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To: Members of the Political Committee
From: Acting Chairman
Subject: Implementation of the Final Act of the CSCE
 Sixth Report by the Political Committee
 Review of Implementation

I attach a draft report of the Political Committee reviewing implementation of the Final Act by Eastern countries since 29th November, 1977.

This is the sixth of a series of documents reviewing implementation since Helsinki and follows directly on C-M(77)90(Final) of 2nd December, 1977. The format of this report has been changed slightly from that used in C-M(77)90(Final). It contains the usual summary of main points, a short main text and an annex which describes developments in greater detail.

I propose that we give first consideration to this draft at our regular meeting on Tuesday, 9th May with a view to submitting a completed report to the Permanent Council the following week. Sections of the report covering Basket II matters are at present under consideration in the Economic Committee.



L. Heichler

IMPLEMENTATION OF THE FINAL ACT OF THE CSCE

Sixth Report by the Political Committee

(29th November, 1977- 1978)

REVIEW OF IMPLEMENTATION

INTRODUCTION, SUMMARY AND RECOMMENDATION

1. At its meetings 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 sixth such report and it covers the period from 29th November, 1977.

2. The most important points to draw to the attention of the Council regarding developments during the period of this report, which includes the later stages of the Belgrade Main Meeting, are the following:

- (i) During the last weeks of the Belgrade Main Meeting, Warsaw Pact countries continued to undertake a few additional implementation measures. They may have been designed to demonstrate continuing Eastern interest in the CSCE process despite their negative attitude towards new proposals and a substantive Concluding Document at Belgrade. (Paragraph 4)
- (ii) At the same time, there have been signs, during the later stages of Belgrade and since, that Eastern countries may be trying to retreat from the more forthcoming positions taken before Belgrade in certain areas such as treatment of outstanding humanitarian cases. This, and the resumption of more repressive measures against human rights activists, especially in the USSR, and the tightening of Party control and internal discipline in some countries, could be seen as part of an

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effort to shore-up ideological/political defences following the disruptive effects of Belgrade (Paragraph 5).

- (iii) Warsaw Pact countries have maintained 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 First Non-Use of Nuclear Weapons) and put forward these and other ideas at and outside the Belgrade Meeting (Paragraph 6-7).
- (iv) Warsaw Pact countries have continued to attempt to build up a record of implementation in all parts of the Final Act, largely at the pace prevalent since early 1977 (Paragraph 8):
- Human Contacts: the Soviet Union has introduced two new procedural improvements, one on Soviet exit visas and the other on travel by foreigners in the USSR. Other Eastern countries have taken a few small steps in family meetings and travel. On the negative side, five Warsaw Pact countries have, to varying degrees, shown less willingness to settle outstanding family reunification cases than they did during the year preceding the Belgrade Meeting, though high level visits continue to achieve some successes. Hungarian performance continues to improve. For the moment, the general picture remains one of limited improvements in certain areas since Helsinki (Paragraph 9);
 - Information: apart from in Hungary, there has still been little real improvement since Helsinki in the dissemination of and public access to Western printed, broadcast and filmed information. In the two instances where a few Western newspapers were put on limited sale in early 1977, Bulgaria has rescinded the measure and Czechoslovakia has cut-back on supplies available.

Bulgaria also briefly resumed jamming of VOA late in 1977. Working conditions for journalists have improved in some countries following the deterioration in 1977 as a result of Eastern sensitivities to Western coverage of human rights activities (Paragraph 10).

- CBMs: the USSR has continued to improve its implementation of CBMs provisions by inviting larger numbers of Allied observers to the one large-scale manoeuvre notified during the most recent period, and by providing better treatment and slightly better possibilities for observations (Paragraph 12).
- Economic questions: [to come from the Economic Committee] (Paragraph 13).

- (v) Activities of human rights movements have largely continued at lower levels, in most part the result of effective repression by Eastern régimes. Poland remains an exception and there are signs of a new movement in Bulgaria. There has been no real improvement on the general lack of respect for human rights in Eastern states (Paragraph 11).
- (vi) Warsaw Pact countries continued with their criticism and attacks against Western countries over alleged misinterpretation of Final Act provisions and inadequate compliance with some of them (Paragraph 15).
- (vii) Overall Eastern performance in implementing the Final Act is still far from satisfactory and very much remains to be done. Despite a few positive developments there have not, for the most part, been any fundamental improvements in Eastern attitudes or lowering of administrative obstacles. The lead-up to the Belgrade Meeting was responsible for some improvements in limited areas but not any significant breakthroughs. It remains to be seen how Eastern countries will perform up to Madrid.

Recommendation

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

MAIN REPORT

4. Since the preparation of the Political Committee's last Report, there have been few new positive developments in Eastern approaches to implementation of the Final Act. During the latter stages of the Belgrade Main Meeting the rate of implementation for most countries appeared to remain steady at, if not somewhat less than, the levels prevalent since early 1977. At the same time Eastern countries still showed some interest, even after the review of implementation was over, in using new examples of implementation to tactical advantage. The Soviet delegation at Belgrade claimed in February that the recent reduction in exit visa costs, the increased travel opportunities for foreigners and the larger import and sales of Western newspapers (this last claim has not been substantiated) illustrated on-going Soviet intentions to implement the Final Act. There was also an instance of improved Soviet performance in the CBMs field. These steps may have been designed to demonstrate to Western governments and public opinions continuing Eastern interest in the CSCE process despite negative Eastern attitudes towards new proposals and a substantive Concluding Document.

