

THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

December 10, 1987

HUMAN RIGHTS DAY, BILL OF RIGHTS DAY,
AND HUMAN RIGHTS WEEK, 1987

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BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

The Constitution whose Bicentennial we celebrate this year begins, "We the People," and thus tells Americans and all the world that we hold the individual as sovereign, not the government or any other political entity. The Bill of Rights, added to the Constitution in 1791, specifies individual liberties and adds that powers "not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

The Founders of our country believed the rights of the individual are God-given, not originating from or granted by the state. Their timeless vision of individual liberties for all people is why we pause each December to express thanks for our heritage and to renew our commitment to the vital cause of human rights around the globe. We also celebrate the adoption of the Universal Declaration of Human Rights, which set human rights standards for all nations.

Tragically, governments in many lands deny this vision. Some make elaborate claims that citizens under their rule enjoy human rights and even offer illusory guarantees of those rights -- but then reveal their absence through lack of due process, free elections, or freedom of religion, expression, and assembly. Their constitutions often declare openly that citizens' rights are subordinate to the interests of the state. Even if words look good on paper, the absence of structural safeguards against abuse of power means that freedoms may be taken away as easily as they are allowed. In countries where monopoly power rests with a single group or political entity, the scope for human liberty is narrow indeed.

These states pose the greatest threat to liberty, not only because under them people are denied the exercise of the most fundamental freedoms, but because they pose external as well as internal dangers. Unlimited power, exercised in the name of universalist ideologies, often tries to extend its control beyond borders, denying other peoples their human rights and self-determination.

Standing against these dangers are those people the world over who, undaunted by tremendous odds and great personal risk, continue to press for individual rights and freedoms. Their courageous struggle for human dignity is a triumph in itself, but the United States pledges continuing support to their efforts on behalf of human rights, fundamental freedoms, and democracy.

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(OVER)

NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim December 10, 1987, as Human Rights Day and December 15, 1987, as Bill of Rights Day, and I call upon all Americans to observe the week beginning December 10, 1987, as Human Rights Week.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of December, in the year of our Lord nineteen hundred and eighty-seven, and of the Independence of the United States of America the two hundred and twelfth.

RONALD REAGAN

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United States Department of State

Washington, D.C. 20520

BIOGRAPHIC DATA ON HUMAN RIGHTS DAY PANELISTS
DEPARTMENT OF STATE, DECEMBER 10, 1987

Amb. Richard Schifter

Since November 1, 1985, Richard Schifter has been the Assistant Secretary of State for Human Rights and Humanitarian Affairs. During 1984-85 Mr. Schifter served as Deputy United States Representative in the Security Council of the United Nations, with the rank of Ambassador. From 1983 to 1986 he also held the position of United States member of the United Nations Human Rights Commission. A lawyer by profession, Mr. Schifter practiced law in Washington, D.C. from 1951 until his entry into full-time government service. He was born in Vienna, Austria in 1923 and came to the United States in 1938. He graduated summa cum laude from the College of the City of New York in 1943 and received his L.L.B. from Yale Law School in 1951. Mr. Schifter served in the United States Army from 1943 to 1946.

Dr. Anatoly Koryagin

Dr. Koryagin graduated from medical school in the Soviet Union in 1963 and finished his medical degree in 1972. In 1979 he became a psychiatric consultant to Moscow Working Commission to Investigate the Use of Psychiatry for Political Purposes. He came to conclusion that sane people were being committed and he was arrested in February 1981, shortly before publication of an article entitled "Unwilling Patients" in an April issue of the British medical journal "The Lancet." Dr. Koryagin was sentenced to seven years of prison and five years of internal exile for "anti-Soviet agitation" and later sentenced to an additional two years for refusing to cooperate with the authorities, i.e., the KGB. He was beaten and force-fed during numerous hunger strikes, and spent many months in solitary confinement. He emigrated from USSR on April 26, 1987 and is now living in Switzerland.

Rebecca Asrate

Ms. Asrate was born in Addis Ababa, Ethiopia on May 5, 1952. After completing her undergraduate studies at London University, she returned to Ethiopia in June 1974. Two weeks

later her father, Asrate Kassa, was arrested by the revolutionary government. Two months after her father's arrest, her mother, three brothers, a sister and herself were also arrested. Shortly afterward, her father was summarily executed. Her brothers, sister and herself were kept in prison until September 1983 without charge and without trial. Her mother and many of her relatives are still in prison. After their release, they were each given a document by the security police which stated that they had been incarcerated because they were "suspected of becoming a stumbling block to the revolution." Because Ms. Asrate desperately needed medical attention, and after heavy pressure from Amnesty International and other organizations, she was allowed to leave Ethiopia toward the end of 1983. She has been working as an accountant in a London technical press agency and has devoted almost all of her time outside the office to working against human rights abuses in Ethiopia. She has done volunteer work for Amnesty International, Christian Solidarity International and other human rights organizations. She is a co-founder, along with several British women, of an organization called the Newnham Group, which is actively engaged in a campaign on behalf of the victims of human rights abuses in Ethiopia.

Maximo Pacheco

Mr. Pacheco is an attorney. He was Chilean ambassador to the USSR from 1965-68 and Minister of Education from 1968-70. He served as Dean of Law at the University of Chile from 1972-74 and has been Vice President of the Chilean Human Rights Commission since 1978.

Paula Dobriansky

Paula Dobriansky, Deputy Assistant Secretary for Human Rights and Humanitarian Affairs, Department of State, is responsible for the development of U.S. human rights policy, the management of the bureau's multilateral affairs and public diplomacy programs, and the review of U.S. humanitarian assistance proposals. She also oversees the bureau's relations with Congress. She participated in Presidential delegations to observe the recent election in Suriname, and the abortive election in Haiti. Previously, Ms. Dobriansky served as Director of European and Soviet Affairs at the National Security Council, the White House. She was also responsible for matters related to the Conference on Security and Cooperation in Europe. Prior to her appointment to the

NSC in January 1981, Ms. Dobriansky served as a staff member in both the Soviet and West European sections of the NSC during 1980. She received a B.S.F.S. in International Politics from the Georgetown University School of Foreign Service summa cum laude and an M.A. from Harvard University in Soviet political/military affairs. She has been a Fulbright-Hays Scholar and Ford Foundation Fellow.

Larry Garber

Mr. Garber is currently Legal Director of the International Human Rights Law Group, a public interest law center concerned with promoting respect for human rights worldwide. Mr. Garber joined the Law Group staff in November 1983, as Election Observer Project Director. In that position, he prepared the Law Group's Guidelines for International Election Observing, published in October 1984. Since publication of the Guidelines, Mr. Garber has participated in Law Group Election Observer Missions to Nicaragua (1984), Grenada (1984), El Salvador (1985), Zimbabwe (1985) and Korea (1987), and has organized Law Group Election Observer Missions to Uruguay (1984), Guatemala (1985) and Trinidad and Tobago (1986). Mr. Garber also serves as senior consultant to the National Democratic Institute for International Affairs (NDI). In this position, Mr. Garber has coordinated NDI election observer missions to the Philippines (February 1986, February 1987 and May 1987) and to Haiti (March and November 1987). Mr. Garber will be preparing for the NDI a comprehensive, retrospective report on the Philippine electoral process following an NDI observer mission for the January 18, 1988 local elections.

Ambassador Ernesto Rivas

Ambassador Rivas, of the Embassy of El Salvador, served as Ambassador to the U.S. from 1980 to July 1984 and was re-assigned to that position in January 1987. During his tenure he crisscrossed the U.S., speaking to over 100 audiences in professional associations, interest groups and service clubs. According to Christopher Madison of the National Journal, Amb. Rivas is "one of the most effective ambassadors in Washington." He graduated from the Pierce School of Administration in Philadelphia in 1950. He has served as President or Executive Board member on numerous Salvadoran business associations, including the El Salvador Chamber of Commerce, the National Association of Private Enterprises, and the Association of Steamship Agents and

Automobile Dealers. He founded and chaired the Salvadoran Association for the Deaf. He is fluent in English and Spanish and conversant in French.

Minister-Counselor Jaime Yambao

Minister-Counselor Yambao is the political counselor of the Embassy of the Philippines.

Robert W. Farrand

Robert Farrand has been Senior Deputy Assistant Secretary of State for Human Rights and Humanitarian Affairs since June 1987. He is a career Foreign Service Officer. His previous assignments include: Deputy Director, Office of Foreign Service Career Counseling and Assignments, Dept. of State; Deputy Chief of Mission, U.S. Embassy, Prague, Czechoslovakia; Deputy Director, Office of Eastern European and Yugoslav Affairs, Dept. of State; student, National War College, Washington; Officer-in-Charge, Bilateral Affairs, Office of Soviet Union Affairs, Dept. of State; Director, U.S. Commercial Office, U.S. Embassy, Moscow, USSR; Chief, Economic/Commercial Section, U.S. Embassy, Prague, Czechoslovakia; Economic Officer, Bureau of Economic and Business Affairs, Dept. of State.; and Chief, Consular Section, U.S. Embassy, Moscow, USSR. He served at sea for three years with the U.S. Navy and as an instructor with the U.S. Naval Academy. He received an M.A. in Economics from Georgetown University in 1968 and a B.S. in Economics from Mount Saint Mary's College in 1957.

Peter Mroczk

Mr. Peter Mroczk is President of Solidarity Endowment located in Washington, D.C.

Aldo Zuccolillo

Mr. Zuccolillo is the Director and sole owner of the suspended newspaper, ABC Color, which was Paraguay's most influential independent daily. ABC Color emerged in the 1980s as one of the strongest critics of the Stroessner

regime. As its readership grew so did the Paraguayan Government's efforts to limit its availability, culminating in an order from the Minister of the Interior on March 22, 1984, suspending publication of the newspaper. Despite suspension, ABC Color maintains an office in Asuncion, and voers stories for eventual publication. Mr. Zuccolillo, who frequently wrote his own editorials, won the prestigious "Maria Moors Cabot Award" from the Columbia University School of Journalism in 1985. In addition to publishing, Mr. Zuccolillo is active in business.

Dr. Kent Hill

Dr. Hill has a PhD. in Russian history, with an emphasis on Marxism. He was a professor at Seattle Pacific University for six years. He has worked on cases of religious persecution of Siberian Pentecostalists and has testified before Congressional committees on religion in the Soviet Union. He is now executive director of the Institute on Religion and Democracy and is on the National Board of Keston/USA, an organization dealing with religion behind the Iron Curtain. He chairs the Coalition for Solidarity with Christians in the USSR.

Khuc Minh Tho

Khuc Minh Tho has been President of the Association of Families of Vietnamese Political Prisoners, founded in 1977, since August 1984. The Association represents 4000 families of prisoners believed held by the Socialist Republic of Vietnam. The Association shares news about political prisoners with their families and works for their reunification in the U.S. or other countries. Mrs. Tho's husband, formerly a colonel in the Army of (South) Vietnam, is a "reeducation camp" prisoner in northern Vietnam some 12 years after the fall of Saigon and his arrest. Mrs. Tho previously worked for the Vietnamese embassy in Manila, Philippines, and came to the U.S. in 1977 as a refugee.

Mohammad Siddiq Saljooque

Mohammad Siddiq Saljooque graduated from Kabul University in 1955, received a master's degree from Cairo University in 1959 and a diploma in international relations from the London School of Economics in 1965. He taught at Kabul Unviersity and was Minister-Counselor of the Afghan Embassy to the U.S. from 1973 to 1977. He was serving as Director General of

Political Affairs in the Afghan Ministry of Foreign Affairs when the Amin-led communist coup took place in 1978. He smuggled his family out in 1978 and left Afghanistan in 1980. He joined the Freedom Fighters in 1983 and worked for a United Front. In 1985 he joined the National Islamic Front of Afghanistan and now serves as Chief of its Political Department.

