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REPORT ON THE IMPLEMENTATION OF THE FINAL ACT
OF THE CSCE

REVIEW OF IMPLEMENTATION

Note by the Chairman of the Political Committee

The Council decided at its meeting on 1st October, 1975, that on the eve of each Ministerial Meeting the Political Committee, in collaboration with other relevant committees, could prepare a report on those aspects of the implementation of the Final Act of the CSCE which have a particular importance for members of the Alliance.

2. Attached is the Fifth Report of the Political Committee. It reviews implementation of the Final Act for the period since 29th April, 1977.

3. Paragraph two of the attached report draws attention to the most important developments during the period under review, in particular since the beginning of the Belgrade Main Meeting, and summarises generally the situation since Helsinki. These developments are considered more closely in the rest of the report. Paragraph 3 of the report provides the recommendation.

(Signed) E.F. JUNG

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

IMPLEMENTATION OF THE FINAL ACT OF THE CSCE

Fifth Report by the Political Committee
(29th April, 1977-29th November, 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 fifth such report and it covers the period from 29th April, 1977.

2. The most important points to draw to the attention of the Council regarding developments during the period of this report, and in particular since the beginning of the Belgrade Main Meeting, are the following:

- (i) Since the start of the Main Meeting, Warsaw Pact countries have undertaken a few implementation measures on a bilateral basis; at the same time, there have been the trials of three Charter 77 figures in Czechoslovakia. This approach may be deliberate and intended to show Western countries at Belgrade both the possibilities for progress and the limits of Eastern tolerance (paragraph 5).
- (ii) Warsaw Pact countries have maintained and taken into the Belgrade meetings the coherent and assertive stance towards implementation evident since early 1976. They have continued to press ahead with their earlier large-scale proposals of special interest to them (e.g. the Brezhnev Proposals, a Treaty on the Non-First Use of Nuclear Weapons) and have put forward these ideas and others at Belgrade (paragraph 6).
- (iii) They have continued to try to build up a record of implementation in all parts of the Final Act including a limited number of small steps in areas of importance to Western countries. However, in the period up to the start of Belgrade, the overall pace of implementation marked time (though with further progress in CBMs) following the decline of the previous year (paragraphs 4, 7-8):

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- human contacts: the Soviet Union has taken no new steps and a mixed pattern of performance continues to apply; most Eastern countries have now solved a varying proportion of family reunification cases with certain Allies, undoubtedly with an eye to Belgrade, and taken a few other small steps. A new citizenship directive in Czechoslovakia, however, has slowed down the resolution of reunification cases vis-à-vis some Allies. The general position remains one of some limited improvement in certain areas since Helsinki (paragraphs 29-34);

- information: there has still been little real improvement since Helsinki in the dissemination of and public access to Western printed, broadcast and filmed information. Hungary, however, has adopted a much less restrictive television programming policy. Earlier improvements in working conditions for journalists in the USSR and some other Eastern countries remain counterbalanced in 1977 by increased difficulties as a result of Eastern sensitivity to Western reporting on dissidents and internal affairs (paragraphs 36-41);

- CBMs: while the Soviet Union has continued to notify only large-scale manoeuvres, it has shown greater interest in implementing the CBMs provisions by inviting a larger number than usual of observers to attend a manoeuvre and sending observers for the first time to four Allied manoeuvres (paragraphs 20-22);

- economic questions: there has been little change in Eastern performance since April 1977; Hungary has been the most active. There are still virtually no significant improvements in areas of particular Western interest such as access to information and contacts (paragraphs 23-25).

(iv) Apart from Poland the activities of human rights movements in Eastern countries have decreased over the previous period and the movements themselves may have been somewhat weakened, in large part the result of repressive measures by Eastern régimes. This underlines the continued general lack of respect of human rights in these states (paragraphs 9, 15-19).

- (v) Warsaw Pact countries have continued with their criticisms and attacks against Western countries over alleged misinterpretation of Final Act provisions and inadequate compliance with some of them. For some months, however, this campaign has been lowered from the level reached early in 1977, in an apparent attempt to encourage a less contentious atmosphere at Belgrade (paragraphs 10, 35, 38, 44).
- (vi) Overall Eastern performance still remains far from satisfactory. Despite a few positive developments, implementation to date has not, for the most part, involved any fundamental changes in Eastern practices in main areas of Western interest. Neither the immediate lead up to Belgrade nor the first months of the Main Meeting itself have produced any significant breakthroughs. It remains to be seen if and how the process of implementation will continue during the remainder of the Belgrade Meeting and thereafter.

