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CENTRAL INTELLIGENCE AGENCY
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HUMAN RIGHTS REVIEW
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SOVIET UNION

-- Trials: Soviet dissident Yuriy Orlov was convicted on 18 May of engaging in "anti-Soviet activity" and received the maximum sentence of seven years in a Soviet labor camp with an additional five years of internal exile.

Conviction was a foregone conclusion, but the proceedings were a farce even by Soviet standards. Access to the courtroom, supposedly open to the public, was limited to handpicked KGB plainclothesmen and pensioners. Andrei Sakharov and his wife were temporarily detained on the last day of the trial after scuffling with policemen while trying to gain access to the court building. Among Orlov's supporters, only his wife and two sons were allowed to attend, and they were subjected to harassment and indignities.

Orlov was allowed to make statements in his own defense, but was prevented from calling defense witnesses, was interrupted frequently by the presiding judge, and was ridiculed by the audience. The prosecution focused its case on Orlov's dissemination of allegedly fabricated and slanderous information about the Soviet Union to foreign correspondents and Western embassies. No mention was made of Orlov's leadership of the "Helsinki Group", and he was prohibited by the judge from doing so when speaking on his own behalf.

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Meanwhile, in a related case, two of Orlov's Georgian associates, Zviad Gamsakhurdia and Merab Kostava, have confessed to similar "crimes" in a Tbilisi courtroom. Soviet accounts indicate that this trial is also open to the public and that the defendants are represented by counsel, but the proceedings are probably being conducted in a manner similar to the Orlov trial. The Georgians' contacts with the US Embassy and with American reporters have received particular attention from the prosecution in this case.

Soviet heavy-handedness in these trials and willingness to implicate the US Government is alleged subversion is a strong indication of the regime's displeasure and uneasiness with the dissident movement and international support for it. (CONFIDENTIAL)

EASTERN EUROPE

-- Poland: Polish dissidents carried the struggle for greater cultural freedom one step further at the 20th Congress of the Polish Writers Union last month. Discussions at the congress were more frank, and the criticism or censorship sharper, than at any such meeting in recent years.

The high point came when the nonconformist writer and poet, Andrzej Braun drew stormy applause for accusing the regime's censors of threatening the country's cultural life. When Braun was later criticized by regime spokesmen, nearly one third of the delegates left the hall. Even the normally pliant president of the Writer Union, Jaroslaw Iwaszkiewicz, had critical words for both censorship and for the criticism of Braun, which he called "interference" in the union's internal affairs." Four actively dissident writers were elected (two of them were in fact re-elected) to the union's main board. These four, along with other elected members will give the board a much less conformist character.

The cultural community has been increasingly fearful of a tightening of controls. The heated exchanges at the writers' congress were evidence that Polish writers wanted to demonstrate that they would strongly resist any such tougher controls. The relaxation of censorship has been one of the dissidents' key demands for years, but they have until now

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lacked an organization that could lobby for change from within the system. The dissidents had created illegal organizations and journals which, though tolerated by the regime, were highly vulnerable. Because the Writers Union may now take up their cause, the dissidents seem to have scored an important victory. (CONFIDENTIAL)

WESTERN EUROPE

-- International Labor: The Brussels-based World Confederation of Labor, composed primarily of Christian trade unions, has filed a formal complaint against the Soviets with the International Labor Organization in Geneva. It charges that the USSR, in its alleged crack-down on workers attempting to form trade unions not under regime control, has violated the ILO's two conventions on workers' freedom of association and right to organize. The Soviets have ratified both conventions, adopted respectively in 1948 and 1949.

The executive board of the International Confederation of Free Trade Unions convened on 17 May in Hamburg to consider filing complaints against the USSR and Poland. The issue meshes well with the ICFIU's traditional purposes, and its chief spokesman has already expressed concern that the Soviet labor dissidents have been imprisoned or placed in psychiatric hospitals. The complaint against Poland cites its detention of three leaders of the "action committee" seeking to form an independent trade union.

