make an effort to build an implementation record in all Baskets of the Final Act including such areas of Western interest as human rights, working conditions for journalists and CBMs. Much, however, remained to be done.

6. During the period of this report, this line of policy was maintained, though the number of new positive developments still remained relatively few. The proposal for a treaty among CSCE states on the Non-First Use of Nuclear Weapons seemed partly designed to give an impression of active implementation of the Final Act. There have been a few new small positive steps mostly in the area of human contacts. In particular, some East European countries with the most generally restrictive attitude towards human contacts have solved a varying proportion of family reunification cases on the representation lists of some of the Allies. Furthermore, while the Soviet Union has taken no new steps on human contacts during this period, the marked improvement in the movement of people from the Soviet Union to two Allies noted in the last report has been approximately maintained, though extraneous factors have as before played an important part. However, many outstanding human cases are still left unresolved, and the administrative obstacles to freer movement of people and information remain virtually unaltered. The general picture since Helsinki is still one of very limited progress. There is a possibility that the Eastern countries could be saving some highly visible measures for the weeks preceding the main Belgrade meeting in the hope of having maximum tactical effect.

7. A field in which there has been virtually no improvement, and perhaps some deterioration, since Helsinki is the general area of human rights covered by the Seventh Principle on "respect for human rights". The lack of progress has been highlighted by the current human rights movements in Eastern countries and by the repressive reaction of Eastern governments. Western public opinions have tended to focus attention on this issue more than on any other aspect of East-West relations treated in the Final Act. Eastern governments remain hypersensitive to the question and deny Western countries any right to concern themselves with Eastern internal affairs. It is not yet clear whether or how the highlighting of non-observance of the whole range of human rights covered by the Seventh Principle has affected the attitude of Eastern governments to other aspects of East-West relations including implementation of the specific Basket III provisions on human contacts and flow of information.

8. As noted in the last report, Hungary has continued to propose extensive bilateral consultations and agreements to Western countries, purporting to cover all aspects of the Final Act. Many Allies have now made detailed replies to these proposals, rejecting those which are unworkable or unnecessary (e.g. where unilateral implementation is required), suggesting further discussion in some areas where there is possibility of progress, and making their own counter-proposals. Other Warsaw Pact countries have not yet made similar sets of proposals, but it is likely at Belgrade that the Hungarian action will be cited as evidence of goodwill on the part of Eastern countries to pursue overall implementation.

9. The general Eastern campaign of criticisms continues against Western countries for alleged misinterpretation of the Final Act, for undue emphasis on Basket III and for alleged inadequate implementation. Indeed, this campaign has heightened as Eastern countries have felt themselves increasingly on the defensive over human rights. As before, Eastern régimes have charged Western governments with not complying with certain principles (especially that of "non-intervention in internal affairs") and with Basket II (Most Favoured Nation treatment), as well as poor Western performance on such Basket III matters as visas, the translation and distribution of books and films and language training. Certain Western circles are accused of trying to slow down implementation and to undermine the Final Act. A new feature during this period has been the strong attack on the West for interfering in internal affairs by their criticisms of Eastern human rights standards, while allegedly themselves violating human rights both in the political and legal fields and in the area of economic and social rights where the record of "socialist humanitarianism" is claimed to be exemplary. These various lines of attack seem intended to divert attention from Eastern shortcomings, to counter Western attempts to secure Eastern implementation and to put the West on the defensive generally.

10. The main trends described in the preceding paragraphs were reflected in the Declaration of the Warsaw Pact summit meeting in Bucharest in November, 1976, which seemed designed to establish a basic framework for the Eastern position at the Belgrade meetings. This Declaration provides yet another example of the care with which the post-Helsinki approach of Eastern countries has been co-ordinated. The emphasis in the Declaration on disarmament, inviolability of frontiers, economic co-operation and state-organized cultural activities, together with the repeated stress on the overriding importance of non-intervention in internal affairs, suggest that in the period up to and during the Belgrade meetings the West should expect no fundamental improvement in the policies followed by the Warsaw Pact countries since Helsinki.

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Declaration of Principles

11. Although Eastern statements have been giving the Declaration of Principles less attention of late, this part of the Helsinki document remains the most important part of the Final Act to Warsaw Pact countries, the "linchpin" for all that follows. It is cited by the Soviet Union to justify its foreign policy activities and to attack those Western attitudes and activities it dislikes. All other parts of the Final Act must be implemented in strict accordance with the Principles. In particular, they stress the principles of "non-intervention in internal affairs" and "sovereignty" and try, on these grounds, to contain Western pressure for implementation of the Final Act, especially the Seventh Principle on "human rights" and provisions in Basket III. At the same time, Basket I principles do not restrain Eastern countries in their own conduct of the ideological struggle on non-Communist soil. Principles on the "inviolability of frontiers" and the "territorial integrity of states" are also singled out for special mention because of their pertinence to the Eastern contention that the Final Act has given international recognition to the borders and régimes of post-World War II Europe. Other principles, such as "respect for human rights" and language permitting the peaceful change of frontiers, are quickly passed over. The Soviet Union continues to imply that the Brezhnev Doctrine overrides the application of the Declaration of Principles to the relations between East European states. However, Romania continues to have its own views on this question, emphasizing all principles equally and contending that they apply to relations among all CSCE states.

Human Rights

12. The question of the respect accorded human rights in Eastern countries has become a major CSCE issue over the period since the last report. All Eastern states have, to varying degrees, experienced some domestic dissident activity on this question. As noted above (paragraph 7), Eastern governments remain hypersensitive on this question: they have denied Western countries any right to concern themselves with Eastern general human rights performances and have launched a strong counter-attack against Western criticisms.

13. The Final Act has been a source of inspiration to the human rights activists, who frequently cite its provisions. In the Soviet Union and Czechoslovakia in particular, and to a lesser degree in other East European countries, the activists are making a focal point of their demands to call on their governments to put into practice the standards they have accepted in the Final Act as well as in the United Nations Charter, Universal Declaration of Human Rights and International Human Rights Covenants. Criticisms of non-observance apply not only to a wide range of political and legal rights but also to economic and social rights central to "socialist humanitarianism".

14. There is no evidence that respect for human rights as covered by the Seventh Principle of the Final Act has improved since Helsinki in either the Soviet Union or in Eastern Europe, although standards continue to vary. Indeed, the programme of harassment, public vilification and arrests by the Soviet Union, Czechoslovakia and some other Eastern authorities against their human rights activists would seem to represent a deterioration in respect for human rights. Moreover, the use of repressive measures against those calling for compliance with the Final Act appears contrary to the recognition in that document of the right of the individual to know and act upon his rights and duties. Only in Poland has the government made a major concession to the demands of the activists with the promise of clemency for workers imprisoned for their part in price riots last June.

Confidence Building Measures

15. During the period of this report, manoeuvre activities of both East and West diminished considerably, as is customary during the winter period. No major Allied manoeuvres subject to notification took place; however, the United States on 7th April, notified a manoeuvre involving approximately 24,000 troops. There are only two other notifications to be recorded, one concerning a major Soviet military manoeuvre, the other a Swedish smaller scale manoeuvre. There were no Soviet invitations to send observers to their manoeuvre. While since Helsinki they have declined invitations to Allied manoeuvres, in the latest period they did accept an invitation to observe the Swedish manoeuvre. Soviet criticism of Western manoeuvre activity, which was a characteristic feature of their attitude towards Western CBM implementation throughout 1976, has almost completely subsided in the period under discussion.

16. It is not possible to draw any definite conclusions on such meagre evidence whether there has been any change in the Eastern approach to CBM implementation over the last six months. The notification of only major manoeuvres shows that the Soviet Union continues to comply with the strict minimum of existing CBM provisions in this respect. It remains to be seen whether Eastern CBM implementation in the months to come will be affected in any way by a desire to improve their record with a view to the forthcoming Belgrade meetings.

Co-operation in economic and other fields

17. Since the writing of the previous report (C-M(76)73(Final)) little movement has been noted in the unilateral implementation by the Warsaw Pact countries of the provisions of Basket II of the Final Act. This is particularly evident as regards measures to be taken to facilitate commercial exchanges. The general impression is that in the field of economic and commercial information, progress is particularly slow and in some countries even retrograde measures have been taken.

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18. The Allies still have to be convinced that the kind of pan-European conferences envisaged by the Brezhnev Proposals contain positive benefits for the West or that they would yield results which could not be achieved through other means in the ECE context. Although the Soviet Union has recently given some clarification in this connection, it would seem that it persists in its aim to have these conferences outside the ECE context. Consequently, while the Soviets intend to discuss these proposals at the 32nd Plenary Session of the ECE-Geneva, it would seem that they are not prepared to negotiate on the principle of such conferences, but only on the arrangements for their being held. The Allied governments still believe that the main aim of the Brezhnev Proposals is to divert the attention from Soviet implementation of the Final Act and from those aspects of it which are of importance to the West. They also feel that these proposals, with the exception of the environment, go beyond the terms of the Final Act in that they do not fit the pattern for multilateral implementation of Basket II through the ECE. The Allies continue to consider that the ECE-Geneva is the chief forum for pursuing multilateral Basket II implementation.

19. However, it must be recognized that the Soviet Union is not likely to be deflected from its project which seems to be a long-term one, and that it will be pressing for the matter to be solved at the 32nd Plenary Session of the ECE-Geneva in April. Consequently, there is a need for the Allied governments (and other Western countries) to reach an understanding on the attitude to be adopted at the forthcoming Plenary Session. A complete rejection of the Brezhnev Proposals does not seem feasible, as it would be used by the USSR as a propaganda ploy designed to show the reluctance of Western countries to implement the Final Act. Therefore, there is a need for a Western response and it could focus on the environment. Allied governments could suggest that the ECE develop its work programme on specific environmental topics of particular interest to the West.

Human Contacts and Information.

20. With regard to human contacts and information provisions of the Final Act, Eastern countries have continued to develop the more assertive approach apparent since the beginning of 1976. With the prospect of a "thorough exchange of views" on implementation at Belgrade coming ever closer, Eastern countries have been concentrating more and more in the past few months on the Basket III "question". They have further refined earlier arguments attempting to limit their obligations to implement Basket III provisions (e.g. implementation is conditional on:

improvements in the state of détente; observation of the principles of "sovereignty" and "non-intervention in internal affairs"; and, in certain cases, bilateral agreements). Especially prominent has been their contention that implementation of all aspects of the Final Act must proceed in phases as a "unit", and that Basket III, like all the Final Act, is a programme of action "for decades" to come.

