



THE JACOB RADER MARCUS CENTER OF THE
AMERICAN JEWISH ARCHIVES

Preserving American Jewish History

MS-603: Rabbi Marc H. Tanenbaum Collection, 1945-1992.

Series D: International Relations Activities. 1961-1992

Box 59, Folder 12, Helsinki Agreement, 1978.



DANTE B. FASCELL
CHAIRMAN

CLAIBORNE PELL
CO-CHAIRMAN

COMMISSIONERS
DICK CLARK
PATRICK J. LEAHY
RICHARD STONE
CLIFFORD P. CASE
ROBERT DOLE
JONATHAN B. BINGHAM
PAUL SIMON
SIDNEY R. YATES
JOHN BUCHANAN
MILLCENT FENWICK

COMMISSION ON
SECURITY AND COOPERATION IN EUROPE
CONGRESS OF THE UNITED STATES
WASHINGTON, D.C. 20515

May 25, 1978

EXECUTIVE BRANCH
COMMISSIONERS
PATRICIA M. DERIAN
DAVID E. MCGIFFERT
FRANK A. WEIL

R. SPENCER OLIVER
STAFF DIRECTOR

ALFRED FRIENDLY, JR.
DEPUTY STAFF DIRECTOR

3257 HOUSE OFFICE BUILDING, ANNEX 2

(202) 225-1901

Dear Friend:

In light of our common interest in and concern for the Helsinki Agreement and its implementation, we thought you might like a copy of the debate and vote on House Concurrent Resolution 624 expressing the sense of the Congress that the Helsinki Final Act, as well as international law, guarantees the right of members of the Public Groups to Promote Observance of the Helsinki Agreement in the USSR to pursue their lawful activities, and urging the President to continue to express U.S. opposition to the imprisonment of members of the Soviet Helsinki groups.

The Resolution unanimously passed the House of Representatives on May 18th and the Senate on May 22nd and expresses, we believe, the Congress' and the American people's anger and indignation at this flagrant Soviet violation of the Helsinki Agreement.

Thank you for your continued interest, and please feel free to contact the Commission if you have any questions or comments.

Sincerely,



DANTE B. FASCELL
Chairman



CLAIBORNE PELL
Co-Chairman

DBF/CP/ek
Enclosure



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 95th CONGRESS, SECOND SESSION

Vol. 124

WASHINGTON, THURSDAY, MAY 18, 1978

No. 74

House of Representatives

PROMOTING OBSERVANCE OF HELSINKI AGREEMENT

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent that the Committee on International Relations be discharged from further consideration of the concurrent resolution (H. Con. Res. 624) expressing the sense of the Congress that the Helsinki Final Act, as well as international law, guarantees the right of the members of the public groups to promote observance of the Helsinki Agreement in the Union of Soviet Socialist Republics to pursue their lawful activities, and urging the President to continue to express U.S. opposition to the imprisonment of members of the Soviet Helsinki groups, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

Mr. ROUSSELOT. Reserving the right to object, Mr. Speaker, can the gentleman explain basically why it is necessary to bring this concurrent resolution up under unanimous-consent request and then, second, what the concurrent resolution is?

Mr. ZABLOCKI. Mr. Speaker, will the gentleman yield?

Mr. ROUSSELOT. I am glad to yield to the distinguished chairman, the gentleman from Wisconsin.

Mr. ZABLOCKI. Mr. Speaker, I thank the gentleman for yielding.

It is my intention to explain the concurrent resolution in my remarks and to recognize any Member who desires to speak on the concurrent resolution if the unanimous-consent request is granted.

I might point out to the gentleman that he is a cosponsor of the concurrent resolution.

Mr. ROUSSELOT. I know I am, but in view of the debate on the previous request for a unanimous consent, it was my feeling that the House should have a complete understanding of the bill be-

ing offered.

Mr. ZABLOCKI. And I know he does not sign his name or agree to cosponsor a resolution unless he knows what it is in it.

Mr. ROUSSELOT. Further reserving the right to object, Mr. Speaker, I was just asking that the full House have an understanding of what the issue is. You are correct in saying that I do not agree to cosponsor legislation unless I know what it is.

Has the committee considered this concurrent resolution?

Mr. ZABLOCKI. No; the committee has not considered the concurrent resolution.

But while the committee has not considered it, I think it is very timely. As you know, Mr. Yuri Orlov was convicted and sentenced to 7 years in prison last night in the Soviet Union. I think that the House should express its disappointment and displeasure over the fact that the Soviet Union is not living up to the Helsinki accord which it has agreed to as quickly as possible.

Mr. ROUSSELOT. Further reserving the right to object, Mr. Speaker, the gentleman can assure us that the majority and minority members of this committee are aware of this resolution and there is no great objection to it; is that correct?

Mr. ZABLOCKI. There is no objection to it; no.

Mr. BUCHANAN. Mr. Speaker, will the gentleman yield?

Mr. ROUSSELOT. I yield to the gentleman from Alabama.

Mr. BUCHANAN. Mr. Speaker, I confirm what the distinguished chairman, the gentleman from Wisconsin (Mr. ZABLOCKI), has said. The concurrent resolution is cosponsored by a number of members of the committee on both sides of the aisle, and I think the majority of the committee is well aware of and is supportive of the resolution.

Mr. ROUSSELOT. Further reserving the right to object, Mr. Speaker, I, as a cosponsor of this concurrent resolu-

tion, believe that it is an important resolution. I support the resolution. However, I felt, in view of the last colloquy we had on another unanimous-consent request, that it should be understood by the full House that a majority of the members of the committee feel it is now appropriate to bring this up.

To the best of the knowledge of the chairman (Mr. ZABLOCKI), there is no objection or major question raised by any member of the Committee on International Relations or any position that needs to be protected; is that correct?

Mr. ZABLOCKI. If the gentleman will yield further, that is correct.

There is bipartisan support for it by a majority of the members of the committee.

This morning an additional House concurrent resolution was introduced with 15 cosponsors. There are now over 40 Members who have cosponsored this particular concurrent resolution.

Mr. ROUSSELOT. Can the gentleman assure us that we will have a vote on this issue?

Mr. ZABLOCKI. If a vote is asked for.

Mr. ROUSSELOT. Will the chairman ask for the vote?

Mr. ZABLOCKI. I will ask for a vote.

Mr. ROUSSELOT. I thank the gentleman.

Mr. BUCHANAN. Mr. Speaker, will the gentleman yield?

Mr. ROUSSELOT. I yield to the gentleman from Alabama.

Mr. BUCHANAN. Mr. Speaker, I want to point out that our colleague from New York (Mr. GILMAN) circulated an identical resolution (H. Con. Res. 625). The gentleman from New York has some 18 cosponsors, I believe, from this side of the aisle, many of whom are members of the committee.

Mr. ROUSSELOT. I appreciate my distinguished colleague's remarks. I am aware of Mr. GILMAN's support on this important resolution, and agree with him that it should be brought up immediately.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The Clerk read the concurrent resolution as follows:

H. CON. RES. 624

Whereas the Final Act of the Conference on Security and Cooperation in Europe commits the signatory countries to respect human rights and fundamental freedoms;

Whereas the signatory countries have pledged themselves to "fulfill in good faith their obligations under international law";

Whereas the Universal Declaration of Human Rights guarantees to all the rights of freedom of thought, conscience, religion, opinion, and expression;

Whereas the International Covenant on Civil and Political Rights guarantees that everyone shall have the right to freedom of thought, conscience, and religion, and the right to hold opinions without interference;

Whereas the Soviet Union signed the Final Act of the Conference on Cooperation and Security in Europe, is a party to the Universal Declaration of Human Rights, and has ratified the International Covenant on Civil and Political Rights;

Whereas Principle VII of the Final Act specifically confirms the "right of the individual to know and act upon his rights and duties" in the field of human rights and Principle IX confirms the relevant and positive role individuals play in the implementation of the provisions of the Final Act;

Whereas, acting in conformity with these confirmed rights, individuals in the Soviet Union formed the Public Groups to Promote Observance of the Helsinki Agreement in the Union of Soviet Socialist Republics and sought, through those Groups in Moscow, the Ukraine, Lithuania, Georgia, and Armenia, to call the attention of public opinion, their own government, and other Final Act signatories to documented violations of human rights by compiling and issuing open, through reports on official practices toward religious believers, persons seeking to rejoin or visit relatives abroad, persons confined in mental hospitals because of their political beliefs, persons confined in prisons, prison camps, or internal exile because of their efforts to express such beliefs or disseminate their views and information, and minority groups seeking cultural and political rights in the Soviet Union;

