

# **GLASNOST IN JEOPARDY**

**Human Rights in the USSR**

**April 1991**

**A Helsinki Watch Report**

**485 Fifth Avenue  
New York, NY 10017  
Tel (212) 972-8400  
Fax (212) 972-0905**

**1522 K Street, NW, #910  
Washington, DC 20005  
Tel (202) 371-6592  
Fax (202) 371-0124**

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## **Introduction**

**This report covers a wide spectrum of human rights developments in the Soviet Union from January 1990 through March 1991, with background about the political context in which they have occurred. It appears at a bleak time in Soviet history when many of the very real human rights accomplishments under Mikhail Gorbachev have either been reversed or seem seriously threatened by Gorbachev's more recent efforts to establish "law and order." It is difficult to predict at this time which way the Soviet Union is headed, or, for that matter, what will become of its constituent parts.**

**The period covered in this report has been a paradoxical one for human rights in the Soviet Union. On the positive side, a series of new liberal laws has been passed, protecting the rights to freedom of the press, conscience and association. Citizens have been demonstrating their freedom of speech and association in workers' strikes and in mass demonstrations ranging from protests against government policies to calls for Gorbachev's resignation.**

**Some initially feared that the new laws might result in regulation that would diminish liberties that have come to be exercised *de facto* during the previous three years. But these freedoms continue to be exercised, albeit against a background of societal confusion sometimes approaching anarchy. The central government has become so weak that its ability either to regulate or to protect these newly enshrined rights is questionable.**

**In recent months the Gorbachev government has moved to bring society under control. Yet some newly gained individual rights so far have weathered the most recent Kremlin storm. The situation of Soviet religious believers still seems to be on the upswing. Greatly improved emigration and foreign travel practice are still in effect, despite some troubling signs.**

**Important new judicial reforms are now on the books, such as an enhanced role for defense lawyers in criminal cases, and some are even becoming part of Soviet practice. Yet another brave experiment in judicial review, the brand new Constitutional Oversight Commission, has no enforcement power. In general, the USSR suffers from the lack of a legal tradition and has a severe shortage of lawyers to promote individual rights.**



**Key civil rights are respected to varying degrees within the various regions of the USSR. For example, freedom of association and assembly faces greater obstacles in Central Asia -- Turkmenistan is currently the only republic where there is only one political party, the Communist Party. Demonstrators in Uzbekistan and Kirgizia face uphill battles to get official permission to demonstrate.**

**The number of Soviet political prisoners is low, but there are disturbing new trends to hold nationalist leaders in pre-trial detention for lengthy terms on vague charges. Unfortunately, some republican governments (Georgia comes to mind) seem to be doing their best to take up where the Kremlin left off by arresting political opponents. The abuse of psychiatry for political purposes has decreased, except in Turkmenistan and other remote areas.**

**As for penalties for the expression of unorthodox opinion, the Soviet Union has made major strides toward tolerance. In one key area, however, namely freedom of the press, the central government has retreated from its newly minted *laissez-faire* policies. It has tried to reassert control over the media, particularly national TV news programs, through a campaign of censorship, disinformation, firings of journalists and harassment of unofficial news sources. So far, the USSR Supreme Soviet has foiled Gorbachev's efforts to dilute the newly granted liberties in the press law.**

**The political life of the Soviet Union is bewildering, often feckless, but alive. In his effort to bring limited popular responsiveness to moribund Soviet institutions, Gorbachev has involuntarily set in motion a parliamentary system which has enabled each republic to find its own -- often separate -- voice. Republic leaders are becoming the locus of genuine power -- ranging from fairly traditional Party bosses to hugely popular political mavericks. Boris Yeltsin, elected RSFSR president by that republic's parliament, has attained a popular following that may pose a threat to Gorbachev himself. The devolution of some power to the republics and the breakdown of governmental authority at all levels has also given rise to conflicts among competing political forces. Contradictions abound as various republics declare the supremacy of their laws over all-Union laws or fail to incorporate all-Union laws and decrees in their own legal codes. Lithuania and Latvia each has two procuracies, one headed by a Moscow appointee, the other by a republic representative.**