The WCL and the likely ICFIU complaints, plus the continued wide publicity for the issue, will have a substantial negative effect on the once promising Soviet bid for broader, higher-level East-West labor contacts. (CONFIDENTIAL/NOFORN)

-- The Netherlands: In a highly unusual but popular decision, a Dutch court recently banned the Netherlands People's Union (NVU). The small right-wing extremist party was described by the court as dangerous, bordering on the criminal, and in conflict with accepted standards of public order and morality.

Since last year the NVU has called for a "prosperous and white Holland", and has advocated the return of South Moluccans, black Antilleans, Surinamers, and foreign workers to their countries of origin. Known for

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their acceptance of widely divergent political views, the Dutch have banned only three parties since 1894. The racist, neo-Nazi tactics and policies of the NVU, however, apparently exceeded even the Netherlands' liberal standards of political tolerance. (CONFIDENTIAL)

-- Malta: Prime Minister Mintoff's increasing sensitivity to political criticism has apparently prompted him to take actions which may limit freedom of expression in Malta. Legislation he introduced in the Maltese parliament is described by some journalists as having an intimidating effect. As presently drawn, the legislation calls for legal punishment of such actions as "spreading false news, alarming public opinion, or insulting the President." This is only the latest in a series of moves which appear aimed at increasing the hold of Mintoff's Labor Party on Maltese political life. Motives behind Mintoff's recent moves remain the subject of speculation, but their implications for human rights in the country are clear. (CONFIDENTIAL)

LATIN AMERICA

-- Paraguay: International criticism of the lack of human rights in Paraguay has emboldened two previously docile interest groups, the labor unions and the national bar association, to press for major democratic reforms.

On 1 May, the Paraguayan labor confederation announced that it was forming a committee to defend the economic rights of workers in several key areas, including collective bargaining, minimum wage agreements, and the provision of social security and health benefits. The confederation had previously been under the control of the Labor Minister, but its new leaders were elected last February on a platform calling for greater independence. The manifesto was publicized without the approval of the Labor Minister.

More recently, the Paraguayan Bar Association has issued a statement calling for the establishment of an independent judiciary composed of honest and capable judges appointed only on the basis of merit.

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Although drafted in mild language, it asserts that "Paraguayan lawyers look with bitterness at the privileges enjoyed by their colleagues in other countries."

So far, the government has chosen to ignore both the workers and the lawyers. If either group presses its cause vigorously, President Stroessner can be expected to crack down in his usual arbitrary manner--claiming the existence of a leftist subversive plot and making several arrests. Last week, commenting on the death of former Italian Premier Aldo Moro, Stroessner warned that "there should not be any kind of dealing with or regard for Communists. They answer with murder and then claim human rights for themselves." He also said that the same is true of leftists in general. (CONFIDENTIAL)

-- Nicaragua: Except when transitory issues divert public attention, the contest between the Somoza government and its opponents is centered on the question of Somoza's early departure from office. This overriding, perhaps unresolvable, issue is critical to the inauguration of a national dialogue and a movement toward democratic change.

The moderate opposition leaders in Nicaragua refuse to join in a dialogue with Somoza, even though most of them recognize privately that it offers the best hope of peaceful transition toward democratic reforms. They also realize that refusal of the moderates to take the initiative will, by default, play into the hands of the violence-prone radicals. The various opposition groups are united primarily by their common cause against and mistrust of Somoza. Many within the opposition enjoy their new domestic prestige and international respectability and would rather ride the crest of an unpredictable wave than risk being taken in again by the President.

Most Somoza opponents believe that before any progress toward a dialogue can be made, the President must agree to leave office before his term expires in 1981. Part of the reason for this stand is the opposition's suspicion that Somoza will, if given time, out-manuever them. They believe that 1981 could bring a new administration to Washington more sympathetic to Somoza.

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Somoza has informed the US Ambassador that he might consider holding an early election, but that he will not step down before his term expires. He has no respect for members of the opposition and professes deep reservations about their competence to govern.