Robert MacCrate

Mr. MacCrate became President of the American Bar Association at the close of the 1987 ABA Annual Meeting in San Francisco. He is a senior partner in the New York City law firm of Sullivan and Cromwell. He has served on the ABA Board of Governors and held numerous other positions within the ABA. He is also an active member of the New York State Bar Association, and has served as President of the New York Bar Foundation since 1976. Mr. MacCrate has worked with the Lawyers' Committee for Civil Rights Under Law, among many other legal groups. He was special counsel to the U.S. Dept. of the Army for the Investigation of the My Lai Incident in 1969-70. He is a graduate of Harvard Law School and Haverford College and served in the Pacific Fleet of the U.S. Navy during World War II.

Marta Patricia Baltodano

Ms. Baltodano was born in Nicaragua. She received degrees in psychology and law from the Central American University in Managua. She served on the Permanent Commission on Human Rights of Nicaragua from 1978-85, finally becoming its Director. Ms. Baltodano helped Cardinal Obando create the Commission on Justice and Peace in the Archdiocese of Managua from September to November 1985. She began working to assist political prisoners in Nicaragua in January 1985 and was exiled to Costa Rica in December 1985. She was named Executive Director of the Nicaraguan Association for Human Rights, which has its main offices in San Jose, Costa Rica, in August 1986.

Dr. Yuriy Orlov

Dr. Orlov is a senior scientist at Cornell University. He was released in late 1986 as part of the agreement which resulted in the release of Soviet spy Gennadi Zakharov and US journalist Nicholas Daniloff. He co-founded the Moscow

Helsinki Monitoring Group on May 12, 1976. He was arrested on February 10, 1977 and received a 12 year sentence for "anti-Soviet agitation and propaganda". Dr. Orlov spent the first seven years at a labor camp near Perm. He was locked in punishment cells for two of his first four years and his rations were reduced for some time to 1700 calories per day. He was also beaten in the camp. He was transferred to Yakutia in 1984, where his health improved. Dr. Orlov became a founding member of the Moscow chapter of Amnesty International in September 1974. While he was awaiting trial in 1978, the Norwegian Parliament nominated him for the Nobel Peace Prize.

The President of
The American Bar Association

Robert MacCrate

and the Committee on International Human Rights,
Section of International Law and Practice

in cooperation with the

Congressional Human Rights Caucus
International Human Rights Law Group
National Conference on Soviet Jewry

*Cordially Invites You to
a Reception observing*

INTERNATIONAL HUMAN RIGHTS DAY

and Honoring

Members of Congress active in the
Promotion and Protection of
Human Rights and the Rule of Law

Other Honored Guests Include:

Dr. Yuri Orlov
Hon. Elliot Richardson, Chairman
United Nations Association of the United States

Thursday, December 10, 1987

4:30 -- 6:00 p.m.

Rayburn House Office Building -- Room 2154

RSVP: (202) 331-2213

The goal of our Association is to fight for the human rights of Vietnamese Political Prisoners still imprisoned in Vietnam after the war had ended 12 years ago. We estimate their number to be 30,000 (?)

We are deeply grateful to the U.S. government for lending its support to our struggle. It is mainly thanks to this pressure that the Vietnamese government had recently released 480 prisoners. However thousands still remained incarcerated.

We urge the U.S. government to continue its pressure ^{on} the V.N. government for the release of all political prisoners in V.N.

Chị Thơ.

Em khi có đánh máy
lại được tại vị trí như²
chơi game trên computer làm
~~hư~~ lỗi các program máy
xin lỗi chị nhé

Em
Nily

STATEMENT OF THE FAMILIES OF
VIETNAMESE POLITICAL PRISONERS ASSOCIATION

--oooOooo--

We would like to make the following remarks concerning our views on the issue of Vietnamese political prisoners.

First of all, we acknowledge the concern expressed by the U.S. Government towards our relatives who are still being held by Vietnamese authorities. More particularly, we appreciate the Government's active support for the release of the political prisoners and their reunification with their families.

This active support was reflected by the Administration's commitment to accept the political prisoners for resettlement in the U.S. once they are released. As well, the U.S. Congress has recently passed three resolutions calling for an early release of the political prisoners to permit them to rejoin their families abroad as had been promised by the Vietnamese government. These efforts have led to the recent release of some 480 political prisoners. Much more, however, remains to be done.

The renewed concern in the U.S. Congress about the fate of Vietnamese political prisoners has rekindled our hope for the prompt liberation of our relatives. We sincerely hope that the U.S. Administration will pursue this issue with greater resolve in their future discussions with their Vietnamese counterparts to bring an early solution to the issue of Vietnamese counterparts.

We strongly support the struggle by friends and relatives of the MIAs to demand a full account for their whereabouts of their dear ones. We insist that the Vietnamese authorities resolve this urgent humanitarian issue in the shortest delay. In the same vein, we are calling on the Vietnamese authorities to fulfill their earlier promise to release Vietnamese political prisoners and allow them to be reunified with their families abroad.

Vietnamese political prisoners have committed no "crimes" and were being held only as a result of their previous association with the Government of South Vietnam prior to 1975. In the aftermath of the war, they have dutifully reported to the new government and have not been involved in any political activities since then. And even if the political prisoners have committed any "crimes" under the new government's law, 12 years of imprisonment is clearly enough punishment. Besides, most Vietnamese political prisoners are of an advanced age and feeble health and clearly do not represent any threat to the government.

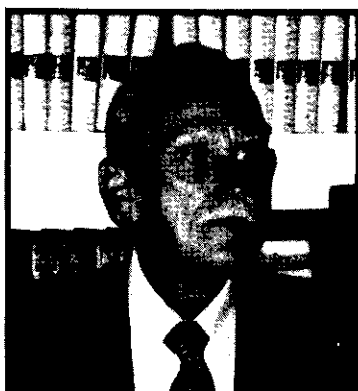
Finally, we wish to express our gratitude to governments, human rights organizations, new services and agencies, and concerned individuals who have helped us in our struggle for the freedom of Vietnamese political prisoners. We sincerely hope to continue receiving their support in our struggle for the release of our loved ones and their reunification with their families.

Renewing the U.S. Commitment to Human Rights

Special
Report
No. 164



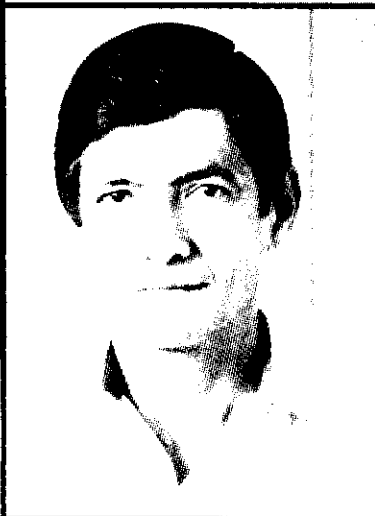
United States Department of State
Bureau of Public Affairs
Washington, D.C.



Ramon Grau Alcina



Nadiya Svitlychna



Armando Valladares



Mohammed N. Mahir Zaimy



Dith Pran



Ricardo Montero Duque



Carlos Garcia



Natan Shcharanskiy

ARLINGTON COUNTY, VIRGINIA



INFORMAL MEMORANDUM

To _____

Date _____

From _____

Subject _____

- Không có lỗi gì đối với chúng ta VN
bây giờ -

- dưới 100 cũng như
cũng như công dân thì hàng
thiên vạn có họ hàng
không có lỗi gì hết

vi phạm nhân quyền -

- phạm sự vi phạm nhân quyền -

8/11/87

Kính thưa quý vị,

Thật là một vinh dự lớn lao cho Hội Gia Đình Tù Nhân
 Chính Trị VN chúng tôi, ngày hôm nay, được góp tiếng nói
 trong buổi hội thảo quan trọng này. Chúng tôi vô
 cũng phấn khởi và xúc động trước sự hiện diện của
 du của quý vị. Buổi hội thảo
 bước tiến tích cực trong quá t
 hợp hoạt động giữa các đoàn thể
 Đồng Người Việt Tị Nạn tại Hoa
 căn bản. Có mẫu số chung : Đ
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GDTN

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TNCTVN

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K.L.

La một tha...

ông

mất

Người Việt Tị Nạn, HGDTN
 nước đã có những hoạt động trong
 ma dối tưởng không ai khác hơn là những
 tri tại VN. Đó là những người cha, người chồng, anh em,
 be bạn của chúng ta, đã bất hạnh phải chôn vùi cuộc
 đời trong các trại tập trung ở quê nhà. Năm nay, danh

dấu 12 năm

Kính thưa quý vị,

Thật là một vinh dự lớn lao cho Hội Gia Đình Tù Nhân Chính Trị VN chúng tôi, ngày hôm nay, được góp tiếng nói trong buổi hội thảo quan trọng này. Chúng tôi vô cùng phấn khởi và xúc động trước sự hiện diện đông đủ của quý vị. Buổi hội thảo năm nay đánh dấu một bước tiến tích cực trong quá trình kết hợp và phối hợp hoạt động giữa các đoàn thể, tổ chức trong Cộng Đồng Người Việt Tị Nạn tại Hoa Kỳ, một cộng đồng ngay từ căn bản đã có mâu số chung : Đó là một lý tưởng cần phải thực hiện, một nền văn hoá cần phải duy trì và một tình cảm thiêng liêng luôn luôn gắn bó với nhau. Vì thế Hội GDTNCTVN chúng tôi, hôm nay, mới dám mạnh dạn trình bày cũng quý vị một số ý kiến và đề nghị về vấn đề TNCTVN để chúng ta cùng thảo luận, trao đổi quan điểm và kinh nghiệm hầu tạo được niềm tin vững chắc làm nền tảng cho những phông thức phối hợp hoạt động trong hiện tại cũng như trong tương lai.

Kính thưa quý vị,

La một thành phần khiêm nhường trong Cộng Đồng Người Việt Tị Nạn, HGDNTNCTVN, ngay từ sau ngày mất nước đã có những hoạt động trong âm thầm và dòn dộc, mà đối tượng không ai khác hơn là những tù nhân chính trị tại VN. Đó là những người cha, người chồng, anh em, bè bạn của chúng ta, đã bất hạnh phải chôn vùi cuộc đời trong các trại tập trung ở quê nhà. Năm nay, đánh

dau 12 nam quoc han, cung la danh dau 12 nam nguc tu kho sai cua than bang quyen thuoc chung ta. Vo hom nay, trong luc chung ta quay quan hoi hop noi day de noi len quyet tam phai lam mot cai gi cho que huong dan toc thi cung la luc, o que nha, nhung nguoi tu chinh tri dang guc nga hay van con dang tiep tục chiu dung cai hoan canh khac nghiet va bi tham tot cung cua than phan con nguoi. Cho nen cung vi dau cai dau chung cua dan toc, cua than nhan, be ban, chung toi, HGDTNCTVN, ngay tu nhung nam dau tien sau ngay mat nuoc, da cung nhau khang dinh mot muc tieu phai theo duoi, mot cong viec phai lam : Do la tan dung moi kha nang nho be va han hep cua minh, du trong hoan canh vo cung kho khan, lam the nao de so phan cua nhung TNCTVN phai duoc luu y dung muc, khong vi thoi gian ma bi chim trong quen lang. Boi vi do la nhung nguoi chiu thiet thoi mat mat nhieu nhat sau khi Mien Nam Viet Nam lot vao tay Cong San.

Cho den nam 1984, khi nhan thay da den luc can co su ho tro rong lon hon cua Cong Dong Nguoi Viet cung nhu cua Chinh gioi Hoa Ky va cac nuoc ban, HGDTNCTVN chinh thuc hoat dong cong khai nhu mot hoi doan hop phap trong Cong Dong Nguoi Viet Ti Nan tai Hoa Ky.

Tu truoc den nay, ba muc tieu sau day van duoc HGDTNCTVN tiep tục theo duoi va quyet tam thuc hien den cung : Do la

1). Tich cuc van dong cho TNCTVN som duoc phong thich va doan tu voi gia dinh va duoc dinh cu o Hoa Ky

cung nhu bat cu quoc gia nao khac trong The Gioi Tu Do.