**The newly awakened republics have also contributed to human rights abuses. In some, a "tyranny of the majority" reigns. This unfortunate trend is particularly strong in republics such as Georgia and, to a lesser extent, Moldavia, where new nationalist republican governments hold sway over large majorities of the same national group, and ethnic minorities are fearful of nationalist excesses. This sets in motion a cycle of hostility, if not violence.**

**It has gradually become clear that Gorbachev has lost the confidence of the Soviet public. The country is torn by ethnic strife; Interior Minister Pugo acknowledged the deaths of 1,000 people in communal violence in the USSR last year. Soviet society is beset by strikes and demonstrations against the Party *status quo*. The country is reeling from the breakdown of services and supplies, and from seemingly endless fragmentation as republics and smaller regions declare their sovereignty or independence.**

**As early as March 1990 -- after the bloody incidents in Baku and Dushanbe -- Gorbachev began to suggest various legal and bureaucratic mechanisms to stem the loss of central control for possible further crackdowns. He obtained constitutional amendments to strengthen the Soviet presidency. Through his newly created Security Council, Gorbachev brought various coercive agencies more tightly under his control. As head of the Security Council, Gorbachev is in direct command of 1,400,000 MVD/KGB/army troops -- a considerable potential Praetorian guard. Some major new top-level appointments, such as the elevation of Boris Pugo, the former Latvian KGB chief, to replace Vadim Bakatin as USSR Interior Minister, were further early signs of Gorbachev's conservative swing. Gorbachev has also turned away from formerly trusted liberal advisers, such as Aleksander Yakovlev.**

**Toward the end of 1990, Gorbachev, in a desperate effort to mold Soviet reality to the Kremlin will, openly aligned himself with conservative forces calling for "law and order" and for "presidential rule." In November 1990, Gorbachev met with 1,000 military People's Deputies and heard furious demands for redress from officers serving in republics with low conscription turnouts. Three weeks later, Gorbachev issued a decree ordering local governments to enforce all-Union conscription laws and dismissing republican military service laws as "unconstitutional." In January 1991, Gorbachev announced that special army forces would be sent to seven recalcitrant republics to enforce conscription and apprehend draft resisters.**

**There is further evidence of the recently increased militarization of Soviet society. A dozen areas of the country are now under states of emergency. In addition, Gorbachev has recently ordered new joint army/militia patrols in more than 80 cities.**

**When Soviet Foreign Minister Eduard Shevardnadze resigned in December 1990, he warned about the "danger of dictatorship." Shevardnadze, one of the chief architects of *perestroika*, pointed to an already-established Soviet pattern of using lethal force against unarmed civilians, citing events in Baku in 1990 and in his native Tbilisi in 1989. This lethal pattern is exemplified by another tragic incident in which 25 were killed in Tadzhikistan in February 1990. Hidden to a large extent by Soviet restrictions and secrecy, this pattern came into full view in January 1991 when Soviet tanks attacked peaceful civilians in Lithuania and Latvia resulting ultimately in 22 deaths and hundreds of wounded.**

**The government has refused to acknowledge responsibility for these casualties, despite evidence of government culpability documented by official investigative commissions. Not only did these commissions encounter a wall of official opposition and obfuscation in their requests for information, but their recommendations have, for the most part, been ignored. Only one soldier (involved in the 1990 Baku violence) is known to have been given a jail sentence. In other known cases, even when the official commissions recommended criminal investigations, Soviet officials and members of the armed forces, including MVD/KGB troops, have emerged unscathed.**

**Despite the very mixed picture presented in this report, the fact that the future is so uncertain is in itself testimony to how far the Soviet Union has come. The renewed repression has been incomplete and to a great extent ineffective. The democratic governments in the Baltic republics continue in power and continue on their path toward independence. The progressive media and public continue to criticize Gorbachev openly. Reform politicians continue to excoriate central government hard liners.**