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 past six months, there have been few new developments in Eastern approaches to implementation of the Final Act. In the period up to the start of the Belgrade Main Meeting, the rate of Eastern implementation remained steady after the decline noted over the previous year; there was deterioration in a few areas. At the same time there was some reduction in the high level of CSCE propaganda activity prevalent in early 1977.

5. While Eastern countries now appear to be concentrating their full CSCE energies on the work at Belgrade, implementation still has a rôle to play in their tactical approach to the meetings. On the one hand there have been, since the start of the Main Meeting, a few specific examples of implementation on a bilateral basis, perhaps intended to show the rewards available to Western countries for "good behaviour" at Belgrade and after. The USSR has announced its intention to settle a number of its outstanding humanitarian cases with the UK; Hungary has become much more forthcoming in its cases with Canada; Romania has agreed to a 1976 US proposal for certain visa improvements, and Bulgaria and the US have decided to lift travel restrictions on each others' diplomats and their staffs. On the other hand, the October trials of three Charter 77 figures in Czechoslovakia would seem to be a signal from the Soviet Union that, whatever the pressure and risk of criticism at Belgrade, there are firm limits to what Western countries can expect from Eastern countries in the way of improvements in the field of human rights and possibly other areas.

6. It would appear that Eastern countries are confident in continuing, during Belgrade and after, with the general post-Helsinki course which they set for themselves in late 1975 and early 1976 and which was described in the Political Committee's three previous reports (C-M(76)26(Final), of 13th May, 1976, C-M(76)73(Final), of 3rd December, 1976 and C-M(77)30(Final), of 5th May, 1977). Eastern countries see the Final Act as an instrument for pursuing the Soviet Union's foreign policy aims (legalization of the status quo in Europe, "irreversible" process of détente, "military" détente, pan-European inter-state co-operation). To this end, they emphasise elements of the Final Act of particular importance or use to them (some of the Principles, the general disarmament provisions, aspects of Basket II, cultural provisions in Basket III) and attempt to reinterpret and minimise the significance of those parts of the Final Act which they dislike and which are of importance to Western states (the Seventh Principle on "Respect for Human Rights", and human contacts and information provisions of Basket III). While claiming to be implementing all of the

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Final Act, Eastern countries attempt to build up some kind of record of implementation in all Baskets. At the same time, they maintain their campaign of counter-attacks and criticisms against Western countries for alleged non-compliance of certain Final Act provisions.

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

7. 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). This approach continued throughout 1976 and into early 1977 with one more large-scale proposal (a Treaty on the Non-First Use of Nuclear Weapons), and further efforts, though at a declining pace, to build up an implementation record in all parts of the Final Act - including working conditions for journalists and human rights, and towards the end of 1976, the settlement by some countries of outstanding human contacts cases vis-à-vis certain Allies.

8. Apart from new or continued efforts by most Eastern countries to resolve outstanding cases and an improvement in the area of CBMs., the general pace of implementation over the past six months has been marking time at the lower levels prevalent since early 1977. There have been only a few minor improvements in human contacts, the principal one being the abolition of compulsory daily currency purchases for foreigners travelling in Bulgaria and Hungary. A new citizenship directive in Czechoslovakia however, has slowed down the resolution of reunification cases vis-à-vis some Allies. The USSR has taken virtually no new steps and even the high post-Helsinki rate of emigration to two Allies is down (but Jewish emigration is up markedly as of mid-1977). Many outstanding cases remain unsolved. There are still no significant improvements in Eastern countries in the dissemination of and public access to Western printed, broadcast and filmed information, except in Hungary where a much less restrictive approach to television programming is evident. On the whole, the administrative obstacles to freer movements of people and information remain virtually unaltered. The general picture since Helsinki remains one of very little real progress.