21. There have also been greater efforts by Eastern countries to justify their strict control over the content, degree and pace of implementation as an "internal matter". The Soviet Union has explicitly said that "advice" and "instructions" from Western countries on how the East might implement Basket III are tantamount to interference in the internal affairs of Eastern countries. They have also taken greater pains in the past few months to place human contacts and information provisions within a cultural context.

22. Eastern governments argue that for the most part Basket III provisions are already being implemented in their countries as a result of the "advanced nature" of socialist law and their political system. At the same time they have continued to try to build up their record of implementation within Basket III and have taken some limited steps in areas of particular Western interest, though still at the declining pace and with the modest scope noted in the last report. In addition Eastern countries have sustained their campaign of criticism against Western countries both for misinterpreting and over-emphasizing Basket III and for alleged examples of non-implementation.

(a) Human contacts

23. The position of Eastern countries as regards the human contacts provisions of the Final Act remains mixed. The few new developments during the last six months have not altered the overall situation which remains one of only some limited improvement in certain areas.

24. Most Allies continue to experience little or no change in the Soviet performance. The success rate in resolving outstanding personal cases remains largely at pre-Helsinki levels, and the small changes in exit procedures made in early 1976 have brought no general increase in departures for family reunification, family visits or travel, over the past year. On the other hand the substantial increases in family reunification to the Federal Republic of Germany and the United States noted in the last report have been approximately maintained. Though these increases are partly due to other causes, they may also be partly attributable to the Final Act. They are however exceptions to the overall restrictive approach towards human contacts in the Soviet Union.

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25. As regards East European countries, the last report noted that while some had found it possible to make small improvements in their performance as regards family meetings and travel, the area of most difficulty had proved to be family reunification. In the period under review, there have been no new significant developments in family meetings and travel. On the other hand Bulgaria, Czechoslovakia and Romania have all made a special effort to improve their bad record as regards family reunification by resolving a varying proportion of outstanding cases on the representation lists of some Western countries. In 1977, there has also been considerable new improvement in the movement of ethnic Germans from Romania, though more recently Romania has launched a major new press campaign against emigration, with special attention to discouraging emigration by the German minority. Since basic restrictive practices towards emigration remain in force, there is no indication that these Eastern efforts comprise more than an attempt to remove the most visible causes for Western complaint at Belgrade.

26. Despite the relatively liberal behaviour of Poland in human contacts generally, this country is still ambivalent in its treatment of family reunification requests. The United States has substantial difficulties in this respect, while the Polish performance towards some other Allies is reasonably forthcoming. The high rate of ethnic German emigration to the Federal Republic on the basis of a 1975 bilateral agreement continues, with a slight decline in recent months. Hungary has few outstanding cases with Western governments. The same is true of the GDR as regards most but not all Western governments. In the special case of the Federal Republic of Germany, bilateral arrangements preceding Helsinki have seen an increase in the numbers of family reunifications from the GDR, but applications have still increased at a much higher rate than approvals. GDR Authorities have lately become so concerned with the growing interest in emigration that they have taken steps to discourage re-applications and to prevent contact between GDR inhabitants and Federal Republic officials. A problem common to most Eastern countries continues to be their reticence to deal positively with cases involving "illegal" emigrants.

27. There have been few new developments to report with respect to bi-national marriages in East European countries. In Romania, the deterioration in the situation since Helsinki has recently been partly counter-balanced by the resolution of some outstanding cases with certain Western countries.

28. With a view to highlighting Western difficulties as well as their own implementation record, Eastern countries have continued to criticize Western entry visa procedures (often in comparison with their own) and called for improvements. Proposals in 1976 from the Soviet Union and some other Eastern countries to reduce visa times or waive visa requirements, are still under discussion. Two Allies have also made proposals to Eastern countries for the improvement of visa procedures, but have so far received no positive response.

(b) Information

29. With regard to the information provisions of Basket III, there has been hardly any improvement in the Eastern performance since Helsinki as regards Western printed information. Although Eastern countries continue to claim or to promise increased importation and distribution of Western printed information, there is no evidence that they are making additional material available to their publics through sales, subscriptions or libraries. One minor exception is Czechoslovakia where, in March, a number of Western non-Communist newspapers, in unknown numbers of copies, were put on sale for the first time at news-stands in the Prague airport and in some first-class hotels (locations frequented mainly by tourists), and were made available through main postal distribution centres to vetted members of the general public. In April, Bulgaria also began permitting the sales of a few Western non-Communist newspapers in hotels used primarily by Western visitors and in a few street kiosks. Poland and Hungary maintain their somewhat more relaxed practices which pre-date Helsinki.

30. There has been virtually no improvement in the fields of films and broadcasts, although conditions continue to vary from country to country. X

31. Eastern hypersensitivity to the content of Western news media, especially that of radio broadcasts, has become still more noticeable since the beginning of 1977 as a consequence of Western attention to human rights and dissident activity in the Soviet Union, Czechoslovakia and other Eastern countries. In the Soviet Union a special media campaign reached new intensity in February 1977, attacking most major radio stations broadcasting to the East and including for the first time since Helsinki the Voice of America. Using an argument rejected during the Helsinki-Geneva negotiations, Eastern countries continue to contend that governments are responsible for the content of their national news media, which should be put at the service of détente and "mutual understanding" X

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among peoples". This line of argument contradicts the language of the Final Act committing CSCE participating states to facilitate the "freer and wider dissemination of information". At the same time certain Eastern radio stations have continued their activities against some Western countries in terms which, by any standards, are of an objectionable nature.

32. Jamming of three American radio stations, and of selected local broadcasts of the BBC and Deutsche Welle, continues in some countries. (Radio Vatican is also being jammed.) This activity is contrary to the expression of hope in the Final Act that the expansion in the dissemination of information broadcast by radio would continue. There has been no increased jamming to correspond with the more strident and wider propaganda attacks on foreign broadcasts.

33. In the period of this report Eastern countries have taken no additional steps to follow up those minor improvements noted in previous reports in working conditions for journalists. In fact, as part of their current heightened sensitivity to the activities and reports of Western news media, some Eastern countries have shown a hardened attitude towards visiting and accredited Western journalists.

34. The Soviet Union has increased its surveillance and sometimes harassment of journalists in their contacts with human rights personages. For the first time since Helsinki, they expelled an American journalist, Krinsky of the Associated Press, who was particularly close to dissident circles.

35. The most difficult country in the past period has been Czechoslovakia, where authorities have refused entry to visas to journalists wishing to cover "Charter 77" events or whose past reporting has been regarded as "objectionable". In addition, the régime has dealt rather crudely in some instances with Western journalists who have succeeded in entering the country: preventing them from contacting "Charter 77" sources, detaining and interrogating them following contacts with dissidents; searching for and confiscating notes, documents and tapes as journalists were leaving the country. In the GDR, there has been some increased harassment of journalists, particularly those from the Federal Republic of Germany seeking contact with dissidents, but the minor improvements noted in the last report still apply. In other Eastern countries the human rights issue has not had any evident repercussions on working conditions for journalists, and the situation there continues to be one of little or no change since Helsinki.

Culture and education

36. Eastern countries remain most interested in this section of Basket III. Indeed, they sometimes attempt to present the human contacts and information provisions as pertaining to a cultural context. It is an area where they can establish a favourable implementation record with a minimum of difficulty and indulge in their preference for building up lists of bilateral agreements and exchanges, even if sometimes superficial in nature. This bilateral approach also permits them a large measure of control over the content and availability of Western culture. At the same time they try to use the cultural provisions to disseminate Eastern social and political values in the West. Eastern countries use statistics, sometimes incomplete or incorrect and often taken out of context, to claim a superior level of performance as regards certain provisions (imports of films, television material, books and periodicals; translations of books; teaching of languages). They call for an end to these "imbalances": a virtual demand for "statistical reciprocity", which is contrary to the concept of freedom of access embodied in Basket III of the Final Act. (It should be noted however that reciprocity is an important element in Basket II.)

37. Implementation continues to proceed on the basis of arrangements and agreements that pre-date Helsinki. The overall effect of the Final Act has therefore been limited: in some cases adding to the momentum of existing arrangements, in others, affecting to some degree the pace and direction of new arrangements. There has been only little progress in getting Eastern countries to lower existing barriers to the entry of Western cultural information and to accept more individual contacts.

Neutral and Non-aligned

38. Neutral states continue to exhibit a strong interest in CSCE implementation, and approach it in much the same way as Allied governments. They have been discreetly pressing Eastern governments to implement the Final Act, especially as regards human contacts, and have noted some minor improvements. Yugoslavia's approach to CSCE implementation reflects its political system and non-aligned status. It attaches importance to the Declaration of Principles as a support for its own independence, and has been positive towards the implementation of the CBMs. Its respect for human rights, however, has not been up to Final Act standards, and may even have deteriorated since Helsinki. As for human contacts, Western countries have no special problems: Yugoslavia's performance throughout Basket III is comparatively forthcoming though well short of full compliance, especially in the field of information.

39. Allied countries continue to have a strong interest in close contacts and exchanges of views on implementation with both Neutrals and Non-aligned states.

BASKET I: DECLARATION OF PRINCIPLES

1. In most respects the approach by Warsaw Pact countries to the Declaration of Principles in the Final Act remains unchanged from that described in the Committee's three previous reports. (See relevant paragraphs of Annexes to C-M(75)72(Final), C-M(76)26(Final) and C-M(76)73(Final)). Although the need to deal with the Basket III "question" and the desire to avoid the potential embarrassment posed by the Seventh Principle on human rights seem to have deterred the East from continuing to give the Declaration the prime place in its treatment of the Final Act, occasional statements and documents, in particular the Bucharest Declaration emanating from the Warsaw Pact Summit, 25th-26th November, 1976, have reiterated basic themes.

2. The Declaration of Principles is still given a higher status by Eastern countries than all other portions of the Final Act. Although the Final Act compromises a "unit" which must be implemented over time in a uniform manner in all its aspects, this is not regarded as embodying equality among the various parts. The Bucharest Declaration reaffirmed the special emphasis given the Principles and linked them to Helsinki's major achievement in Eastern eyes, by which the "territorial and political realities" of post-World War II Europe are claimed to have been confirmed. During a round table discussion on CSCE over Radio Moscow, 27th February, 1977, the ten Principles were cited as the "linchpin" of the Final Act. Other parts of the Final Act are subordinate to them. On 26th February, 1977, an article in Pravda said that strict observation of the Principles was the "main prerequisite of the ever broader and fuller implementation of the agreements" in the Final Act.