2). Keu goi cong luan, lam cho cong luan chu y den nhung bat cong, kho nhuc ma TNCTVN phai chiu dung tu sau 1975 de cac co quan quoc te khuyen cao CS ve su vi pham nhan quyen cua ho.

3). Tiep tay voi than nhan, gia dinh TNCTVN tim cac du kien thich ung de giup ho hoi du tieu chuan nhap canh hoac doan tu voi than nhan.

Tinh den nay, Hoi da dat duoc mot so thanh qua nhu sau :

1. Doi voi Cong Luan : Trong cac cuoc tiep xuc hoac lien lac voi cac co quan quoc te ve Tu Chinh Tri, ve nhan quyen, Hoi luon luon neu len thuc te cua TNCTVN va keu goi su can thiep de TNCTVN duoc phong thich.

Hoi van thuong xuyen lien lac tham khao voi cac gioi huu trach tai Quoc Hoi, tai van phong dac trach chuong trinh ti nan thuoc Bo Ngoai Giao, Hoi cung da duoc moi den cac noi tren de dong gop y kien khi co phai doan di hop voi Chinh Phu Viet Nam, hon nua, Hoi con duoc thong bao dien tien cac buoi hop nay khi qui vi do tro ve.

Song song voi nhung cong tac tren, Hoi da danh nhieu thoi gian de lien lac voi cac vi dan cu My, xin tiep tay voi cac vi Dan Bieu da co sang kien viet thu cho chinh quyen cong san Viet Nam doi phong thich nhung tu nhan gia yeu, benh hoan va nhung vi lanh dao tinh than, bang cach ky ten vao thu ~~thinh nguyen doi hoi nay~~

Hang nam ngoai nhung hoat dong thuong xuyen, nhan

ngày 30.4, Hoi cũng lên tiếng kêu gọi để khôi phục sự chủ quyền của công luận về vấn đề TNCTVN hiện vẫn còn bị giam giữ. Đặc biệt năm nay, nhân dịp đánh dấu 12 năm công sản chiếm Miền Nam Việt Nam :

Ngày 26.4.87, Hoi đã lên tiếng trước buổi họp của Liên Hội Vùng Hoa Thịnh Đốn, kêu gọi sự phối hợp hoạt động chung của các Hội Đoàn trong Cộng Đồng VN tại Hải Ngoại, nhất là tại Hoa Kỳ, tạo thành tiếng vang rộng lớn trong việc đòi hỏi VN phong thích TNCTVN.

Ngày 30.4.87, Hoi đã tổ chức buổi tiếp tân tại Trụ Sở Quốc Hội, để nói lên nguyện vọng của TNCTVN và gia đình họ sau 12 năm chịu nhiều đau khổ. Quan khách tham dự : Phía VN gồm có đại diện các Hội Đoàn Vùng Hoa Thịnh Đốn và các Tiểu Bang khác, các thân hữu, các cựu tù nhân CTNVN. Phía Hoa Kỳ có các vị đại biểu, thương nghị sĩ từng lưu tâm đến vấn đề TNCTVN.

Buổi tiếp tân thành công tốt đẹp. (Noi them chi tiet neu can).

2. Đòi hỏi TNCT : Hoi đã trả lời thư tin, gọi mau, cập nhật hóa hồ sơ thiết lập danh sách gọi Bộ Ngoại Giao, chuyển đến văn phòng Chương Trình Ra Đi Trật Tự (ODP), ghi vào máy điện toán (computer). Hoi đã nhận trên 4000 hồ sơ. Công việc thu thập và cập nhật hóa còn đang tiếp tục.

3. Đòi hỏi cựu TNCT may mắn đến được các trại Tị Nạn : Hoi giúp cho các cựu tù nhân chính trị vượt biên đến các trại tị nạn Đông Nam Á, không mang theo giấy tờ tùy thân

để chứng minh, sao lại các giấy tờ cần thiết đã gửi cho Hội hoặc xin với cơ quan Tổng Quan Tri Hoa Kỳ cấp lại các chứng chỉ tốt nghiệp các Trường Huan Luyen tại Mỹ hoặc chứng minh công việc làm của họ tại các cơ sở Mỹ để cho những người này có tài liệu xuất trình với giới chức có thẩm quyền cứu xét việc định cư tại đất nước quốc gia. Hầu hết các trường hợp này đã được giải quyết thỏa đáng.

Đặc biệt vào đầu năm 1986, Hội đã đạt được thành quả đáng kể là khi nhận được thư của một số cựu tù nhân chính trị tị nạn tại trại DONGREK - một trại tù tại biên giới Thái-Miến - nơi các cựu tù nhân đến bang đương bộ, Hội lập tức đã gửi thỉnh nguyện tới Tổng Thống Mỹ, đồng thời khẩn thiết kêu gọi sự can thiệp, giúp đỡ của các Dân Biểu, Nghị Sĩ tại lưỡng viện Quốc Hội Hoa Kỳ để cho các cựu tù nhân nếu trên sớm được phóng vấn và đi định cư. Ngoài ra, Hội cũng đã thao san mẫu thư thỉnh nguyện, gửi một số tiền nhỏ nhỏ vì lãnh đạo tôn giáo tại DONGREK giúp mua tem và phong bì cho các tù nhân gửi tới Tổng Thống Hoa Kỳ kêu cứu giải thoát cho họ. Kết quả là những người hội đủ điều kiện đã được phái đoàn Mỹ phóng vấn và chuyển tiếp sang Phi Luật Tân (PRPC) để học Anh ngữ và chuẩn bị định cư tại Hoa Kỳ.

4. Đôi với Gia Đình TNCTVN : Hội cũng nhận danh các qua phụ và gia đình tù nhân chính trị đã qua vắng, đang có gang vãn đông xin noi rong chương trình tị nạn cho những người này được thừa hưởng quyền tị nạn của chồng, cha, hoặc thân nhân nguyên là quan nhân, công chức và tù nhân chính trị đã chết.

Hội đã thành công trong việc xin cho các con em của tu nhân chính trị tại các trại tị nạn được hưởng quyền tị nạn và định cư tại các quốc gia đề tam, đặc biệt là Hoa Kỳ, trong năm vừa qua.

Tren đây là một số thành quả Hội đã đạt được trong thời gian vừa qua.

Dù chỉ trong thời gian tương đối ngắn, nhưng nhìn lại khối lượng công tác, Hội chúng tôi nhận thấy công việc ngày càng tăng, trách nhiệm ngày càng nặng, hồ sơ thu thập tiếp tục gửi về Hội ngày một thêm nhiều từ Việt Nam, từ các quốc gia khác trên thế giới, công thêm nhiều thư tín và hồ sơ do các thân nhân và bang hữu gửi tại Hoa Kỳ.

Ngoài một nền tài chính eo hẹp do một số niên liêm và ủng hộ ít ỏi của các hội viên và an nhân của Hội, để gây quỹ, Hội đã nhận bán những tranh in và thiệp Chúc Tết trong dịp cuối năm để lấy tiền trang trải bưu phí và vận kiện gửi cho các cựu tu nhân và gia đình tu nhân ở trong, cũng như ở ngoài nước. Hội không nhận một nguồn tài trợ nào của chính phủ cũng như của các Hội Tu Thien.

Trong tương lai, Hội hy vọng đơn nhận được các ý kiến xây dựng và sự ủng hộ của các Hội Đoàn bạn và Cộng Đồng để có thể hoạt động mạnh mẽ hơn nữa.

Kính thưa quý vị,

Mục tiêu thì rộng lớn, công việc càng ngày càng nhiều, phải đòi hỏi vấn đề nhân sự, phương tiện, tài chánh, v.v... Mà nhìn lại đoàn duong đã qua cũng như

doan duong sap toi, HGDTNCTVN thay con qua nhieu kho khan tro ngai. Hau nhu moi thu den do chung toi tu tuc. Chung toi chi co su tu nguyen va tam long thanh lam von lieng cho mot cuoc hanh trinh ma luong tam chung toi da chon lua va quyet tam tien buoc.

Tuy nhien den nam nay, nam thu 12, chung ta phai lia bo que huong, mot khoi sac cho su phoi hop hoat dong chung, mot su dong tam nhat tri dang duoc hinh thanh.

Trong cuoc hoi hop ngay hom nay, HGDTNCTVN da thay co cung phan khoi va tin tuong rang, con duong chung toi di se khong con don doc nua.

Van de TNCTVN sau 12 nam van chua duoc giai quyet thoa dang, nha Cam Quyen Ha Noi tuyen bo rang ho chi con giam giu duoi 10.000 nguoi. Nhung qua tai lieu chinh thuc duoc pho bien cung nhu qua nhung nguon tin thu thap duoc, chung ta deu biet rang con so ay phai tang gap 5, gap 7 lan.

Nha tu tai Viet Nam hien nay van duy tri hai he thống : Mot truc thuoc Bo Noi Vu, noi tap trung hau het tu nhan chinh tri VN. Nhung trai cai tao loai nay van con do tu Bac den Nam ma khong nguoi VN nao lai khong nghe den : Tu Ha Son Binh, Ha Nam Ninh, Vinh Phu, Thanh Hoa o Mién Bắc den Gia Trung, Xuân Lộc, Hām Tân, Chi Hòa, Phan Đăng Lưu o Mién Nam ... Nhung bi số Z30A, Z30C, Z30D van con la nhung am ảnh kinh hoàng của thân nhân, bè bạn chúng ta. Ngoài ra, một hệ thống

nhà tu (trước) thường cấp tỉnh, cấp huyện từ Nam chí Bắc, từ 12 nam nay vẫn hiện diện như một hăm dọa thường xuyên đối với đồng bào ta ở quê nhà, và như một thách đố trắng trợn đối với Tử Do và Nhân Quyền trên thế giới. Hàng chục ngàn, hàng trăm ngàn chiến sĩ tử do, tu sở Công giáo, Phật giáo, Hoà Hảo, Cao Đài, những văn nghệ sĩ đã từng đem tâm huyết của mình làm giàu cho kho tàng văn hoá dân tộc, những người đang kính đang phục ấy không thể bị quên lãng trong vô tình và hồ hững. Không thể đánh long như vậy được.

Kính thưa quý vị,

Chúng ta phải làm và sẽ phải làm gì cho Ho ?

Chúng tôi nghĩ rằng câu trả lời đã được khẳng định :

Chúng ta không đủ quyền lực để giải quyết vấn đề, nhưng chúng ta có sức mạnh của cộng đồng, có tiếng nói của lẽ phải, có điều kiện tinh thần để gây xúc động tâm lý, nhằm khơi dậy một vấn đề lương tâm của thế giới : Vấn đề Tu Nhân Chính Trị Việt Nam không thể rơi vào thời gian chìm đắm trong quên lãng được.

Nhưng làm cách nào ? Đó là mọi ưu tu chung của chúng ta. Một người không làm được, một nhóm người không đủ sức làm, nhưng một cộng đồng, một tập hợp của thanh tâm và thiện chí thì có thể làm được. Cho nên :

1. Một cuộc vận động rộng lớn và cung khắp để tạo thành một Chien dịch, đòi hỏi giải quyết dứt khoát vấn đề TNCTVN ở thời điểm này, HGDTNCTVN chúng tôi nhận thấy

la vo cung can theit. Gay su chu y cua moi nuoc, moi gioi, bang cach keu goi cac vi nguyen thu quoc gia, cac nha lanh dao ton giao tren the gioi, Quoc Hoi cac nuoc, Lien Hiep Quoc va cac hiep hoi quoc te, doi hoi nha cam quyen Ha Noi phai tra tu do cho TNCTCN.

2. Van dong cac co quan truyen thong, truyen hinh, bao chi quoc te dat lai van de TNCTVN, nham gay ap luc voi chinh quyen Ha Noi khan cap giai quyet van de nay.

3. Van dong To Chuc Hong Thap Tu Quoc Te, cac to chuc tu thien tren the gioi, de ho yeu cau nha cam quyen Ha Noi cho phep vieng tham cac trai giam va tang qua TNCT de dem lai nguon an ui cho nhung nguoi con bi giam giu.

