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## SOVIET HUMAN RIGHTS UNDER GORBACHEV

### INTRODUCTION

Soviet Communist Party General Secretary Mikhail Gorbachev has been seeking to project an image of "openness" and flexibility on human rights issues. He has taken some dramatic steps to demonstrate that the Soviet regime's policies on these matters are changing. He has released Dr. Andrei Sakharov and his wife Elena Bonner from their nearly seven years of internal exile. He has released the dissidents Anatoly Shcharansky and Yuri Orlov from prison and internal exile and sent them to the West in exchange for Soviet spies held here. He has released the poet Irina Ratushinskaya from prison and allowed her to leave the Soviet Union.

Freeing a couple of internationally known Soviet human rights activists guarantees worldwide headlines. It also masks the fact that for most Soviet citizens, there has been no general improvement in Soviet human rights practices under Gorbachev.

Consistent and widespread violations of human rights by the Kremlin have been a major reason for Western mistrust of the Soviets. Moscow has ignored its commitment, under the 1975 Helsinki Final Act on security and cooperation in Europe, to respect human rights and fundamental freedoms, including freedom of thought, conscience, and religion, as well as the free flow of ideas and people across state borders.

While Gorbachev's policy of glasnost, the Russian word for "openness," has allowed the Soviet mass media to write about social ills in the Soviet Union, the Kremlin continues to harass, imprison, and even torture human rights activists, independent peace activists, religious believers, would-be emigrants, and free thinkers. Indeed, shortly before Sakharov's release, Anatoly Marchenko, a prominent human rights activist, died in prison after a long hunger strike. And

the flow of emigres from the Soviet Union practically has been stopped.

At the same time, Gorbachev's regime is using new public relations tactics to shield itself from international censure. In the past, high-ranking Soviet officials shunned any discussion of human rights abuses. Now these officials, including Gorbachev, distort and lie about these issues to Western audiences. Example: In an interview with the French communist daily L'Humanite in February 1986, Gorbachev stated that Andrei Sakharov was exiled to Gorky "in accordance with Soviet law" and that Sakharov was "living in normal conditions" and "was conducting scientific work." This was untrue: Sakharov was never tried, and there is no law in the Soviet criminal code permitting internal exile of indefinite duration and isolation from practically all human contacts. Sakharov could not really engage in scientific work because he was largely isolated from his colleagues, and his life under the KGB cameras was anything but normal.

After his release from exile, Sakharov said that Ronald Reagan's tough stance toward the Soviet Union has helped Soviet dissidents. The Reagan Administration thus should continue its policy on human rights: openly criticize Soviet human rights abuses; demand that the Soviets fulfill the human rights provisions contained in the 1975 Helsinki Final Act; deny the Soviets the most favored nation treatment (MFN) in trade relations until they permit free emigration; insist on including human rights issues in the agenda of high-level Soviet-American meetings; and retain the issue of human rights as the centerpiece of the Helsinki process. It is only continuing and unrelenting pressure by the U.S. and the West on human rights that may lead to improvements in individual situations and the possibility of long-term systemic change.

## HUMAN RIGHTS ISSUES AND INTERNATIONAL SECURITY

Observance of human rights is not only a moral issue, but a crucial indicator of a nation's intentions. According to Reagan: "a government that will break faith with its own people cannot be trusted to keep faith with foreign powers."<sup>3</sup> This has been underscored for

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1. For detailed information on the conditions of Sakharov's exile, see the recent book by Elena Bonner, Alone Together (New York: Alfred Knopf, 1986).

2. Gary Lee, "Sakharov Wearied By Exile Years," The Washington Post, December 28, 1986.

3. "Transcript of President's Broadcast on Talks with Gorbachev in Iceland," The New York Times, October 14, 1986.

years by such Soviet human rights activists as Sakharov, who said that "as long as a country has no civil liberty, no freedom of information, and no independent press, then there exists no effective body of public opinion to control the conduct of the government....Such a situation...is a menace to international security."<sup>4</sup>

Sakharov's release on December 19, 1986, after nearly seven years of internal exile in the city of Gorky is a welcome humanitarian action. But Sakharov himself has noted that this should be viewed in the context of the long-term Kremlin repression of human rights and the continuing imprisonment of thousands of prisoners of conscience. Whether, as Sakharov mused, his improved treatment is a "propaganda ploy" or whether it marks a potential change in Moscow's overall human rights policies remains to be seen.