**Ten years ago or less, the coercive might of the Soviet state -- and its will to use it -- would have assured a quick and easy victory over the Soviet populace. Today the unelected Soviet leader nevertheless chose a referendum as his vehicle to gain popular credibility for his future plans. The March 17, 1991, referendum on the future of the Soviet Union did not give Gorbachev what he sought. His policies were neither endorsed nor condemned. Variations on the**

**wording, substantive additions to the wording and the fact that six republican governments refused to participate resulted in a referendum that merely reflects the general disarray, malaise and uncertainty of Soviet society.**



## **Section One: Civil and Political Rights**

### **Freedom of Speech and Press**

#### **The New Press Law**

**(See Appendix C-1 for text of new Soviet press law.)**

**The adoption of a liberal new press law, passed in June 1990, marked the high point for the Soviet Union's movement towards genuine freedom of speech and of the press. Unfortunately, many improvements promised by the new law were undermined before the year's end by new moves to restrict press freedoms, including a not-quite-successful move by Mr. Gorbachev to suspend the new press law.**

**The new press law embodies many positive elements: affirmation of the right to free expression and the right to information from the government, and the prohibition of censorship. Prohibitions on publication are limited to state secrets, pornography, advocacy of the violent overthrow or change of the government, propaganda for war or for ethnic or religious intolerance, and incitement to criminal activity.**

**Under the new press law, all publications must register annually with the government; this provides a possible new means for suppressing publications at odds with the government. Nevertheless, a registration request can be denied only if it violates the above prohibitions, or for other systematic violations of the law.**

**Registration has proceeded apace, with various publications fighting successfully to break free of their official sponsors. *Ogonok*, *Argumenty i Fakty*, *Literaturnaya Gazeta* and other liberal publications were permitted to register as having been founded and owned by workers' collectives, overcoming claims to their ownership by conservative government- or Party-affiliated groups such as the USSR and RSFSR Writers' Unions, the Communist Party Central Committee Publishing House, and the *Pravda* Publishing House. The USSR Writers' Union initiated a lawsuit against *Literaturnaya Gazeta* challenging the registration decision.**

## **Censorship**

Until recently, subject matter in the Soviet media appeared to be almost unlimited, including criticism of Gorbachev, the military and the KGB. Although prohibited by law, pornography was also available. The new press law did contain a cryptically broad formulation of libel, prohibiting the mass media from being used for "the degradation of [citizens'] honor and dignity." These anti-slander provisions reflected the opposition of conservative officials, at various levels, to unbridled public criticism.

"Glavlit," the state censorship organ, was ostensibly abolished in 1990, but in fact it was replaced, or perhaps merely renamed. The new organ, "GUOT" (Main Administration for Safeguarding State Secrets in the Press and Other Mass Media), issued an updated list of "Information Forbidden for Publication." The list, like its predecessors, included subjects as diverse as the disease rate of livestock and any information about crime in the military. Initially, the press for the most part ignored GUOT (*Izvestia* published an article ridiculing the emergence of the new list), but its very existence raised the specter of renewed censorship which, as described below, became a reality in December 1990.

Restrictions on revealing state secrets continue to be used against government critics. Oleg Kalugin, a former KGB general stripped of his rank and pension after he began publicly criticizing the KGB, is being investigated on charges of divulging state secrets.

## **The Unofficial Press**

Ink, paper and printing presses are for the most part still controlled by the Soviet government and the Communist Party, with progressive and independent publications at the bottom of the priority list for access to these resources. While all publications are subject to shortages, the independent press has been particularly hampered. Paper has become a major black-market commodity. Until the January crackdown in the Baltics, editors of independent publications from all over the Soviet Union, including distant Siberian Kuzbass, sent their material thousands of miles to the Baltic republics for printing – after they had managed to scrounge enough paper. Meanwhile, back home in Novokuznetsk, the typography plant manager reserved his premises for the Party.