Kinh thu qui vi,

Nhung y kien tren day, HGDTNCTVN chung toi mao muoi dua ra hom nay voi tam long tha thiet va niem tin manh liet, vao toan luc trong cong dong cua chung ta, de van dong cho TNCTVN, HGDTNCTVN chung toi, trong pham vi hoat dong han che cua minh, van tiep tục theo duoi cac muc tieu da vac ra, nghĩa là không bỏ lo một cơ hội thuận tiện nào để van dong cho tu nhân chanh tri tai VN.

Kinh thua qui vi,

Hon luc nao het, HGDTNCTVN chung toi nhan thay nam nay, Cong Dong Nguoi Viet chung ta co du yeu to thuận loi để làm những việc nêu trên. Y chí của tập thể lon lao nguoi Viet tai Hai Ngoai, quan trong nhất là Nguoi Viet o tren toan nhuoc My, neu duoc the hien

mot cach manh me va quyet liet trong viec doi hoi giai quyet van de TNCT se la mot yeu to quan trong anh huong sau dam den ca hai phia doi nghich hien nay :

Thu nhât : Du luan quoc te thuan loi cho chung ta qua chien dich van dong nay se la mot bat loi lon lao cho chinh quyen Ha Noi ve mat ngoai giao, khien cho ho phai nghiem chinh xet lai van de tu chinh tri tai VN hau dua den mot thoa thuan hop ly de giai quyet van de nay.

Thu Hai : Nguyen vong chinh dang cua chung ta voi su hau thuan lon lao cua du luan quoc te cung se tac dong manh me den chinh gioi Hoa Ky, Hanh phap cung nh Lap phap, khien ho dac biet quan tam hon va tích cuc hon trong viec dam phan voi nha Cam quyen Ha Noi de giai quyet van de tu chinh tri VN.

Kinh thua qui vi,

Den day, HGD TNCTVN chung toi xin chan thanh cam ta qui vi da danh chut thi gio qui bao cua qui vi de nghe chung toi trinh bay mot so van de len quan den TNCTVN. Chung toi cung xin đa tạ các hội đoàn ban, báo chí, cũng như các thân hữu xa gần trong thời gian qua đã giúp đỡ chúng tôi rất nhiều trong những công tác chung tôi đã thực hiện được.

Lời nói sau cùng của chúng tôi trong phần trình bày ngày hôm nay là : Không ai thương nhưng đồng bào bất hạnh của chúng ta bằng chúng ta, không ai lo cho người Việt bằng người Việt. Chúng ta không thể để cho van de tu chinh tri tai VN chìm trong quên lãng.

Chúng ta cũng không thể để họ lan luot nga guc trong chon lao tu, hay mon moi doi cho trong vo vong. Tinh than trach nhiem va tieng goi cua luong tam khong cho phep chung ta lam ngo va pho mac nhung hoan canh bat hanh nhat va bi tham nhat trong 12 nam qua :
Hoan canh cua nguoi tu chinh tri o VN va gia dinh cua ho.

Truoc khi dut loi, mot lan nua chung toi xin cam on qui vi da chu y theo doi phan trinh bay cua chung toi. Chung toi xin tran trong va hoan hi lang nghe nhung y kien xay dung cua qui vi.

Kinh chao qui vi.

The Soviet Constitution: Myth and Reality



United States Department of State
Bureau of Public Affairs
Washington, D.C.

Following is an address by Richard Schifter, Assistant Secretary for Human Rights and Humanitarian Affairs, before the American Bar Association (ABA), San Francisco, California, August 10, 1987.

If we were asked to identify the passage or passages in the Constitution of the United States that best characterize the nature of our government, I would assume that a good many of us would point to the Bill of Rights, particularly the First and Fifth Amendments. If the same question were asked with regard to the Soviet Constitution, I, for one, would select four key provisions.

First and foremost, I would direct attention to Article 6, which states:

The leading and guiding force of Soviet society and the nucleus of its political system, of all state organizations and public organizations, is the Communist Party of the Soviet Union. . . . The Communist Party . . . determines . . . the course of the domestic and foreign policy of the U.S.S.R., directs the great constructive work of the Soviet people, and imparts a planned, systematic and theoretically substantiated character to their struggle for the victory of communism.

I would then move back to Article 3 and note the following words:

The Soviet state is organized and functions on the principle of democratic centralism. . . . Democratic centralism combines central leadership with local initiative and creative activity. . . .

Next, I would drop down to Article 39, which states:

Enjoyment by citizens of their rights and freedoms must not be to the detriment of the interest of society or the state. . . .

I would round out these quotations from the Soviet Constitution with Article 59, which reads as follows:

Citizens' exercise of their rights and freedoms is inseparable from the performance of their duties and obligations.

Citizens of the U.S.S.R. are obliged to observe the Constitution of the U.S.S.R. and Soviet laws, comply with the standards of socialist conduct, and uphold the honor and dignity of Soviet citizenship.

The Role of Lenin

The Soviet Constitution is a lengthy document, containing altogether 174 articles. A number of them would, at first blush, remind us of guarantees of individual freedom which are the hallmark of basic charters in true democracies. To understand their meaning and significance in the Soviet setting, we need to comprehend fully just what the role of a constitution is in the U.S.S.R. and how constitutional provisions must be read in the context of the Soviet Union's basic notions of the relationship between the governing and the governed.

In seeking to construe our own Constitution, we often refer to the *Federalist Papers* and other writings of the Founding Fathers. Similarly, the Soviet Constitution should be inter-

preted in light of the writings of the Soviet Union's Founding Father. That person is, of course, Vladimir Ilyich Ulyanov, whom the world has come to know as Lenin.

In using the term Marxism-Leninism, we often lose sight of the individuals to whose teachings we thus refer. They were, in fact, persons who differed markedly from each other. Karl Marx was a theoretician, who proclaimed to the world his purportedly scientific analyses of economics and history and who predicted future historic trends on the basis of his analyses.

Lenin, by contrast, was an activist. His writings are free of abstruse theory. They are how-to-do-it kits on seizing and holding power. To be sure, these writings were not entirely original. Their basic theses can be found in Machiavelli's *The Prince*, written close to 400 years before Lenin put pen to paper.

After having become familiar with Marx's writings, Lenin committed himself to helping history along by seeking to establish first in Russia and then throughout the world his own notion of Marx's vision of an ideal society. With single-minded devotion to his cause, he applied himself to the goal of taking power in Russia, a goal which he reached in the fall of 1917.

Lenin, we must note, had competition among the revolutionaries who, like he, tried to depose the czar and Russia's ruling aristocracy. His competitors included advocates of capitalist

democracy as well as leftwing revolutionaries, some of them fellow Marxists. What distinguished most of them from Lenin was that, in one way or the other, they subscribed to the ideas of the role of government and of the dignity of the individual which were the essence of the teachings of the Enlightenment. These teachings, let us recall, are, indeed, the teachings to which our Founding Fathers subscribed and which provided the ideological base on which our system of government is built.

Lenin rejected these teachings, derisively referring to them as "bourgeois liberalism." His basic precepts were that the power of the state must be seized and held by an elite group, which he viewed as "the vanguard of the revolution." That vanguard was the Bolshevik faction of the Russian Social Democratic Party, which later renamed itself the Communist Party. Not long after the Bolsheviks had taken power, one of Lenin's disciples and a principal leader of the new Soviet state, Grigory Zinoviev, had this to say in his report to the 11th Congress of the Soviet Communist Party:

[W]e constitute the single legal party in Russia; . . . we maintain a so-called monopoly on legality. We have taken away political freedom from our opponents; we do not permit the legal existence of those who strive to compete with us. We have clamped a lock on the lips of the Mensheviks and the Socialist Revolutionaries. We could not have acted otherwise, I think. The dictatorship of the proletariat, Comrade Lenin says, is a very terrible undertaking. It is not possible to insure the victory of the dictatorship of the proletariat without breaking the backbone of all opponents of the dictatorship. No one can appoint the time when we shall be able to revise our attitude on this question.

Within the party, decisionmaking, according to Lenin, was to be concentrated at the very top. As semantic games are often played by the Soviets and as the term "democracy" is assigned an important role in that context, let me share with you the following quotation from Lenin:

Soviet socialist democracy is not in the least incompatible with individual rule and dictatorship. . . . What is necessary is individual rule, the recognition of the dictatorial powers of one man. . . . All phrases about equal rights are nonsense.

It is against this background that we must read the term "democratic centralism," as it appears in Article 3 of the Soviet Constitution. It means that the people in the central position call the shots. Lenin made no bones about his intention to establish a dictatorship.

The Soviet Constitution as an Educational and Propaganda Instrument

We must understand, therefore, that the Constitution of the U.S.S.R. is not, like our Constitution, a document that spells out the powers and form of government as well as its limits and the inalienable rights of the individual. In a Leninist state there are, by definition, no limits to the power of government. There are no inalienable rights of the individual. Law is made and altered at will by the leadership. The powers of the leadership cannot be limited by an overarching document that would deprive a leadership group of its freedom to act as it sees fit. Nor can the assertion of the right of an individual stand in the way of the leadership's determination of what is good for society.

The Constitution of the U.S.S.R. is, therefore, an educational and propaganda instrument. Any provisions contained in the Constitution which might facially suggest that freedom of the kind that we know exists are effectively modified by the key phrases in Articles 3, 6, 39, and 59 to which I referred earlier.

Let me offer an illustration of what I mean. The equivalent of our First Amendment is contained in Article 50 of the Soviet Constitution, which reads as follows:

In accordance with the interests of the people and in order to strengthen and develop the socialist system, citizens of the U.S.S.R. are guaranteed freedom of speech, of the press, and of assembly, meetings, street processions and of demonstration.

Starting from our notions of civil liberties, we might read this article to mean that citizens of the U.S.S.R. are guaranteed freedom of expression and that that grant of freedom accords with the interest of the people and strengthens the Soviet Union's system of government. But that is not the way Article 50 is understood in the Soviet Union. The way Article 50 is applied, freedom of speech, of the press, of assembly is granted *only if it accords with the interest of the people and if it strengthens and develops the socialist system*. And who is to decide what is in the interest of the people and what strengthens and develops the socialist system? The answer is, of course, found in Articles 3 and 6 of the Constitution. What is in the interest of the people is decided by the Communist Party and ultimately by the central leadership, the Politburo. That is why a law that makes defamation of the socialist system a crime is constitutional. Defamation,

which in Soviet practice means speaking unpleasant truths, is presumed not to strengthen the socialist system.

Let us take a look at another constitutional provision dealing with civil liberties. Article 52 reads as follows:

Citizens of the U.S.S.R. are guaranteed freedom of conscience, that is, the right to profess or not to profess any religion, and to conduct religious worship or atheistic propaganda.

Indeed, in the Soviet Union today, anyone may profess a religion. But nothing in the Constitution prohibits the Communist Party of the Soviet Union from banning anyone who professes religion from its membership and, therefore, from advancement to any position of leadership and responsibility in Soviet society. Furthermore, while the right to conduct religious worship is guaranteed, this phrase has not been construed to mean that any group of citizens may conduct religious worship at any time in any place of their choosing. Laws have been promulgated which allow religious associations to form and register with the authorities of the state. If they are registered and if they do receive permission to use a house of worship, worship in that place at times authorized therefor is permitted. Any group which worships without appropriate authority can be and often is punished severely.

How does all of that comport with the constitutionally guaranteed right "to conduct religious worship"? The Soviet answer would be that the right to conduct religious worship exists. The Constitution, they will say, does not guarantee a right to *unregulated* religious worship.