5. The most disturbing new development is the sign that a number of Eastern countries could be reverting to previous lower standards of performance in a few areas where they had made visible efforts to bring some improvement in advance of the Belgrade Meeting. To varying degrees and beginning at different times during the past few months, five Eastern countries have been rather less willing to resolve outstanding humanitarian cases than they were during the months leading up to Belgrade, though major bilateral factors, such as high level visits, continue to achieve results. One country has withdrawn the Western newspapers placed on limited sale in early 1977, and in a similar situation another has let its supplies dwindle. These retrograde steps have been accompanied in some countries by a varying amount of tighter Party control and internal discipline. The USSR in particular has taken a more intolerant approach to non-conformist elements in the population,

and has considerably increased levels of repression against human rights activists. New limitations have thus been placed on any unfavourable ideological and political repercussions which may have arisen as a result of the Belgrade Meeting.

6. Eastern countries remain confident in continuing with the general assertive course as regards CSCE set out for themselves in late 1975 and early 1976. They continue to 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 re-interpret and minimise the significance of those parts of the Final Act which they dislike and which are of importance to Western states (Principle VII on "respect for human rights", and human contacts and information provisions of Basket III.) They claim to be implementing all of the Final Act while continuing attempts to build up some kind of record of implementation in all baskets. They maintain their campaign of counter-attacks and criticisms against Western countries for alleged non-compliance of certain Final Act provisions. All elements of this approach were confirmed by Eastern actions both outside and at the Belgrade Meeting.

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 in some respects 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. Towards the end of 1976, most Eastern countries showed a greater readiness to

resolve outstanding human contacts cases vis-à-vis certain Allies, and in 1972 there was an improvement in the area of CBMs and to a lesser extent printed information. Other aspects of implementation throughout 1977 marked time at the lower levels prevalent since earlier that year. At the same time most Eastern countries were able to bring heightened human rights activities under better control by mid-1977, accompanied by tougher attitudes towards the Western news media and jouranlists.

8. The general pace of implementation over the past few months has remained largely at, or more recently, slightly below the 1977 levels. The Belgrade Meeting did not occasion any significant improvements in Eastern performance though there were a few isolated measures undertaken possibly for tactical reasons. On the whole the administrative obstacles to the freer movement of people and information continue to exist. The general picture since Helsinki and up to the end of the Belgrade Meeting continues to be one of very little real progress. It is still too early to identify any clear post-Belgrade trends.

9. In the later stages of Belgrade the USSR made two procedural improvements in human contacts areas, reducing the high cost of exit visas for Soviet citizens and opening some new areas for travel to foreigners: to date neither improvement has resulted in any perceptible freer movement of people. The higher rate of post-Helsinki Soviet emigration to two Allies continues to decline (but Jewish emigration remains markedly improved) and the resolution rate of outstanding cases with some Allies has declined after a small pre-Belgrade improvement. To varying degrees other Eastern countries continue to make a few small improvements in the areas of family meetings, binational marriages and travel and tourism: numbers of visitors are up; exchange rates improved for tourists and businessmen in Bulgaria; passport costs were reduced in Romania. In the field of family reunification, however, there are signs in some countries of less pre-Belgrade willingness to settle outstanding cases except when high level visits are involved, and to be forthcoming in cases involving persons "illegally" settled abroad. Only in Hungary does overall performance in human contacts and information areas continue gradually to improve.

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10. There has been no apparent improvement in the dissemination of printed information in the USSR, despite recent claims to the contrary, and in Bulgaria those papers put on sale in April 1977 have been withdrawn and supplies in Czechoslovakia have dwindled. There are no significant changes in filmed and broadcast information. Although the USSR seems to have ended its intermittent jamming of Russian language BBC programmes, Bulgaria briefly resumed jamming of Voice of America in late 1977. Apart from the USSR, some Eastern countries have somewhat relaxed the more restrictive treatment given to foreign journalists in 1977 as a consequence of Western coverage on human rights activities.

11. The effective suppression since early 1977 of human rights groups (many taking inspiration from the Final Act) in many Eastern countries, and the subsequent decline in their activities, attest to a possible deterioration in respect for human rights in Eastern Europe. Most Eastern states were able to bring local activities under better control for Belgrade and to avoid highly controversial repressive measures during the meeting itself. Since Belgrade the USSR in particular has embarked on a much tougher policy against dissidents as part of an all-round hardening of position vis-à-vis non-conformist and ideological challenges. Nonetheless, there have been a few isolated positive developments in some Eastern countries, such as the first sign of a serious human rights movement in Bulgaria, and in Poland human rights groups have improved their positions and scored some limited successes. As before, Western public opinion has tended to focus on the human rights issue more than any other aspect of CSCE, and Western governments, and some private interests, have sought to improve their observance in Eastern countries. The latter have remained hypersensitive, especially during the Belgrade Meeting, to these efforts which they consider to be "interference" in their internal affairs.

12. While continuing with its policy of notifying only large-scale military manoeuvres under the CBMs provisions of the Final Act, the USSR has improved its performance over the period of this report by inviting more Allied observers than before to a Soviet

exercise and by providing them with better treatment and slightly better possibilities for observation. This exercise took place during the latter stages of the Belgrade Meeting and was therefore possibly used as a showpiece for Soviet implementation.