Whereas twenty-two members of the Helsinki Groups and their affiliates have been punished merely for their activities and participation in those Groups: two, Pyotr Grigorenko and Tomas Venclova, were stripped of citizenship while abroad and thus banished from their homeland; one, Malva Landa, has been sent into internal exile; and nineteen others, Eduard Arutyunyan, Zviad Gamsakhurdia, Aleksandr Ginzburg, Grigory Goldshteyn, Ambartsum Khlgatyan, Merab Kostava, Levko Lukyanenko, Myroslav Marynovych, Mykola Matusevych, Robert Nazaryan, Yuri Orlov, Viktoras Petkus, Aleksandr Podrabinek, Viktor Rtskhiladze, Mykola Rudenko, Feliks Serebrov, Anatoly Shcharansky, Olesly Tykhy, and Pyotr Vins, are presently imprisoned;

Whereas Soviet authorities have already tried and convicted several members of the Helsinki Groups and their associates for their activities in promoting the standards of the Helsinki Final Act;

Whereas Yuri Orlov, the leader and founding member of the Moscow Group, was brought to trial this week in the Soviet capital for such activities, and Zviad Gamsakhurdia and Merab Kostava, two founding

members of the Georgian Group, were brought to trial in Tbilisi the same day to face similar charges;

Whereas the activities of the Helsinki Groups and their members should be protected, not punished, in accordance with the Helsinki Final Act, the Universal Declaration, and the International Covenant; and

Whereas the arrests and trials of the members of these Groups call into question the intention of the Soviet Union to adhere in good faith to the international treaties and agreements to which it is a party: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that, in conformity with the Helsinki Final Act, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and basic standards of justice, the unjustly imprisoned members and affiliates of the Soviet Helsinki Groups should be granted their freedom and allowed to pursue their lawful activities on behalf of basic human rights without further harassment.

Sec. 2. The Congress urges the President, the Secretary of State, and other appropriate executive branch officials to continue to express at every suitable opportunity and in the strongest terms the opposition of the United States to the imprisonment of members of the Helsinki Groups.

Sec. 3. The Clerk of the House of Representatives shall transmit copies of this resolution to the Soviet Ambassador to the United States and to the Chairman of the Presidium of the Supreme Soviet of the Union of Soviet Socialist Republics.

The SPEAKER. The gentleman from Wisconsin (Mr. ZABLOCKI) is recognized for 1 hour.

Mr. ZABLOCKI. Mr. Speaker, I yield myself such time as I may consume.

(Mr. ZABLOCKI asked and was given permission to revise and extend his remarks.)

Mr. ZABLOCKI. Mr. Speaker, I rise in support of House Concurrent Resolution 624, expressing the sense of the Congress that the Helsinki Final Act, as well as international law, guarantees the right of the members of public groups to promote observance of the Helsinki Agreement in the Union of Soviet Socialist Republics to pursue their lawful activities, and urging the President to continue to express U.S. opposition to the imprisonment of members of the Soviet Helsinki groups.

Mr. Speaker, 2 years ago this month a group of Soviet citizens embarked on the path of conscience and civic responsibility. They formed what has come to be known as the Helsinki Watch, a group dedicated to monitoring their government's implementation of the promises given by 35 states—the United States included—in the August 1975, Final Act of the Conference on Security and Cooperation in Europe.

That Helsinki accord might have passed relatively unnoticed but for that initiative in Moscow. To the majority of Western commentators the complex, nonbinding agreement had seemed a relatively unimportant compromise of Eastern interest in consolidating Communist political stability with Western insistence on openness and flexibility in the development of détente. The Moscow Helsinki Watch, quickly joined by similar citizens' groups in Ukraine, Lithuania,

Georgia, and Armenia, however, perceived the real novelty and enduring value of the accord: The promise it held that states would conform their domestic conduct to international standards of human rights.

The splendid contribution of the Soviet Helsinki Watch was the effort to make others take that promise seriously. By the simple, straightforward, and completely open device of documenting problems of human rights behavior in their own society, they stimulated an international discussion of such issues in the Helsinki context. Every report they filed—and the total now runs close to 40, amounting to several hundred pages—was mailed to the Soviet Government at the same time it was released to Western correspondents in the U.S.S.R. and sent to officials of the other signatory states.

This was no secret conspiracy, no subversive plot against the stability or prestige of the Soviet regime. No bombs were thrown; no arms were cached; no violence was fomented. Rather—like a public-interest group in any open society—the Soviet Helsinki Watch sought simply to make its views known to as wide an audience as possible, to share with others the disturbing information it had gathered, to stimulate public opinion to prod responsible officials at home and abroad to reexamine and reform their human rights performance.

For that effort 22 members of the Helsinki Watch or its affiliated groups have undergone savage repression. The first were arrested in February 1977. The most recent was jailed this week. Some have already been tried and convicted, typically in courtrooms closed alike to sympathetic witnesses and to impartial observers. Now, this week, the founder of the first group, physicist Yuri Orlov, has been put on trial in Moscow and sentenced to 7 years in prison camp and 5 years in internal exile after more than 15 months of isolation from his family and friends. In the Georgian capital of Tbilisi, Zviad Gamsakhurdia and Merab Kostava, two founding members of the Georgian public group to promote observance of the Helsinki Agreement in the U.S.S.R., were also brought to trial on the same day as Professor Orlov.

It is time to say to the Soviet authorities: "Enough!" It is time to make them see that their callous indifference to the civil rights of their own people—rights which are a matter of international agreement—calls into question their good faith as participants in détente. It is time to awaken them to the fact that by disregarding one set of international undertakings—those they gave in the Helsinki accord—they undermine their reliability in all such undertakings.

The concurrent resolution introduced yesterday on the Soviet Helsinki Watch should be taken by Soviet officials as such a warning. It is more than just an expression of concern over the unjust treatment of 22 courageous individuals. It is a timely reminder that the Congress of the United States perceives, as Martin Luther King did, that "injustice anywhere is a threat to justice everywhere." I am proud to sponsor this resolution

and hopeful that it will help relations between the United States and the Soviet Union to develop toward a stable détente, rooted in mutual respect for human rights everywhere.

Mr. Speaker, the Soviet Union has demonstrated that they were indeed not sincere in signing the Helsinki accord in sincerity and in honesty. We cannot trust them in any other agreement that we will have with them.

Mr. Speaker, I urge the adoption of the resolution.

I now yield to the gentleman from Michigan (Mr. BROOMFIELD).

Mr. BROOMFIELD. Mr. Speaker, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman from Michigan.

Mr. BROOMFIELD. I thank the gentleman for yielding.

Mr. Speaker, I rise to compliment the gentleman from Wisconsin, the chairman of our committee.

(Mr. BROOMFIELD asked and was given permission to revise and extend his remarks.)

Mr. BROOMFIELD. Mr. Speaker, I would like to compliment Chairman ZABLOCKI for his initiative in bringing House Concurrent Resolution 624 to the floor for immediate consideration.

When the final act of the Helsinki Conference on Security and Cooperation in Europe was completed in 1975 it raised humanitarian hopes among people throughout the world. Many considered the completion of the conference as a truly outstanding achievement—a landmark in worldwide diplomacy.

At this time, however, progress in the very important humanitarian area of the agreement—known as "Basket Three"—has been disturbingly disappointing. Just this week, Yuri Orlov, founder of a group to monitor violations of the Helsinki Accords in the Soviet Union, was labeled a traitor and a spy and has been sentenced to 7 years imprisonment followed by 5 years of internal exile. Moreover, following the trial of her husband, Irina Orlov was stripped of her clothing before three Soviet security men.

In the past year, numerous members of such human rights monitoring groups as the Helsinki Watch and the Ukrainian Public Group have undergone continued Russian repression, harassment, and even arrest. In February, 1977, for example, Kykola Rudenko, a writer and poet, and a leader of the Ukrainian Public Group, was arrested by the Soviet Secret Police. This arrest was quickly followed by the arrests of two more group members.

To be sure, all these bedeviled activities are indicative of the continued Soviet policy of outrageous and humiliating harassment of people who wish to simply guarantee the dignity and the rights of individuals.

More importantly, I believe that these heartless Soviet activities strongly undermine the spirit of détente and in particular—the spirit of international agreements to which the Soviets are signatories.

The Soviets' continued suppression of

individual freedoms—in violation of the Helsinki accords—their manifest escalation of the arms race—their activities in Africa—should make us all aware of their lack of good faith and their true intentions. I believe that we must, therefore, to the fullest extent possible, not only express our deepest concerns for the continued Soviet repression of dissidents, but also for these ongoing Soviet activities which jeopardize the spirit of international agreements which are signed to provide for the maintenance of peace, security, and cooperation throughout the world.

I urge my colleagues to join me in supporting House Concurrent Resolution 624.

Mr. GILMAN. Mr. Speaker, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman from New York.

Mr. GILMAN. I thank the gentleman for yielding.

(Mr. GILMAN asked and was given permission to revise and extend his remarks and to include extraneous material.)