To understand how religion may be practiced in the Soviet Union, we, as American lawyers, should think of the way the securities industry functions in the United States. Just as you may practice religion in the Soviet Union, you may engage in the securities business in the United States. But to engage in the securities business in our country, you must operate within the regulations issued by the Securities and Exchange Commission. If you act outside the regulations, you may, indeed, be punished. That is the way it is with the practice of religion in the Soviet Union. If you act within the regulations laid down by the Religious Affairs Commission, you will not run into any problems. If you act outside these regulations, you violate Article 227 of the criminal code of the Russian Federated Soviet Socialist Republic or the corresponding code sections in the criminal codes of the other republics. Article 227

makes it a crime to participate in a group which "under the guise of preaching religious doctrines and performing religious rituals is connected with . . . inciting citizens to refuse to do social activity or to fulfill obligations. . . ." The penalty imposed upon violators is customarily 3 years of deprivation of freedom. For leaders of such a group, it is 5 years.

Gorbachev and *Glasnost*

In light of the news that has come out of the Soviet Union within the last 8 months or so, you might ask whether we cannot expect some fundamental changes in the roles of the party and the state under Mikhail Gorbachev and *glasnost*. My answer to this question would be "no." Gorbachev is deeply committed to carry on in the spirit of Lenin and, as I noted at the outset, dominance of the state by a single party, control of the party by a self-perpetuating leadership group, and subordination of the individual to the interests of the state, as defined by the leadership, are the essential elements of the teachings of Lenin. In fact, Gorbachev made precisely that point in his statement to the Communist Party's Central Committee Plenum in January of this year when he emphasized that "the principle of the Party rules under which the decisions of higher bodies are binding on all lower Party committees . . . remains unshakeable."

What Gorbachev and his friends are attempting to strip from the operations of the Soviet system, in the name of *glasnost*, are the features of oriental despotism initially imbedded in the Leninist construct by Joseph Stalin. These include severe punishment for the mere expression of dissenting opinions, rigid limitations upon allowed literary expression, state control over all other forms of artistic endeavor, punishment for criticism of any state official or any official action, etc. Under *glasnost* all of these Stalinist controls

are to be relaxed. The petty tyrannies of local officials are to be ended, as efforts are made to have the lower levels of the bureaucracy operate under the rule of law. But, and this is a point that must be kept in mind, there are to be limits to the relaxation. Nothing is or will be allowed that might threaten the control of the state by the party, as guaranteed by Article 6 of the Constitution. Gorbachev and his colleagues reject, as did Lenin before them, "bourgeois democracy." Their goal is to return to the practices of the Soviet system in the early 1920s, in the time of Lenin and the years immediately after his death. Their notion is to live by Lenin's precepts, not to abandon them.

It is important to note in this context that Stalinism is now being stripped from the Soviet system for the second time. It was initially exorcised by Nikita Khrushchev, back in the 1950s. It evidently sprouted again after Khrushchev's removal, even though not driven by paranoia of the same intensity as under Stalin. What the Soviets really should ask themselves is whether a Leninist system, without any checks and balances, will inevitably, over time, develop Stalinist features and whether, therefore, in the absence of fundamental change, Gorbachev's *glasnost* is not likely to go the way of Khrushchev's thaw, with the country returning to another form of despotic rule.

As I have noted, the Soviet governmental system is characterized by an absence of checks and balances, by an absence of a constitutional framework which guarantees individual rights against the highest state authority. It is for that reason that the operation of the entire system is so critically dependent on the outlook and attitude of the person or persons who at any one time control the principal levers of power in the Soviet Union. As Dr. Koryagin—the Soviet psychiatrist who has recently been released from prison—has had occasion to observe, the somewhat

greater freedom of expression now allowed in the Soviet Union is not *guaranteed*, it is *permitted*, and permission can at any time be withdrawn.

Though the Soviet leadership does not appear to have any present intention of abandoning the basic precepts on which its system of government rests, that does not mean that no change will ever occur. Having gotten in recent months at least a whiff of greater freedom, some Soviet citizens might be willing to learn how other societies go about the task of assuring respect for individual rights. And who would be better equipped to talk to them about this subject than those whose professional responsibility it is in a democratic country to see that the rights of the individual are protected?

It is for that reason that I want to end my remarks with an appeal to you. If the ABA/Association of Soviet Lawyers agreement is renewed, I sincerely hope that American participants will try to learn how the Soviet system works, will learn to understand the facade which the Soviet Constitution presents, a facade behind which any Politburo directive can supersede any alleged constitutional guarantee. I hope that American participants will not be shy about explaining to the Soviet lawyers they meet the difference between a constitution which a country's political leadership can manipulate at will and one which with the help of an independent judiciary can, indeed, shield the individual citizen against oppressive government. In responding to you, a good many of your interlocutors will parrot the party line, but deep down they will understand what you are talking about. ■

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A Democratic Future: The Challenge for South Africans



United States Department of State
Bureau of Public Affairs
Washington, D.C.

Following is an address by Chester A. Crocker, Assistant Secretary for African Affairs, to a City University of New York conference on "South Africa in Transition," White Plains, New York, October 1, 1987.

A couple of days ago, in a speech in New York, Secretary Shultz laid out a set of ideas that collectively described America's vision of a free South Africa. Prior to that speech, we had spoken out often on what we are against: racism, apartheid, cross-border violence, black disenfranchisement and economic exploitation, "necklacing," and terrorism—by any party.

On Tuesday the Secretary stated as clearly as possible what the United States is *for* in South Africa. Most of you have probably read the statement, or read about it, but I think it's useful for us to recapitulate the democratic precepts he enunciated. Briefly, the South Africa that we Americans—and, I daresay, most Western democracies—envisage is a society based on:

- A constitutional order establishing equal political, economic, and social rights for all South Africans;
- A democratic electoral system with multiparty participation and universal adult franchise;
- Effective constitutional guarantees of basic human rights for all South Africans as provided for in the Universal Declaration of Human Rights;

- The rule of law, safeguarded by an independent judiciary with the power to enforce rights guaranteed by the constitution to all South Africans;

- A constitutional allocation of powers between the national government and its constituent regional and local jurisdictions; and

- An economic system that guarantees economic freedom; allocates government social and economic services fairly; and enables all South Africans to realize the fruits of their labor, acquire and own property, and attain a decent standard of living.

You will notice that I described these democratic principles as what "we Americans" envisage for the future of South Africa. I did so because on these bedrock issues there is no significant disagreement in our country. Yes, we want an end to apartheid. But we want more than that. All Americans seek a South Africa based on these universal principles of freedom, justice, and equality.

A Changing Debate

So the question of ends is not, and has not been, a matter of great controversy in this country. Rather, the impassioned debate of recent years has been—and remains—about the means

to achieve those ends. Today, I'd like to talk to you about means—about how to move from principles to practice, from vision to reality. And I'd like to talk specifically about what the United States can do, and—equally important—what it can't do; that is, what only South Africans themselves can do.

At the risk of some oversimplification, I would characterize the debate over the proper U.S. role in South Africa as spanning a spectrum that runs, at one end, from those who believe primarily in the power of persuasion and the efficacy of diplomacy, to those at the other end, who champion a policy of punishment and isolation. This is, of course, an exaggerated construct. Most serious participants in the South Africa debate advocate a mixture of measures drawn from both approaches.

Those nearer to the end of the spectrum that advocates use of diplomatic influence have operated on the premise that apartheid bears the seeds of its own destruction and that some in the white South African leadership realize this and are already seeking—often against extreme conservative opposition—to find a way out of this blind alley. A related premise is that apartheid's incompatibility with economic reason as well as moral principle will increasingly lead to change—changes of law, policy, and practice as well as changes in power relationships within the society.

In these circumstances, the most effective role the United States could play has been perceived to be support and encouragement of these forces for change, providing positive reinforcement for incremental moves and acknowledging progress toward a more open society when it occurs, while avoiding self-righteous moralizing and sanctimonious gestures. An active and socially conscious U.S. business presence in South Africa is an important element of this approach, acting as an agent of black economic empowerment and its inevitable concomitant, political consciousness. At the same time, political and psychological pressure, public criticism, and selective sanctions have played an important supportive role.

Unfortunately, the South African Government has been slow to take advantage of a unique opportunity to set a course toward extricating its people from the quicksand of apartheid. Many positive changes have unquestionably occurred in South Africa in recent years, including abolition of some of the most odious apartheid laws, and some of the wilder delusions of grand apartheid are being abandoned. But none of these measures have addressed the core of the South African dilemma: the issue of political equality. Sadly, external diplomatic efforts to hasten the pace of evolution away from apartheid and repression and toward a more open, democratic society have achieved only limited success.

Toward the other end of the spectrum have been those who believe that apartheid will not yield in any realistic or acceptable timeframe to diplomatic pressure and persuasion, selective criticism, and the progressive influence of Western economic and cultural presence. They are convinced that nothing short of the threat or even the actuality of total isolation and eventual economic ruin will bring the white South African leadership to its senses and compel them, however reluctantly, to negotiate or accede to a new political, economic, and social order.

Frustrated by the slow pace of evolutionary change and the brutal repression of mounting black protest, the U.S. Congress last year enacted aspects of this latter approach into law in the form of the Comprehensive Anti-Apartheid Act, in the apparent belief that broad economic sanctions would achieve quickly what a mix of positive incentives and selective pressures had not brought about.

The experience of the last year has failed to bear out these expectations. While it is impossible to ascribe par-

ticular political and economic consequences to specific measures embodied in the act, we can agree that none of the actions on the part of the South African Government that the legislation hoped to achieve have, so far, taken place.

No meaningful reform has taken place since October 1986. The state of emergency has not been repealed; in fact, the earlier decree was toughened. Key political prisoners have not been released. Indeed, the number of political prisoners has vastly increased, including large numbers of minors. No timetable has been set for the elimination of the remaining apartheid laws. South Africa has not ended military and paramilitary activities against neighboring states. The cycle of violence and counterviolence between the South African Government and its opponents has, if anything, gotten worse.

All this doesn't mean that South Africans or their government are impervious to outside pressure or that we oppose all forms of pressure or sanctions in principle. Indeed, this Administration has itself voluntarily imposed sanctions, ones that were carefully targeted at apartheid-enforcing agencies and designed to avoid perverse consequences for our influence and unnecessary hardship to the very people in South Africa and the front-line states we were trying to help. But the government's response to external pressure over the last year gives no grounds for hope that more sanctions will produce better results. In passing and implementing last year's legislation, it is clear that we Americans oversold to ourselves what external sanctions could contribute to bringing about fundamental change in South Africa.

The whole experience of Western policy debate over South Africa for the past generation has been a very sobering experience for all concerned. The hoary truism about there being "no easy answers" has been brought powerfully home. As we near the end of the 1980s, a new consensus may be emerging around this proposition: there is no silver bullet, American or otherwise, that will end South Africa's suffering or solve its problems. Increasingly, it is understood that the demise of apartheid is an agonizingly long and often frustrating process; one on which we can have only marginal influence. As the economic stagnation that sanctions were intended to produce begins to exact a toll in declining living standards and rising black unemployment—

and as meaningful change does not occur in the face of such symbolically potent but practically impotent punitive measures—enthusiasm for even more drastic measures, such as legislatively mandated disinvestment, is receding. Sanctions are, I believe, yesterday's agenda, shown by today's events to be less helpful than they are injurious to the hopes of South Africans for tomorrow.

At the core of our sobering experience is the realization that there is a severe limit to what the United States—or any other outside power or combination of powers—can do to bring about change in South Africa. We can and we must continue to pursue a policy of both pressure and persuasion. The sanctions enacted in the 1980s and previous decades serve as a measure of our indignation at continuing racial injustice and repression. We will continue to use every appropriate form of peaceful persuasion to accelerate the pace of change. But we know now—more than ever—that the fate of South Africa is not in our hands.

Break the Cycle of Violence

Secretary Shultz has just enunciated the democratic precepts and goals that underlie our policy—precepts that we hope will help South Africans build their future. They point to a vision that I believe many South Africans—of all races—can embrace. But it is one thing to articulate a vision; it is quite another to translate it into reality. The heart of my message to you today is that that Herculean task can only be accomplished by South Africans themselves. The United States can and will continue to encourage and support forces for democratic change and to catalyze, where possible, the painful, complex process of reconciliation and accommodation that must occur. But we cannot make the changes, and we cannot do the reconciling. Only South Africans themselves can do that.