9. In addition, the repressive measures taken by many Eastern régimes since late 1976 to suppress local human rights activists (many receiving inspiration from the Final Act) have brought a possible deterioration in overall respect for human rights in these countries. There has been a resulting decline in the intensity of human rights activity and possibly some general weakening of the movements themselves. Only in Poland have human rights groups scored a few successes. Western public opinion has tended to focus on the human rights issue more than on any other

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aspect of the Final Act. Eastern governments have been hypersensitive to the question in 1977 and continue to deny Western countries any right to concern themselves with what Eastern countries consider to be their internal affairs. As a result of the wide media coverage given human rights in the West, there have been increased attacks against Western radio stations broadcasting to Eastern Europe; there has also been a related deterioration in working conditions for Western journalists in many countries.

10. The general Eastern campaign of criticism continues against Western countries for alleged misinterpretation of the Final Act, for undue emphasis on Basket III and for alleged inadequate implementation. Eastern régimes charge 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. They also charge the West with 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. "Certain Western circles" are accused of trying to slow down implementation and to undermine the Final Act. 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. While this campaign heightened in early 1977 as Eastern countries found themselves increasingly on the defensive over human rights, it seems to have become much lower key since June, possibly in an attempt to set a less contentious tone for the Belgrade meetings.

Declaration on Principles

11. Although Warsaw Pact countries have been giving less attention over the past year to the "Declaration on Principles Guiding Relations between Participating States", their basic contention remains unchanged that the Declaration is the most important part of the Final Act. The principles are interpreted and used by the Soviet Union to justify its foreign policy activities and to attack those Western attitudes and activities it dislikes. The implementation of the remaining provisions of the Final Act must proceed in accordance with them. Thus, the Treaty of Friendship, Co-operation and Mutual Assistance between the GDR and the Polish People's Republic of 28th May, 1977 states that the developments of "fruitful and mutually advantageous co-operation on the European continent" will be done "on the basis of the collectively worked out principles between states ...".

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12. This and similar GDR treaties with Hungary (25th March, 1977) and the CSSR (3rd October, 1977) also follow Eastern practice in selecting out certain principles for emphasis. The "inviolability of frontiers" (including the frontier between the FRG and GDR) is seen as the "most important prerequisite for protecting European security". The GDR/Polish Treaty goes a step further by referring to the "immutability" of frontiers - a violation of the First Principle which recognises the possibility of frontier changes "by peaceful means and by agreement". The principles on "non-intervention in internal affairs of states" and "sovereign rights" also continue to be accentuated, as Eastern states seek to contain Western pressure for implementation of the Final Act, especially the Seventh Principle on "human rights" and provisions of Basket III. Concomitantly, Warsaw Pact states down-play the Seventh Principle which states that respect for human rights is "an essential factor for the peace, justice and well-being necessary to ensure the development of friendly relations and co-operation". The principles on "non-intervention" and "sovereign rights" do not restrain the Soviet Union in its conduct of the ideological struggle or the organization of subversive activities on non-Communist soil.

13. The recent GDR treaties also follow earlier Eastern practice in attempting to confine application of the Declaration on Principles primarily to relations between Eastern states on the one hand and Western states on the other. The "fraternal" relations between the "socialist states" of the Warsaw Pact are governed by more specialized rules such as the need "to protect and defend the historical achievements of socialism" (Brezhnev Doctrine). The new Soviet constitution also enshrines the "Brezhnev Doctrine" among its provisions.

14. Despite some degree of rapprochement between Romania and the rest of its Warsaw Pact allies over the past year, Romania continues to hold a somewhat different view of the Declaration on Principles, seeing it as having the same status as other parts of the Final Act and applying to relations between all CSCE participants.

Human Rights

15. Throughout the most recent period the question of the observance of human rights in most Eastern countries has continued to be a major CSCE issue. In the Soviet Union and Czechoslovakia in particular, the Final Act still serves as a source of inspiration to activists who continue to call on their governments to put into practice the standards they have accepted in the Final Act and in other international documents. Their

criticisms of non-observance apply not only to a wide range of political and legal rights but also to the economic and social rights central to the "socialist humanitarianism" espoused by Eastern régimes.