Mr. GILMAN. Mr. Speaker, I rise in support of House Concurrent Resolution 624 and House Concurrent Resolution 625, resolutions introduced by the distinguished chairman of the International Relations Committee, the gentleman from Wisconsin (Mr. ZABLOCKI), stating that it is the sense of Congress that the unjustly imprisoned members of affiliates of the Soviet Helsinki monitoring groups should be granted their freedom. These resolutions eloquently point out how Soviet actions against such individuals clearly violate the Universal Declaration of Human Rights guarantees, the Helsinki Final Act, as well as the International Covenant on Civil and Political Rights.

Just this week the systematic Soviet repression manifested itself against an individual who has been continually victimized and degraded by the Soviet authorities.

That victim's name is Dr. Yuri Orlov. His "crime" is slandering the Soviet Union and fostering "anti-Soviet agitation and propaganda." He has been tried and found guilty. Dr. Orlov now faces up to 7 years in a prison camp and 5 more years of internal exile.

The Soviet Union would have preferred to have this dissident's trial, and the hearings for two of Dr. Orlov's colleagues, Anatoly Schransky and Alexander Ginzbert, not publicized. But thanks to our free press and thanks to individuals throughout the world who will not allow Dr. Orlov meet his fate without bringing his cause to light, the Soviets have failed.

The situation surrounding this gentleman's case is ludicrous. It is incomprehensible to those of us fortunate enough to reside in a democracy. To all members of the world community who respect and cherish freedom, this utter disdain for human rights in the U.S.S.R. is appalling.

Dr. Orlov, a Soviet nuclear physicist, acting under the guarantees of the 1975 Helsinki accords which were signed by Soviet authorities, founded a group in

1976 to monitor the Soviet's compliance with the Helsinki accords. In the past 2 years, that group has initiated more than 20 reports alleging Soviet human rights violations including religious repression, use of psychiatric hospitals as political prisons, and continued refusal to allow reunification of families by emigration.

Apparently it does not matter to the Soviets whether any of those allegations have any merit. What does matter to them is that they were said in public, and in the Soviet society, as stifling as it is, the mere utterance of critical facts of the status of human rights behind the Iron Curtain is punishable by severe prison sentences.

The Orlov trial, this first in a series of trials of dissident leaders, is intended to stifle the human rights movement by treating its leaders as common criminals.

The trial is also a challenge to the Helsinki accords and a warning to the West to stop meddling in the Soviets "internal affairs." And what should have been a firm response by our administration came across like a wet noodle:

WASHINGTON (UPI) 05-05:30 PED.—The State Department today said it has received no cooperation from the Soviet Union on its request to send observers to the Trial in Moscow of Soviet Dissident Yuri Orlov.

The United States also expressed its concern over the trial, but declined to connect that concern with any other part of the Soviet-American Relations.

The State Department confirmed the United States had asked to send observers to the trial of Orlov and two Georgian dissidents, Zviad Gamsakirda and Merav Kostava, in Tbilisi.

The Georgians, like Orlov, are being tried under article 70 of the Soviet Criminal Code on a specific charge of Anti-Soviet Activities.

State Department spokesman Hoding Carter said "We did not receive cooperation" in the request for U.S. Observers.

Asked whether the Soviet Actions would have any impact on the forthcoming arms talks between Soviet foreign minister Andrei Gromyko and Secretary of State Cyrus Vance, Hoding Carter said, "We do not see any linkage, but we are concerned about people fulfilling their rights and being brought to trial for doing nothing more than that."

The Kremlin's sorry display of Soviet justice during the course of the Orlov trial should awaken the world to the Soviet's disdain for human rights.

Kevin Klose, who has been covering the trial for the Washington Post Foreign Service, reported:

*** "The courtroom was packed with hand picked official spectators *** western reporters and an American Diplomat assigned by the U.S. Embassy to observe the Trial, were barred from the courtroom *** Mrs. Orlov was not allowed to take any notes *** The atmosphere turned ugly at the heavily controlled trial *** with his state-approved audience jeering him inside the courtroom and police harassing and scuffling with Western reporters outside *** Orlov was repeatedly silenced by the Prosecutor and the Presiding Judge prevented him from questioning State evidence against him and again prohibited him from calling witnesses in his own defense ***"

Concerned constituents have asked what impact American public opinion can have on the outcome of the Orlov

trial. Some question why Americans should become involved in this isolated trial in a far off land.

The answers are obvious. The abuse of civil rights, whether it be in the Soviet Union, in Africa, or here in our own Nation, indirectly diminishes and erodes everyone's freedom. If human rights are allowed to be abused in the Soviet Union, they can also be abrogated here at home and in other nations. The plight and predicament of our downtrodden fellow man in the U.S.S.R. gives us cause to fight strenuously and publicly on their behalf.

As long as there are some free nations and some free men and women the case of Dr. Orlov and his colleagues will not be forgotten.

Accordingly, I urge my colleagues to support House Concurrent Resolution 624 and 625 sending a clear signal to the Soviet Union that this Congress, vehemently opposes the harassment and imprisonment of members of the Helsinki monitoring groups.

Mr. FASCELL. Mr. Speaker, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman from Florida.

(Mr. FASCELL asked and was given permission to revise and extend his remarks.)

Mr. FASCELL. Mr. Speaker, I rise to commend the gentleman from Wisconsin, the distinguished chairman of the Committee on International Relations, for sponsoring this very timely and important resolution so that we do not forget what is going on in the Soviet courts and particularly with this trial, which is by all standards a mockery. I rise in strong support of the resolution.

Mr. Speaker, we, the members of the Commission on Security and Cooperation in Europe, have been following the activities of the Public Groups to Promote Observance of the Helsinki Agreement in the U.S.S.R. since their inception in May 1976. The principled and fearless membership of these groups unexpectedly heightened our awareness of American as well as universal ideals and freedoms. Their selfless concern with the implementation of the lofty principles enshrined in the Helsinki Final Act—for the benefit of all their fellow citizens and the enhancement of the quality of life in the Soviet Union—has aroused sincere admiration in anyone who, for even just a moment, has pondered the goals of the public groups, goals which stand illuminated on the backdrop of Soviet reality.

We silently have hoped and vocally have encouraged that the Soviet Union live up to its responsibility before the international community with regard to the lawful activities of their citizens active in the struggle for human rights. In failing to do so, Soviet authorities are violating the spirit and letter of not one, but several international agreements to which it is signatory: the Helsinki Final Act, the Universal Declaration of Human Rights, and the International Covenant on Civil and Political Rights. The goals of these valorous Soviet citizens and their right to pursue these goals are the very essence of these documents.

We are gravely discouraged, stunned and appalled with the attitude the Soviet Government evidently has decided to undertake with regard to the members of the Helsinki Watch Groups: at the present time, the trial of the founder of the first group in Moscow, Yuri Orlov, is in session. Monday, May 15, also witnessed the trials of Zviad Gamsakhurdia and Merab Kostava of the Georgian group in Tbilisi. The 19 additional members of these groups from Moscow, Kiev, Tbilisi, Yerevan, and Vilnius have fallen sacrifice to shattering reprisals, ranging from deprivation of citizenship and internal exile to 12-year sentences involving arrest and exile under harsh living conditions.

The Soviet Government, in undertaking such actions, must realize that it is first of all discrediting itself in the international community of nations. A power which violates international agreements made in good faith cannot expect to instill a sense of trust in its partners; nor can it pick and choose the agreements to which it is convenient and expedient to adhere. I know that I reflect the will of the American people and my fellow Members of Congress when I firmly urge the Soviet Government to free the imprisoned Helsinki group members. If this were done, we would regain the sense of trust so vital to the detente process in all its manifestations.

Therefore, I fully support the House concurrent resolution which expresses the sense of Congress that the Soviet authorities free all members of Helsinki Monitors now in prison, and that the President and all other appropriate branches of the U.S. Government continue to express, at every suitable opportunity and in the strongest terms, their opposition to the treatment of these Soviet citizens who are being punished unjustly.

Mr. ZABLOCKI. Mr. Speaker, in addition to that, I would like to take just 1 minute to make clear that I am deeply grateful and appreciate the initiative that the gentleman from Florida (Mr. FASCELL) has taken in preparing this resolution. He has served as Chairman of Helsinki Commission since its organization. He has done yeoman work there and has been diligently following through on insuring that the objectives of the Helsinki Final Act are not forgotten by any participant.

Mr. FINDLEY. Mr. Speaker, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman from Illinois.

Mr. FINDLEY. I thank the gentleman for yielding.

Certainly the gentleman from Wisconsin has brought a timely topic to the Members of the House. I hate to enter a discordant note, but it seems to me that our memory is fleeting. Just a few moments ago this House, through the colloquy of several Members with the majority leader, persuaded him to withdraw a resolution which touched upon foreign policy which had not had the benefit of any hearings before the Committee on International Relations. Now we have another resolution of foreign policy. If it has had the advantage of hearings, I am not aware of it.