13. [Paragraph on Eastern implementation in Basket II areas to come from Economic Committee.]

14. The Final Act continues in a small way to add to the momentum of existing culture/education arrangements and agreements between Eastern and Western countries that pre-date Helsinki, and to improve the pace and direction of new arrangements. Although Eastern countries find this section the least troublesome in Basket III, there have been recent signs that some countries are tightening controls over domestic cultural life in order to limit Western influences and to restrict non-conformist behaviour. Some private Western organizations have linked their follow-through in culture/education arrangements with the Soviet Union to that country's performance in respecting human rights and cultural freedom.

15. Over the most recent period, Western criticism of Eastern implementation at the Belgrade Meeting has stimulated a heightened campaign of Eastern criticisms against Western countries for alleged misinterpretation of the Final Act, for undue emphasis on Basket III and for alleged inadequate implementation. Eastern régimes have charged Western governments with not complying with certain principles (especially that on "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 have charged Western countries 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" were accused of trying to slow down implementation and to undermine the Final Act. These various lines of attack were intended to divert attention from Eastern shortcomings (the objects of Western criticism at Belgrade), to counter Western attempts to secure Eastern implementation, and to put the West on the defence generally.

16. Neutral states continue to exhibit interest in CSCE implementation and to approach it in much the same way as Allied governments. They have continued to press Eastern countries to implement the Final Act. Yugoslavia's approach reflects its political system and Non-aligned status. It has continued to take a relatively positive approach to implementation, a major step being a National Day amnesty on 23rd November, 1977 which benefitted a large number of political offenders. Allied countries continue to have a strong interest in close contacts and exchanges of views on implementation with both Neutral and Non-aligned states between the Belgrade and Madrid Meetings.

SIXTH REPORT OF THE POLITICAL COMMITTEE

REVIEW OF IMPLEMENTATION

Declaration of Principles

1. During the most recent period Warsaw Pact countries have continued to see the Declaration of Principles as the most important part of the Final Act. An Eastern proposal at Belgrade called for their incorporation into national legislation. The USSR has interpreted and used the various principles to justify its foreign policy aims and activities, and to attack those Western policies it dislikes. They continue to maintain that all other provisions of the Final Act must be implemented in accordance with the Declaration.

2. There have been continued efforts on the part of Eastern countries, both at the Belgrade Meeting and outside it, to have certain Principles selected out for emphasis. Principle III on "violability of frontiers" has remained an important element in the Eastern contention that the Final Act gives legitimacy to the post-War borders and régimes of Eastern Europe, a position which ignores the possibility of frontier changes "by peaceful means and by agreement" included in Principle I. Principles I and VI on "sovereign rights" and "non-intervention in internal affairs" (especially the latter changed to read "non-interference") have been emphasised in attempts to deny other CSCE countries the right to criticise Eastern implementation of Basket III provisions and Principle VII on human rights, which they consequently down play. Eastern countries have condemned Western efforts to monitor and to seek improvement of Eastern implementation as attempts to conduct an ideological struggle on socialist soil, to interfere in their internal affairs and to create opposition movements and foster turbulence in socialist states. At the same time the Principles of "non-intervention" and "sovereign rights" do not restrain the USSR in the conduct of its own ideological struggle or in its organization of subversive and espionage activities in non-Communist states.

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3. Eastern countries also remain adamant in contending that the Declaration of Principles applies primarily to relations between Eastern states on the one hand and Western states on the other. A recent article in the GDR weekly Horizont referred to them as the "principles of peaceful co-existence". The "fraternal" relations between the Socialist states of the Warsaw Pact are said to be governed by more specialised rules such as the need "to protect and defend the historical achievements of Socialism" (Brezhnev Doctrine). In February 1978 the Commander of Soviet forces in the GDR confirmed in an article to mark Soviet Army Day that the Red Army remained ready to step in and "defend" socialism in Eastern Europe.

4. Despite some degree of rapprochement between Romania and the rest of its Warsaw Pact allies in 1977, the Belgrade Meeting confirmed once again that Romania holds a somewhat different view of the Declaration of Principles, seeing it as having the same status as other parts of the Final Act and as applying to relations between all CSCE participants. The Declaration has perhaps been useful for Romania in its attempts, such as at the recent Warsaw Pact meeting in Budapest on ideological issues, to assert a certain degree of independence from the USSR.

Human Rights

5. The question of the observance of human rights in most Eastern countries has continued to be a major CSCE issue in the period under review. In the Soviet Union, Czechoslovakia and Poland, in particular, the Final Act has served as an important source of inspiration to individuals and groups calling on local governments to put into practice the standards on human rights they have accepted in the Final Act and in other international documents. These calls for 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.

6. Over the recent period, however, the overall activities of human rights groups in most Warsaw Pact states have largely remained at the lower levels noted in the last report. In those Eastern countries where persons had become active in the immediate post-Helsinki period in highlighting the human rights abuses of their governments, most local authorities were able, by various means, to bring such efforts under tighter control by mid-1977 and so largely prevent the kinds of activities which could have caused them serious embarrassment during the Belgrade Meeting.

7. At the same time most Eastern régimes avoided the highly controversial acts of repression during Belgrade (such as a trial of Scharnansky in the USSR) which would have attracted severe criticism from Western delegations (the notable exception of Czechoslovakia was mentioned in the last report, C-M(77)92(Final)), while continuing with a wide range of less visible measures, which seemed to intensify in December and January once the review of implementation in Belgrade was over. Soviet authorities, for example, arrested a number of persons associated with Helsinki Monitoring Groups in Armenia, the Ukraine and Georgia, and in Czechoslovakia Charter 77 members were once again subjected to detention and interrogation.