The great future we envisage will remain beyond the reach of the South African people as long as their country is tortured by the violence of repression and armed resistance. Peace and justice can't be enforced by a state of emergency, denial of due process of law, and the silencing of political opponents. Nor can they be realized by revolutionary upheaval or cross-border guerrilla forays. These aspirations can only be achieved, I am convinced, by breaking down the walls of fear, suspicion, and profound mistrust that divide South Africans, black and white, from each other.

The problem was eloquently expressed by our ambassador to South Africa, Ed Perkins, in a recent talk in Johannesburg. He put it this way:

If I were to choose the most poignant thing I have witnessed since my arrival here, it would be the lack of knowledge and understanding [of each other] among South Africans. You live in two different political and economic worlds. You come from different social traditions. And you are only now getting to know each other. All over this lovely country, blacks have asked me what is it that whites are thinking, and whites have questioned me—almost wistfully sometimes—about life and thought in the townships.... The sad fact is that apartheid has been all too successful at keeping people separated and making it extremely difficult for them to establish normal structures which would facilitate communication.

If this gulf is ever to be bridged, South Africans must somehow begin to talk to each other and truly to get to know each other as equal human beings. I know that this is no simple undertaking; indeed, it is nearly impossible in the current climate of fear and insecurity—physical and psychological—in which all South Africans live. Such fear is not simply the product of ignorance and misunderstanding. It is a very real reaction to the ever-present threat—and reality—of violence in that deeply troubled land and to the looming unknowns of political change.

If dialogue is ever to have a chance, South Africans must find a way to turn away from violence in all its forms—the brutal violence of the *sjambok* [whip] and the grisly violence of the fiery “necklace”; the diabolical violence of jailhouse torture and the murderous hit squad; and the indiscriminate violence of the shopping-center bomb. If South Africans are ever going to negotiate a common future, they need to stop maiming and brutalizing each other before this becomes that country's way of life.

The citizens of South Africa are not the only victims of this hideous cycle of violence. When real black anger takes the form of guerrilla attacks on isolated farms or car bombs in urban areas, the reaction, all too predictably, is for South Africa's security forces to lash out against its neighbors. Violence begets violence, be it wholly indigenous or projected across borders. The sad price of individual blows against the symbols of apartheid or the symbols of resistance to it is likely to be long-term instability throughout the region. In such a regional cycle, the only winners are those leaders and decisionmakers who control the tools of violent action.

That is bad for the entire region and bad for the process of democratic change in South Africa. We have worked hard, and will continue to strive, to reduce southern Africa's regional violence.

Almost as important as the reduction of violence is the maintenance of a dynamic economy. In an atmosphere of economic anxiety, with intensified competition for diminishing resources, trust and dialogue will be even harder to build. In this sphere, we and other Western nations have an important role to play. Continued vigorous participation by U.S. business in the South African economy, guided by the still-valid Sullivan principles and notwithstanding the countervailing effect of sanctions, is an important factor in sustaining a climate of economic hope in which black, brown, and white South Africans realize that the politics of negotiation do not need to become a zero-sum game.

If these conditions can be met, there are grounds to hope that dialogue can lead the way to a brighter future for South Africa. Already there are hopeful signs here and there that South Africans of vision, good will, and courage are reaching out across the racial divide in an effort to communicate and to explore a common future.

Just 2 months ago, as you are all aware, a group of prominent Afrikaners—intellectuals, businessmen, and even politicians—traveled to Dakar to meet with a delegation from the African National Congress (ANC). The very fact of the meeting was a historic first, with participants on both sides awed by the extent to which they agreed about what needed to be done in South Africa. A few months before the Dakar meeting, the head of the *Broederbond*, once the very fountainhead of apartheid ideology, met with a prominent leader of the ANC. It is likely that such contacts are paralleled by unpublicized probes. The significance of direct meetings like this is less in what they have so far accomplished than in the fact that they so clearly contradict the popular mythology of rigid preconditions and non-negotiable demands.

On a more concrete level, the ongoing *Indaba* experiment is another encouraging development, in which leaders from all racial groups are seeking to hammer out a new nonracial order for Natal Province. Although it has encountered stiff opposition from some government leaders and from rival black political organizations, this unprecedented effort at black-white cooperation

is a beacon of hope and a source of inspiration for all those who work for peace and justice in South Africa.

I do not want this assessment to be mistaken for naivete. I don't believe that the millennium of racial justice in South Africa is around the corner or even in sight. Just because people are able to talk to each other obviously does not mean that they will necessarily agree or even take each other seriously. Without gainsaying the courage of those South Africans who have dared to challenge taboos against talking to the “enemy”—be that enemy the ANC, Inkatha, AZAPO [Azanian People's Organization], or the South African Government—the fact is, as we say in the United States, “talk is cheap.”

If South Africans are to move beyond this critical first step toward the building of a true democracy, dialogue must be deepened and broadened beyond the vanguards of rapprochement to encompass those who wield the power to move from talk to action. These leaders must be prepared for compromises of the most profound kind. They will have to abandon the pernicious illusions in which so many South Africans are still trapped: the illusion that racial dominance and privilege at the expense of the majority can be maintained by force in today's world and the parallel illusion that a powerful, deeply rooted system built up over 300 years can be overthrown in a violent cataclysm without untold suffering to all concerned.

South Africans' Responsibility for Their Future

This leads me to a final set of observations about our respective roles as Americans and South Africans. As one who has participated in countless meetings with all kinds of South Africans over many years, I am struck by the fundamental ambivalence in their attitude toward the United States and the outside world generally. On the one hand, there is wounded pride and sense of resentment when outsiders act or speak out or propose concepts for consideration. At the same time, every South African party appears to want intervention on its side and is quick to blame outsiders for their problems if that appears convenient. Well, I think it is time for South Africans to accept their responsibilities, to recognize the limits on our role, and to stop this adolescent tendency to alternatively cultivate or scapegoat the foreigners who

mean your country well. We are neither the cause of your problems nor your saviors.

We repeatedly hear government spokesmen assert that it is only because of Western naivete, spinelessness, and double standards that they face Western pressure and that black opposition groups have gained legitimacy in South Africa. The plain fact is that it is apartheid that fuels black anger and Western outrage. It is equally frustrating to hear black South Africans and officials of other African states maintain—against all evidence—that the West supports apartheid and that only massive external pressure and isolation of South Africa will bring the walls of apartheid crashing down. The truth is that this line of reasoning debases the black struggle inside South Africa, where blacks are building strategies and institutions that have already led to significant changes in that country and are destined to lead to truly fundamental changes in the years ahead.

We and other Western nations have a role to play, and we intend to continue playing it. That role includes the full range of diplomatic tools that we believe can advance our hopes for democratic change. The United States can and will continue to help bring South Africans together to talk and to listen to each other in dialogues such as this one. We will continue to use our influence to secure the release of political prisoners, which is prerequisite to inauguration of a serious process of accommodation. We will continue to provide generous assistance to black education, community mobilization, labor organization, and human rights advocacy—essential building blocks in the foundation of a nonracial, democratic South Africa. And you may be sure that as the process gains momentum, as South Africans demonstrate the will to work together, much more assistance will be

forthcoming. Americans have always responded generously to people's efforts to help themselves.

But our message to South Africans must be that the key—the willingness to compromise and to accommodate—rests in your hands, not in ours. Unless South Africans can move decisively to come to terms with each other, they will condemn themselves and future generations throughout their region to a life of growing strife and deepening poverty.

Though the hour is late, time for accommodation has not run out. If South Africans do your part—the hardest part—to bring it about, we will do ours. ■

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THE DEPARTMENT OF STATE, BUREAU OF HUMAN RIGHTS AND HUMANITARIAN AFFAIRS, IS PLEASED TO CONFIRM IT'SS INVITATION TO YOU TO PARTICIPATE IN A COMMENORATION OF HUMAN RIGHTS DAY, ON DECEMBER 10, 1987. THE EVENT WILL BEGIN AT 8:30 AM AT THE DEPARTMENT OF STATE. YOU SHOULD ARRIVE AT THE "C" STREET ENTRANCE AND CHECK IN AT THE DESK SET UP IN THE LOBBY TO RECEIVE YOU NAME BADGE AND TO BE ESCORTED TO THE CORRECT ROOM. THERE WILL BE THREE PANELS MADE UP OF DISTINGUISHED GUESTS FROM AROUND THE WORLD. THE FIRST, ON "ELECTIONS," BEGINS AT 9:30, FOLLOWED BY "FIRST AMEMNDMENT FREEDOM, FREE DOM OF SPEECH RELIGION AND ASSEMBLY" AT 10:30 AND "THE RULE OF LAW" AT 1130. THE PROGRAM WILL CONCLUDE AT 12:30PM. PLEASE COME UP TO THE FRONT OF THE ROOM WHEN YOUR PANEL IS SCHEDULED TO BEGIN SO IT CAN START ON TIME. YOUR CONTACT FOR THIS EVENT WILL BE EDWARD MICHAL, WHO CAN BE REACHED AT (202) 647-1255 (WORK) OR (202)-585-0056 (HOME). PLEASE LET HIM KNOW IF YOU WILL BE UNABLE TO ATTEND OR IF YOU HAVE ANY QUESTIONS. YOU MAY ALSO OBTAIN HELP FROM ED ATKINS AT THE C STREET LOBBY DESK. BOTH WILL BE WEARING NAME BADGES. WE LOOK FORWARD TO SEEING YOU ON THURSDAY, THE 10TH.

RICHARD SCHIFTER, ASSISTANT SECRETARY OF STATE

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YOU ARE CORDIALLY INVITED TO BE ONE OF SEVERAL GUESTS OF THE PRESIDENT AS HE SIGNS THE HUMAN RIGHTS DAY PROCLAMATION AT THE WHITE HOUSE. THE PROCLAMATION SIGNING WILL TAKE PLACE ON THURSDAY, DECEMBER 10, 1987 AT 3:30 P.M. IN THE OVAL OFFICE.

IF YOU ARE ABLE TO ATTEND, PLEASE CALL (202) 456-6411 BY 12 NOON, TUESDAY, DECEMBER 8, TO CONFIRM YOUR PARTICIPATION. PLEASE GIVE YOUR FULL LEAGAL NAME (AS IT APPEARS ON YOUR DRIVER'S LICENSE OR CURRENT PASSPORT), SOCIAL SECURITY NUMBER OR PASSPORT NUMBER, AND DATE OF BIRTH.

PLEASE ARRIVE AT 3:00 P.M. ON THURSDAY AT THE PENNSYLVANIA AVENUE ENTRANCE OF THE WEST WING (NORTHWEST GATE). REMEMBER TO BRING YOUR PHOTO IDENTIFICATION (DRIVER'S LICENSE OR CURRENT PASSPORT.)

I LOOK FORWARD TO YOUR PARTICIPATION.

SINCERELY,

LINAS KOJELIS
SPECIAL ASSISTANT TO THE PRESIDENT
FOR PUBLIC LIAISON

19:14 EST

MGMCOMP



United States Department of State

Washington, D.C. 20520

November 24, 1987

Dear Friend:

I would like to invite you to the Department of State for a commemoration of Human Rights Day on December 10, 1987 from 8:30 A.M. to approximately 12:30 P.M. The program will consist of three panel discussions focussing on the following key themes: freedom of the press, religion, and assembly; elections/self determination; and the rule of law.

To register for the briefing, or should you have any questions, please call Elizabeth Gibney of the Public Affairs Bureau at (202) 647-1645. Please enter the Department at the C street entrance (Diplomatic lobby), where you will be met and escorted to the Loy Henderson Conference room.

I hope you can join us on December 10.

Sincerely,

A handwritten signature in cursive script, reading "Richard Schifter".

Richard Schifter
Assistant Secretary
Bureau of Human Rights and
Humanitarian Affairs



December 8, 1987

**American-Arab
Anti-Discrimination
Committee**

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Joe Yusuf

Dear Fellow Human Rights Activist!

I am writing to you with an urgent appeal concerning a serious matter of human rights and our country's honoring of a person involved in the massacre of hundreds of defenseless civilians in 1982.