16. None the less, the activities of human rights groups have declined from the levels reached in early 1977, in most cases the result of effective repression by local authorities. To varying degrees, régimes in these countries have been able to weaken, if only temporarily, human rights movements in advance of Belgrade. In the USSR, groups monitoring Soviet implementation of the Final Act have borne the brunt of the assault leaving only a few individuals still active. Since the beginning of 1977, thirteen prominent figures associated with these groups have been arrested and may shortly face trial: two have been charged with political offences and one with treason, and two others have already been given harsh prison sentences. In Czechoslovakia, the régime has recently tried three leading members of Charter 77, exiled others and harassed and penalised many less known individuals. (Apart from their value as a signal to the West of Eastern firmness, the trials of the three Chartists at the beginning of the Belgrade Meeting may have been encouraged by the Soviet Union to gauge reaction at Belgrade before proceeding with some pending cases against its own dissidents.) Over the past few months the GDR has forced into exile a significant number of dissidents from among its intellectual and artistic élite. The Romanian government seems to have defused that country's dissident problems, though reports persist of some local labour difficulties.

17. Only in Poland have human rights activists achieved some measure of success and maintained the momentum built up over the past year. An amnesty in July 1977 freed the remaining workers imprisoned following the 1976 riots and brought the release of several members of the Workers Defence Committee (WDC) arrested in May 1977. In late September 1977 the WDC was renamed the "Committee for Social Self-Defence" and its activities expanded to include the observance of human rights generally in Poland (it joins another group recently formed in this field). The Committee immediately called for the creation of an even wider "Democratic Movement" with membership open to all organizations concerned about any aspect of human rights. Since the amnesty, the régime has treated all dissidents leniently with only minimum harassment. In a separate move, authorities have recently given permission for the construction of new churches in the Warsaw area, which represents a distinct liberalisation of previous policy.

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18. Apart from Poland, there is no evidence that Eastern countries have improved their respect for human rights either in the most recent period or since Helsinki, though standards continue to vary. On one hand, the absence of local dissident groups in Hungary attests in part to that régime's more sensitive consideration of citizens' rights; Evangelist Billy Graham was recently permitted to visit and to preach in Hungary. On the other, the repression of human rights activists in the USSR and Czechoslovakia, especially those calling for implementation of the Final Act, can be regarded as a general deterioration. While the new Soviet constitution gives somewhat better treatment than its predecessor to a description of human rights, it also makes it clearer that the exercise of political/civil rights "must not harm the interests of society and the state". One notable event during the last months was the resolution of the World Psychiatry Congress condemning Soviet use of psychiatry in the suppression of dissidents.

19. Eastern countries continue to claim that Western countries have no right to concern themselves with the question of human rights in Eastern countries, and they charge Western governments, media and concerned individuals and groups with "interfering" in their internal affairs. In a recent speech, KGB Chief Andropov pointedly referred to dissidents as "agents" of "capitalist" countries. At the same time, Eastern countries have built up their own list of allegations on Western non-observance of human rights, especially the "fundamental" social/economic rights supposedly guaranteed by "socialist humanitarianism" in the East.

Confidence-Building Measures

20. In the reporting period, Allied countries continued with their established liberal practices in the notification of manoeuvres, the invitation and treatment of observers, and the acceptance of invitations received. The two major Allied military manoeuvres held during the last six months were notified, as were four smaller scale manoeuvres. Allied countries invited observers to five of the six manoeuvres. In addition, the Allies have endeavoured to increase on a reciprocal basis their military exchanges with other CSCE participants.

21. In the same period, the Soviet Union notified its one major military manoeuvre. No smaller scale exercises were notified by Warsaw Pact countries. In other ways, however, the Soviet Union showed some sudden interest in improving its CBMs record before Belgrade. The Soviet invitations to a somewhat larger number of countries than usual to send observers to its manoeuvres, and the attendance of Soviet observers for the first time at four Allied manoeuvres, might be an indication that Warsaw Pact countries intend to take a more forthcoming approach to implementation of the CBMs provisions. These countries actively participated in the exchange of military visits with Allied countries.

22. Among the neutrals and non-aligned, Austria and Spain notified smaller scale manoeuvres (12,000 and 8,000 men respectively). The latter also invited military attachés accredited in Madrid as observers to its manoeuvre.