8. This trend in the USSR and Czechoslovakia has continued into the post-Belgrade period, with Soviet authorities embarking on an especially hard-line course. They have withdrawn the Soviet citizenships of General Pyotr Grigorenko, the conductor Mstislav Rostropovitch and his wife, for alleged "anti-Soviet" behaviour abroad. The postponed trials of Scharnansky, Orlov and Ginsberg now appear imminent and have already been preceded since Belgrade by the handing out of stiff sentences to many of those arrested from Helsinki groups outside Moscow. More moderate dissenters in Moscow have been threatened and the pressures on non-conformist artists and cultural figures have greatly increased. A mass media campaign has been launched to discourage contacts with foreigners, especially journalists, who are often alleged to have links with Western intelligence services: an implicit warning that such contacts could be reviewed as treasonable behaviour justifying more repressive measures.

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9. Despite the general decline of human rights activity in many East European countries, some positive developments can be noted. There has been some recent revival of initiatives on the part of Charter 77 (said in December to have 932 signatories) with the issue of Charter Documents Nos. 13-15. No. 14 came on the first anniversary of Charter 77 and contains a new call for an open dialogue on human rights with the Czechoslovak régime; No. 15 presents 19 specific proposals for bringing Czechoslovak law into conformity with the UN Covenants. Although the effectiveness and morale of the human rights movement in the USSR seem to be at their lowest points in years, the recent emergence of a small group of dissident workers could be a potentially significant phenomenon. They have aired complaints of discrimination and persecution to Western journalists and have asked the ILO to recognize their trade union: other groups have reportedly done the same in Poland and even Bulgaria (see below). The apparent decision of Jewish "refuseniks" to abandon their tactic of campaigning solely for emigration and to call more generally for Soviet compliance with human rights standards in the UN Covenants, including the right to emigrate, could potentially strengthen the human rights movement in the USSR, even though this development also seems to reflect "refusenik" disappointment with family reunification provisions in the Final Act. As regards the GDR, the "Manifesto" published in Der Spiegel in late December, apparently written by certain dissident elements on the fringes of the Party, indicates a continued willingness by some individuals to express freely political differences with the East German régime, in spite of the harassment, arrests and forced emigration of many régime critics. Finally an anonymous group of Bulgarian dissidents have recently published a human rights document, on the pattern of Charter 77, called "Declaration-78": this is the first serious human rights event in Bulgaria since Helsinki.

10. As in the previous period, Poland stands out as one Eastern country in which human rights activists have not only been able to maintain their momentum, but to increase their activities

and to score some limited successes. Human rights groups have continued to attract adherents and sympathisers especially among students and workers, and to a lesser extent within the peasantry. One group organized an unprecedented leaflet campaign to protest the "meaningless nature" of the nationwide Peoples Councils elections on 5th February, 1978; later the same month 58 members of another group formed the "Society for Scientific Education" and have begun holding unofficial university lectures which, for example, offer alternative versions of Polish and Party history. In December, First Secretary Gierek was obliged to respond to a letter from 14 formerly prominent members of the régime calling for greater political freedom and criticising domestic policies. The difficult internal economic situation, plus the Belgrade Meeting and the visit by President Carter to Poland in December, have been the major factors during the period constraining the régime from more repressive actions. Since January however, there has been some toughening of approach, most recently against those organizing or attending the unofficial lectures, and those calling for an independent trade union.

11. In only a few cases has the observance of human rights standards in Eastern countries possibly improved slightly in the past few months. On 29th December, the first day of the Carter visit, (and possibly also in response to a dissident petition campaign) Polish authorities gazetted the UN Covenants on Human Rights, thus putting them officially into force following their ratification in March 1977. However, the régime's courting of the Catholic Church has so far brought only a few building permits for new Churches, despite earlier promises, and many Church demands remain outstanding. Local conditions for Christians in the GDR should be eased following a March 1978 meeting between the Party and the Protestant Church leadership; religious television programming will also be allowed. Meanwhile the Hungarian régime continues to display a sensitive approach to human rights: even the voluntary recent departures of four prominent intellectual dissenters was accomplished without recrimination and with a sense of mutual loss.

12. In contrast, the post-Helsinki repression of human rights groups in Czechoslovakia and the Soviet Union remains evidence of the possible deterioration in the observance of human rights in those countries. Amnesty International noted in March that since the resolution of the World Psychiatry Congress last September condemning Soviet use of psychiatry to suppress dissidents, 14 Soviet citizens had been committed to mental institutions for their political beliefs. Following the adoption of the new Soviet constitution last autumn, constitutions of the constituent republics have been re-written, apparently continuing the process of "russification" on non-Russian areas. However, public demonstrations against the suppression of the Georgian language forced a review of the provisions of the Georgian constitution, and in Armenia and Azerbaijani opposition has obliged authorities to re-instate local state languages. Reports have filtered out of Romania during the last few months of the possibly brutal suppression of dissatisfied miners in the Jiu valley last summer, and of the incarceration of dissenters in psychiatric hospitals. International attention has also been focussed on alleged repression of the Hungarian minority in Romania.