3. Within the Declaration of Principles Warsaw Pact countries have continued to set aside certain principles for special emphasis. In the period under review, principles on "non-intervention in internal affairs" and "sovereignty" have been employed to rebuff Western expressions of concern over Eastern non-observance of the Seventh Principle, "respect for human rights". (See paragraph 20 below. The principles on "inviolability of frontiers" and "territorial integrity of states", have received less specific reference than before, but they remain the two principal supportive elements to the Eastern conception that the Final Act recognized the "territorial and political realities" of post-war Europe. The GDR alleges that the principle on "inviolability of frontiers" not only gives international recognition to its border with the Federal Republic of Germany, but entitles the régime to secure this frontier by any "reliable" means against crossings from either direction. At the same time, other principles, such as "respect for human rights" and language permitting the peaceful change of frontiers, are quickly passed over.

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4. Eastern criticism of the West for alleged failure to implement the Declaration of Principles has continued. As before, their basic supposition is simple: any act which meets their approval and is in accordance with their foreign policy objectives is seen as consistent with the principles; any act of which they do not approve is regarded as a violation of the principles.

5. Western countries are most frequently criticized for violating the principle on "non-intervention in the internal affairs of states". As noted above, this criticism has increased as a result of Western interest in the observance of human rights in Eastern states. To a lesser extent the principle on "sovereignty" is also cited. Referring to these two principles in his October 1976 speech to the CPSU Central Committee Plenum, Mr. Brezhnev said that the USSR would not allow anyone "to violate these principles in relations with the Soviet Union". Western countries have even been accused of violating the "non-intervention" principle in demanding Eastern implementation of the Final Act's Basket III provisions (Pravda 26th February, 1977). The Eastern propaganda campaign against the content of Western news media and against broadcasts by Western radio stations to Eastern Europe, includes the frequent charge that by permitting this situation to continue, Western governments are in fact "interfering" in the internal affairs of Eastern states.

6. At the same time, the Basket I principles do not restrain the East in their own conduct of the ideological struggle, or subversive activities, on non-Communist soil. In an example of this one-sided view on "non-intervention", the Soviet Union recently brought pressure to bear on the organizers of the Venice Biennial Art Festival in an unsuccessful attempt to have the theme of the event changed from "dissent in Eastern Europe".

7. Previous reports have drawn attention to the Eastern interpretation that the Declaration of Principles governs relations between Eastern states on one hand and Western states on the other, but is not the "sole guideline" to relations between the Socialist states of Eastern Europe (paragraph 8 of Annex to C-M(76)73(Final)). Through means such as the GDR-USSR Friendship Treaty of October 1975, the Soviet Union has taken steps since Helsinki to reconfirm the unity of and Soviet domination over Eastern Europe. In December 1976, Polish party leader Gierek agreed to a reference to "the internationalist duty of the Socialist states to defend the achievements of Socialism" (Brezhnev doctrine) in a joint declaration issued after his visit to Moscow.

8. Romania's different interpretation of the Declaration of Principles from that of other Warsaw Pact members has been noted in previous reports (all principles have equal status; principles apply to relations between all CSCE participants). While there has been some rapprochement between the USSR and Romania throughout 1976 there are still no indications that Romania's special view of the principles has changed significantly.

9. For their part Western countries have maintained their own interpretation of the Declaration of Principles and have tried to counter and correct Eastern misinterpretation where possible. In particular, they have stressed that all parts of the Final Act have equal status, and that within the Declaration, all Principles are of equal importance. They have also emphasised that the Declaration of Principles applies to relations between all participating states.

HUMAN RIGHTS

10. The question of Eastern observance of human rights has been the most prominent CSCE issue over the period since the last report. Attention has been focused on the whole range of human rights, and many of the aspects have been relevant to the Seventh Principle on "respect for human rights" rather than to the specific Basket III provisions.

11. There is no indication that the Soviet Union has changed its repressive approach to human rights since the signing of the Final Act. Evidence to this effect was cited in previous reports (see paragraph 12 of Annex to C-M(76)73(Final)). In late 1976, various observers were pointing to further indications of increased detentions of dissidents in mental hospitals (The Times, 26th November, 1976) and more severe treatment of political prisoners in state prisons (Boukovsky: Le Figaro, 20th December, 1976). Although one Ally has identified some "token moves" (such as permitting travel to religious conferences) to impress the West with the extent of religious freedom in the USSR, a recent report concludes that, on the basis of reliable evidence, the USSR has increased its anti-religious propaganda and resorted to tougher measures in dealing with religious organizations and believers (Radio Liberty Research, RL6/77, 1st January, 1977).

12. In the question of Jewish emigration from the Soviet Union, respect for the fundamental freedom of religion or belief is combined with the internationally accepted freedom of the individual to change one's country of residence. In an interview in TASS, 20th January, 1977, the Interior Ministry's chief visa officer claimed that Soviet Authorities have approved 98.4% of all applications received for emigration

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since 1972, most of them from Soviet Jews wishing to go to Israel, the United States or elsewhere. It should be noted, however, that the USSR discourages emigration primarily by penalising applicants with loss of employment and sometimes shelter, thereby creating an atmosphere which inhibits submission of applications. Thus, the Soviet claim of 98.4% approved rate on applications, whether technically accurate or not, gives a misleading impression of Soviet tolerance of emigration. The Soviet media have linked Jewish emigration and the issue of family reunification to bolster the Soviet implementation record. In fact, Western figures show that Jewish emigration in 1976 (about 14,000) was up by about 1,000 persons over 1975 totals. Monthly departures rose to about 1,300 in late 1976, though in February 1977, the monthly figure dropped back to about 1,000 emigrants. Some Jewish dissidents have also been permitted to leave since Helsinki. Even if 1976 figures are still well below 1973 totals (about 34,800) it is the first year since 1973 to show an increase in emigration. Soviet officials nonetheless claim that applications from Jews are down 60% and interest in going to Israel is declining.

13. Pre-Helsinki human rights activists have continued to take new life from the Final Act. The "Helsinki" group of dissidents established in May 1976 to monitor Soviet compliance with the Final Act continued to point to non-observance of human rights (19 reports (March 1977); committees for "protection of Orthodox Christians" and to investigate "psychiatric repression" have recently been established). Cases reported to the "Helsinki" group by individuals and groups within the Soviet Union cover such areas as the right to practise religious beliefs, the right to emigrate (both Jewish and non-Jewish cases), the right of workers to strike and the rights of national minorities.

14. The repressive Soviet approach towards human rights is best illustrated by the harsher tactics which have been used over the past few months to bring the dissident problem under better control before the Belgrade meetings. This has included severe measures against a Belgian citizen for allegedly distributing anti-Soviet material during a visit to the USSR. In late 1976, dissidents in Leningrad were rounded up, Boukovsky was expelled, a planned International Symposium on Jewish Culture was effectively broken up, and members of the "Helsinki" group were detained or had their apartments searched. However these steps only caused more extensive publicity and support in the West for the dissident movement. The Soviet Union took a series of even harsher measures in February 1977, including the arrest of two leading members of the Moscow "Helsinki" group (Orlov and

Ginzberg) and two members of a similar group formed in November 1976, in Kiev (a third group was formed in Lithuania also in November and a fourth in Armenia in March 1977). Surveillance, searches and arrests, but as yet no trials of major figures, have continued. There have been vilification campaigns in the Press and accusations of dissident ties with foreign intelligence and anti-Soviet organizations. Some dissidents have been encouraged to emigrate. In spite of this campaign, directed principally against the "Helsinki" groups, human rights figures have not backed down and have reaffirmed their intention to continue with their activities. On 2nd March, for example, five dissidents formed a special group to monitor Soviet implementation of the cultural provisions of the Final Act.

15. In Eastern Europe respect for human rights has not improved since Helsinki, though standards vary from country to country. Events in a number of countries have shown that most Eastern régimes remain fundamentally opposed to the wider exercise of basic freedoms by their citizens.

16. Recently, attention has focused primarily on Czechoslovakia. On 1st January, 1977 a group of prominent dissidents issued a document called "Charter 77" which catalogued various government violations of the UN Covenants on Human Rights in force in Czechoslovakia since March 1976. Reference was made to the Final Act and other international documents. The 252 signatories, while emphasising they were not an opposition group, called for a "constructive dialogue" with the government on human rights, including Czechoslovakian non-observance of "economic" rights allegedly guaranteed by socialist régimes. Czechoslovakian Authorities immediately took a series of harsh measures, including the intimidation, detention and interrogation of major signatories. Within days a vindictive mass media campaign accused the group of being the tool of foreign "anti-Communist" and "Zionist" circles. On 31st January, Czechoslovakian Authorities made initial references to the "illegal" nature of "Charter 77" and on 17th February three signatories plus a fourth individual were arrested on unspecified charges. Attempts were also made to persuade the most important dissidents to emigrate. Despite the severity of these measures, and the death of Jan Patocka, the "Charter 77" movement has continued with its activities. It released its eighth "Charter document" in mid-March and announced that the number of signatories had increased to 617.

17. The human rights question has also remained alive in Poland as a result of some public opposition to the treatment and imprisonment of workers involved in the anti-government price demonstrations in June 1976. Although the

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government has reduced or suspended the sentences of some workers in the Fall of 1976, a "Workers Defence Committee" (WDC) formed in September, continued to campaign for complete clemency, re-hiring of workers, and an investigation into allegations of police brutality. In December, the authorities reacted by detaining and interrogating members of the WDC, accompanied by a vitriolic Press campaign. The result was an inundation in early 1977 of letters and petitions of support from a cross-section of the intellectual elite, workers, and others for the WDC and the imprisoned workers. The Church called for greater respect for human rights. On 3rd February, in a major concession for an Eastern régime, Gierek announced the government's intention to grant full clemency to those still in prison. There has, however, been no promise to reinstate workers in their former jobs or to open an official enquiry into charges of police brutality. A further development has been the formation in March 1977 of a more general Polish human rights group, the "Movement for the Defence of Human and Citizen Rights", basing its action on a number of international documents including the Final Act.

18. In the GDR, it had appeared in late 1976 that a major human rights problem might be in the making. The reaction of a group of writers, artists and professors to the expulsion of folk singer Wolf Biermann had brought the arrest of the régime's most prominent critic, Dr. R. Havemann, expulsion from the party for some of the protestors, and threats in the mass media against the so-called "counter revolutionaries". Since then, however, the GDR has taken a more relaxed attitude, and apart from the continued house arrest of Havemann and some black-listing of the artists and writers involved, no further repressive action has been taken.