Co-operation in Economic and Other Fields

23. Little change has taken place in Soviet and Eastern European implementation of Basket II provisions since the end of April 1977. Notable developments are that the USSR's previously observed tightening of its exit visa rules for resident Western businessmen has now become standard practice, but visa issuing procedures have improved in both Poland and the GDR; prospects for establishing business offices have slightly diminished in Bucharest, but somewhat improved in Moscow; and Hungary has liberalised its regulations concerning both joint equity ventures and currency conversion requirements for business and other visitors. Enterprises and government bodies in the area as a whole have continued to enter into and encourage co-operative agreements and arrangements with Western firms. Otherwise, operating conditions for foreign businessmen remain much as before, and there has been no particular improvement in the availability of economic and commercial information. Smaller and medium sized firms continue to have particular problems because they are less capable than larger firms of absorbing the unusually high costs of doing business and establishing offices in the USSR and Eastern Europe.

24. In the Soviet Union, prospects for the establishment of permanent representative offices and the obtaining of housing for business representatives appear to have improved with the USSR's having granted several outstanding requests in both these areas. On the other hand, the Soviet government has made it standard practice that exit visas for accredited businessmen not entitled to multiple-entry visas are valid for only ten days and must specify the destination. In Romania, the establishment of business offices appears to have been somewhat hindered by a confusing new decree (Number 234) on the conditions of operating a business office and the hiring of Romanian nationals, as well as by the negative impact of a Romanian announcement concerning its intention to build a world trade centre. The centre, which is to be completed by 1980, will house all representative offices, which must pay five years' rent in advance. In the GDR, permission to open additional business offices will reportedly be delayed until the completion of a trade centre in East Berlin in 1978. Although Czechoslovakia has clarified the ground rules under which representative offices can be established, the process remains so cumbersome as to deter many potential applicants.

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25. Hungary has taken the most notable steps concerning Basket II implementation. Effective 1st January, 1978, visitors (including businessmen) will no longer have to exchange a mandatory amount of hard currency. (Bulgaria rescinded its currency-exchange requirement in April 1977). In addition, conditions for joint equity ventures have been clarified and liberalised by a decree issued in May. The decree lowers the maximum tax on profits and allows majority ownership by foreign firms of banks and service enterprises in Hungary.

Human Contacts and Information

26. Over the past six months, Eastern countries seem to have given Basket III matters rather less attention than they have previously. Implementation, except for further efforts to eliminate some potentially embarrassing human contacts cases by some countries, has continued at the reduced rate evident for some time. Consistent with the assertive approach followed since early 1976, Eastern governments appear confident that their records are sufficiently good to face the prospect of a "thorough exchange of views" on implementation at Belgrade. Attitudes continue to differ from country to country with Hungary and Poland taking more innovative approaches to compliance with human contacts and information provisions.

27. At the same time, Eastern governments have continued to use a series of arguments in an effort to limit their obligations in Basket III (i.e. 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; progress in implementing other portions of the Final Act at the same pace and as a "unit"). Basket III, like all the Final Act, is seen as a programme of action "for decades" to come. Moreover, they 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.

28. Eastern countries have asserted the right to strict control over the content, degree and pace of implementation as an "internal matter" and have denied Western countries the right to demand a more extensive and rapid implementation. They have continued to try to build up their implementation record, often citing marginal or unrelated developments, and have taken some limited steps since Helsinki to implement Basket III provisions in areas of special Western interest and of least difficulty to them. Finally, Eastern countries have sustained their campaign of criticisms against Western countries both for misinterpreting and over-emphasising Basket III and for alleged examples of non-implementation.

(a) Human Contacts

29. Over the most recent period Eastern countries have not undertaken any new steps which add substantially to their very limited implementation of certain human contacts provisions. Basic performances continue to vary from country to country.

30. The situation in the USSR remains one of little or no amelioration vis-à-vis most Allies. The 1976 improvement in exit procedures have still brought no general increase in the numbers of individuals permitted to visit or to join families abroad or to travel, although there has apparently been some shortening in the time needed to process exit applications following binational marriages (but not for the marriage request itself). There continue to be recurrent problems for certain Westerners in getting entry or stay visas for the USSR. As regards the significant post-Helsinki increases in emigration to the United States and to the FRG - both special cases influenced by factors extraneous to the Final Act - 1977 figures show emigration to the United States dropping somewhat below 1976 levels (twice 1975) but falling off even more to the FRG, though still just above pre-Helsinki levels. (Jewish emigration has improved markedly in 1977 though still well below 1972/73 figures. Moreover, some long-standing "refuseniks" have recently been given permission to emigrate: both moves could be Belgrade-related.) Almost all Allied countries continue to have great difficulty with outstanding family reunification cases. The US and Canada have both experienced a post-Helsinki decline in the percentage of outstanding cases resolved on representation lists, though since Helsinki there has been an increase in the total number of emigrants from the USSR to Canada (persons both on and off representation lists) and twice the number of family visitors. The USSR announced the resolution of a number of the UK's cases during Foreign Secretary Owen's October visit. In June 1977 Soviet and French Foreign Ministers exchanged letters providing for improvements in the conditions of work and stay in their countries for persons of the other country engaged in co-operative efforts in scientific, economic and cultural fields.