**This example shows how far the independent press has come -- and still has to go.**

**Publishers and distributors of unofficial publications continue to be routinely harassed. Printers, editors, writers and distributors of *samizdat* in Kuibishev, Leningrad, Moscow, Gorky and Khabarovsk (RSFSR), Kiev (Ukraine), Minsk (Belorussia) and various other parts of the Soviet Union have been subjected to searches, detentions, fines and administrative arrests. When they are charged with a crime, it is frequently for unauthorized peddling. The publications involved are routinely confiscated, resulting in significant monetary loss, since these publications frequently operate on shoestring budgets.**

**In addition, states of emergency in various regions of the Soviet Union gave legal sanction to restrictions on expression.**

### **A New Kremlin Drive against Media Freedom**

**Toward the end of 1990, a more conservative Soviet policy towards the media emerged, one which was stemmed to some extent by popular and local resistance on the republic level. In response to the sudden resignation of Soviet Foreign Minister Shevardnadze, the Kremlin showed its usual sensitivity to public airing of high-level policy disagreements. Leonid Kravchenko, Gosteleradio Chairman, told a Soviet TV audience on December 30 that he had been "advised" it would not be "appropriate" to air a Shevardnadze interview on the popular TV show, *Vzglyad*. On January 2, 1991, he told *Vzglyad* producers that the Shevardnadze show had been banned. Finally, on January 11, Kravchenko indefinitely suspended the *Vzglyad* program which had 100 million viewers.**

**Literally life-and-death struggles for control of Baltic media facilities highlighted the media's key role. In January 1991, Soviet military units took over the main press buildings in both Vilnius and Riga to "preserve" them from local elected governments. Press workers went on strike; newspapers almost vanished in Latvia for several days. Nine days later, the Soviet military takeover of the Vilnius TV tower ended with 15 deaths, as troops and tanks shot and crushed the unarmed crowd. Lithuanians now must rely on TV and radio transmissions from Kaunas or from Riga which has added special Lithuanian programs.**

**Journalists were singled out for violent attack by the Soviet military in Latvia. Noted Latvian filmmaker and anthropologist, Andris Slapins, was felled by a**



sniper's bullet on January 20, 1991. Latvian cameraman Gvido Zvaigzne died on February 5 from wounds sustained in conjunction with Slapins' death. Vladimir Brezhnev, cameraman for the popular and recently banned TV show *Vzglyad*, was also badly wounded in the same attack.

In less violent ways, Soviet authorities moved on January 10 against the Moscow-based news agency, Interfax, housed in Gosteleradio. Soviet officials closed Interfax, a news service alternative to the official central government news agency TASS, but the Moscow City Council stepped in the breach, providing Interfax with office space. Although the administrative body Gosteleradio claimed a dispute over finances was the reason for action against Interfax, Interfax claimed it had been a political decision.

The main Soviet TV news program, *Vremya*, took the lead in distorting the tragic events in Lithuania on January 13, 1991. Despite eyewitness accounts, the *Vremya* announcer described the Soviet military killing of unarmed civilians as defensive, claiming that it was *Sajudis* (the Lithuanian Popular Front Movement) guards who first opened fire. The Gosteleradio committee chairman said his programs had only presented "objective facts." (A January 27 public opinion poll of Muscovites revealed most thought *Vremya* had been biased in its Baltic coverage, pointing to a claim by Leningrad reporter Aleksandr Nevzorov that the photographs of the killings had been faked.)

*Pravda* also engaged in biased reporting on the tragic events in Lithuania. Without investigating the mysterious National Salvation Committee in whose name the Soviet troops were acting, *Pravda* reported all Committee charges against Lithuania's elected government, hardly mentioning the killings by the Soviet army.

In late January, 57 Soviet journalists and cultural figures, including film director Elem Klimov and journalist Egor Yakovlev, sent an open letter to Gosteleradio to protest its biased reporting of the Baltic events. They announced a boycott of Soviet TV until it became more objective in its coverage.