13. Because of the Belgrade Meeting, Eastern régimes have been especially adamant during the period of this report in claiming that Western countries have no right to concern themselves with the question of human rights in Eastern countries. They have charged Western governments, media and concerned individuals and groups, with "interfering" in their internal affairs, in contravention of Principle VI in the Final Act. There have been increasing attempts over this last period, especially by the USSR, to link dissidents with Western intelligence services and to allege that Western countries in supporting them are deliberately trying to overthrow socialist régimes through the spread of "bourgeois ideology". At the same time some Eastern countries, such as the USSR and Czechoslovakia at Belgrade, have felt sufficiently on the defensive to justify launching their own

campaigns of criticisms of alleged Western non-observance of human rights, especially the "fundamental" social/economic rights supposedly guaranteed by "socialist humanitarianism" in the East. Eastern proposals in the human rights field at Belgrade reflected this approach.

Confidence Building Measures

14. No major Allied manoeuvres have been held since November 1977 but Norway notified the smaller-scale multinational manoeuvre "Arctic Express" which took place on 1st-6th March, 1978. Observers were invited from a number of Allied, Warsaw Pact and Neutral/Non-aligned states. Allies have continued to endeavour to increase on a reciprocal basis their military exchanges with other CSCE participants.

15. In this same period the Soviet Union notified the exercise "Berezina" which took place from 6th-10th February, 1978 and which the USSR described as a large-scale manoeuvre despite the fact that less than 25,000 men may have been involved. This, and the fact that it seems to have taken place in an area just outside the 250 Km-wide frontier notification zone mentioned in the Final Act, suggests that the USSR may have deliberately seized "Berezina" as an opportunity to demonstrate good behaviour during Belgrade. A larger number of Allied observers were invited than heretofore, including UK and US officers for the first time, their treatment was exemplary and opportunities for observation were slightly improved over previous exercises. No other manoeuvres were notified by Eastern countries over this last period. Also during the period, the USSR and other invited Warsaw Pact countries assigned observers to be present at the Allied exercise "Arctic Express", thus continuing with an improvement noted in the last report, Warsaw Pact countries participated actively in the exchange of military visits with Allied countries.

Basket II

16 - [Paragraphs under preparation in the Economic
26 Committee.]

Human Contacts and Information

27. During the past few months, Eastern countries have continued to give rather less attention to Basket III matters than they did in 1976, and implementation has continued to take place intermittently at the 1977 level. In fact, since the conclusion of the review of implementation at Belgrade, there has been some retreat by a number of countries from the advances recorded in the settlement of outstanding cases and, to a lesser extent, in the dissemination of printed information. Meanwhile, the recent return by some Eastern countries to better 1976 standards in the treatment of foreign journalists seems more directly related to the decline of human rights activity than to the Final Act. Attitudes to Basket III implementation continue to vary from country to country with Poland and especially Hungary taking more innovative approaches.

28. Throughout the most recent period, Eastern countries have retained the outwardly assertive and confident approach towards Basket III evident since early 1976. They continue to use a series of arguments in an effort to limit their obligations in Basket III. These have been described in previous reports (see paragraph 27 of C-M(77)92(Final)). Eastern countries have also continued to assert their right to strict control over the content, degree and pace of implementation as an "internal matter" and to deny Western countries the right to demand more extensive and rapid implementation. They have argued that for the most part Basket III provisions are already implemented in their countries as a result of the "advanced nature" of socialist law and their political system, and they have cited confidently from their own "records" of implementation, often including marginal and unrelated developments. Finally, Eastern countries have sustained their criticisms of 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, and during the course of the Belgrade Meeting, Eastern countries have not undertaken any new

steps which add substantially to their very limited implementation of human contacts provisions in the Final Act. There continue to be no changes in basic attitudes and policies, though overall performances vary from country to country. As Eastern proposals at Belgrade illustrated, Eastern countries reject the concept of free movements of people for humanitarian and other reasons, and try to confine human contacts to events and programmes where the state can exercise control and where groups, not individuals, predominate.

30. There is still little if any real improvement in the Soviet Unions handling of human contacts issues vis-à-vis most Allies. The post-Helsinki improvements in certain exit procedures, reported in the Committee's Second Report on Implementation (C-M(76)26(Final)) have not, after almost two years in effect, brought any general increase in the number of persons being allowed to visit or to join families living outside the USSR, or to travel abroad. In early 1978, there was a further reduction from 300 to 200 roubles in the price of an exit visa. The significant post-Helsinki improvement in emigration to the US and the Federal Republic of Germany - in both cases influenced by factors extraneous to the Final Act - have fallen off gradually for the second consecutive period from levels achieved in 1976 and early 1977. The decline in Armenian emigration to the US seems the result of Soviet refusal to accept applications unless a parent/child or husband/wife relationship exists between the applicant and sponsors in the United States. (In contrast Jewish emigration has continued the marked upward trend in numbers first evident in early 1977. While the Belgrade Meeting has possibly played some part, Soviet officials in Washington have reportedly suggested that it is intended to secure American Jewish support for trade concessions. "Refuseniks" in the USSR have recently shown some apparent dissatisfaction with the usefulness of the family reunification provisions of the Final Act - see paragraph 9 above.) The USSR still treats outstanding family reunification cases with great difficulty, as witnessed by a further decline in the resolution rate of cases with the US, and by the very slow follow-through on Soviet promises to the UK in October 1977 to issue visas in a number

of outstanding cases. Overall totals for family reunification to Canada (persons both off and on lists) declined in 1977 after steady increases since 1973. A few Allies have recorded increases in the numbers of individuals permitted to make family visits outside the USSR.