19. Elsewhere in Eastern Europe there has been only very limited dissident activity over the issue of human rights. On 8th February, 1977 eight Romanians issued an open letter to all CSCE participants complaining of the lack of human rights in Romania. The chief dissident, writer Paul Goma, had earlier sent a letter to Le Monde supporting the "Charter 77" group in Czechoslovakia. Romanian Authorities have acted swiftly to defuse the situation, mixing repressive measures (such as the physical intimidation of Goma and some others) with more positive behaviour designed to obviate individual complaints (some signatories had apparently been interested in obtaining emigrant passports). In January, 34 Hungarian intellectuals were reported to have sent a paper to the "Charter 77" group in Prague, expressing support for their efforts and condemning the repressive measures of the Czechoslovak Government. There has been no apparent reference to observance of human rights in Hungary, and Hungarian Authorities have avoided creating

an issue and have not taken action against them. Also in January, 40 Bulgarian dissidents were reported to have been questioned, and 14 of them detained, for circulating a copy of Le Monde which contained the full text of "Charter 77" (The Times, 22nd February, 1977). In another development, possibly encouraged by human rights agitation elsewhere in Eastern Europe, an article in the 20th January edition of a Bulgarian Communist youth periodical criticised the privileges and consumerism of the Bulgarian elite. This was followed by the removal of the offending issue from circulation and the firing of the paper's editor.

20. Despite the clarity of the Final Act, Eastern countries continue to claim that the Helsinki document does not permit Western countries to concern themselves with the general question of human rights in their countries. The treatment of citizens is regarded as an internal matter protected by the principles of "non-intervention in internal affairs" and "sovereignty". Their contentions to this end have assumed more strident tones as the human rights issue has taken on greater prominence in the eyes of Western public opinions and governments. Another, if somewhat inconsistent approach has been the growing counter attack against Western countries for alleged similar offences as well as for alleged non-observance of so-called "economic" rights (the right to live, to work, to health, to adequate shelter, etc.), which they claim are guaranteed by the "socialist humanitarianism" of Eastern régimes. Complementary efforts continue to be made to confuse the exact meaning of the Final Act in its references to human rights, such as putting primary emphasis on the International Covenants on Human Rights (with their "escape clauses") and down-playing the Universal Declaration of Human Rights which enjoys pride of place in the Final Act (see paragraph 11 of Annex to C-M(76)73(Final)).

BASKET I: CONFIDENCE-BUILDING MEASURES

21. In the reporting period, no major Allied national or multinational manoeuvres have taken place which would have been subject to notification under the CBM provisions of the Final Act, since generally during Winter time manoeuvre activities tend to diminish considerably. However, the United States on 7th April notified a manoeuvre involving approximately 24,000 troops. Allied countries are now preparing to continue their established liberal practice in the field of notifications and observer invitations with regard to the forthcoming series of manoeuvres.

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22. Among the Warsaw Pact countries, only the Soviet Union has notified a single military manoeuvre of about 25,000 men which was held at the end of March in the Odessa district. Since it is very likely the number of manoeuvres in the East has also decreased in the past Winter months, no definite conclusions can be drawn from this with regard to the general Eastern approach to CBM implementation. It still seems to confirm earlier assessments that the Soviet Union and its Allies intend to restrict CBM implementation with respect to their own and NATO country manoeuvres to the strict minimum required under the provisions of the Final Act. However, while since Helsinki the Soviet Union has declined invitations to Allied manoeuvres, in the latest period they did accept an invitation to observe a Swedish manoeuvre. It also has to be noted that Eastern criticism of Allied manoeuvres, a characteristic feature of the Eastern approach to CBMs, has largely subsided in the past months, but it remains to be seen whether this reflects a change in Eastern attitudes or is only due to the lack of Allied manoeuvres in the past six months.

23. Both neutral and non-aligned countries have shown a continuing interest in the full implementation by all CSCE participants of the CBM provisions of the Final Act, which they have themselves conscientiously applied. During the period under review, Sweden has notified a military manoeuvre of approximately 10,000 men held in early March. Observers from twelve countries were invited.

24. Most Allies had exchanges of military and naval visits to and from the Warsaw Pact countries before Helsinki. These exchanges have continued since Helsinki and in some cases have been accelerated.

BASKET II: ECONOMIC QUESTIONS

25. In the area of economic and commercial information, the USSR has recently started publishing quarterly statistical bulletins on its foreign trade, but it has taken a step backwards as the print run of its Statistical Annual has been reduced to 30,000 copies. In Poland and in Hungary the availability of data and information is greater than in other Warsaw Pact countries. In this connection the GDR has recently taken measures to reduce available data on foreign trade. The situation in Romania and Bulgaria remains unsatisfactory. The United Kingdom is currently compiling a dossier on economic and commercial information available in the Eastern countries.

26. As regards the facilitation of business contacts, the situation varies from one country to another. It is better in Hungary and in Poland than in the rest of the Warsaw Pact

countries. The USSR recently initiated visa procedures which place new travel limitations on resident businessmen by making it difficult for them to change their travel arrangements out of the country, or to be able to leave the USSR rapidly in case of need.

27. With regard to the right of establishment of foreign firms in the Warsaw Pact countries, last November Czechoslovakia authorized 18 Western firms (not all of which belong to CSCE countries) to open offices there. However, the criteria according to which permission is given continue to be excessively rigid. In Bulgaria, only three or four large Western firms are represented. They are discouraged by the financial conditions and the difficulties encountered when attempts are made to open offices in that country. Small and medium-sized enterprises find it extremely difficult, if not impossible, to be represented in Warsaw Pact countries, as the cost of permanent commercial offices there is often so high that it acts as a barrier for these firms.

28. In the field of marketing, the Soviet Union is conscious of the need to develop the necessary techniques for efficient marketing, and in that connection has created in the West a growing network of companies for the sale of Soviet products and services. The Soviet Union claims that the creation of a jointly owned company (where the Soviet share is usually the majority one) represents a form of co-operation within the provisions of Basket II. However, the same facilities do not exist in that country for the establishment of jointly owned companies with a Western majority holding. The Bulgarian Authorities do not make any special effort to facilitate access to their market, or to encourage marketing; in fact, there are official instructions to restrict to the minimum the importation of equipment originating from non-socialist countries.

29. As regards technical co-operation, Denmark intends to propose, at a special meeting at the ECE-Geneva on construction techniques, the organization in March 1978 of a symposium in Greenland on building and construction technology in the Arctic regions.

30. In the field of transport, the provisions of Basket II have not been implemented by the Soviet Union or Bulgaria. There has been no attempt by these countries to simplify and harmonise administrative formalities, in particular at frontiers, and to improve the security of road and other forms of transport. In Czechoslovakia, although there does not seem to be any particular problem, there has been no change in the situation since the signing of the Helsinki document. Developments in the other Warsaw Pact countries do not appear to call for any specific comment.

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31. The Brezhnev Proposals for All-European Congresses on energy, transport and the environment will probably be one of the main items for discussion at the ECE-Geneva 32nd Plenary Session in April. Bulgaria, Czechoslovakia, the GDR, Hungary and Poland have communicated their agreement with the Congresses' idea to the Executive Secretary of the ECE. In March 1977 the USSR sent a further communication to the latter, elaborating on views communicated earlier on the Brezhnev Proposals. Finland informed the ECE Secretariat that it would be prepared to contribute to the preparation and to the convening of a conference on the protection of the environment, and that it could get along with the Soviet proposal in this specific field.

32. Among the Allied governments, those belonging to the European Economic Community have collectively given their views on the Brezhnev Proposals in a letter addressed to the Executive Secretary of the ECE-Geneva dated 18th March, 1977 in accordance with the terms of paragraph 2 of Decision B (XXXI) adopted on 9th April, 1976 by the 31st ECE Plenary Session. No other country seems to have made a similar communication to the United Nations Economic Commission for Europe, and the United States in any case does not intend to do so.

33. The European Economic Community considers that most of the topics suggested by the Soviet Government for discussion at the proposed Congresses are already covered by the existing work programme of the Economic Commission for Europe. It also believes that the latter is the proper and normal forum for work connected with these proposals.

34. The general Allied view is that the recent Soviet letter to the Executive Secretary of the ECE-Geneva, which gives some clarification of the Brezhnev Proposals, should be carefully looked into and should the additional information be insufficient or devoid of any new elements, this should be brought to the attention of the USSR at the 32nd Plenary Session in Geneva. There is always the risk that the USSR could become obstructive and negative on the work programme of the ECE in order to obtain some acquiescence by the West in its proposals. There is also the possibility that the Soviets, should they fail to push their proposals at the 32nd Plenary Session, would take the matter up again at Belgrade. However, in that case the Allies would be in a strong position, as their attitude complies with the provisions of the Final Act and the Soviets would be the "demandeur".

BASKET III: CO-OPERATION IN HUMANITARIAN AND OTHER AREAS

35. The implementation of the provisions of Basket III on co-operation in humanitarian and other fields is of major importance to Western countries and to Western public opinions.

Since the main burden of implementation lies with the East, Western governments have continued since November 1976 to encourage full implementation of these provisions. In these efforts, Western countries have made reference to the upcoming Belgrade meetings where a "thorough exchange" of views on implementation to date will take place.

36. Although the behaviour of Western societies has long conformed to or surpassed the standards set down in most provisions of the Final Act, Western countries have still continued to bear in mind their own responsibilities for implementation, to examine their own laws and practices for possible improvements, and to take further steps to those described in previous reports (see paragraph 30 of the Annex to C-M(76)73(Final)). These efforts belie Eastern allegations of lack of implementation on the part of Western countries (see paragraphs 43-46 below).

37. For example, the United States has been active in the visa and travel field, where Eastern criticism has been strongest. The United States has told the Soviet Union of its interest in reciprocal issue of multiple entry and exit visas for businessmen, and for students under cultural and scientific exchanges, and its readiness to abolish reciprocally the travel controls placed on Soviet officials in the United States. It has also proposed to Bulgaria the reciprocal elimination of closed zones and designated points of entry for visitors from the other country, and to Romania, the reciprocal liberalisation of certain visa practices, including the issue of multiple entry and exit visas for longer periods of validity. As regards Hungary, the United States has suggested reciprocal issue of multiple entry and exit visas valid for one year to diplomats and officials on temporary visits and official business. The Benelux countries have eased their visa issuance regulations with regard to citizens of Warsaw Pact countries. The United Kingdom has also taken a strong interest in the visa field and in December 1976 presented a series of wide-ranging proposals separately to all Warsaw Pact countries. As regards the Soviet Union and Hungary, these took the form of counter-proposals to their earlier proposals (see paragraph 51 of Annex to C-M(76)73(Final)). A few Western governments are still studying the Soviet and Hungarian proposals and many have already delivered detailed replies. Some have taken initiatives to develop those Hungarian ideas which are considered to be practical. Western governments continue to pursue consular, cultural, educational and other agreements with Eastern governments, to promote full use of existing agreements and to encourage the private sector to seek co-operation with opposite numbers with the East in a

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variety of fields. A number of Western states continue to "facilitate the freer and wider dissemination of information of all kinds" through radio to Eastern states, despite a heightened campaign from the East against them (see paragraph 77 below).