Here, again, I think it is well for us to adhere strictly to procedure in considering even resolutions that have a dated character. I would hope that in the future the International Relations Committee would see fit to insist upon hearings before resolutions of a foreign-policy nature are brought before the House.

Mr. ZABLOCKI. Mr. Speaker, in addition to that, I would like to take just 1 minute to make clear that I am deeply grateful and appreciate the initiative that the gentleman from Florida (Mr. FASCELL) has taken in preparing this resolution. He has served as chairman of the Helsinki Commission since its organization. He has done yeoman work there and has been diligently following through on insuring that the objectives of the Helsinki Final Act are not forgotten by any participant.

Mr. BUCHANAN. Mr. Speaker, will the gentleman yield?

Mr. ZABLOCKI. I yield to the gentleman from Alabama.

Mr. BUCHANAN. I thank the gentleman for yielding.

Mr. Speaker, I would commend the gentleman for bringing the resolution to the House because of the urgency of trials now in progress, because of the mischievous nature of those trials, and the unthinkable results of the Orlov trial. I think that the chairman did well to call upon the House for immediate expression.

While I rise in support of this resolution, I do so with deep regret—regret that a resolution of this type is necessary. What is happening in the Soviet Union today is no less than a blatant attempt to subvert the commitments of Helsinki, and the Universal Declaration on Human Rights, not to mention the Soviet Constitution.

As each courageous Helsinki monitor steps forward to protest the gross and continuing violations, he or she is either arrested, sent to a psychiatric hospital or exiled.

We have been reading of the trial of Yuri Orlov and the unconscionable conditions under which it is being held. Can the Soviet Government actually believe that this mockery of justice is a free and open trial or that the world will view it as such?

Can anyone really believe that a government which would hold an Anatoly Shcharansky in prison for more than a year without trial is upholding its promises to assist family reunification, protect the right to religious expression or the right even to monitor compliance with the Helsinki Final Act.

What we are seeking in the Soviet Union today is not just sporadic attempts to silence those voices who speak for the many. It is a systematic effort, in Moscow, in the Ukraine, in Soviet Georgia, in Armenia, in Lithuania to silence once and for all those voices crying out in the wilderness to the world for help.

I personally know of no individual Helsinki monitor who has not felt the heavy paw of the Soviet bear upon his or her back be it in the form of arrests, threats, cut telephone lines or harassment, merely for attempting to call attention to the fact that the Soviet Government is not

complying with the promises it made at Helsinki.

For this body to remain indifferent to the bravery and self-sacrifice of those Soviet citizens who aid the work of the Helsinki monitors, would be to concur in the massive suppression of rights which is taking place in the Soviet Union today.

Through the adoption of this resolution we will send a message to the Soviet Government that this performance is unacceptable and we will send a message of hope and encouragement to the Soviet people that their efforts on behalf of their own basic rights will not go unrecognized.

The Soviet Government has said it is complying with the Helsinki Final Act. I can think of no greater symbol of that compliance than the release of the 22 members of the Public Groups To Promote Observance of the Helsinki Agreements in the U.S.S.R.

The failure of the Soviet Government to do so will say to the world, "our signature on paper cannot be expected to become realities in the world." Such a signal is certainly something which our Government must consider in any future negotiations with the Government of the U.S.S.R.

Mr. Speaker, it was my privilege to serve along with the gentleman from Florida (Mr. FASCELL) in the followup conference in Belgrade on the Helsinki Final Act as a delegate there, and then to serve as a delegate to the recent United Nations Human Rights Commission meeting in Geneva. At both of these places the Soviet delegation made much of the fact that they had incorporated the principles of the Helsinki Final Act into the new Constitution of the Soviet Union.

I think these trials indicate how seriously they take their own promises on paper in that Constitution and they appear to be saying to the world that they are empty promises and meaningless words. It is time for them to make their actions in line with what the basic law of their new Constitution calls for in the protection of human rights.

Mr. Speaker, I commend the gentleman from Wisconsin for bringing the attention of the Congress and the attention of the world to this very gross violation of human rights.

Mr. ZABLOCKI. Mr. Speaker, earlier, I commended the gentleman from Florida (Mr. FASCELL) for his labors and contributions on behalf of the Helsinki Commission. At this time I would also like to commend the gentleman from Alabama (Mr. BUCHANAN), who has also been most helpful. He did an outstanding job in representing our country at the recent Belgrade Conference on the Final Act.

I yield to the gentleman from Massachusetts (Mr. CONTE).

(Mr. CONTE asked and was given permission to revise and extend his remarks.)

Mr. CONTE. Mr. Speaker, I, too, want to join with all my colleagues in complimenting the gentleman from Wisconsin (Mr. ZABLOCKI), the gentleman from Florida (Mr. FASCELL), and the gentleman from Alabama (Mr. BUCHANAN) and

join them in urging the House for swift passage of this resolution.

It is no secret—and it should not be—that many Members of this Congress had, and still have, misgivings over the Helsinki agreement. I think that, without exception, these misgivings involved the question of whether the promised quid pro quo would become a reality.

There were some who left that the concessions given to the Soviet Union were justified by the promises of demonstrated respect for human rights for the residents of the captive nations. There were others that were convinced that the promises would never be anything but empty rhetoric.

Nonetheless, Mr. Speaker, whether we eventually supported or opposed the Helsinki agreement, I submit that both bodies of this Congress were unanimous in their hopes that prayers that the agreement would draw renewed world attention to and respect for the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.

As is so aptly pointed out in the resolution before us, however, the hopes and aspirations raised by the Helsinki agreement have been cruelly rebuffed by the current and recent past events in the Soviet Union.

Not only has the Soviet Government failed to abide by the Helsinki agreement and the humanitarian documents it was meant to foster, the Soviet leadership has seen fit to prosecute and punish, without any respect for universally recognized principles of due process, those who have seen fit to exercise their individual rights under the agreement to insure official conformity with the agreement.

Year after year, Mr. Speaker, Members of this Congress have risen on the floor during Captive Nations Week to bemoan the plight of, to praise the courage of, and to offer hope to freedom loving people who live under the shadow of the Soviet bear and within the confines of the Iron Curtain. With the signing of the Helsinki agreement, we thought we were moving forward to the time when a special week of observance for the Captive Nations would no longer be needed or even appropriate.

How bitterly ironic it is that a major world power, a self-proclaimed champion of the people, a willing and eager signatory to the agreement, has seen fit to use the agreement against the very people and the specific rights it was meant to protect. I submit, Mr. Speaker, that seldom since the fall of the Third Reich have we seen such a mockery made of the concept of international cooperation, world brotherhood, and multinational commitment to human rights and dignity.

Under the circumstances, an expression of acquiescence would be shameful; an expression of disappointment would be inadequate; and even an expression of outrage would be an understatement.

As members of the legislative body of the world's greatest and most powerful democracy, and as elected representatives of a people who demand and enjoy the universally recognized principles of

liberty, it is incumbent upon us to speak out, today, loudly and clearly. We can do just that by passing immediately and overwhelmingly the resolution before us.

Mr. ZABLOCKI. Mr. Speaker, I yield to the gentleman from Illinois (Mr. DERWINSKI).

(Mr. DERWINSKI asked and was given permission to revise and extend his remarks.)

Mr. ZABLOCKI. Mr. Speaker, I yield to the gentleman from New York (Mr. BINGHAM).

(Mr. BINGHAM asked and was given permission to revise and extend his remarks.)

● Mr. BINGHAM. Mr. Speaker, I rise in support of the resolution.

I am appalled at word that a Soviet court has sentenced Yuri Orlov, organizer of the Helsinki monitoring group, to 7 years of hard labor and 5 additional years of "internal exile." I suppose the harsh sentence should have been expected, as it quickly became apparent from the start of the trial that the proceedings were those of a "kangaroo court."

The trial was closed to the public with only spectators handpicked by the prosecution permitted inside. Incredibly, Orlov was not permitted to call witnesses for the defense. Andrei Sakharov was among those turned away by the zealous authorities. In the trial's last moments, Orlov's summation was interrupted repeatedly by well-orchestrated shouts of "traitor" and "spy" by the courtroom crowd. Orlov was not permitted to finish but was cut off after a half hour. After leaving the courthouse Mrs. Orlov was apprehended and stripped naked by guards supposedly looking for hidden weapons or documents. One can go on and on. Suffice it to say that the entire proceeding was a travesty of justice.

Other show trials are expected soon. Aleksandr Podrabinek, who has worked on the Working Commission to Investigate the Abuse of Psychiatry for Political Purposes, has been arrested for refusing to give testimony against Orlov. In Tbilisi, Zviad Gamsakhurdia, noted specialist in English language and American literature and leader of the Georgian Group, and his colleague, musicologist Merab Kostava, are under prosecution for "slandering the Soviet state." The trials of Aleksandr Ginsburg and Anatoly Shcharansky are expected soon.