31. Elsewhere in the Warsaw Pact, some governments have continued to bring some further small improvements in the less difficult areas of family meetings and travel. In recent months both Bulgaria and Hungary have announced the abolition of compulsory daily purchases of local currency for foreign visitors (in Hungary from 1st January, 1978), though Poland has increased the compulsory amount slightly. At the same time France has reported an increase in 1977 in exchange visits with Poland involving young people. Hungary is taking a more forthcoming attitude to group tours and to visits abroad by younger people, and since 1st January, 1977, has been providing more foreign currency for travel abroad. On 12th October, 1977, Romania accepted US proposals made in 1976 that tourist, business and transit visas be made multi-entry and of longer validity. The US continues to experience much improvement in Bulgarian treatment of family travel cases, but this is in

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part attributable to bilateral considerations. On 9th November notes were exchanged between the US and Bulgarian governments lifting travel restrictions on each others' diplomats and their staffs. As of 30th September, 1977, however, visitors visas for Bulgaria are no longer available at ports of entry and are only being issued at missions abroad. The numbers of family and other visitors between the FRG and the GDR is down from 1976 levels as a result of the hardened GDR attitude since late 1976 to intra-German contacts, but an increase in the refusals of other nationals for entry into the GDR have also been reported.

32. In the more difficult field of family reunification, Bulgaria, Romania and to a lesser extent Czechoslovakia (mainly children's cases) have continued to make the efforts reported in C-M(77)30(Final) - see also paragraph 33 below - to improve their bad records for Belgrade by settling a varying proportion of outstanding cases, both on or off representation lists, with a number of Western countries. Romania has also continued to permit a significant increase in 1977 in the emigration of ethnic Germans; with these recent improvements, overall Romanian performance could probably now be said to be back at pre-Helsinki levels following the deterioration in 1976. In recent months the GDR has also resolved many if not all its outstanding cases with many Allied countries. Vis-à-vis the FRG, however, where the Final Act supplements bilateral arrangements, the general decline in the numbers of family reunifications from the GDR, first evident in late 1976, has continued. Hungary has made a recent effort to resolve its few existing outstanding cases with the US and Canada. The situation in Poland remains unchanged: its liberal behaviour vis-à-vis most Western governments contrasts with a restrictive attitude in emigration cases to the US. The high rate of emigration to the FRG continues in 1977 on the basis of a 1975 bilateral agreement.

33. On the whole, the fundamentally restrictive practices of the pre-Helsinki period towards family reunification remain in force throughout Eastern Europe. Despite some small improvements in Bulgaria and Czechoslovakia noted by one Ally, cases involving "illegal" emigrants continue to be a special problem in most Eastern countries. In fact, while Czechoslovak authorities claim that a July 1977 directive (which codifies existing practice whereby people abroad "illegally" for more than five years can regularise their status) should have some beneficial effect on family meetings and reunification, in the experience of some Allies, it appears to have brought the processing of family reunification applications to a halt in cases where sponsors have not regularised their status. Czechoslovak emigrés appear worried lest the measures to be used to intimidate and blackmail them and their relatives in Czechoslovakia. The directive appears to be a retrograde step in terms of the Final Act provisions regarding freedom of expression (the exercise of which would cause any emigré to lose his Czechoslovak citizenship) and freer movement of people.

34. With respect to binational marriages there have been few developments. Most Allies have noted an improvement in 1977 over the very poor performance by Romania in 1976. Czechoslovakia has modified regulations which will increase the bureaucratic delay in considering marriage requests.