38. As to Eastern countries, the general approach to Basket III, as developed throughout 1976 and as described in previous reports (see especially paragraphs 31-36 of Annex to C-M(76)73(Final)) has not only been sustained since December 1976 but has been further refined and developed. The Basket III "question" clearly dominates Eastern CSCE propaganda. Eastern countries have continued to evolve their assertive and positive approach in response to real and anticipated Western tactics up to and during Belgrade.

39. The primary object of Eastern countries is to limit the obligation placed on them by the Final Act to implement Basket III provisions. As a basic premise, they contend that since the Final Act is the product of lengthy negotiations between differing social and political systems, it represents in its totality a delicate compromise and balance of interests. The "unity" of this compromise must not be endangered by over-emphasis on any one part of the Final Act (i.e. Basket III) or by too specific application of one section's provisions in advance of progress in other areas. Taking this to its logical conclusion, Eastern countries insist that progress in Basket III areas can only take place in step with the overall development of détente and improvements in the political atmosphere. Furthermore, the "unity" of the Final Act, together with the primary status accorded by the East to the Declaration of Principles, is interpreted as implying that implementation of the Basket III provisions is subordinate to observance of the Declaration of Principles (see following paragraph). These arguments, rejected by the West in Geneva and Helsinki, have been heard more frequently in the past few months, along with the conclusion that implementation is a gradual long-term programme for "years and decades" to come (Pravda, 26th February, 1977). Thus there are firm limits on what Western countries can expect in the way of Basket III implementation in the short term.

40. Recent Eastern statements have also taken great pains to point out that Basket III is the area of the Final Act where the differences between social and political systems and the ideological confrontation come closest to the surface. This calls for particular caution and restraint if co-operation and the further development in relaxation of tensions are to be assured. According to Eastern states, this is only possible if each participant maintains complete control over implementation

"within the framework of its sovereignty, that is, it decides for itself how fast, in what forms and how far it should proceed in this area" (Pravda, 26th February, 1977). This means that Basket III provisions must be implemented in strict observance of the 10 principles, particularly the principle of "non-intervention in internal affairs", often loosely interpreted to mean "non-interference". They argued recently that action by other states in giving "advice" or "instructions" is "tantamount to open violation of the principle of non-interference in internal affairs" (Pravda, 26th February, 1977). During a round table discussion on Radio Moscow on 27th February, 1977 one Eastern commentator concluded that Basket III did not contain "any automatic provisions which must be fulfilled by all states and in a particular way", but contains "expressions of intentions", with implementation "conditional on the level of détente". Eastern states continue to reiterate the need for implementation on the basis of bilateral agreements, even as regards questions which would seem to call for unilateral action. The Bucharest Declaration of Warsaw Pact countries of 27th November, 1976 offered only "to negotiate" further implementation of Basket III provisions.

41. In so far as they admit there exists an obligation to implement Basket III of the Final Act, Eastern countries claim to be doing a more than adequate job. They claim the already compliant nature of socialist laws and society with these provisions. Since Helsinki they have in fact taken a number of limited steps in areas which give them the least difficulty but are of importance to the West, and have sought to achieve maximum propaganda value from them. With the exception of some movement in solving outstanding family reunification cases by some Eastern European countries (but not the Soviet Union), there have been no further steps to those discussed in previous reports. This may be all they intend to do before Belgrade. However, they may also be keeping some highly visible measures in reserve for nearer the main Belgrade meeting in order to achieve tactical advantage when implementation comes under review.

42. Eastern countries continue to exaggerate the importance of some minor examples of implementation (e.g. cultural agreements) and other activities and contacts which lack real substance, but which conform with and support their more general view of how Basket III must be implemented. In addition, there has lately been a more conspicuous effort to emphasise the cultural portion of Basket III over the human contacts and information parts (the Bucharest Declaration of 27th November, 1976 referred to Basket III elements as comprising culture, science, education, information and

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contacts, in that order), as well as to obfuscate the various distinct elements of Basket III and confine reference to co-operation in human contacts and information fields to a purely cultural context. This was the predominant theme in the Bucharest Declaration. In another example, Czechoslovakia told one Ally that the purpose of Basket III was, in its view, to make possible a better mutual relationship and exchange of cultural values and information. Speaking to the CPSU Central Committee Plenum in October 1975, Mr. Brezhnev talked of Basket III as concerning "cultural and other ties and contacts among people, the expansion and exchange of information".

43. Another major element in the Eastern approach to Basket III continues to be their unremitting attack on Western countries for various alleged offences involving the Final Act. On the general plane, Western countries are accused of over-emphasising Basket III, of misinterpreting its content, and turned a blind eye to the social/political realities placing limitations on its implementation. They are taken to task for "interfering" in the internal affairs of Eastern countries in demanding Eastern implementation. Western countries are also being charged with using Basket III to attempt "ideological subversion" of Eastern society and régimes.

44. Western countries are also taken to account for alleged non-implementation of certain Basket III provisions. These charges have principally centred on aspects of Western visa practices, such as processing times and the length of questionnaires, but have also extended to the flow of cultural and other information.

45. One aspect of Eastern criticisms has been their attempt to resurrect the concept of "statistical reciprocity" as a factor in implementation, asserting for example that the West is obliged to match for its part the higher Eastern figures on imports of Western books and films. Often the statistics used are either fabricated, or if based on fact, misused and taken out of context. Moreover, the claim to "statistical reciprocity" is inconsistent with the concept embodied in the Final Act of a "freer and wider dissemination of information", which implies the criteria of public demand and availability unfettered by artificial barriers.

46. This tendency to revive interpretations rejected at Geneva is especially evident in Eastern attacks on Western broadcasts to Eastern countries which, they contend, are contrary to the Final Act in spite of its call for "freer and wider dissemination" and its expression of hope for a continued expansion of radio broadcasts. This campaign has intensified of late as a consequence of increased Eastern

sensitivity to Western reporting on the activities of dissidents and human rights activists in Eastern countries. As before it is part of a larger effort in which Eastern countries contend that mass media generally in their reporting to both foreign and domestic audiences must "serve to bring peoples closer together" (Bucharest Declaration, 27th November, 1976).

(a) Human contacts

47. As with the Third Report (C-M(76)73(Final)), the position as regards human contacts in Warsaw Pact countries is mixed and linkage with the Final Act in the case of positive developments is not always certain. The overall picture remains one of Eastern countries taking some very limited measures in areas of least difficulty (travel and family meetings) and/or high visibility (settling certain outstanding family reunification cases). The results remain patchy and administrative impediments to progress remain intact. In sum, there have been no general changes in Eastern approaches to the question of human contacts.

48. The performance of the Soviet Union has not altered significantly from that described in the previous report. There has been some very limited improvement but nothing to indicate a general adjustment in the very restrictive Soviet approach to human contacts since Helsinki.

49. There have been no further improvements in exit procedures to those made in early 1976 (see list attached to the Annex of C-M(76)26(Final)) although evidence of more authority from early 1976 being given to regional visa offices in "simple" cases has recently been reported (Radio Liberty Research, RL2/77, 1st January, 1977). A recent survey by the US Joint Legislative-Executive CSCE Commission has shown that among those permitted to leave the USSR the numbers of first application refusals has declined. On the negative side, although the Soviets announced in early 1976 that emigration application fees would have to be paid only once, the same survey shows more than half the post-Helsinki sample had to pay re-application fees at least once (ironically, compared to 40% with the pre-Helsinki sample). The survey also concluded that about a third of successful emigrants after Helsinki had been required to supply a semi-official personal resumé as part of their application although this requirement was also supposed to have been abolished in early 1976. Soviet Authorities continue to place a restrictive interpretation on the term "family" in dealing with family reunification cases vis-à-vis the United States. (For example, grown up children of parents abroad cannot qualify for reunification if they

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already have their own families in the Soviet Union). Harassment in various forms of prospective emigrants goes on, and two post-Helsinki regulations still apply making financial and other gifts from abroad subject to increased taxes and other restrictions. Nonetheless Soviet Authorities have contended that the processing period is shorter in 1976 than in 1975, and that applications are refused only in instances when state security or the welfare of other individuals in the family are threatened. Experience has shown, however, that these criteria are applied in an arbitrary and inconsistent way.

50. One full year after their introduction, the procedural improvements in exit procedures have still had no general ameliorating effect across the board in increasing the numbers of departures for family meetings, family reunification, emigration and travel. The Soviet Union has not bettered its "relatively tolerant" attitude to binational marriages, and freely admits it will not automatically approve all cases (such as "fictitious, contrived marriages").

51. The resolution rate of outstanding personal cases is generally unimproved. While Belgium sees a more indulgent attitude in separate cases since Helsinki, as of early March 1977 only 20 of 316 persons covered by an updated list presented to Soviet Authorities by the US Ambassador in August 1976 had been permitted to emigrate. In February 1977 the Soviet Ambassador in London refused to accept a list of outstanding cases from the British Government, suggesting that it was tantamount to interference in Soviet internal affairs. But a similar list sent to the Soviet Embassy on 1st March was accepted and the Soviet Authorities in Moscow did not reject the British Embassy's related approach later that month. Of the cases on the list sent to the Soviet Embassy none has been solved, but 3 have lapsed leaving 38 outstanding. Canada has seen no change in the resolution rate of its outstanding cases, which continues to be slow.

52. In addition, individual instances of unduly restrictive behaviour continue to come to notice. In one binational marriage case, a Russian woman has been unable to emigrate since mid-1974, nor have Soviet Authorities permitted her husband to pay a family visit. In December 1976, eight American professors were refused visas to attend a symposium on Jewish culture, and it has been reported that severe travel restrictions were responsible for the cancellation of an exchange programme tour in mid-1976 by an American soil research team (IHT, 21st December, 1976).

53. In spite of this highly restrictive general picture, there have been some positive developments with respect to emigration by ethnic Germans to the Federal Republic of Germany and emigration generally to the United States. This was discussed in the Third Report (see paragraphs 39 and 40 of the Annex to C-M(76)73(Final)). This higher level of emigration over pre-Helsinki figures has been maintained and overall numbers of departures in 1976 from the Soviet Union are up from 1975, though still well below 1973 totals.