Mr. Speaker, I join Chairman ZABLOCKI, my colleagues of the Helsinki Commission and others in offering this concurrent resolution expressing our outrage at the persecution of the Soviet Helsinki monitors. I can only hope that the Soviet Government understands the depth of our anger and disgust. It must not be forgotten that only 3 years ago representatives of the Soviet Union affixed their signatures to the Helsinki Final Act, the very document Orlov, Shcharansky and the rest are imprisoned for trying to enforce. Soviet disregard of the Helsinki agreement can only lead many Americans to question the value of any bilateral or multilateral agreement with the Soviet Union. That would be unfortunate for the United States and

it would be unfortunate for the Soviet Union. But it is that kind of reaction the Soviets are courting in their persecution of the Helsinki monitors and various representatives of the Soviet minority groups. I urge the Government of the Soviet Union to reconsider its course before irreversible damage is done. ●

Mr. DERWINSKI. Mr. Speaker, I would like to point out that the details in the resolution and the points so powerfully made by the gentleman from Wisconsin are absolutely true. We should keep in mind that one of the great tragedies of our time is the intense Russification by the Soviet authorities of non-Russian peoples in the U.S.S.R. Just a few weeks ago there were attempts to eradicate Armenian and Georgian languages in those states in the U.S.S.R.

We also know of the efforts to deprive the Latvians, the Lithuanians and Estonians and others of their national heritage.

Mr. Speaker, these trials are also a deliberate attempt to stamp out what little religion is left in the U.S.S.R. Christians, Jews, and Muslims are persecuted for their religious beliefs.

I also commend the gentleman from Florida (Mr. FASCELL) and the Commission the gentleman chaired for keeping the proper spotlight on the conference in Belgrade, pointing out the failure of that body to properly emphasize the denial of human rights behind the Iron Curtain.

● Mr. DRINAN. Mr. Speaker, I rise in support of House Concurrent Resolution 624, urging the President to continue to express to the Soviet Government the outrage of the American people at the persecution of Soviet citizens who formed a group to monitor the U.S.S.R.'s compliance with the Helsinki Agreement.

Today, another verdict was rendered in the Soviet Government's continuing, brutal repression of individuals whose only crime has been to express opinions critical of the Government. Yuri Orlov, a 53-year-old physicist and chairman of the Moscow Group to Promote Observance of the Helsinki Agreements in the U.S.S.R., was convicted of "anti-Soviet agitation" and received the maximum sentence of 7 years imprisonment and 5 years in internal exile. Mr. Orlov was imprisoned for 15 months before he finally came to trial on Monday, May 15.

The trial of Mr. Orlov was a travesty of justice, and calls to mind the notorious "show trials" of the Stalin era. Mr. Orlov was burdened with a defense attorney not of his own choosing; Mr. Orlov was not permitted to call witnesses in his own behalf or to speak without repeated interruptions and calls for silence from the trial judge; no Western reporters or representatives from the U.S. Embassy were permitted inside the courtroom; and supporters and friends of Mr. Orlov outside the court were subjected to harassment by police and other on-lookers, including physical assaults and anti-Semitic taunts.

It has now become apparent that the Soviet authorities have decided that they will ignore criticism from the West and proceed with their brutal repression of the dissident movement. Only such a de-

cision can explain the gratuitous violence and repression which occurred in the trial of Yuri Orlov. His wife was forced to remove her clothing for a search prior to entering the courtroom. The Orlov family car was chased and bumped by three carloads of KGB agents. And today, several sympathizers with Orlov's plight were arrested, including Andrei Sakharov, winner of the Nobel Peace Prize.

How far will the Soviets carry their campaign against the Helsinki Monitoring Group? Will this new wave of repression spread beyond the group? At this point, no one can say. It is clear, however, that we must continue to protest these actions in the most vigorous way we can. We have no other alternative.

Two other members of the Helsinki Monitoring Group, Alexander Ginsburg and Anatoly Sharansky, also face trial. Mr. Sharansky is charged with the most serious offense: treason against the state. This crime is punishable by any number of years in prison, up to life, or by execution. The International Committee for the Release of Anatoly Sharansky, which I am proud to chair, has been working for his release ever since his arrest in March of last year. Mr. Sharansky's only offenses were membership in the monitoring group and a desire to emigrate to Israel. The nature and the result of the trial of Yuri Orlov this week are profoundly disturbing precedents for Mr. Sharansky and Mr. Ginsburg and all others who might become victims of what is clearly a new chapter of repression and brutality by the Soviet Government.

This resolution which I am sure we will adopt today places the House of Representatives on record as backing firm action by the President to protest the U.S.S.R.'s persecution of any individual who voices any statement critical of the Government or in support of the right to emigrate. I hope that President Carter will speak firmly to express to the Soviet authorities the sense of outrage and dismay at the U.S.S.R.'s actions felt by all Americans. ●

GENERAL LEAVE

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the concurrent resolution now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ZABLOCKI. Mr. Speaker, I move the previous question on the concurrent resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the concurrent resolution.

The question was taken; and the Speaker pro tempore announced the ayes appeared to have it.

Mr. BROOMFIELD. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 399, nays 0, not voting 35, as follows:

[Roll No. 334]
YEAS—399

Abdnor	Daniel, E. W.	Hollenbeck
Addabbo	Danielson	Holt
Akaka	Davis	Holtzman
Alexander	de la Garza	Horton
Allen	Delaney	Howard
Ambro	Dellums	Hubbard
Ammerman	Derrick	Huckaby
Anderson,	Derwinski	Hughes
Calif.	Devine	Hyde
Anderson, Ill.	Dickinson	Icford
Andrews, N.C.	Dicks	Ireland
Andrews,	Diggs	Jacobs
N. Dak.	Dingell	Jeffords
Annunzio	Dodd	Jenkins
Applegate	Dornan	Jenrette
Archer	Drinan	Johnson, Calif.
Armstrong	Duncan, Oreg.	Jones, N.C.
Ashbrook	Duncan, Tenn.	Jones, Tenn.
Ashley	Early	Jordan
Aspin	Eckhardt	Kastenmeier
Badham	Edwards, Ala.	Kazen
Bafalis	Edwards, Calif.	Kelly
Baldus	Edwards, Okla.	Kemp
Barnard	Euberg	Ketchum
Bauman	Emery	Keys
Beard, R.I.	English	Kildee
Beard, Tenn.	Erlenborn	Kindness
Bedell	Ertel	Kostmayer
Bellenson	Evans, Colo.	Krebs
Benjamin	Evans, Del.	Krueger
Bennett	Evans, Ga.	LaFalce
Bevill	Evans, Ind.	Lagomarsino
Biaggi	Fary	Latta
Bingham	Fascell	Le Fante
Blanchard	Fenwick	Leach
Blouin	Findley	Lederer
Boggs	Fish	Leggett
Boland	Fisher	Lehman
Bolling	Fithian	Lent
Bonior	Flippo	Levitas
Bonker	Flood	Livingston
Bowen	Florio	Lloyd, Calif.
Brademas	Flowers	Lloyd, Tenn.
Breaux	Flynt	Long, La.
Brinkley	Foley	Long, Md.
Brodhead	Ford, Mich.	Lott
Brooks	Ford, Tenn.	Lujan
Broomfield	Forsythe	Luken
Brown, Calif.	Fountain	Lundine
Brown, Mich.	Powder	McCloy
Brown, Ohio	Fraser	McCormack
Broyhill	Frenzel	McDade
Buchanan	Fuqua	McDonald
Burgener	Gammage	McEwen
Burke, Fla.	Garcia	McFall
Burke, Mass.	Gaydos	McHugh
Burleson, Tex.	Gephardt	McKay
Burlison, Mo.	Gialmo	McKinney
Burton, Phillip	Gibbons	Madigan
Butler	Gilman	Maguire
Byron	Ginn	Mahon
Caputo	Glickman	Mann
Carney	Goldwater	Markey
Carr	Gonzalez	Marks
Cavanaugh	Goodling	Marlenee
Cederberg	Gore	Marriott
Chappell	Gradison	Martin
Chisholm	Grassley	Mathis
Clausen,	Green	Mattox
Don H.	Gudger	Mazzoli
Clawson, Del	Guyer	Meeds
Clay	Hagedorn	Metcalfe
Cleveland	Hall	Meyner
Cohen	Hamilton	Mikulski
Coleman	Hammer-	Mikva
Collins, Ill.	schmidt	Milford
Collins, Tex.	Hanley	Miller, Calif.
Conable	Hannaford	Miller, Ohio
Conte	Hansen	Mineta
Conyers	Harkin	Minish
Corcoran	Harrington	Mitchell, N.Y.
Corman	Harris	Mokley
Cornell	Harsha	Moffett
Cotter	Hawkins	Molohan
Coughlin	Heckler	Montgomery
Crane	Hefner	Moore
Cunningham	Hefst	Moorhead,
D'Amours	Hightower	Calif.
Daniel, Dan	Hillis	