35. Part of the Eastern response in dealing with their vulnerability on human contacts questions has been to criticise Western entry visa procedures, often in comparison with their own, and to call 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 consideration. Two Allies have also made proposals to Eastern countries for the improvement of visa procedures, but have so far received only three positive responses.

(b) Information

36. Despite recurrent Eastern claims to the contrary, no Warsaw Pact country has made any really significant improvements since Helsinki in the field of printed information. It now appears that some countries, such as the USSR, Bulgaria and Czechoslovakia, are importing some additional copies and/or titles of Western non-Communist newspapers or magazines, but there has been only small if any concomitant improvements in accessibility by the general public. In Bulgaria and Czechoslovakia the very limited quantities of newspapers on sale for the first time have been destined mainly for foreign tourists (though some are getting to the public), while in the Soviet Union a few newspapers have been added to those already on sale to tourists only. The GDR has not improved its very poor record except for the occasional appearance of a non-Communist newspaper at the newest foreign tourist hotel in East Berlin. Hungary has made only slight improvements in its performance, already among the most liberal of Warsaw Pact countries. In Poland a deterioration has recently been reported in the availability of Western printed information in the International Press and Book Clubs. Western material continues to go only to tourists or officials in Romania. In early 1977 Romanian officials attempted to oblige Western embassies to submit for MFA approval all embassy material intended for distribution as well as the names of those receiving the material. The first requirement continues to be partially met, but embassies have refused to comply with the second.

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37. With the exception of Hungary, Eastern countries have still made no significant improvements in the dissemination on their territories of Western filmed and broadcast information, though their practices continue to vary. In Hungary, however, the significant liberalisation in television programming first noted in 1976 has continued into 1977: viewers can see more Western news items and interviews with Western political figures, open debates on East-West issues and other programmes containing reasonably objective political material. One Ally has recently found Soviet officials slightly less restrictive with respect to the film activities of its embassy, and another Ally has observed an increase in the use of Western feature films on GDR television and in theatres. On the negative side, the Soviet Union refused to broadcast the US Ambassador's 4th July message (done annually since 1974) because of a passage on human rights, and has not purchased any US feature films in 1977 after a previous annual average of 5/6. Since April 1977, Romania has been using a far higher proportion of Western film and television material with anti-Western content, though there was some lessening in June. Persons living in the provinces in Czechoslovakia have been investigated after borrowing films from the US film library.

38. Report C-M(77)30(Final) made mention of Eastern hypersensitivity to the content of Western news media generally and described in particular the extensive propaganda attacks which Eastern countries, to varying degrees, have been directing, especially since early 1977, against Western radio stations broadcasting to Eastern Europe. These attacks became quite shrill in Romania during April 1977, and at one point the Soviet government officially protested the activities of Radio Free Europe and Radio Liberty to the US Government. Since June, though occasional attacks continue, there seems to have been a certain general let-up in this campaign, possibly in coincidence with the relative decrease in human rights activities in Eastern Europe. Apart from Poland where the FRG has lately noticed some interference with Deutsche Welle, there has been no change in the extent of Eastern jamming of Western radio stations. Jamming is contrary to the hope expressed in the Final Act that the dissemination of information by radio broadcasting should continue to expand.

39. Working conditions for journalists in Eastern countries seem largely unimproved over the most recent period. There seems to have been no turn-around in the deterioration which occurred in the USSR and Czechoslovakia during late 1976 and early 1977 as a result of Western reporting on dissidence and human rights activities in those countries. The Soviet media has repeated charges that various Western journalists have been working for foreign intelligence agencies, have interfered in Soviet internal

affairs, and have incited dissidence. In a serious incident on the eve of the Belgrade Preparatory Meeting, the resident Los Angeles Times correspondent, Robert Toth, was detained and interrogated for a number of days by the KGB on charges of having solicited "secret information" from Soviet citizens. In July, a CBS film team was roughed up by the Soviet "thugs" after shooting some film at a Moscow beer garden; authorization to shoot the film had been given. Some Norwegian journalists were refused visas to cover the 60th Anniversary of the October Revolution. One positive development has been the permission given to CBS to have its own resident cameraman. Although there has been no repetition of the unpleasant incidents which occurred in Czechoslovakia in February/March of 1977, Czechoslovak authorities are apparently still issuing journalists' visas only if the applicant agrees in advance not to attempt to contact Charter 77 figures; in any event, police continue to bar journalists from entering dissidents' homes. Some journalists were refused visas to cover the October trials of three leading Charter 77 figures. On the positive side foreign press centres have been opened in Prague and Bratislava, but their value if any to Western correspondents is still unknown.