54. As regards the increase in ethnic Germans emigration, which German Authorities consider partly attributable to the Final Act, the monthly averages are up from 553 in late 1975 to 923 in the first six months of 1976. Although figures have fallen off somewhat since then, a total of 9,704 persons emigrated in 1976, compared with 5,985 individuals in 1975. This rate of emigration cannot be sustained since ethnic Germans with family reunification qualifications in the Soviet Union numbered only 40,000 in 1972 by German Red Cross estimates. Since 1972 about 26,700 have emigrated. The many thousands of other ethnic Germans do not qualify for emigration under Soviet criteria which call for family ties in the country of destination.

55. Emigration to the United States has remained at about twice 1975 levels (1,165 in 1975; 2,574 in 1976), with the increase made up largely by Armenians. This activity is not wholly attributable to the Final Act since conditions in the Lebanon have probably been a major factor in deflecting emigration to the US. Also emigration includes Armenians who returned to the USSR following World War II and who now wish to re-emigrate.

56. As reported in C-M(76)73(Final) some but not most Allies have also experienced small improvements in areas of human contacts other than family reunification. The United States and Netherlands have noted substantial increases in family visits since Helsinki but in both cases these figures correspond with pre-Helsinki trends. Germany has seen some better handling of some urgent cases. In a departure from their previous practice the USSR recently permitted a Soviet emigrant to re-enter the Soviet Union in urgent circumstances. Belgium reports some lessening in the waiting time for exit visas after binational marriages. There has been some increase in private and professional travel by Soviet citizens to Germany, the United States and Greece; in the latter two cases this is consistent with pre-Helsinki trends. The Soviets claim that tourism to Western countries is limited by high costs in the West, a lack of foreign currency, and a fear of violence and crime.

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57. Up to the end of 1976, the overall situation in Bulgaria had improved little if at all since Helsinki. This was largely because of the generally unbending attitude taken by Bulgarian Authorities to personal cases involving emigrants in the West who had left Bulgaria illegally. Only the United States had experienced some movement in this category of cases in family reunification and family visits, possibly motivated by bilateral considerations.

58. Since late 1976, while admitting that restrictions still exist, Bulgarian Authorities have nonetheless shown a more positive approach towards some Allies. Progress has continued in the resolution of previously stalled cases with the United States. With regard to Canada, which had seen some hardening in the Bulgarian attitude during the period of the previous report (see paragraph 43 of the Annex to C-M(76)73(Final)). Bulgaria seems to have taken a high level decision to resolve almost all outstanding family reunification cases, informing Canadian officials in February 1977 that 19 cases involving 25 persons were being permitted to leave the country. Ten of the cases (involving 15 persons) were from the Canadian list of unresolved cases. One case from the list was rejected for the time being until the applicant completed his military service. The only other case on the Canadian list has since been deleted. Germany has also reported the settlement of all outstanding cases involving ethnic Germans; as well as most cases on a recent list involving only Bulgarian nationals. As regards France, 12 of 17 cases have recently been solved. However, although there have been some improvements in official attitudes in resolving outstanding individual cases of interest to some Western governments, no general change has occurred in Bulgaria's highly restrictive policy towards emigration and human contacts generally.

59. In Czechoslovakia the situation is much the same. Slight improvements with respect to family visits (including visits by pensioners to "illegal" emigrants), travel and one assessment of better performance vis-à-vis binational marriages, were noted in the last report (paragraph 44 of Annex to C-M(76)73(Final)). There have been no new developments in these fields.

60. As regards family reunification, however, where Czechoslovakian performance has hitherto been uncompromisingly restrictive, a high level decision appears to have been taken to resolve outstanding cases involving children. Since November 1976, the United States (20 cases) and France (1 case) have reported Czechoslovakian promises to let children involved in such cases join their families abroad. Canada has resolved 13 cases. Similar efforts have been reported vis-à-vis

Austria and Switzerland. Although apparently anxious to avoid problems with obvious humanitarian cases at Belgrade, Czechoslovakian Authorities have still tried to seek quid pro quos from concerned Western governments in the way of better bilateral arrangements.

61. A similarly forthcoming attitude to cases involving adults has been hinted at by Czechoslovakia; but apart from five cases with Canada (not on Canadian lists) there has been no general movement and the overall policy is still very restrictive. Many of these cases involve "illegal" emigrants. The UK still has 15 outstanding cases. The US has 69. Germany has seen a recent decline in the number of ethnic Germans being allowed to leave, but overall figures were still higher than 1975. Moreover, the Final Act had been instrumental in reaching an agreement between the German Red Cross and Czechoslovakian Authorities on the approximate numbers (3,500) of outstanding cases of ethnic Germans wishing to settle in the Federal Republic.

62. As regards the GDR the positive overall trends vis-à-vis the Federal Republic of Germany noted in the last report (paragraph 45 of the Annex to C-M(76)73(Final)) have to a large extent been maintained over this reporting period on the basis of pre-Helsinki bilateral arrangements supplemented by the Final Act. However, some disturbing measures recently taken by GDR Authorities have begun to cloud this picture; moreover, they particularly arise from GDR concern at the rapid growth in interest among GDR inhabitants for emigration to the Federal Republic.

63. Although substantial progress has occurred since 1974 in the number of German family reunifications in the Federal Republic of Germany - involving more distant relatives, shorter processing periods and simpler application formalities-- the rate of GDR approvals for emigration has not been keeping pace with the numbers of applications (over 100,000 applications are estimated to be outstanding). The number of visitors to the mission of the Federal Republic in East Berlin had risen as high as 50 per day in late 1976, many of whom specifically referred to the Final Act when enquiring about emigration. The overall trend has seriously alarmed the GDR Authorities and they have taken a number of restrictive countermeasures. Since late 1976, unsuccessful applicants have been told by GDR Authorities not to re-apply. On 11th January, 1977 East German police blocked access to the German mission and the GDR charged the Federal Republic with interfering in GDR internal affairs by encouraging GDR

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inhabitants to emigrate. Guards were withdrawn the following day after a stiff protest from Bonn, but visitors are still being checked and harassed in order to discourage contact.

64. In the last report it was noted that the Federal Republic of Germany had experienced a marked increase in travel and family visits to the GDR since 1975 but only a slight increase in visits by GDR inhabitants to the FRG (mainly pensioners and urgent cases). The number of future visits to the Eastern sector of Berlin could be lessened by a DM. 10.00 tariff on automobile traffic introduced in February 1977 (this also applies to non-FRG traffic). Travel patterns have already been affected since the beginning of 1977 by the GDR's refusal to admit a number of residents of the Federal Republic and West Berlin who either have recently emigrated from the GDR (including some with spouses or fiancé(e)s still living in the East), or are ex-GDR inhabitants with allegedly criminal records or are citizens of the Federal Republic with relatives in the GDR applying to emigrate. This restriction seems in part designed to curb contacts likely to promote emigration as well as to inhibit visits and travel per se. In one short period alone, 130 Germans were denied entry to attend the Leipzig Spring Fair. In mid-March the GDR admitted to applying this policy to 607 West Berliners since the start of 1977. As regards travel by GDR inhabitants to the Federal Republic, Eric Honneker said in mid-February that free travel for GDR inhabitants was excluded as long as the Federal Republic refused to recognise GDR citizenship and there was a shortage of foreign currency.

65. The experience of other Allies with the GDR is much more limited in scope; results continue to be mixed and less positive statistically. For example, the GDR has taken a forthcoming attitude in resolving its few outstanding family reunification cases with some Western countries (e.g. United States, Netherlands, Austria). On the negative side however, France finds the situation still bad with respect to personal cases. The GDR is still highly restrictive as regards travel, family visits abroad and binational marriages generally. In addition, the GDR's decision in January 1977 to replace its 24-hour free pass to the Eastern sector of Berlin with a DM. 6.50 day visa has made access to East Berlin more difficult for foreigners. This has been particularly hard on those who have been able to establish a quasi-permanent residence in the Eastern sector under previous regulations and work in the Western sector.

66. There is little new to report with respect to the Hungarian performance, which continues to be the most liberal of Warsaw Pact countries. There has been no significant improvement since Helsinki (see paragraphs 47 and 48 of Annex to C-M(76)73(Final)). Hungary is relatively liberal on family visits (visitors to the United States in 1976 were up 30% over 1975) and only occasional refusals on binational marriages are reported. Though Hungarian regulations are strict as regards emigration, and though there are often problems with cases involving "illegal" emigrants, the United States for one has found Hungarian practice to be generally positive and outstanding cases to be relatively small. The latest Canadian list submitted in December 1975 contained only 7 cases (15 persons) all of which remain outstanding for the moment. Austria's cases have been dealt with satisfactorily. As for travel, Hungarian tourists abroad have increased on a gradual upward trend pre-dating Helsinki.

67. While the overall approach to human contacts by Poland is relatively liberal within the Warsaw Pact, difficulties continue to exist in the field of family reunification. As of March 1977, the United States had a very large number of outstanding cases (373 individuals) involving immediate family members and an even larger number (2,530 individuals) involving non-immediate family members. Poland has been using a highly restrictive definition of "family" and the number of US cases resolved has not kept pace with the number of new cases. Canada has also had to continue presenting lists of outstanding cases, but the resolution rate has been high (about 85%) for 1975-1976 lists. Canadian Authorities have reportedly been told that just as Canada must restrict immigration for economic reasons, so Poland restricts emigration for the same reasons. Where cases involve just one member of a family abroad, Polish Authorities have contended that the reunification should take place in Poland. Nonetheless, all factors considered, Canada concludes overall emigration to Canada is easier now than it was before Helsinki. Austria's outstanding cases have been dealt with satisfactorily. Also on the positive side, the numbers of Polish emigrants to the Federal Republic of Germany remain high, on the basis of the bilateral agreement signed at the Helsinki Summit. However, Germany has also reported that the peak figure of 3,463 individuals in December 1976 has not been repeated and a decline seems possible. The lengthy bureaucratic wait which ethnic Germans must endure at the local level in merely filing their applications has not been improved. Polish performance in family meetings and travel provides a somewhat better standard, but with no significant improvements since Helsinki. Germany and Canada report much improvement in Polish performance vis-à-vis binational marriages since the beginning of 1976.