Moorhead, Pa.
Moss
Mottl
Murphy, Ill.
Murphy, N. Y.
Murphy, Pa.
Murtha
Myers, Gary
Myers, John
Myers, Michael
Natcher
Neal
Nedzi
Nichols
Noian
Nowak
O'Brien
Oakar
Oberstar
Obey
Ottinger
Panetta
Patten
Patterson
Pattison
Pease
Pepper
Perkins
Pettis
Pickle
Pike
Poage
Pressler
Pryor
Price
Pritchard
Pursell
Quayle
Quie
Quillen
Rahall
Rallsback
Rangel
Regula
Reuss
Rhodes

Richmond
Rinaldo
Risenhoover
Robinson
Rodino
Roe
Rogers
Roncallo
Rooney
Rose
Rosenthal
Rostenkowski
Rousselot
Roybal
Rudd
Ruppe
Russo
Ryan
Santini
Satterfield
Sawyer
Schroeder
Sebellius
Seiberling
Sharp
Shipley
Shuster
Sikes
Simon
Sisk
Skelton
Skubitz
Slack
Smith, Iowa
Smith, Nebr.
Snyder
Solarz
Spellman
Spence
St Germain
Staggers
Stangeland
Stanton
Stark
Steed
Steers

Steiger
Stockman
Stratton
Studds
Stump
Symms
Taylor
Thompson
Thone
Traxler
Treen
Trible
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vento
Volkmer
Waggonner
Walgren
Walker
Wampler
Waxman
Weaver
Weiss
Whalen
White
Whitehurst
Whitley
Wiggins
Wilson, Bob
Wilson, Tex.
Winn
Wirth
Wolf
Wright
Wydler
Wylie
Yates
Yatron
Young, Alaska
Young, Fla.
Young, Mo.
Zablocki
Zeferetti

The Clerk announced the following pairs:

Mr. John L. Burton with Mr. Carter.
Mr. Roberts with Mr. Kasten.
Mr. Mitchell of Maryland with Mr. Schulze.
Mr. Teague with Mr. Frey.
Mr. Charles H. Wilson of California with Mr. McCloskey.
Mr. Jones of Oklahoma with Mr. Whitten.
Mr. Baucus with Mr. Nix.
Mr. AuCoin with Mr. Tsongas.
Mr. Breckinridge with Mr. Edgar.
Mrs. Burke of California with Mr. Cochran of Mississippi.
Mr. Cornwell with Mr. Runnels.
Mr. Stokes with Mr. Sarasin.
Mr. Downey with Mr. Thornton.
Mr. Dent with Mr. Walsh.
Mr. Holland with Mr. Watkins.
Mr. Scheuer with Mr. Tucker.

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AMENDMENT TO THE PREAMBLE

Mr. FASCELL. Mr. Speaker, I offer an amendment to the preamble of the concurrent resolution.

The Clerk read the preamble of the concurrent resolution.

The SPEAKER pro tempore (Mr. EVANS of Colorado). The Clerk will report the amendment to the preamble.

The Clerk read as follows:

Amendment to the preamble: Strike out the paragraph on page 4, lines 3 through 8, and insert the following:

Whereas Yuri Orlov, the leader and founding member of the Moscow Group, was convicted this week in the Soviet Capital for such activities and sentenced to seven years in prison camp and five years in internal exile, and Zviad Gamsakhurdia and Merab Kostava, two founding members of the Georgian Group, were brought to trial in Tbilisi this week as well to face similar charges:

The amendment to the preamble was agreed to.

A motion to reconsider was laid on the table.

NAYS—0

NOT VOTING—35

AuCoin
Baucus
Breckinridge
Burke, Calif.
Burton, John
Carter
Cochran
Cornwell
Dent
Downey
Edgar
Frey

Holland
Johnson, Colo.
Jones, Okla.
Kasten
McCloskey
Michel
Mitchell, Md.
Nix
Roberts
Runnels
Sarasin
Scheuer

Schulze
Stokes
Teague
Thornton
Tsongas
Tucker
Walsh
Watkins
Whitten
Wilson, C. H.
Young, Tex.



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 95th CONGRESS, SECOND SESSION

Vol. 124

WASHINGTON, THURSDAY, MAY 18, 1978

No. 74

Senate

SENATE CONCURRENT RESOLUTION 88—SUBMISSION OF A CONCUR- RENT RESOLUTION ON SOVIET TRIAL OF HUMAN RIGHTS AC- TIVISTS

Mr. PELL (for himself, Mr. CASE, Mr. CLARK, Mr. DOLE, Mr. STONE, Mr. LEAHY, and Mr. BAYH) submitted the following concurrent resolution, which was referred to the Committee on Foreign Relations.

S. CON. RES. 88

Whereas, the Final Act of the Conference on Security and Cooperation in Europe commits the signatory countries to respect human rights and fundamental freedoms; and

Whereas, the signatory states have pledged themselves to "fulfill in good faith their obligations under international law"; and

Whereas, the Universal Declaration of Human Rights guarantees to all the rights of freedom of thought, conscience, religion, opinion, and expression; and

Whereas, the International Covenant on Civil and Political Rights guarantees that everyone shall have the right to freedom of thought, conscience and religion and the right to hold opinions without interference; and

Whereas, the Soviet Union signed the CSCE Final Act, is a party to the Universal Declaration of Human Rights, and has ratified the International Covenant on Civil and Political Rights; and

Whereas, Principle VII of the Final Act specifically confirms the "right of the individual to know and act upon his rights and duties" in the field of human rights and Principle IX confirms the relevant and positive role by individuals in the implementation of the Final Act's provisions; and

Whereas, acting in conformity with these confirmed rights, individuals in the Soviet Union formed the Public Groups to Promote Observance of the Helsinki Agreement in the U.S.S.R. and sought, through those Groups in Moscow, Ukraine, Lithuania, Georgia and Armenia, to call the attention of public opinion, their own government and other Final Act signatories to documented violations of human rights by compiling and issuing open, thorough reports on official practices toward religious believers, persons seeking to rejoin or visit relatives abroad, persons confined in mental hospitals because of their political beliefs, persons confined in prisons, prison camps or internal exile because of their efforts to express such beliefs or disseminate their views and information, and minority groups seeking cultural and political rights in the Soviet Union; and

Whereas, twenty-two members of the Public Groups and their affiliates have been

punished merely for their activities and participation in the Groups—two, Pyotr Grigorenko and Tomas Venclova were stripped of citizenship while abroad and thus banished from their homeland; another, Malva Landa, had been sent into internal exile; and nineteen others, Eduard Arutyunyan, Zviad Gamsakhurdia, Aleksandr Ginzburg, Grigory Goldshtein, Ambartsum Khigatyan, Merab Kostava, Levko Lukyanenko, Myroslav Marynovych, Mykola Matusevych, Robert Nazaryan, Yuri Orlov, Viktoras Petkus, Aleksandr Podrabinek, Viktor Rtskhiladze, Mykola Rudenko, Feliks Serebrov, Anatoly Shchamansky, Oleksiy Tykhy, and Pyotr Vins are presently imprisoned; and

Whereas, Soviet authorities have already tried and convicted several Public Group members and their associates for their activities in promoting the standards of the Helsinki Final Act; and

Whereas, Yuri Orlov, the leader and founding member of the Moscow Group, was convicted this week in the Soviet capital for such activities and sentenced to seven years in prison camp and five years in internal exile, and Zviad Gamsakhurdia and Merab Kostava, two founding members of the Georgian Group, were brought to trial in Tbilisi this week as well to face similar charges; and

Whereas, the activities of the Public Group and their members should be protected and not punished in accordance with the Helsinki Final Act, the Universal Declaration and the International Covenant; and

Whereas, the arrests and trials of all the members of these groups call into question the intention of the Soviet Union to adhere in good faith to the International treaties and agreements to which it is a party; Now therefore be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that, in conformity with the Helsinki Final Act, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and basic standards of justice, the unjustly imprisoned members and affiliates of the Soviet Helsinki Groups should be granted their freedom and allowed to pursue their lawful activities in behalf of basic human rights without further harassment, and

Be it further resolved, That the Congress urges the President, the Secretary of State and other appropriate executive branch officials to continue to express at every suitable opportunity and in the strongest terms the opposition of the United States to the imprisonment of the Helsinki Group members, and

Be it further resolved, That a copy of this resolution be transmitted to the Soviet Ambassador to the United States and to the

Chairman of the Presidium of the Supreme Soviet of the U.S.S.R.