40. At the same time, reports from Romania and Poland over the recent period indicate some hardening of official attitudes in those countries towards Western journalists. While Eastern propaganda attacks against Western journalists have not been as sustained or virulent as they were early in 1977, there was a sharp outburst in the Romanian media in May 1977, and for the first time in the post-Helsinki period Western journalists were attacked by name in the Polish press in June. Following allegedly critical reporting in the aftermath of the major earthquake in March 1977, New York Times reporter, Malcolm Browne, was refused entry at Bucharest airport in April 1977 (Romania reversed its decision a few days later), and other journalists have experienced some greater difficulty in arranging interviews with officials and in getting help generally from press liaison authorities. There has been some difficulty in 1977 for Western journalists in getting entry visas for Poland, normally a liberal performer by Eastern standards.

41. Elsewhere in the Warsaw Pact trends are more positive. The GDR seems to have softened its stance vis-à-vis journalists from the Federal Republic since it expelled a television correspondent in December 1976. It has permitted two television reporters to replace the expelled journalist. The US have noticed no further difficulties for their journalists in bringing in equipment, and the GDR has proposed an agreement be negotiated on improving visa issue, travel and other working conditions for journalists. Western experience so far has been positive with the new organization recently set up in the GDR to service foreign

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journalists. In Bulgaria a much heralded press centre for foreign journalists was finally opened in May 1977 but its precise effect on improving access to sources appears limited. There has been little change in Hungary's relatively relaxed performance by Eastern standards apart from a slight improvement in access noticed by some countries.

Culture and Education

42. Eastern countries continue to find this the most interesting section of Basket III and have even attempted to present human contacts and information provisions as pertaining mainly to a cultural context. They find it possible to build up a favourable implementation record in this area with a minimum of difficulty, especially by means of bilateral agreements which allow a large measure of continuing government control over the content and availability of Western culture. In this regard, Soviet confiscation of materials from a major touring US photo exhibition in August and from certain displays at the Moscow International Book Fair in September 1977 (otherwise a credible example of CSCE implementation in promoting translations and exposing Soviet citizens to Western materials), must be viewed as a negative development in the CSCE context. These incidents attest to the continued existence of "ideological limits" on the development of open and meaningful cultural contacts and exchanges, especially in a period of heightened human rights activity.

43. At the same time, Eastern countries try to use the cultural provisions of the Final Act to disseminate Eastern social and political values in the West, and as a cover for propaganda activities. An International Writers' Conference was held in Sofia in June to serve as a forum for Eastern CSCE propaganda; as a result, a number of Western writers who lent their support to its organization decided not to attend. During the same month a European Music Festival in Bucharest was hailed by Romanian officials as the proper model for building human contacts and extending mutual knowledge among peoples.

44. Over the most recent period Eastern countries have continued with their criticisms of Western performance in certain areas. Through the use of statistics, sometimes incomplete and incorrect and often taken out of context, they claim a superior level of performance in the imports of films, television material, books and periodicals, in the translations of books, and in the teaching of foreign languages. They call for an end to these "imbalances". This virtual demand for "statistical reciprocity" 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.)

45. Eastern implementation of the culture and education provisions continues to proceed slowly, but still short of the "substantial" increase in programmes called for in the Final Act. The effect of the Helsinki document has been to add to the momentum of arrangements and agreements that pre-date Helsinki and to affect, to some degree, the pace and direction of new arrangements. The proximity of Belgrade has had some beneficial effect. The US has had some recent success in extending relations (treaties signed with Hungary and Bulgaria) and found certain countries such as the GDR more forthcoming in considering proposals for new forms of co-operation. On the whole, however, 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

46. Neutral states continue to exhibit strong interest in CSCE implementation and to approach it in much the same way as Allied governments. They have continued to press Eastern governments to implement the Final Act. Yugoslavia's approach reflects its political system and non-aligned status. This approach has been described in previous reports.

47. Allied countries continue to have a strong interest in close contacts and exchanges of views on implementation with both neutral and non-aligned states.