Major General Amos Yaron was in charge of the Israeli forces that entered West Beirut in September, 1982 after a U.S. brokered withdrawal of P.L.O. fighters. As part of the written withdrawal agreement, the U.S. gave assurances for the safety of the remaining civilian population. General Yaron's forces surrounded two Palestinian refugee camps and by prior arrangement allowed the Phalangist militia forces to enter and engage in three days of wanton slaughter. Yaron was told of the massacre while it was occurring, did nothing to stop it and did not report it to his superiors. More than that, his troops fired flares for night illumination over the camps and provided bulldozers with which bodies were covered over with rubble.

As a result of the uproar over this massacre the Israeli Government convened a Commission which implicated Yaron along with several other high Israeli officers. Yaron was removed from his army command for three years. Slightly more than a year ago Israel assigned him to the post of military attache to the U.S.

The U.S. accepted his credentials. Canada rejected them.

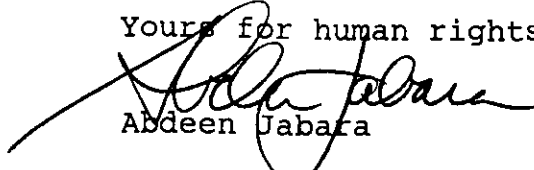
At the time of the massacre President Reagan said:

"I was horrified to learn this morning of the killing of Palestinians which has taken place in Beirut. All people of decency must share our outrage and revulsion over the murders, which included women and children."

"For the criminals who did this deed, no punishment is enough to remove the blot of their crime."

On this day of celebration of Human Rights we appeal to you to ask our government to expel Yaron by calling Secretary Shultz at 202-647-4000 and Secretary Carlucci at 202-695-5261. According him the "honors, rights and privilege" of diplomatic status is a blight on the flag of America.

Yours for human rights,


Abdeen Jabara

DISGRACED IN ISRAEL!



Massacre at Chatila Camp, Beirut, Lebanon, 1982



MAJOR GENERAL AMOS YARON
Israeli Military Attache

In 1983 Israel implicated this man in the massacre of hundreds of civilians. Israel has since assigned him as a diplomat in Washington. Canada rejected his credentials. Our government honors him with the rights and privileges of diplomatic status. His presence in the U.S. is a moral outrage and an affront to the decency of the American people.

HONORED BY AMERICA

UNITED STATES OF AMERICA
DEPARTMENT OF DEFENSE



THE DEFENSE INTELLIGENCE AGENCY

certifies that

MAJOR GENERAL AMOS YARON

is hereby accredited

DEFENSE ATTACHE'

and accorded all honors, rights and privileges attendant thereto.

Presented in Washington, D.C. on this 10th day of 10/1983



For Signature: J. J. [Signature]
Deputy Defense Intelligence Agency

**CALL OR WRITE TO PROTEST THE PRESENCE
OF THIS WAR CRIMINAL IN OUR CAPITAL!**

Secretary of State
GEORGE SHULTZ
Department of State
(202) 647-4000

Secretary of Defense
FRANK CARLUCCI
The Pentagon
(202) 695-5261

Thao's copy

- We do not know why the Vietnamese Government still keeps the political prisoners while these prisoners are no longer of danger to the VN Government since the prisoners are now in their late 50s and 60s or even older, and are sick and in poor health, and would be unable to take up arms against the VN Government. The Vietnamese Government had promised to release the prisoners if the U.S. Government would be willing to accept the prisoners. The U.S. Government is, indeed, willing to accept said prisoners; but until now the prisoners are still in prisons.
- We have been waiting for the freedom of our loved ones. This is also one of the concerns of the U.S. Government. ✓ Senator Edward M. Kennedy had said during the reception on April 30 this year: "... And, what so many of you are asking for is that we remember not only the dead, the MIAs, but that we remember the living and recognize that, as we meet here this evening, thousands of miles away are divided members of families who are kept in inhumane conditions and whose only desire is to be able to breathe the air of freedom and to be reunited and rejoined with their loved ones. ...". On the same occasion, Senator Robert Dole had said: "... I think I can speak on behalf of my colleagues in the United States Senate, and I think the House too, both Democrats and Republicans, that we appreciate the opportunity to be here to express our support and to promise you that we will maintain as best we can the interest in what I consider to be a very important U.S. responsibility. ...".
- We have high respect for the parents, wives and children of the Americans who had sacrificed their own lives for our country, and those who are still missing in Vietnam. We understand perfectly the feelings of these families. Whenever we have the opportunity to pass by the Vietnam Veteran Memorial in Washington, D.C., we always feel sad and touched, so we pray for them and their families, too.

April 4th, 1975 was the day I left Viet Nam for the Philippines, also the day I last saw my husband. I somehow understood the situation of my country, I was so much concerned^a about my family, but I had to return to my duty station. Nevertheless, I never thought it was the day I lost my country and missed my husband and children. Worse still, my husband and children were there, yet, I could not take care of them in such a situation. I cried my eyes out and prayed that God would help me to be brave enough to go through all this.

On April 26th, 1975, 4 days before Saigon fell, my husband called me in the Philippines, I was so happy to hear from him. His voice sounded very stable, but indicated something very important happened. His voice made me even more worried. He told me to try my best. I knew immediately that it must have been very difficult for him to make a decision. As a leader -- joining me he would have abandoned his subordinates, staying he would have given me up -- a wife ~~in the Vietnamese Embassy~~ in a foreign country.

The only word I told him at that very moment was " Our country is now painted all RED; I do not want to lose my country neither do I want to lose my family" I told my husband that on TV that day President Ford announced " It is too late now". ~~But my husband told me~~ he said , at that time, Vietnam has no news at all, people live in suspense" But he told me "Be calm! I will manage it ^{OK}."

On April 30th, 75, I got the official news that General Big Minh surrendered.

May 75, I got a cable from home saying that "the family is OK".

June 75, I requested the UN's representative in the Philippines to look for my family in VN.

~~DEC.~~
~~July~~ 75, I got the first letter from my son, I felt a lot relieved.

In the depth of my heart I believe that anybody who is a mother or a wife would understand me.

He is very courageous. To him country is first, family is only second. Although he showed great concern for his family and his subordinates, the last minute he made a difficult choice, he stayed with them.

It was 1975 after Saigon fell, and I was stranded in the Vietnamese Embassy in the Philippines. I first got cables from friends saying that they were now safe at home -- meaning they could not get out. Later, their letters came, saying that their husbands, sons, nephew, etc., were taken away. Some gave locations -- others did not. Although the SRV said these people would go to reeducation for only 10 to 30 days, the families suspected the return might be far, far away. Therefore, they wrote and asked me what I could do to help as a person living in the free world.

When the communication with those in reeducation camps finally broke through, I got letters from my husband, and those in camps from both North and South VN.

I then started searching for organizations which could help such as Amnesty International, International Red Cross. ^{UNHCR} However, we who had families in the reeducation camps kept it among ourselves, for fear that there might be retaliation against those prisoners, since we had no back-up in or outside of the U.S.

Now it is different. We have not only the U.S., but also ^{at large} the world's ^{interest as MR. X} interest. The SRV, even if wanted, may not be able to do much to the prisoners without hurting their world image.

* Mr. Wolfowitz once said: No one more deserving of admission to the USA as a refugee than the people who are suffering in the prison because of their past association with the Americans

Personally I feel that this is a step in the right direction that will lend itself to healing a lot of open wounds surrounding the Vietnam War. Having family still in the country, a husband who is a Prisoner of War, ~~a sister and a daughter~~, I am very relieved and feel that our prayers have been answered...as if there is still hope that one day we will again be reunited as a family in a country with vast opportunities for growth and development.

Our thanks goes out to the Regan Administration for considering the request to give asylum to the thousands of Vietnamese still in Re-education Camps. It is a move that will be popular among some and not so popular with others.

We have written several personal letters to the various agencies asking for their assistance in securing the release of our loved ones; and yet, this is the first positive step that has been taken and we are very grateful and hope that it will bear fruit.

We are also very much interested in concerned as to what our role should be in helping to aid in the transition when it occurs. Various groups will be meeting to discuss the various strategies necessary in helping to orientate the prisoners once they are released in order that they may regain their dignity and self-esteem and become productive members of this great society.

Again our special praises to this Administration for graciously considering Hanoi's offer; and to the many American people who have prayed with us and for us for this glorious day that we hope is about to come. We ask continued support and prayers from people all around the world to help realize an end to war that claimed the innocent lives of so many thousands of men and women and children.

HELP WIN FREEDOM FOR VIETNAMESE REEDUCATION CAMP POLITICAL PRISONERS

On March 28, 1987, friends and relatives of Dr. Nguyen Duy Xuan who died in Nam Ha reeducation camp in N. Vietnam held a memorial service for him at the Ky Vien Pagoda in Washington, D.C. Born in 1924 in O-Mon in the Mekong Delta of S. Vietnam, Dr. Xuan studied in England and earned his doctorate degree in Economics from Cambridge University. He served in various capacities in the Government of South Vietnam. From 1966 to April 1975, he was President of Can-Tho University. On April 14 to April 30, 1975, he was appointed Minister of Culture and Youth in the last South Vietnam Cabinet, which lasted only 16 days before its fall to Communism in April 1975.

Then, what were considered quite respectable activities for a Vietnamese man during the U.S. backed democracy in South Vietnam turned into unnamed "war crimes" after the Communist takeover of South Vietnam. Along with thousands of other officers and officials of the vanquished regime, Dr. Xuan was interned in reeducation camps in North Vietnam since the summer of 1975 until he died some time in December 1986 in the Nam Ha reeducation camp in North Vietnam. Like dozens of "reeducation camps" established by the Vietnamese Communist to keep its former opponents, the Nam Ha reeducation camp is a reform-labor-concentration camp where thousands of inmates have died of hunger, diseases, execution and work exhaustion during the past decade. They are POW's in the truest sense, since they have been imprisoned because they once have served in a vanquished government. Dr. Xuan died sometime in December 1986; but the news of his death did not get to his family until late February. His wife and children live in France. His cousin, Mr. Nguyen Thanh Nghiep, lives in D.C. and brought the news to the Vietnamese community in the U.S. Dr. Xuan's students, friends and relatives gathered that evening, March 28th, to eulogize and mourn their friend.

My own husband, former Col. Nguyen Van Be, is still a prisoner in the same Nam Ha reeducation camp where Dr. Xuan died. As I sat in the pagoda listening to the eulogy, tears welled in my eyes, a lump in my throat and the dreaded question in my mind: What about my husband? Would he last until we win his amnesty, or like Dr. Xuan, will amnesty, if it ever comes - be too late for him? And what about the husbands, fathers, sons of those sitting next to me in the pew?

Since 1980, along with other family members of Vietnamese reeducation prisoners, we have formed the Association of Families of Vietnamese Political Prisoners. We have relentlessly worked to win their release and the permission for them to emigrate to the USA and Europe to be reunited with their families. We did not entertain many hopes, but, even if we finished our lives without seeing our husbands again, we shall die in peace knowing that we have tried.

In 1981, nineteen South Vietnamese generals and Colonels imprisoned in Ha Tay reeducation camp smuggled out a letter addressed to President Reagan, seeking help. Unfortunately, the key to their freedom lies in Hanoi, not in Washington.

Then, in 1982, quite unexpectedly, came a ray of hope. In an interview with CBS, Vietnam's Foreign Minister Nguyen Co Thach stated that his Government was willing to release the reeducation prisoners if the U.S. was ready to "take them all." In an interview with Newsweek in May 1984, Premier Pham Van Dong repeated the same offer. Hopes flared up like flashbombs in the dark skies of the families' endless waiting, especially in August 1984 when Secretary of State, George Shultz presented to Congress a plan to permit the entry of 10,000 reeducation prisoners and their families to the U.S. Everyone expected the high ranking Vietnamese officials would follow through on their promise to permit the prisoners to leave Vietnam. But now, nearly three years

years later, our relatives still remain in the reeducation camps.