● Mr. PELL. Mr. President, the concurrent resolution which I and six of my colleagues are pleased to submit today is, in one respect, like the 1975 Helsinki accord with which it deals. Neither document has the binding force of law. Both are simply declarations of intent, but they carry great political weight.

The Soviet Union has already damaged its international standing by disregarding many provisions of the Final Act of the Conference on Security and Cooperation in Europe. The Soviet Union will also damage the development of normal U.S.-U.S.S.R. relations if it continues to punish Soviet citizens for engaging in activities which their government pledged in the Helsinki accord to respect.

The resolution, though lengthy, is simple. It calls on the leadership of the Soviet Union to cease the vicious campaign of repression begun more than a year ago against the courageous individuals in Moscow, Ukraine, Lithuania, Georgia, and Armenia who have worked to have their own government implement the human rights promises it made at Helsinki. Their efforts to publicize violations of the Helsinki accord—violations, in effect, of international standards of human rights—have been treated by Soviet police and courts as criminal activities. But what can be criminal, under any reasonable standard of justice, in the open discussion of such issues as the right to travel, the right to receive mail and telephone calls, the right to be free from arbitrary search, arrest or forcible psychiatric confinement, the right to practice a religious faith, the right to preserve an ethnic minority's culture and language?

If the 22 members of the Soviet Helsinki Watch imprisoned by Soviet authorities in the last 15 months had conducted their activities secretly, perhaps one could see in their work a plot against the regime. But theirs was at worst a conspiracy of conscience. And the unjust sentences already imposed on some of them, the unconscionably long detention of others, must rest instead on the consciences of Soviet leaders.

This week in the Soviet capital the

head of the Moscow Helsinki Watch, Prof. Yuri Orlov, was convicted and sentenced to 7 years in prison camp and 5 years in internal exile in a courtroom to which no outside observers were admitted. His wife, who was allowed to attend, was harassed every time she attempted to make even a sketchy record of the proceeding. Soviet authorities treated the trial as though it dealt with state secrets, when, in fact, their only reason for hiding the workings of their justice from the world must be their own shame at the injustice they are perpetrating.

When Professor Orlov joined in founding the Moscow Public Group to Promote Observance of the Helsinki Agreement in the U.S.S.R. in May, 1976, he appealed to all the other Helsinki signatories to protect him and his colleagues from the repression he foresaw. These were his words:

The problems of security in today's world are inseparable from humanitarian problems. This is the evident rationale for the humanitarian provisions of the Final Act. And why all peoples and all governments have an interest in their fulfillment. If the collection and transmission of information on violations of these provisions are classified as crimes against the State then this undermines the very basis of the accords and deprives them of real content and internal consistency. Therefore I appeal to the governments and parliaments of all the States participating in the European Conference including the USSR. I ask them to take steps which will protect the Moscow Group's right to function in a reasonable and constructive fashion in conformity with its stated purpose. I ask them to protect the members of the Group against persecution.

With this resolution the Congress of the United States calls on the Soviet leaders to end that persecution. It calls on the President of the United States to continue the protests our Government has registered over that persecution. The resolution is needed and timely. I urge its speedy approval.®

Mr. DOLE, Madam President, as a member of the Commission on Security and Cooperation in Europe, and as a cosponsor of a concurrent resolution which will be introduced by the distinguished Senator from Rhode Island (Mr. PELL), I want to give my wholehearted support to this resolution.

The trial of Yuri Orlov, the leader and founding member of the First Helsinki Watch Group has just been concluded and the "court" has just handed down its 12-year sentence for Mr. Orlov. Everything about the trial has been a mockery of justice and in total disregard of every international human rights agreement that the Soviet Union has signed.

HELSINKI FINAL ACT PROVISIONS IGNORED

Mr. Orlov and the other members of the Helsinki Watch Groups have been involved in none other than a courageous public effort to promote the aims of the Final Act, as set forth in principle 7 of the Basket I Declaration of Principles which calls the states to:

Promote and encourage the effective exercise of civil, political, economic, social, cultural, and other rights and freedoms.

Their actions are also supported by principle 9, entitled Cooperation Among States, which confirms the relevant and positive role individuals and organizations, as well as governments can play in reaching the goals of the Final Act.

TRIAL VIOLATES SOVIET CONSTITUTION

But even if the Soviet Union wanted to ignore its international agreements and commitments, one would think that it would abide by its own much-touted constitution. Article 49 of the Constitution states "persecution for criticisms is prohibited" and article 51 declares that "citizens of the U.S.S.R. have the right to associate in public organizations that promote their political activity and initiative and satisfaction of their various interest. Public organizations are guaranteed conditions for successfully performing the functions defined in their rules." Apparently the Soviet constitutional rights do not extend to all citizens equally.

That the Soviets barred reporters, dissidents and a U.S. observer from entering the courtroom on the first day of the trial was not surprising. However, we see that the most basic rights of a defendant were violated and even standards of common decency were not followed. Throughout the trial, Mr. Orlov was denied the right to call witnesses on his behalf. His own attempts to cross-examine state witnesses were denied, and even his closing statement was interrupted by the presiding judge and State-selected listeners with jeers and laughter.

Undoubtedly, Zviad Gamashuridze and Marab Kostava have received an equally fair hearing in Tbilisi, Georgia, where their trial is in progress.

TREATMENT OF MRS. ORLOV DISGRACEFUL

The treatment of Mrs. Orlov during this time has been nothing less than disgraceful. The indignities she has had to endure at the hands of the Soviet police are of the lowest order. The manner in which they were carried out bring to mind the best traditions of the Nazi regime.

In attempting to analyze and understand the Soviet motivation for these trials, I am convinced there is a direct correlation between the conference on security and cooperation in Europe and the trial. I believe that had the United States and other Western nations insisted on including a human rights provision in the concluding statement that came out of Belgrade, we would not be seeing these trials today.

SERIOUS QUESTIONS OF FUTURE U.S.-SOVIET COOPERATION

The Soviet Union considers the bland statement as a victory for its position and a sign of weakness on the part of the West in its commitment to human rights. This is a dangerous and erroneous conclusion for the Soviets to arrive at. It can lead to serious miscalculations on their part and could endanger many future cooperative ventures.

If the Soviet Union is indeed serious about détente and cooperation with us, its actions to date have not reflected this desire. Deeds speak louder than words and those of the past few days bring the

desirability of cooperation with the Soviet Union in any field under serious question.

® Mr. CASE, Mr. President, Yuri Orlov has been tried and convicted in a Moscow City court under two Soviet statutes, one calling for a conviction for "anti-Soviet agitation" and another calling for conviction for "anti-Soviet propaganda."

Between the two statutes, under Soviet law the one concerned with anti-Soviet agitation is the more serious. The prosecutor in the case has asked for a severe sentence in light of the Orlov conviction. He has called for 7 years imprisonment and an additional 5 years in exile in the U.S.S.R. While the city court may recommend a different sentence, it is likely there will be a jail term for Mr. Orlov.

Mr. Orlov claimed he acted pursuant to the Helsinki agreements which promised certain rights and privileges to citizens of the signatory powers. However, in his presentation in the court, Mr. Orlov was not permitted to call witnesses or to establish that documents he had written, some four in number, were consistent with the Helsinki accords.

In most Western countries, and particularly in the United States, when confronted with conflicting rules and prescriptions, courts usually impose the test of what a "reasonable man" would do under such circumstances. When and if it can be established that a person acted on the basis of what the law was perceived to be, and if the person can document such action consistent with the law, then he may be deemed to have met the test at hand.

With regard to Yuri Orlov, the evidence seems to be that he was not permitted to defend himself along conventional lines, nor was he permitted to raise before the court the matter of law involving the Helsinki accords. As a consequence, it is fair to say that even under Soviet procedures he was not given his rights.

The action against Yuri Orlov is indeed a serious one, for his conviction, if it is not reversed, undermines the intent and purpose of the Helsinki agreements. After sentencing, Mr. Orlov does have a right of appeal—and in this case, because of its significance, the case may be moved on an immediate basis to the Supreme Soviet for final adjudication.

It seems to me that as signatories to the Helsinki accords which pledge us as well as the U.S.S.R. to adhere to certain procedures and standards, that the Supreme Soviet should allow Mr. Orlov to present his case fully based on the apparent conflict of law between certain Soviet statutes on "agitation" and "propaganda," and the Helsinki accords. Should the Supreme Soviet fail to allow an appeal to be taken on this basis, then observance of the Helsinki agreements by the U.S.S.R. must be called into serious question.

Because of specific American interest in this matter, as a signatory state to the Helsinki agreements, I would urge the President to urge the Soviet authorities to allow an appeal to be taken on this

basis. It would seem to me that on the well accepted principle of international law of "comity between states" that the U.S.S.R. should acquiesce in this request.