31. As regards opportunities for personal and professional travel by foreigners in the Soviet Union, certain previously "closed" areas in the European USSR (around Moscow, near Leningrad, in the Baltic States) and in Siberia, were declared "open" in January. Soviet officials in Belgrade cited the changes as examples of on-going Soviet CSCE implementation. In practical terms, however, they were accompanied by the official closure of the entire Chinese border region and have probably reduced the percentage area of the USSR effectively accessible to foreigners. Moreover, Soviet officials have refused most requests from Westerners to visit the newly opened areas on the grounds that the proposed destinations were now "closed for reasons of a temporary nature".

32. Earlier reports have referred to certain small improvements by other Eastern countries in the less difficult areas of family meetings and travel. On 30th January Bulgarian authorities quietly introduced a 50% improvement in the exchange rate for tourists and businessmen staying two or more nights in Balkan Tourist Hotels. It also appears that the prohibition beginning in September 1977 on issuing Bulgarian visas at frontiers, reported as a negative development in the last Report, is not so far being strictly applied. Romania has lowered the cost of its regular passport and exit visa from 175 to 100 lei (about \$14.50 to \$8.30). The FRG reports high numbers of family visitors throughout 1977 from Czechoslovakia and Romania; the UK from Romania and Hungary; and the US from Bulgaria, Romania, Poland - as well as Hungary, where permission continues to be given more often to working persons and to persons visiting other than close relatives. Forint-payable tourist tours to the US have risen from 2 or 3 to 25 annually, while visas for travel by Hungarians to the UK were up about 25% in 1977 over 1976. A recent agreement between Hungary and Austria calls for the mutual waiver of

visas for nationals of the other country. On the whole, Hungary remains the least restrictive Eastern country in human contacts questions, in recognition of which the US Administration has recently proposed to Congress the waiver of the Jackson-Vanik Amendment in order to give Hungary MFN treatment. The major negative development over the most recent period (although almost exclusively related to problems in intra-German relations) has been the increased harassment and number of searches of road traffic between West Berlin and the Federal Republic, and the recent cases in which prominent West German politicians have been denied entry into East Berlin. The harder position in general being taken since early 1977 by the GDR vis-à-vis the Federal Republic in human contacts questions continues to apply; another Ally notes continued inexcusable delays in getting permission for family visits in emergency situations. Poland seems to be systematically rejecting visa applications for family visits from those abroad who emigrated during the 1968 purge of Jewish Poles.

33. The Committee's two most recent reports referred to apparent pre-Belgrade efforts in Bulgaria, Romania and to a lesser extent in Czechoslovakia (mainly children's cases) to settle varying proportions of outstanding cases, with a number of Western countries. Since December however Bulgaria has apparently hardened its position in the treatment of outstanding cases with the FRG and the UK, though family reunification with the US continues at accelerated 1977 levels. Czechoslovakia has virtually stopped processing reunification cases with Canada, apparently until the large backlog can be cleared of applications from sponsoring family members seeking to legalize their status under the terms of Directive 58 of July 1977 (family visits have not been affected). The US, however, reports an increase in the resolution rate in its cases in late 1977. As a prelude to the Husak visit in April to Bonn, 300 emigration cases were reported to have been solved with the Federal Republic of Germany. On one hand, Romanian emigration to the US remains high, and during the visit by Chancellor Schmidt in January it was reported that the Romanian government had agreed to allow 50,000 ethnic Germans to emigrate to the FRG over the next five years, an annual

average slightly higher than the number of departures in 1977, which had dropped slightly towards the end of the year. On the other, the UK and the US have both experienced a turn about in Romania's positive pre-Belgrade approach to settling outstanding cases, though there was a sudden upsurge in approvals of US cases in late March as Ceaucescu's visit to the United States drew nearer. Hungary's already good performance has improved further with efforts to settle outstanding cases with all Allies, though Hungarian authorities have told one Ally that family reunification would hereafter be permitted only in cases where the sponsoring person had been out of Hungary for at least 5 years. The GDR has tried to settle outstanding cases with most Allies, apart from the Federal Republic, where greater difficulty has continued since early 1977. Poland's bad record on outstanding cases with the US briefly improved in December to coincide with President Carter's visit, but subsequent performance has not been encouraging. After an 85% resolution rate in 1977 on its outstanding cases, Canada has experienced virtually no movement since 1st January, 1978. Poland's good record with the FRG is based on a 1975 bilateral agreement.

34. The question of family members living "illegally" abroad continues to plague the settlement of family reunification and, to a lesser extent, family meeting cases. Since Belgrade one Ally has seen a new toughness in Bulgaria on this issue. While of possible long-term value, Czechoslovakia's Directive 58 by which "illegals" abroad can normalize their status on application, has so far brought no general improvement in the treatment of human contacts cases, and appears itself to be a retrograde step in terms of the Final Act (freedom of expression and freer movement of people), even though Czechoslovak authorities announced in December that they were dropping requirements for three of the more contentious supporting documents. There have been rumours of a possible amnesty in 1978 to cover persons "illegally" abroad.

35. There have been no new developments in most Eastern countries with respect to the problem of binational marriages. The UK sees a continuation of encouraging progress in Romania while the US and FRG have experienced rather less progress, apart from a surge of approvals in US cases as a prelude to Ceaucescu's visit to Washington in April.