Although Somoza continues to assert his willingness to engage in a dialogue, he seems confident that the worst of the political crisis has passed and that he can last for the remainder of his term. By treating his opponents with restraint and making occasional concessions, Somoza hopes to make points with US and other foreign critics, self-righteously accuse the opposition of intransigence, and still postpone the commitment to democratic change that a dialogue would entail. (CONFIDENTIAL)

FAR EAST

-- Burma: The Burmese Government is sensitive to Bangladeshi efforts to depict Burmese enforcement of immigration laws in Burma's Arakan state along the Bangladesh border as a massive human rights violation. The Burmese exercise, which began in March, has prompted the flight of more than 100,000 ethnic Bangladeshi Muslims from Arakan into Bangladesh. Bangladeshi officials and the Dacca press have been playing up refugees' stories of mistreatment by the Burmese army.

Rangoon argues that the operation in Arakan is part of a nationwide check of citizenship credentials, and that those who fled were in Burma illegally. There has long been a drift of Bangladeshis across the border into underpopulated Arakan, where Muslims, most of Bengali origin, comprise up to 40% of the state's population. Rangoon sees illegal immigration from Bangladesh as adding to existing Muslim disaffection and separatist trends in the remote state.

Since the Burmese seldom permit foreign observers to travel outside the Arakan state capital--a policy in line with travel restrictions elsewhere in the country--there is no independent confirmation of refugee allegations of brutalities. Given the ingrained contempt of the dominant Burmans for the country's ethnic minorities, however, it is likely that Burmese immigration officers have at least been high-handed in their enforcement of residency regulations. (CONFIDENTIAL)

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-- South Korea: The election on 18 May of the 2,583 members of the National Council for Unification--the electoral body that will almost certainly reelect President Pak for another six-year term later this year--was carried out in a calm atmosphere. Some government opponents had called for a boycott of the voting, but the 78.8 percent turnout indicates that most Koreans at least acquiesce in the authoritarian style of government Pak introduced with the Yushin constitution in 1972.

The political calm this year can be attributed in part to Seoul's success in controlling its critics. The Pak government, however, has also taken positive steps to draw public support. South Korea's dramatic economic growth, in particular, has generated a new sense of national self-confidence. For the majority of South Koreans, curbs on political freedoms are thus not a compelling issue. (CONFIDENTIAL)

AFRICA

-- South Africa: In a move designed to quell the public outcry about various aspects of the Steve Biko case, Minister of Justice and Police Jimmy Kruger has named two retired jurists to safeguard the welfare of those detained in South African jails under the Terrorism Act. In March of this year Kruger said that he would appoint in each province a retired person with legal experience to act in this capacity, and he is apparently making good on his promise.

Kruger also announced that he has directed the use of leg-irons and handcuffs to be restricted, doctors to be called in as soon as a detainee showed signs of illness, and the transfer of sick prisoners from one city to another to be prohibited. Kruger made his statements in response to needling by members of the opposition in Parliament during the current budget debates. (CONFIDENTIAL)

-- Togo: President Eyadema, who is increasingly annoyed with minor religious sects, has banned all organized religious faiths except Roman Catholicism, Islam, African Assemblies of God, the German-introduced Protestant Church, and the Baptist and the Seventh Day Adventists Churches.

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In a recent speech at the National Council meeting, Byadema said that Togolese national unity was still a "fledging creature" and that the government had been troubled by the unwillingness of some of the smaller religious sects to accept and defer to state and party symbols. Byadema specifically pointed to the Jehovah's Witnesses. There is also speculation that leaders of the major organized religions in Togo had complained to the government about the proliferation of self-styled "Christian" charismatic and evangelical sects, some of which are apparently led by unscrupulous individuals. (CONFIDENTIAL)

-- Guinea: President Sekou Toure has granted amnesty to a second large group of political prisoners, many of them prominent, in another major move toward reconciliation following antiregime riots last fall. The release coincided with the 31st anniversary of the Guinean Democratic Party. Others will be freed in the near future, probably including the Catholic Archbishop of Conakry, Raymond Tchidimbo, whose freedom has been the subject of protracted negotiations with the Vatican through Liberian intermediaries. (CONFIDENTIAL)

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