## CONTINUED SOVIET REPRESSION

### Soviet Prisoners of Conscience

There has been no reduction during Gorbachev's nearly 23 months in power in the number of political prisoners incarcerated for their political or religious beliefs or attempts to leave the Soviet Union. Natan (Anatoly) Shcharansky, using the data he collected while in Soviet prisons and forced labor camps, has estimated the number of these prisoners to be between 10,000 and 20,000.<sup>5</sup> No international organization, such as the Red Cross or Amnesty International, is permitted to collect data on the condition of Soviet prisoners of conscience. The KGB has cut off many possible channels for passing information on human rights violations from the Soviet Union to the West and has virtually destroyed the network for gathering such information within the USSR.<sup>6</sup>

### Persecution of Human Rights Advocates

Gorbachev's regime has continued persecuting human rights advocates. After the signing of the Helsinki Final Act in 1975, nongovernmental "Helsinki groups" were established in Moscow (the Russian Federation), the Ukraine, Lithuania, Georgia, and Armenia to monitor Soviet adherence to the principles of human rights. These Helsinki groups no longer function because of state persecution.

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4. Cited by Secretary of State George Shultz in his address to the Los Angeles World Affairs Council on October 31, 1986.

5. Cited in Radio Liberty Research Bulletin, 1986, No. 188, pp.1-4.

6. USSR News Brief, 1985, No. 21, p. 2.

Though a few members of these groups have left the Soviet Union (the last to leave was Yuri Orlov, released last October), 37 Helsinki monitors remain in prison or in internal exile. Since Gorbachev came to power, two Helsinki monitors, Anatoly Marchenko of Moscow and Vasily Stus of the Ukrainian Helsinki group have died in prison; three Helsinki monitors from Georgia (Eduard Gudava, Tenghiz Gudava, and Emmanuel Tvaladze) and two monitors from the Ukraine (Mykola Horbal and Iosif Zisels) have been arrested and sentenced to prison.

### Torture

Gorbachev is making wide use of a law first introduced by General Secretary Yuri Andropov in 1983, under which political prisoners can be kept behind bars indefinitely by resentencing them for "malicious disobedience" to prison administration. And on August 6, 1985, the USSR Council of Ministers issued secret decree No. 736, banning former political prisoners from visiting Moscow.

Amnesty International, along with the Helsinki Watch, a New York City-based organization monitoring compliance with the Helsinki Final Act, recently complained about the numerous cases of torture of political prisoners in the Soviet Union. Torture takes place especially frequently during the pre-trial period, when a prisoner, who refuses to cooperate with the investigation, is beaten by specially selected criminal convicts or by prison officials.

While Soviet officials in the West deny that there is any torture in their country, Soviet newspapers, given a little bit more leeway by Gorbachev to criticize "bureaucratic abuses," have revealed that prisoners are sometimes beaten and exposed to the cold to force them to "confess."<sup>9</sup>

### RESTRICTIONS ON EMIGRATION

Gorbachev has cut the flow of emigres from the Soviet Union to a trickle. Only 1,140 Jews were allowed to leave in 1985, compared to the peak of 51,320 in 1979. Even fewer Jews--914--emigrated last year. The emigration of ethnic Germans to West Germany is down to 460 in 1985, compared to 7,226 in 1979. Those who have expressed their

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7. Radio Liberty Research Bulletin, 1986, No. 181.

8. Amnesty International Report 1986 (London: Amnesty International Publications, 1986), p. 310; "A Helsinki Report Criticizes Soviet," The New York Times, November 6, 1986.