36. Eastern countries have from time to time renewed their criticisms of Western entry procedures, often in comparison with their own, and some have continued to call for arrangements to reduce visa issuing times or to waive visa requirements altogether. Two Allies have made various proposals to Eastern countries for the improvement of visa procedures. The UK has recently concluded agreements with Bulgaria, Poland and Romania, and has registered progress with Czechoslovakia. The US reached agreement in February with Hungary improving visa conditions for diplomats and officials.

(b) Information

37. Eastern countries have continued to fail to make any significant improvements in the dissemination of and public access to Western printed information either during Belgrade or after. In fact, the Bulgarian government has recently withdrawn from limited sale certain Western papers available in hotels and a few public kiosks since April 1977. In Czechoslovakia, supplies of Western papers have dwindled, following a similar pre-Belgrade improvement in early 1977. On the more positive side, a number of Western (mainly German) newspapers have been seen since late 1977 at the new "Metropole" hotel in East Berlin for sale to hotel guests for foreign exchange and with a 30% surcharge. There has so far been no evidence to back up claims by the Soviet delegation at Belgrade that Moscow was increasing from 20 to 40 the numbers of titles of Western materials imported and was instituting a 30% increase in free sales (TASS subsequently claimed an increase of 16 titles in 1978). Romania however, has restated in firmer terms its instruction of early 1977, that foreign missions must clear with the MFA all printed material intended for distribution as well as supply the names of those receiving the material.

38. Most Eastern countries have also continued to avoid significant improvements in the dissemination of Western filmed and broadcast information. The significant liberalization of television programming in Hungary, first noted in 1976, continued through 1977 and into 1978. The UK and US report higher numbers of Western television programmes and commercial films utilized in Hungary during

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the second half of 1977, and the US has seen some slightly expanded exposure of US media products in Bulgaria. Romania's new Press Law of 24th December, 1977, calls for increased exchanges and co-operation by Romanian press, radio and television organizations with foreign counterparts, but the major purpose of the decree was to assert greater Party scrutiny and control over the State Radio-Television and written media and to increase efforts to disseminate propaganda abroad.

39. Since early 1977 Eastern countries have been hypersensitive to the content of Western news media, largely as a consequence of Western attention to human rights issues in Eastern Europe. Their general approach was illustrated by two Eastern proposals at Belgrade requiring participating states to accept responsibility for the content of news media reports and for the control of news organizations and journalists.

40. The related Eastern propaganda campaign against broadcasts to Eastern Europe by Western radio stations continued at lower levels in the second half of 1977 after the let-up in mid-year. In 1978, the USSR and Bulgaria have directed some renewed criticism against Radio Free Europe (RFE), Radio Liberty (RL) and Deutsche Welle. The USSR bluntly rejected an offer by RFE/RL to give Soviet spokesmen air time in radio broadcasts, and Soviet officials asked the International Olympic Committee in January to sustain their proposed ban on accrediting RFE and RL reporters to the 1980 Olympics. There has been little change in Eastern jamming of Western stations, described in the two previous reports (see especially C-M(77)30(Final)). A possible end to Soviet intermittent jamming of BBC Russian language broadcasts has been balanced by a brief resumption of Bulgarian jamming of VOA for 6 weeks in November/December 1977. The GDR has been using stronger equipment to jam Radio in the American Sector.

41. Working conditions for journalists in the Soviet Union remain largely unimproved following deterioration over the course of late 1976 and early 1977, with hints of a tougher approach to come. On 2nd March the resident Baltimore Sun reporter was relieved of his

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research material at the frontier when returning from a working trip to Eastern Europe; the US Embassy has been unable as yet to secure its return. In late April, newsmen accompanying Secretary of State Vance were temporarily refused permission to transmit a story and pictures on a small protest action outside the US Embassy in Moscow. Most foreboding has been a post-Belgrade propaganda campaign to discourage Soviet citizens from direct contact with foreign journalists on the grounds that Western reporters could have links with foreign intelligence organizations. At the same time, one Ally has noticed a more forthcoming attitude in organizing journalist's tours.

42. Three Allies report that the CSSR has partly improved its treatment of journalist visa requests since taking a tougher attitude in early 1977 as a result of sensitivities over coverage of Charter 77. Czechoslovak consuls are apparently no longer demanding that visa applicants undertake in advance not to contact Charter 77 persons. The FRG, however, believes that the marked improvement recently noted in Czechoslovak handling of German journalists, including individuals and organizations previously banned or expelled, has been attributable primarily to Prague's desire to improve its media image in the FRG prior to Mr. Husak's visit to Bonn in April 1978.

43. Elsewhere in the Warsaw Pact the picture is mixed with some marginal overall improvement. The relatively liberal situation in Hungary has improved slightly with the issue of a visa to an RFE journalist. Poland's visa agreement with the UK makes British journalists eligible for 12-month as versus 6-month multiple entry/exit visas. There has been no resumption of the propaganda campaign waged against journalists in Romania in early 1977 and two Allies note some return to better access to private sources by determined journalists and to better assistance from Romania's Agerpres. After an improvement in its treatment of FRG journalists in mid-1977, the publication of the "Manifesto" by Der Spiegel in late December provoked GDR authorities first to refuse accreditation of the periodical's new correspondent and then to close the Der Spiegel office entirely on 10th January. A subsequent propaganda campaign suggested that Der Spiegel and possibly other FRG correspondents

had links with intelligence organizations in the Federal Republic. The GDR continues to refuse to accredit US journalists resident in Bonn and West Berlin at considerable inconvenience to the persons and organizations involved. The new GDR agency for handling of foreign correspondents has recently opened a large building in East Berlin to deal with correspondents' needs, including office space, but the costs of services and rents are very high.