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68. The overall situation in Romania has not changed much from that described in the last report (paragraph 50 in the Annex to C-M(76)73(Final)) and Romanian performance is still fundamentally restrictive. Nonetheless, the trend, which began in the fall of 1976, towards the settlement of outstanding personal cases (family reunifications and some binational marriages) of major interest to Western governments has continued in an apparently co-ordinated effort by Romania to improve its record for Belgrade. In March, Belgium reported that 10 of 12 outstanding cases had been resolved as a result of the Belgian King's visit in 1976; and the other 2 would be resolved in the near future. Italian Authorities assisted by public interest, were recently able to solve 4 cases involving wives and children of "illegal" emigrants in Italy. Since the start of 1977, Romania has resolved over 100 outstanding cases with France, with about 150 left (one half previous totals). The United Kingdom has reported 24 marriage cases successfully resolved. Germany, which had hitherto experienced difficulty with ethnic German emigration, has reported a substantial increase in Romanian approvals since December, and is now also more hopeful that some of the 400 outstanding binational marriage cases can be resolved. Canada has had 52 cases (86 persons) of its current list of 168 outstanding cases settled. The Economist on 12th February, 1977 reported that 142 individuals had just been given permission to emigrate to Austria. Norway and Sweden have also reported some successful cases with others outstanding; Spain, however, has had no success with its 3 cases. While these developments have partly countered the deterioration in Romanian performance that followed Helsinki, the underlying approach of Romanian officials is still directed to discouraging emigration and human contacts generally between Romanians and Westerners. On 12th February, 1977, for example, President Ceaucescu said that those wishing to leave Romania were acting in the service of Romania's enemies; in early April, a massive new media campaign was launched against emigration from Romania, directed primarily at the German minority. As regards individual human contacts, Allies have noted that a very large proportion of students and professors selected by Romanian education authorities for exchange programmes abroad are never permitted to leave Romania; exchange quotas generally remain unfulfilled.

69. The Soviet Union and to a lesser extent Hungary and some other Eastern countries have continued to press for improvements in Western entry visa procedures and to claim that Eastern performance in these matters is better than that of Western countries. The Soviet Union continues to charge that the US denial of visas to Soviet trade unionists is a violation of the Final Act. The Soviet Union's two proposals to several Allies - one on a series of short processing times

for all kinds of visas, and the other suggesting visas for resident diplomats be made valid for the full length of tour - are still in play (see paragraph 70 below); so are several Hungarian proposals made within the context of bilateral CSCE implementation "suggestion lists" to a number of countries. Bulgaria has contended that its entry requirements are liberal and has claimed the conclusion of some visa abolition agreements as well as the abolition of visa requirements unilaterally in some cases (this is unconfirmed). Czechoslovakia, Bulgaria and the GDR have criticised the length of Western visa application forms and have called for their simplification.

70. For their part, Western countries have been seriously examining Eastern proposals formally made to them. They realise that Eastern countries are anxious to build up a record of implementation in Basket III of the Final Act in the knowledge that security implications make entry visa proposals difficult for Western countries to accept. Some Allies have agreed to the Soviet proposal on diplomatic visas. As regards the other proposal on reduction in visa issuing periods, and the Hungarian proposals noted above, the United Kingdom responded in 1976 with wide-ranging proposals of its own, circulating them to other Warsaw Pact countries as well, but has so far had no firm responses. The Federal Republic of Germany has told the Hungarians that abolition of visas is impossible but that it will try to speed up the issuing process. The United States' proposals to some Warsaw Pact countries to abolish visa fees (see paragraph 52 of the Annex to C-M(76)73(Final)) have not yet solicited responses from Bulgaria, Czechoslovakia or Poland; negative indications from the GDR and Hungary had been received previously. The Soviet Union has shown no interest in a further US proposal for multiple entry and exit visas for students and businessmen. Similarly, the United States has proposed a reciprocal arrangement to Romania whereby some visa practices in certain categories would be liberalised including the issue of multi exit and entry visas for longer periods of validity.

71. In other aspects of human contacts, one country has reported little effort on the part of the Soviet Union in permitting youth contacts since Helsinki. Three times as many groups were visiting the Soviet Union than vice versa. Moreover, Soviet youth groups were not made up of really young people. Sports exchanges were balanced but there was a lack of "after sport" contact.

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72. As regards other Eastern countries, for the first time in 15 years, Romania, Hungary and Czechoslovakia recently permitted delegates to attend the annual meeting of the European Council of Jewish Communities. A GDR Delegation would have attended had the meeting not been held in West Berlin; GDR Authorities permit religious conferences in the GDR and religious groups have been to the US and other countries.

(b) Information

73. In the information field, most Eastern countries have taken no further implementation measures over the past few months to those discussed in the previous Report (C-M(76)73(Final)). The main feature of the period has been the increased sensitivity of Eastern countries to the coverage being given local human rights issues by Western information media and resident Western journalists. Although basic attitudes and performance vary greatly from country to country, the overall situation remains one of little or no improvement since Helsinki in the access given Eastern publics to Western printed and filmed/broadcast information, with a somewhat more laudatory record in bettering working conditions for journalists. Recently, however, Czechoslovakia has made working conditions for journalists more difficult, while the Soviet Union and to a lesser extent the GDR, have attempted to discourage contacts between journalists and their sources.

74. In the Soviet Union, there is no evidence of greater access by the public to Western printed information, despite Soviet promises in early 1976 to import larger numbers of Western newspapers (additional titles have been made available for tourists) and recent claims to one Ally to have distributed three times the amount of foreign periodicals in 1976 over 1975. Access to printed material through subscriptions and libraries has not improved; Soviet officials have denied the need for reading rooms to one Ally. Soviet performance remains very restrictive.

75. Although basic performances vary considerably in the rest of the Warsaw Pact, there have been no evident improvements by any individual country apart from Bulgaria and Czechoslovakia, in the field of printed information either since Helsinki or since the last report. In Bulgaria, particularly isolated to outside information, officials have claimed in recent months to be importing and distributing Western non-Communist magazines and newspapers. A few Western newspapers were seen for sale in mid-April in hotels frequented mainly by foreigners and at a few street kiosks. Bulgarians

have said that imports of printed information are a financial problem and have hinted that this should be counter-balanced by increased Western imports of Bulgarian newspapers. In Czechoslovakia, officials had long been claiming they intended to import non-Communist newspapers for public sales, to join the Western Communist papers then available. On 31st March, 1977, it was finally announced that 12 Western newspapers were available at a few newsstands and at international hotels in Prague, Brno, Bratislava and Karlovy Nary. Since then, some papers have been seen on sale at the Prague airport and at the hotels claimed (locations frequented mostly by tourists), but it seems that access by the general public is limited to postal distribution from certain central offices in Prague, Brno and Bratislava and is subject to approval of individual requests. It is not clear how large stocks are or whether all 12 papers are available everywhere. Distribution may also depend on content: some observers have noticed hitherto that copies of Western Communist newspapers with objectionable articles have been withdrawn from sale. The situation has not improved in the GDR where Western non-Communist information is still unavailable to the general public. One Ally has reported that subscriptions to technical publications for special institutions and cadres are declining. There has been no improvement in Hungarian performance, which is in any event markedly better than most Warsaw Pact countries, if still far short of unrestricted public access. Poland continues as the best performer in the East and there has been an unconfirmed report of some exchanges of articles between Polish and German newspapers. Romania is still very restrictive as regards any public access to non-Communist materials, despite large imports of newspapers for tourist sales.

76. The overall situation with respect to filmed and broadcast information is no better. Some minor developments in Eastern interests and attitudes towards importation and use of Western films, television and radio programming have been noted in previous reports. Although some Warsaw Pact countries have been more forthcoming than others in basic performance, none of them has introduced any fundamental improvements since Helsinki. With respect to films, Eastern CSCE propaganda continues to include the claim that Eastern countries import and show more Western films than vice-versa. In doing so, they ignore the unrepresentative status of the films they import, their use of censorship, and the greater demand in the East for Western films than vice-versa. They call on Western countries to import and show equivalent quantities of Eastern films ("statistical reciprocity").

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77. There has been no let-up since November 1976 in Eastern attacks on the foreign broadcasts of Western radio stations and the content of Western news media generally. In fact, with the continuing developments in the Soviet Union, Poland and the GDR in the field of human rights, and with similar more recent events in Czechoslovakia, the Eastern campaign has become more strident in tone and wider in scope. In February 1977 a series of articles in the Soviet media returned to the charge against Deutsche Welle, Radio Free Europe and Radio Liberty. On 24th February, Izvestiya demanded that the French Government not tolerate on its soil the activities of the Radio Liberty cultural office which had recently moved to Paris from Munich. For the first time since Helsinki, the Voice of America was included in the campaign. On 22nd February, Tass called the VOA a "tool of the CIA", and charged it with violating the Final Act, conducting "psychological warfare" and interfering in the internal affairs of the Soviet Union by its coverage of the dissident movement. The general theme was picked up by Bulgaria, whose officials told one Ally that a few broadcasting stations were acting contrary to Helsinki in "distorting facts" and "insulting governments". The same theme was repeated by Czechoslovakia, though its major efforts were directed more to attacking all Western media and individual Western journalists (see paragraph 80 below). Hungary has complained that Radio Free Europe is a "superfluous relic from the past" and Romanian President Ceaucescu has decried Western circles who give "traitors" the means and opportunity to use radio stations against the Helsinki decisions. At the same time certain Eastern radio stations have continued their activities against some Western countries in terms which, by any standards, are of an objectionable nature.

78. In spite of the evidently higher level of Eastern sensitivity to Western radio broadcasts, jamming of Western stations has not increased. On the other hand, there has been no reduction in jamming. Radio Liberty is jammed in the Soviet Union, and Radio Free Europe local language broadcasts are jammed in Bulgaria, Czechoslovakia and Poland with varying degrees of effectiveness. Local language broadcasts of the BBC are jammed to some extent in Czechoslovakia, as are broadcasts of Deutsche Welle in Bulgaria and Czechoslovakia. The GDR continues to jam medium wave broadcasts of Radio in the American Sector. Radio Vatican is also being jammed.

79. The period since November 1976 has brought no improvement and some deterioration in working conditions for journalists in the Soviet Union and other Eastern countries. In the Soviet Union there has been no advance on the small improvements made in working conditions for journalists in 1976 which were reported in paragraph 34 of Annex to C-M(76)28 and paragraph 18 of Annex to C-M(76)73(Final). The official attitude towards journalists has been increasingly conditioned by their zealous coverage of the dissident and human rights movement since Helsinki, and of late, Soviet officialdom has become less and less tolerant of Western journalists' activities and reporting.