9. G. Tselms, "Chastnoe opredelenie, kotorogo ne bylo," Literaturnaya gazeta, January 15, 1986; Ye. Zhdanov, "Krivoe zerkalo," Izvestiya, July 21, 1986.

desire to leave the Soviet Union but are not allowed to do so now comprise a suffering underclass.<sup>10</sup> Many of those who seek an exit visa lose their jobs; their children are harassed in schools and expelled from colleges. Those who dare to protest are punished more severely. Last year, Roald Zelichonok of Leningrad was sentenced to three years of forced labor for writing appeals for help to the West.<sup>11</sup>

On November 6, 1986, to coincide with the opening of the Helsinki review conference in Vienna, Moscow published new regulations on emigration, trumpeted by Soviet officials as a major liberalization.<sup>12</sup> In reality, the new regulations severely reduce the grounds for emigration, limiting it to reunification of husbands and wives, parents and children, brothers and sisters. The regulations spell out the government's right to deny emigration not only for reasons of "state security" (a pretext much abused in the past), but also "in the interest of insuring the protection of social order, health or the morals of the population."<sup>13</sup> This enables the government to deny emigration visas without any specific reason.

#### PERSECUTION OF RELIGIOUS BELIEVERS

Gorbachev has taken some tentative steps toward a less repressive religious policy. Until recently, religious education of children had been banned. There are signs, however, that this has been lifted for children over age ten.<sup>14</sup> Yet harsh persecution of religious believers continues. On September 27, 1986, the Russian Orthodox Deacon Vladimir Rusak was sentenced to seven years of forced labor and five years of internal exile for a letter he wrote to the World Council of Churches deploring the condition of the Orthodox believers in the Soviet Union.<sup>15</sup>

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10. Cited by Secretary of State George Shultz in his address to the Los Angeles World Affairs Council, October 31, 1986.

11. USSR News Brief, 1985 No. 15/16, pp. 1, 2.

12. Until now, there have been no published regulations on emigration from the Soviet Union.

13. Serge Schmemmann, "Soviet Union Lists Formal New Rules on Who May Leave," The New York Times, November 9, 1986.

14. Radio Liberty Research Bulletin, 1986, No. 359.

15. Radio Liberty Research Bulletin, 1986, No. 408, p. 6.

Soviet Jews have continued to be persecuted for observing their religion and culture. In October 1985, Leonid Volvovsky of Gorky was sentenced to three years of hard labor for, among other things, teaching Hebrew to other Jews. After his wife talked by telephone with the Nobel Peace Prize Laureate Elie Wiesel who was visiting the Soviet Union, she was assaulted on the street--a frequent KGB punishment for Jewish activists. Another teacher of Hebrew, Alexey Magarik, was sentenced last year to imprisonment on trumped-up charges of drug possession.<sup>16</sup>

Perhaps the most persecuted religious group is the "unofficial" Baptists. "Official" Baptists accept government regulation of religious life, but "unofficial" Baptists insist on religious freedom from government interference. Throughout 1985 and 1986, many "unofficial" Baptists have been arrested and sentenced to prison; a Baptist prayer house in the Black Sea port city of Odessa was destroyed by police in April of 1986.<sup>17</sup>

#### NEW SOVIET TACTICS

While the reality of the Soviet's systematic violations of human rights remains unchanged, Gorbachev has launched a public relations drive to improve the Soviet image.

#### Selective Releases of Prisoners and Refuseniks

An important element of the public relations campaign is the highly publicized release of some prisoners. In the past, the Soviets occasionally released prisoners of conscience from prison and granted exit visas to Jewish refuseniks (Soviet Jews whose visa applications previously had been turned down) in response to requests from American politicians, but Moscow never acknowledged doing this. Soviet Foreign Minister Eduard Shevardnadze told a New York audience last September 30, however, that the Soviet Union "sometimes takes into consideration requests of the U.S. Administration, some appeals by members of Congress" on behalf of dissidents and refuseniks.<sup>18</sup> This statement signals that Moscow seeks to score public relations points with American policy makers and mass media by resolving selected cases of human rights violations. The Soviets also apparently hope to reap political dividends by exchanging some of their political prisoners

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16. Natan (Anatoly) Shcharansky, "Human Rights, Arms Talks Must Be Linked," The Wall Street Journal, November 4, 1986.