In addition, should the appeal not be allowed on the basis of this conflict in law, it seems to me that matter must be raised by all the signatory powers to the Helsinki agreement.

My hope is that the Soviet Union will not carry on actions against Mr. Orlov which so clearly seem to contravene the spirit, intent, and letter of the Helsinki accords. Mr. Orlov, as is well known, was the founder of the first public group in the U.S.S.R. to "Promote Observance of the Helsinki Accords." Our stake in this matter runs as deeply as does his own.®

TRIAL OF YURI ORLOV

Mr. BAYH. Mr. President, reports from the U.S.S.R. of the sentencing of human rights advocate Yuri Orlov to 7 years' hard labor and 5 years internal exile has angered and saddened people the world over who are committed to the cause of human dignity and freedom. The mistreatment and harassment of Mrs. Orlov can likewise only be deplored. The incredible spectacle of Nobel Prize winner Andrei Sakharov being rushed away by Soviet police suggests as well the contempt Moscow must hold international opinion.

Let us hope, Mr. President, that the conclusion of this first proceeding against the Helsinki Watch Group is not an indication of what lies ahead for Alexander Ginzburg and Anatoly Shcharansky and other Soviet citizens whose only "crime" has been to insist that their country abide by the principles contained in the Helsinki Accords. Regrettably, if the history of past political trials in the Soviet Union is any indication of future performance by Soviet authorities, I fear the Orlov trial is a harbinger of future proceedings.

What is going on now in the Soviet Union must be condemned without hesitation or equivocation. We must act quickly to put the Senate on record to this end, and I am proud to join with several of my colleagues today in sponsoring a resolution calling for the release of these brave individuals in order that they might be allowed to resume their lawful activities. In addition, I would hope that the President will denounce the Orlov trial and the Soviet court's harsh sentence.

Perhaps the Soviet authorities believe they are asserting the sovereignty of the U.S.S.R. by sanctioning the brutal treatment of Nobel Prize winners. They are wrong.

Perhaps Moscow truly believes that Jews and other ethnic groups can destroy the will of these people to join friends and loved ones in Israel and elsewhere. They are wrong.

It could be that the Kremlin thinks that by sentencing to prison men like Yuri Orlov and Anatoly Shcharansky they can incarcerate their ideas as well. They are wrong.

And it could be that the Soviet Union thinks that we do not really mean what we say about human rights and that we in the West are pursuing, in the words

of Solzhenitsyn, "prosperity at any price." They could not be more wrong.

More than anything else, the Soviet Union must understand that we are a people of values as well as interests. Those interests are not served when our basic values as a Nation are outraged. To say anything less to the Kremlin at this point in our relations would be to mislead them and ourselves in our efforts to improve those relations.

May 22, 1978

EXPRESSION OF U.S. OPPOSITION TO IMPRISONMENT OF MEMBERS OF THE SOVIET HELSINKI GROUPS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Chair lay before the Senate a message from the House of Representatives on House Concurrent Resolution 624.

The PRESIDING OFFICER laid before the Senate House Concurrent Resolution 624 expressing the sense of the Congress that the Helsinki Final Act, as well as international law, guarantees the right of the members of the Public Groups to Promote Observance of the Helsinki Agreement in the Union of Soviet Socialist Republics to pursue their lawful activities and urging the President to continue to express U.S. opposition to the imprisonment of members of the Soviet Helsinki Groups.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. ROBERT C. BYRD. Mr. President, I believe Mr. METZENBAUM has a statement he wants to make on this resolution. Before yielding the floor, I want to thank Mr. HATCH for his courtesy in yielding.

Mr. METZENBAUM. Mr. President, it is with a feeling of great sadness that I rise to ask the Senate to add its approval to that given by the House to House Concurrent Resolution 624. This resolution expresses the strong support of the Congress of the United States for the brave struggle of Soviet dissidents to exercise the fundamental right to free expression guaranteed to them by the final act of the Helsinki conference, the universal declaration of human rights and the international convention on civil and political rights—documents to which the Soviet Union is a signatory.

I find this a sad occasion, Mr. President, because of the shocking news that has come from Russia of the conviction of Yuri Orlov, a brave man, of the curious crime of slandering the Soviet system. After a trial that can only be described as a scandal and a farce, Orlov was sentenced to 7 years in prison and an additional 5 years of internal exile.

Mr. President, let us consider the crimes of Yuri Orlov.

Orlov and other members of the Helsinki Monitoring Group published a report on a village called Ilyinka, filled with Jews who want to leave the Soviet Union, but have been refused permission.

The people of Ilyinka are happy, say the Soviets, and to say otherwise is a

crime.

The Helsinki Monitoring Group revealed that the Soviet authorities have persecuted Pentacostal religious groups. Religious persecution is no crime under the Soviet system. The crime, as Yuri Orlov has learned, is to speak out against it.

The Helsinki Monitoring Group revealed to the world that some impoverished Soviet workers wish to leave that workers' paradise in order to find better lives elsewhere. A criminal thing to report, says Soviet justice. It may be true; just do not talk about it.

Mr. President, Soviet justice has found Yuri Orlov guilty. It has found two other Soviets guilty. It has the same in store for Scharansky, for Ginzburg, and no doubt, for the many other lonely heroes and heroines who have had the uncommon courage to stand for simple decency against the might of the Soviet state. The Soviet Government may suppress these individuals. But even the KGB, cannot kill the idea of liberty. And there can be no mistake about it—the idea of liberty is loose in the Soviet Union today.

Mr. President, there is enormous irony in the "crime" for which Mr. Orlov has been convicted.

How, I ask you, can Orlov or anyone else slander a state whose own actions bring down upon it the scorn and contempt of civilized humanity?

If it is a crime in the Soviet Union to make the country look absurd, then let them put the judge in this case on trial. Let them haul Mr. Brezhnev into the dock. Let them try the secret police, the informers, and the Communist party officials who are so frightened, so insecure in their moral claim to power that they make their great country the laughingstock of the world.

Mr. President, the resolution before us today does not constitute an attempt to interfere in the internal affairs of the Soviet Union.

Rather, it represents a call to the Soviet Union to honor international obligations freely undertaken by that country.

It says to the Soviet Union that the peculiar Soviet concept of justice is not acceptable to the rest of the world.

And it says to the Soviets that they slander themselves and they slander their system by indulging in this contemptible persecution of men and women who, I am confident, will someday be honored in the Soviet Union as the prophets of a new and better time for the Soviet people.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (H. Con. Res. 624) was agreed to.

The preamble was agreed to.

Mr. JAVITS. Mr. President, I will just be a minute.

Mr. President, first, I would like to express my approval of the action taken by the Senate in respect to the resolution which has just been passed by the Senate unanimously, thereby concurring with the House in the matter of the administration by the Soviet Union of the promises which it made in the Helsinki declaration respecting human rights.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

DANTE B. FASCELL, CHAIRMAN
ROOM 3257, HOUSE OFFICE BUILDING, ANNEX 2
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515
(202) 225-1901

NEWS RELEASE - - -

FOR IMMEDIATE RELEASE

May 31, 1978

Washington, May 31--Three prominent U.S. trial attorneys will testify next week before a joint Executive-Congressional commission about the current wave of repression in the Soviet Union aimed at human rights activists.

Scheduled to appear at hearings before the Commission on Security and Cooperation in Europe are former Attorney General Ramsey Clark, and civil rights legal experts Edward Bennett Williams and Alan Dershowitz. George Fletcher of the University of California, a noted expert on Soviet law, will also appear at the hearings, according to Rep. Dante B. Fascell, (D. Fla.), chairman of the Commission.

The hearings will focus primarily on the legal pretexts that Soviet authorities have used to arrest and try members of Helsinki Monitoring Groups who have sought to pressure the Soviet government to comply with the human rights provisions of the Helsinki Accord. Earlier this month, a founder of the Helsinki Monitoring Group in Moscow, Yuri Orlov, was sentenced to seven years hard labor and five years internal exile for alleged anti-Soviet propaganda activities.

Clark, Williams and Dershowitz have all taken an active interest in aiding the defense of Helsinki Monitoring Group members Aleksandr Ginzburg, Anatoly Shcharansky, Mykola Rudenko and Oleksiy Tykhy as well as Orlov. All but Ginzburg and Shcharansky, who are imprisoned awaiting trial, have been convicted and sentenced by Soviet courts because of their Helsinki related activities. U.S. attorneys have been refused permission by Soviet authorities even to attend the trials of the accused men, Fascell said.

The hearings are scheduled for 9 a.m. Tuesday, June 6 in room 2212 of the Rayburn House Office Building, where two new Commission studies will also be released. The studies include biographical information on Helsinki Monitoring Group members and background on Soviet law and legal procedures used against them.

FOR FURTHER INFORMATION CONTACT: Meg Donovan or Ester Kurz: (202) 225 1901