We do not think that belonging to a vanquished regime is a crime. But even if our relatives have committed "crimes" under the new government's law, we think ten years of imprisonment is enough punishment for those who have sinned. Eleven years of hard labor and deprivation have taken a heavy toll on the health of the inmates. Many are mere walking skeletons when they are released. Many others have died of dysentery, berberi, malaria, tuberculosis, and of sheer despair. While simple soldiers and junior officers have been released, senior officers of the rank of colonels and above have been held since 1975 in reeducation camps.

The U.S. Government has met with Vietnamese officials in Hanoi, in New York City and Geneva to discuss the American POW/MIA accounting. The release and emigration of reeducation prisoners was also discussed. But so far, not one single prisoner has been released from camp and allowed to leave Vietnam under the projected amnesty program.

We do not know the exact reasons why our relatives have not been released as promised by Premier Pham Van Dong in 1984. We have heard reports that Vietnamese authorities fear that once released, the former prisoners would engage in activities hostile to the government of Vietnam. "We don't want to free the men who would come back to fight against us.", Vietnamese government officials were quoted as saying.

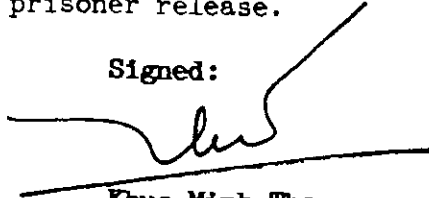
We fail to understand the logic of these fears. Over one million Vietnamese refugees have been resettled worldwide since April 1975. We do not see how a few thousands of old and sick reeducation camp prisoners would add or detract to this picture. A strong and powerful Government needs not fear its prisoners. Moreover, a newly arrived refugee has too many worries - food, clothes, jobs, language problems, etc. to even think about politics. Only those who have

resettled here long enough and become familiar with this society have the capacity to conduct any significant activities against the Vietnamese Government.

As we all know, thousands of Vietnamese have been allowed to leave the country since the Orderly Departure Program began in 1979.

Letting the reeducation prisoners go would demonstrate to the world that the Vietnamese leaders keep their promises, that the new regime is magnanimous and forgiving, that it feels sufficiently secure not to be concerned about the possible anti-government activities of the opponents it has reformed and reeducated during the past 11 years. The presence of the released prisoners in the U.S. would be living proof of the new Vietnam's spirit of national reconciliation. We hope that the leaders in Hanoi see that the gains far outweigh the risk of a total prisoner release.

Signed:

A handwritten signature in black ink, appearing to be 'Khuc Minh Tho', written over a horizontal line.

Khuc Minh Tho
President

Families of Vietnamese Political Prisoners
Association

The Evolving Soviet Approach to Human Rights



United States Department of State
Bureau of Public Affairs
Washington, D.C.

Following are addresses by Ambassador Warren Zimmermann, Chairman of the U.S. delegation, before the Conference on Security and Cooperation in Europe (CSCE) followup meeting, Vienna, Austria, on January 27 and February 20, 1987.

JANUARY 27, 1987

Over 5 weeks have passed since our last plenary meeting in Vienna. It is, thus, a good time to take stock, to record what has happened in the intervening period, and to assess its meaning for the obligations undertaken at Helsinki and Madrid.

I begin with a candid assertion: it is idle to assume that significant developments are not unfolding within the Soviet Union.

First, we see a country which seems to be trying to come to grips with its past. It is reported that a Georgian film depicting the evils of Stalinism will soon be shown to the public. It is reported that Boris Pasternak's *Dr. Zhivago* will soon be published in one of the few countries in which it is banned: his own. And it is also reported that Pasternak's house—the house where that great novel was written and where Pasternak's friend, Svyatoslav Rikhter, played the piano from dusk till dawn in homage on the day he died—will soon be opened as a museum. We hope these reports prove to be true because they appear to represent an effort to return to the Soviet people a priceless gift: their own history.

Second, the Soviet press describes what has, heretofore, seemed a contradiction in terms: the arrest of a KGB official for abuse of his official duties.

Third, Soviet cultural authorities are coming to realize that the greatness of Russian culture does not stop at the border. It is reported that the Kirov ballet star, Mikhail Baryshnikov, currently in New York, and the former director of the innovative Taganka Theater, Yuriy Lyubimov, currently in Washington, have been or will be invited to perform again in the Soviet Union.

These examples make an important point—that the Soviet Union is a different place from what it was 2 years ago. But how different? Is what we are seeing superficial or profound? Is it the reality, or just the appearance, of change? The answer is not obvious. The picture remains mixed. Based on events of the past 5 weeks, let me describe that picture as I see it today.

Recent Developments in the Soviet Union and Eastern Bloc

Political Prisoners. In my statement at the end of the first round of the Vienna meeting, I expressed concern that Mustafa Dzhemilev, who had been convicted six times for his work on behalf of his fellow Crimean Tatars, would be resentenced. I am glad to note that Dzhemilev has since been released. But the fate of most other political prisoners in the Soviet Union remains the same. With the death of Anatoliy Marchenko, over 35 Helsinki monitors

remain incarcerated, some in serious physical condition. And yet, these monitors make up only a small percentage of the political prisoners in the Soviet Union. Other human rights monitors, such as those connected with the human rights journal, *The Chronicle of Current Events*, and those who fought for genuine trade union rights, are similarly imprisoned.

Will another Marchenko die in detention? Will it be Anatoliy Koryagin, the courageous psychiatrist who spoke out against the abuses of psychiatry and has been weakened by hunger strikes? Will it be Iosif Begun, a scientist who has already served 9 years for his efforts to preserve the Jewish culture and the Hebrew language? Both are now confined to Chistopol Prison,¹ where Marchenko died. All here have noted Andrey Sakharov's appeal for the release of all political prisoners in the Soviet Union, and we have also noted Ambassador Kashlev's hints to the *New York Times* that there might be a response. May it be soon, may it be all-inclusive, and may it be untrammelled by limits and restrictions which could vitiate its effect.

In the period since this meeting recessed, the existence of a new Helsinki Monitoring Group in the Soviet Union has been confirmed. Calling itself "Helsinki 86," it was formed last summer in the city of Liepaja in Latvia and

¹Koryagin and Begun were subsequently released on February 18 and February 20, 1987, respectively.

has appealed to Pope John Paul II, to General Secretary Gorbachev, to the Soviet and Latvian Communist Party Central Committees, to the United Nations, to the American delegates at the September 1986 Chautauqua conference in Latvia, and to Latvian "countrymen in foreign lands." The signers of the letter to Mr. Gorbachev said, "We want to believe you that you will build a foundation for a democracy. Everyone will benefit from that, and there will not be any losers." Three of those signers have been reported arrested. The formation, for the first time, of an independent Latvian Helsinki Monitoring Group proves again the dictum of the British historian, Lord Acton, that "progress in the direction of organized and assured freedom is the characteristic fact of Modern History."

Freedom to Travel and Emigrate.

In early January, 50 Soviet emigrants were permitted by the Soviet authorities to return from the United States to the Soviet Union, many after several years of trying. It is understandable that the move from Soviet to American culture—cultures based on such different principles—could cause serious problems of adjustment. If, as the Soviet Foreign Ministry spokesman has said, there are a thousand more in the United States who desire to return, then we can only hope that the Soviet Union will abandon its former practice of treating them as pariahs and will permit them to exercise their right, guaranteed by the Final Act, to leave their country and return to it. After all, a few thousand emigrants desiring to return constitute less than 1% of the 400,000 who have left the Soviet Union in the last decade and a half. We must hope, as well, that the Soviet Government will honor its obligations to allow foreign citizens in the Soviet Union to return to their countries—Abe Stolar, for example: an American in his 70s who has been trying for decades to return his family from Moscow to the United States.

On a related issue, I referred earlier in my remarks to efforts apparently underway to bring back to the Soviet Union cultural figures who had left it. Why not go further and respect their right to leave in the first place and the right of others to leave as well? Last December, I cited the case of Vladimir Feltsman, a brilliant young pianist, whose application to emigrate 7 years ago has cost him the right to perform his musical art in the Soviet Union. Last year, in a letter to General Secretary Gorbachev, Feltsman asked:

Why does the problem of leaving the Soviet Union exist at all? Why do the authorities regard people who, for one reason or another, want to leave the Soviet Union, as virtual traitors? Why can't citizens of the U.S.S.R. leave their country and return to it without hindrance?

Why, indeed?

In the area of family reunification, there has been some progress. Of the American cases announced by Ambassador Kashlev in Bern, three-quarters have been resolved, although it remains a mystery why one-quarter of them are still unresolved after 9 months. During the Vienna recess, favorable decisions were made in several cases, and hints were made about several more. So far, the hints outnumber the decisions. We fail to see why the issues of divided spouses and blocked marriages cannot be settled once and for all. The numbers are not large, but the human cost is heavy. For example, Yuriy Balovlenkov, whose wife lives in Baltimore, Maryland, has now been separated from her for 8 years; he has never seen his younger child.

Many in this room have appealed for Soviet action to enable several Soviet citizens suffering from cancer to seek treatment in the West. Fortunately, those appeals seem to have been heard. Of the five cancer victims frequently named, three have been allowed to leave, and we understand that a fourth, Leah Maryasin, has exit permission. A fifth, Benjamin Charny, is in urgent need of help and—although he has a close relative, a brother, in the United States—he remains in the Soviet Union against his will.

I will refer to one of those cases, in particular, because it illustrates a disturbing paradox in Soviet conduct. Inna Meiman arrived in Washington 8 days ago; she suffers from cancer of the spine, a condition whose extreme seriousness was confirmed last week by the Georgetown University Hospital. Unbelievably, Mrs. Meiman was not allowed to be accompanied by her son, Lev Kittroskiy, and his family or by her husband, Naum Meiman. Naum Meiman is a 75-year-old man, a retired mathematician, and a former Helsinki monitor. He has congestive heart failure and quite possibly suffers from cancer himself. He also has an American citizen daughter living in the United States, a fact that qualifies him for emigration even under the most restrictive interpretation of the new Soviet legislation. The reason given for his many visa denials is that he did classified work 30 years ago; for that "reason," an old, sick man is not permitted to join a suffering wife and a daughter in the United States. The

Kafkaesque quality of this story can only make one wonder how much has really changed in the Soviet Union.

The end of the year 1986 set a record of sorts in the field of Jewish emigration from the Soviet Union. Those allowed to emigrate numbered fewer than 1,000—under 100 a month, the lowest figure since accurate statistics have been kept. The new Soviet legislation, which took effect January 1, shows no sign of alleviating this crisis in emigration and may even exacerbate it. The law is inherently restrictive, limiting the right to leave to those with close family abroad, and so far, it seems to be being applied restrictively. Applications for exit visas, which were previously at least accepted, are now being refused.

Broadcast Jamming. Finally, in the area of information, the BBC [British Broadcasting Corporation] Russian service has, for the last few days, reached the Soviet Union unjammed. We hope that this is the harbinger of a trend and that the Soviet Union will finally recognize the illegality of jamming by keeping the jammers off the BBC permanently and taking them and keeping them off the Voice of America, Radio Liberty, Radio Free Europe, Deutsche Welle, and the other stations prevented from reaching the Soviet people.

Czechoslovak Developments. A constant concern during our Vienna meeting has been the fate of the members of Charter '77 and of the Jazz Section in Czechoslovakia. Fortunately, in the past several weeks, five members of the Jazz Section have been released from detention. Two, however, remain in prison, and apparently some variety of trial awaits all seven. Thus Czechoslovakia's obligations under the Final Act remain squarely at issue in this sorrowful affair.

Inconclusive Evidence

In closing, let me return to the questions with which I began. We have heard predictions and promises from Soviet officials—on a cultural renaissance, on the release of political prisoners, on genuine openness. They seem to be telling us that Soviet society is at a turning point. But will it turn? The evidence is not conclusive.

We will know whether Soviet society will turn in a positive direction only when predictions become reality, when promises become performance, when gestures become practices, when episodes become patterns, when isolated steps become a long march. Only then will we know.