17. Radio Liberty Research Bulletin, 1986, No. 405.

18. "Press-konferentsiya E.A. Shevardnadze," Izvestiya, October 2, 1986.

for Soviet spies imprisoned in the West. These actions then are trumpeted as goodwill gestures. This was the case with the exchanges of Natan (Anatoly) Shcharansky and Yuri Orlov for Soviet and East European spies.

### Feigning "Openness" on Human-Rights

Until very recently, any attempt to raise human rights concerns publicly with Soviet officials triggered shrill warnings against "interfering" in Soviet domestic affairs. Now Soviet officials confront the issue calmly--with falsehoods and half-truths.

Example: In his interview to the French communist daily "L'Humaniste" in February 1986, Gorbachev stated that those imprisoned for political offenses in the Soviet Union had called for "subversion or destruction" of the Soviet state. This is true only if criticizing human rights abuses, exercising religious freedom, or attempting to leave the Soviet Union--the rights guaranteed in the Helsinki Final Act--are acts of subversion.<sup>19</sup>

The Soviets employed their new nonconfrontational approach during a Soviet press conference in Vienna at the beginning of the Helsinki review conference. Traditionally, Soviet officials have staged dramatic walk-outs when confronted with questions of Soviet abuses of human rights. But in Vienna, the Soviet spokesmen responded by citing the Soviet policy of facilitating emigration and the absence of censorship in the Soviet Union. In truth, of course, Moscow blocks most emigration and censors everything. By abandoning their traditional combative response to questions about human rights, the Soviets disarmed their critics. Wrote the New York Times: "With no one to fight with, the little band of protesters folded up their posters and left."<sup>20</sup>

### Going on the Offensive

At the same time, Moscow has taken a tough stand on changing the definition of fundamental human rights. Instead of addressing such traditional rights as freedoms of speech, religion, and movement, Moscow stresses that what is truly important are "humanitarian issues." This Moscow defines narrowly as problems affecting divided families and cultural exchanges.<sup>21</sup> Gorbachev here apparently is

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19. Kommunist, 1986, No. 3, p. 18.

20. James M. Markham, "Soviet Spokesmen Joust with Critics," The New York Times, November 11, 1986.

21. See the speech of Foreign Minister Eduard Shevardnadze at the opening of the Vienna conference, in Pravda, November 6, 1986.

attempting to lure the West into protracted haggling over family reunification.

Last June, a Department for Humanitarian and Cultural Affairs was established within the Soviet Ministry of Foreign Affairs. It is headed by Yuri Kashlev, who led the Soviet delegation to an international conference on human contacts in Bern, Switzerland, in spring 1986. Fifteen years earlier, he had been ousted from Britain on espionage charges and is believed to be a KGB officer.<sup>22</sup> This Department apparently will be responsible for masking Soviet human rights abuses with nonconfrontational rhetoric and for diverting Western attention away from fundamental human rights toward "humanitarian" issues.

## SOVIET GOALS

### 1) Diverting the Helsinki Process from Human Rights

The Soviets' only interest in the 1975 Helsinki Final Act was that document's recognition of the post-World War II division of Europe. According to former Soviet Ambassador Arkady Shevchenko, who defected to the U.S. in 1978, Western resolve to hold the Soviets accountable for violating the human rights provision of the Helsinki Final Act<sup>23</sup> came as an unpleasant and embarrassing surprise to the Kremlin.

Now the Soviets are trying to make the Helsinki process more to their liking. First, the Soviets are striving to downgrade fundamental human rights to the "humanitarian" issues. Speaking at the Vienna conference opening, Soviet Foreign Minister Shevardnadze proposed convening a special conference on humanitarian affairs in Moscow. The Kremlin obviously hopes to win Western recognition of the Soviets' extremely limited interpretation of human rights and to keep Western nongovernmental human rights organizations away from the review process, since their activity would be impossible or severely restricted in Moscow.