Culture and Education

44. Eastern countries continue to regard the culture and education provisions of the Final Act as the least troublesome sections of Basket III, as well as having some value in balancing off Western interest in Human Contacts and Information. They have been able to build up a favourable implementation record which they cited at the Belgrade Meeting. (The official year end report on cultural activities in Czechoslovakia for 1977, however, is notably less political and CSCE-orientated than in 1976 when the Belgrade Meeting was still ahead.) The relatively large number of Eastern new proposals in these areas at Belgrade reflected special Eastern interests or were designed to ensure through bilateral agreements and government-run exchanges, seminars, etc., a large measure of continuing control by Eastern régimes over the content and availability of Western culture in their countries. On the whole, there continues to be only little progress in getting Eastern countries to lower existing barriers to the free entry of Western cultural information and to accept more individual contact.

45. Despite their relatively relaxed attitude towards culture/ education aspects of Basket III, there have been signs, since the review of implementation was completed at Belgrade, that some Eastern countries are tightening their controls over cultural life in part the result of new concern about the influence of Western culture on their societies and about the non-conformist behaviour of certain artists, writers and other cultural figures. A Romanian government decree of 28th November, 1977 enhances the rôle of the Ministry of Culture in the fields of culture and education and brings more "Party" emphasis to bear. Internal censorship in Romania has

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become more pervasive despite a much heralded abolition of "official" censorship in 1977. "Month of the Book" celebrations in March in Czechoslovakia revealed a greater emphasis on ideological orthodoxy. A very recent Central Committee directive in the USSR outlines measures to endure greater conformity by cultural figures and exerts Party members and workers to participate more fully in Soviet cultural life. In 1977, cultural policy in Poland moved under the more restrictive control of a group of Party ideologues, though conditions are still liberal by Eastern standards and a less doctrinaire Minister of Culture has recently been named. One possible exception is the GDR where authorities could be trying to defuse cultural tension by letting more cultural figures travel to the West and by reducing film censorship.

46. These developments 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. At the end of 1977 Czechoslovak Deputy Foreign Minister Trhlik wrote that his country remained interested in "exchanging ideas and artistic creations that correspond to the socialist mission of art and culture and that encourage peaceful-coexistence among nations". In this way, Eastern countries try to use the culture and education provisions of the Final Act to disseminate Eastern social and political values in the West and as a cover for propaganda activities. A 1978 Party directive in Romania has called for a major new effort to develop exchanges with foreign states in culture, education, science and information fields in order to propagate Romania's socio-political image abroad.

47. Over the most recent period both in the Belgrade Meeting and outside it Eastern countries have continued criticisms of Western performance. Through statistics, sometimes incomplete and incorrect and often taken out of context, they have claimed 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 and have called for an end to these "imbalances". In reply, Western countries have pointed out that their performances are exemplary in responding to public demands

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and in these areas and that this Eastern call for a kind of "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.)

48. Previous reports have noted that the Helsinki document has had the effect of adding to the momentum of arrangements and agreements that predate Helsinki and has improved, to some degree, the pace and direction of new arrangements. Progress is still short of the "substantial" increase in programmes called for by the Final Act. The FRG signed a cultural agreement in April with Czechoslovakia on the occasion of Husak's visit, but some improvement in cultural relations with the GDR has been combined with some deterioration vis-à-vis Bulgaria. After a difficult period, the UK has seen some improvement in cultural activity with Romania, possibly motivated by bilateral considerations, and with the GDR. Canada reports the cancellation of a major cultural project by Poland and signs of financial restraint affecting other countries as well.

49. Over the most recent period, privately-run Western cultural and other organizations have shown willingness to link programmes in their fields, of value to Eastern countries, with the performances of Eastern régimes in respecting cultural and other human freedoms. The Association of American Publishers announced in December 1977 that the USSR would have to comply more with human rights standards before it would sign a trade protocol with Moscow. In April the Paris Opera (supported by La Scala) broke off cultural relations with Soviet organizations as a result of Soviet refusal to let the Director Liubimov come to Paris to stage a Tchaikovsky Opera.

Neutral and Non-aligned

50. Neutral states continue to exhibit strong interest in CSCE implementation and to approach it in much the same way as Allied governments. This was reflected in the various proposals put forward by Neutral states at Belgrade. They have continued to press Eastern governments to implement the Final Act and during the Belgrade Meeting did not hesitate to draw attention to shortcomings

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in Eastern performance.

51. Yugoslavia's approach, as described in previous reports, reflects its political system and status. Anxious, as hosts, to set the right atmosphere at the Belgrade Meeting Yugoslavia's general approach to implementation has continued to be relatively positive, and included a national amnesty on 23rd November, 1977 which benefitted 574 political offenders. Yugoslavia has criticised Austria and especially Bulgaria for the alleged mistreatment of minorities. While trade officers have been increasingly obliged to go through the Federal Chamber of Economy in getting local appointments, mid-1977 legislation is being implemented to permit foreign companies to establish local offices. Performance in Basket III areas is unchanged but already significantly better than that of Warsaw Pact countries.