Journalists have been under increased surveillance and sometimes harassment in pursuing legitimate activities. As to reporting, the MFA told Peter Osnos of the Washington Post in mid-December, 1976 that articles written over the past few months by him had been "notably negative and had struck sensitive nerves", a warning probably intended for all Western journalists. In a very serious step, clearly designed to intimidate Western journalists in their contacts with human rights personages, the Soviet Union expelled George Krimsky of the Associated Press on 4th February, 1977 on allegations that he had been involved in illegally used hard currency certificates in attempting to "buy" information from local sources. An MFA spokesman later denied that this was violation of the Final Act, since Krimsky had been expelled for "unlawful activities having nothing to do with journalism". The Associated Press denied the charge, and the United States Government felt obliged to expel a Soviet journalist in return. More recently, there has been a report that Soviet Authorities have refused to issue a visa to a new resident correspondent of UPI; no reasons were given.

80. In Czechoslovakia, the régime has not yet expelled any journalists, but it has taken other harsh measures more clearly in violation of the Final Act to prevent contacts between Western journalists and "Charter 77" figures, and to obstruct reporting. For instance, resident journalists (such as that of Reuters) have been harassed and publicly attacked and criticized in the press for interference in Czechoslovakian internal affairs. On 3rd March, two resident journalists were sprayed with tear gas and prevented from speaking to a dissident. Some journalists have been detained and interrogated after contacts with "Charter 77" representatives. On 5th, 12th and 14th February respectively, two non-resident US and one non-resident West German journalists were threatened and searched while proceeding out of Czechoslovakia by train. In the first two cases, documents, films and tapes were confiscated and, in spite of US Embassy protests over the events, the materials have not been returned. Entry into Czechoslovakia has always been very difficult for visiting Western journalists and since the "Charter 77" protest began, entry visas have become even more difficult to obtain. In early April 1977, the Czechoslovakian Government indicated that Western journalists would not be given journalists' visas unless they promised not to contact members of the "Charter 77" group. Czechoslovakian practice of granting entry to journalists on the basis of past reporting was officially confirmed. In addition, Czechoslovakian Authorities have recently warned certain Western Embassies that journalists entering Czechoslovakia with "tourist" visas would probably risk arrest, prosecution and prison terms, although a blind eye had been turned to this practice in the past.

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81. In the GDR, where dissident activity has also increased recently, there has not been the same reaction by local authorities to Western journalists, though instances of harassment of journalists trying to contact dissidents have occurred. This has been most frequent with TV journalists from the Federal Republic, whose reports can subsequently be seen in much of the GDR. (Working conditions for journalists from the Federal Republic are covered in an exchange of letters supplementing the Basic Relations Treaty of 1972.) In November 1976 the GDR Authorities threatened to close down the bureau of ARD TV in the GDR and expel three correspondents in retaliation for a four-hour programme on Biermann (UPI, 26th November, 1976). There have been no new additional improvements in working conditions for journalists to those of mid-1976 which were reported in paragraph 65 of Annex to C-M(76)73(Final).

82. There have been no significant developments with respect to Hungarian and Polish performances and no improvement since Helsinki. Nonetheless, both countries, especially Poland, are not very restrictive. Hungary and the Federal Republic of Germany have recently agreed to the cross-accreditation of journalists on the basis of reciprocity. Romanian performance is close to Hungarian standards, but here too there have been no new developments since November 1976. Some small steps forward were noted in the last report (paragraph 65 of Annex to C-M(76)73(Final)).

(c) Culture and Education

83. The development of relations in the cultural and educational fields between countries of East and West and the rôle played by the Final Act, continue generally along the lines described in previous reports. In many cases co-operation in these areas was well underway before Helsinki and the Final Act has served mainly to add momentum to existing programmes. Some countries have seen a more positive influence on the pace and direction with which cultural/educational arrangements have developed.

84. Eastern countries regard the cultural/educational provisions of the Final Act as at least one area in Basket III where they can establish a good implementation record with a minimum of difficulty. This is facilitated by pervasive state control over cultural activities, and their comparatively higher interest in Western films, books, television programmes and languages than vice-versa. They therefore place the cultural section before human contacts and information provisions, often to the point of viewing these latter two sections in a purely cultural context.

85. Moreover, since cultural relations have in the past been handled on a state-to-state basis between East and West, there are greater possibilities for Eastern régimes to pursue implementation of this part of the Final Act through the preferred channel of bilateral agreements, either seeking new cultural agreements, or working out additional exchanges within existing agreements. Even then, as the Federal Republic of Germany has noted with respect to the GDR, these agreements tend to be general and non-committal on specific projects and are often sought in the first instance with countries with which no spectacular activities can be expected. New cultural agreements, however superficial, serve as examples of implementation.

86. The state-to-state channel for developing cultural relations also means Eastern régimes can keep a large measure of control over the content and availability of Western culture. Since Helsinki, the Soviet Union has repeatedly claimed that cultural exchanges "without boundaries or barriers" are unacceptable (e.g. Deputy Minister of Culture, V. Popov, Pravda, 18th September, 1976). Some Allies have noted that while Bulgaria has increased its cultural activity considerably since Helsinki, it has mostly been with countries of Eastern Europe. Nonetheless, while isolating their populations from exposure to Western "bankrupt" and "bourgeois" culture, Eastern countries have been quick to seize openings to disseminate certain selected aspects of their own culture in the West. They also use culture as an international political vehicle. For instance, the Soviet Writers Union has recently issued an invitation to writers from CSCE and other countries to participate in a congress to be held in Sofia in mid-June 1977 at which participants will discuss the rôle of writers in furthering the CSCE process; no doubt along the lines of well-known Soviet foreign policy themes.

87. Over the past few months there have been no new significant developments either as regards general approaches or specific events. Negotiations continue between the Federal Republic of Germany and Hungary towards a cultural agreement. The United States signed a cultural agreement with Hungary in early April.

88. In their contacts with Western governments and through their propaganda, Eastern régimes continue to criticize Western countries for not importing Eastern films, TV material, books and periodicals, for not translating and publishing books, and for not teaching Eastern languages on the same scale as Eastern countries do with Western films, books and languages. Eastern governments attempt to illustrate these comparisons through the questionable use of statistics,

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sometimes false or incomplete and often taken out of context. They demand that these "imbalances" in the cultural field be rectified: a virtual demand for "statistical reciprocity" which ignores the rôle of free choice in the flow of cultural and other information. Furthermore, not only is the general availability of cultural information in Western countries disregarded, but as part of the intensified propaganda attack over 1976, Eastern régimes have been contending that "certain circles" in the West are controlling "all sources of information", and out of fear of popular disaffection, are deliberately preventing Western citizens from hearing the truth about Eastern countries. "Western society is a closed society" (Komsolol'skaya Pravda, 15th September, 1976).

89. In the multilateral sphere, the Final Act recommendations for follow-up activity in cultural/educational co-operation within UNESCO have not been implemented to any great degree. The 1975/1976 European Regional Programme was adopted before Helsinki, and the Programme for 1977/1978 contains little content directly attributable to the Final Act. This lack of activity must be viewed however in the light of continued discussions within UNESCO to identify how best to use the organization in the CSCE context. This discussion has been hampered by Eastern efforts to use UNESCO to re-interpret the meaning of certain Final Act provisions to their advantage. This has been resisted by Allied countries.

NEUTRAL AND NON-ALIGNED

90. Neutral countries generally take a similar position to that of Allied countries in their interpretation of the Final Act and their views of how it should be implemented. Among them, Finland possibly sees the Final Act in a more general light as a long-term process. Although Yugoslavia also shares many Western perceptions of the CSCE, it takes a special view in consequence of its political system and position as a member of the non-aligned. It sees the CSCE process as the principal means for developing détente, including an end to bloc-to-bloc confrontation.

91. The Declaration of Principles as a whole is regarded by the Neutral and Non-aligned from the point of view of strengthening their security and independence. Yugoslavia has been especially careful not to neglect the principles of "sovereign equality", "inviolability of frontiers", and "non-intervention in internal affairs". The Trieste Agreement between Italy and Yugoslavia is seen as coming within the Declaration and is often cited by Yugoslavia as the major CSCE

achievement by any country. On the other hand, one Ally notes that Yugoslavia has not wholly refrained from assisting "terrorist activities" as required under the principle of "non-intervention".

92. Moreover, Yugoslavia's implementation of the Seventh Principle leaves much to be desired. While its treatment of national minorities is relatively good, there are strict limits to the expression of nationalist feelings. One Ally assesses that since the domestic troubles of 1971, and continuing since Helsinki, respect for human rights in Yugoslavia has declined and pressures on dissenters have progressively increased. Possibly taking the lead from events in East European countries, where conditions are generally worse, a few Yugoslav dissidents have recently appealed to the Final Act as a support for renewed calls for greater respect for human rights in their country. Yugoslav Authorities have taken no new punitive action, but have alleged these individuals are taking direction from abroad in an attempt to lump Yugoslavia with Warsaw Pact countries in the "bloc competition" on this issue. At the same time, Yugoslavia has complained that lack of implementation of the Seventh Principle is still the cause of difficulties with certain neighbours over the treatment of Slovene and Macedonian minorities.

93. The approaches of Neutral countries to Basket III implementation closely resemble those of Allied states. Finland has examined its legislation in human contacts matters and has found little to be wanting; in line with its practice towards all other CSCE states, Finland has abolished visa fees with the Soviet Union and the GDR. Sweden has abolished visas with respect to Bulgaria, Romania and Poland. The efforts of Neutrals to secure Eastern implementation in the human contacts field have apparently had some success. Sweden and Finland have found greater acceptance for their representations in individual cases, and these two Neutrals plus Austria have experienced to varying degrees greater willingness by some Eastern countries to consider personal cases favourably. Sweden claims the Final Act has created double the number of cases Sweden used to have with the USSR, Romania and Poland. No special experience has been noted in the information field. Finland has concluded some health and cultural agreements with some Eastern countries, though this is not wholly attributable to the Final Act, and has signed an agreement with the Soviet Union providing for equal numbers of translations of books.

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94. Yugoslavia's performance in Basket III areas has been relatively trouble-free as regards family meetings, family reunifications and marriages. Some individuals not in favour with the régime, however, are still denied passports for vague reasons of national security (60 Yugoslav passport holders recently protested this practice to Yugoslav Authorities). One Ally also reports that regular and informal contacts between foreigners and Yugoslavs are discouraged by regulations and other prohibitions. There have been no improvements in the information field, where standards are far below those of Western countries. The cultural rights of minorities are well respected (e.g. on 1st January, 1977 domestic TV news broadcasts in Bulgarian language were begun), and cultural agreements and exchanges remain very popular with Yugoslav Authorities. One Ally has reported increased difficulty with educational exchanges. The Yugoslav assessment of Eastern Basket III implementation is unknown. Yugoslavia has credited the Final Act for Bulgaria's recent admission that there exist 70 valid reunification cases involving "illegal" emigrants in Yugoslavia.