Second, the Soviets hope to decouple the linkage, enunciated by the Helsinki Final Act, between human rights and European security. With review of human rights performance effectively delayed until the proposed humanitarian conference in Moscow, the Soviets would find it easier to tilt the Vienna conference toward exclusive preoccupation

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22. Radio Liberty Research Bulletin, 1986, No. 248.

23. Arkady Shevchenko, Breaking with Moscow (New York: Alfred Knopf, 1985), pp. 264-267.



with Soviet plans for new arms control schemes in Europe.

2) "Quiet Diplomacy"

The Soviets strive to create an impression of a "dialogue" with the United States on human rights and thus foster a climate for "quiet diplomacy." This would make human rights exclusively the issue of private discussions between Soviet and Western diplomats and would spare the Kremlin from public criticism for human rights abuses.

3) Blaming the U.S. for Soviet Abuses

The Soviets would like shift the blame for their abuses of human rights onto the Reagan Administration by linking the lack of progress in this area to the American refusal to give up the Strategic Defense Initiative. For instance, after no arms control agreement was reached at Reykjavik, the Soviets hinted to Western reporters that no progress on human rights could be reached without an arms control deal eliminating the SDI.

4) Emphasis on Arms Control at U.S.-Soviet Summits

The Soviets want to allow Gorbachev to concentrate on arms control in his meetings with the U.S. by relegating "humanitarian" discussions to routine mid-level working groups of professional diplomats. In such discussions the pressure to reach any progress would be lower than at top-level talks.

## POLICY RECOMMENDATIONS

To maintain U.S. and Western pressure on Moscow to improve its human rights practices, the U.S. should:

- o Keep the issues of human rights high on the Soviet-American negotiating agenda. Raising individual cases with the Soviet leaders is necessary and can bring positive results. More important, the Soviets should be reminded constantly that they must fulfill the human rights provisions of the Helsinki Final Act.
- o Protect the integrity of the Helsinki process, which realistically links relaxation of international tensions to strict observance of human rights.
- o Emphasize human rights in their entirety as a key subject of U.S.-Soviet discussions, since the Soviet definition of "humanitarian affairs" is limited to family reunification problems.

- o Reject the Soviet invitation to hold a Moscow conference on humanitarian affairs within the Helsinki framework until all Soviet prisoners of conscience are released; large-scale emigration from the Soviet Union is renewed; and guarantees are received for freedom of activities for nongovernmental organizations in Moscow, freedom of contacts between Western delegations and nongovernment organizations, and full uncensored coverage of the conference in the Soviet mass media.
- o Avoid the trap of quiet diplomacy on human rights. While quiet diplomacy might be appropriate to gain the release of specific prisoners of conscience or to increase emigration, Washington should continue to insist that the Soviets fulfill completely the human rights provisions of the Helsinki Final Act and publicly criticize Soviet violations of human rights. Otherwise, it would appear that the pressure on the Soviets to correct their human rights abuses had been turned off.

## CONCLUSION

Human rights are systematically violated in the Soviet Union under Gorbachev. There has been almost no improvement since the KGB campaign to eradicate all dissent was begun in 1979. At the same time, Gorbachev and his advisors are using new public relations tactics to reduce the damage to the Soviet world image over their poor human rights record. This new strategy includes releasing select prisoners of conscience and refuseniks; narrowing the issue of human rights to such "humanitarian issues" as family reunification; removing human rights from the agenda of top-level Soviet-American discussions by creating mid-level working groups on humanitarian affairs; having high-ranking Soviet officials, even including Gorbachev, present a false picture of Soviet human rights abuses, rather than shunning questions about them as before; and diverting the Helsinki process away from human rights issues.

The U.S. should respond to the new Soviet tactics with its own strict agenda: conducting all human rights discussions at top-level U.S.-Soviet meetings; linking security issues with human rights within the Helsinki process; criticizing Soviet human rights violations publicly; and insisting that strict implementation of human rights provisions of the Helsinki Final Act is central to East-West relations.

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