Leningrad TV, known for its liberal programming, announced it wanted to leave the Gosteleradio system. In Moscow, the RSFSR had already set up its own programs, such as "Radio Rossiya." After the Gosteleradio committee had already denied "Radio Rossiya" access to more powerful frequencies, the RSFSR announced on February 6, 1991, it would withhold funds from Gosteleradio to set

up its own radio system. In distant Khabarovsk, in far eastern RSFSR, a radio station independent of Gosteleradio received a license from the RSFSR in early 1991.

On January 18, 1991, many liberal TASS correspondents in Leningrad were fired as part of a central government political "clean up" campaign. In another political move, the Supreme Soviet Presidium said that liberal *Izvestiya* Deputy Editor-in-Chief Igor Golembiovsky was to take up a new post in Spain by late January, 1991. His *Izvestiya* colleagues threatened to go on protest strike, and Golembiovsky has remained in place for the time being.

Probably the most serious sign of Soviet media retrenchment occurred on January 17, 1991, when Gorbachev urged legal curbs on press freedom at a Supreme Soviet session. Stung by growing condemnation of the January 13 killings in Lithuania, Gorbachev called for suspension of the much-hailed new press law. After sharp criticism from liberal deputies, Gorbachev backed down on his initial plan. Gorbachev did usher through a proposal to authorize the Supreme Soviet leadership and, ironically, the "*Glasnost* Commission" to develop "measures to insure objectivity" in news coverage.

A further step to consolidate central control over the broadcast media was undertaken in early February 1991. Gosteleradio was abruptly turned into a "private company" which so far has one employee, its conservative director, Leonid Kravchenko. Since Kravchenko no longer is a government official, he no longer needs approval by the Soviet parliament, and he alone can decide who else should work in this new company.

Impatience with the media was not limited to Gorbachev. Zviad Gamsakhurdia, the newly elected leader of Georgia, expressed concern on February 2 at what he termed a "lack of objectivity" in foreign and Soviet reporting on his republic. He suggested that journalists may be declared "personae non grata" in Georgia.

### **New Presidential Slander Law**

An earlier blemish on *glasnost* was a law passed in May 1990 that criminalized slander of the President. Introduced shortly after Gorbachev was taunted during 1990 May Day celebrations, the "anti-Presidential slander" law

**sets a prison term of up to six years for those who are convicted of "indecent" insults of the Soviet president.**

**The law has already been used to prosecute people who disparaged Gorbachev. One case involved an article that compared Gorbachev to Hitler, another involved the defacement and display of a large photo of Gorbachev. In Moscow, 40-year-old Gennady Smirnov received a one-year camp term in early 1991.**

**In February, the USSR Procurator General asked the RSFSR parliament to lift the parliamentary immunity of Artem Tarasov, known as the USSR's first legal millionaire, so he could be charged with actions "touching on the head of state's honor and dignity." This charge is based on Tarasov's allegation that Gorbachev would sell to Japan disputed Kurile Islands in exchange for Japanese investment in the Soviet economy; Tarasov had already offered to apologize to Gorbachev.**

**Two women were ordered by Soviet courts to pay fines of 2,000 for their alleged slander of the Soviet president. Tamara Tselikova from Tver had passed out leaflets in September 1990 saying "Gorbachev smeared his hands with blood in Baku and Tbilisi." Moscow State University student Elena Avdieyeva, fined for the same offense, refused to pay her fine.**

**Members of the Democratic Union are particular targets of the new law. In Sverdlovsk, a Democratic Union member was fined 400 rubles for insulting the president. Yevgeny Frumkin, a Democratic Union member, has been charged with "anti-Presidential slander." It is**

**a measure of how far the Soviet Union has come that convictions are no longer automatic. For example, on March 1, 1991, Valeriya Novodvorskaya, a Democratic Union leader, was acquitted of charges of slandering Gorbachev.**



## **Freedom of Assembly**

**The opportunity to exercise the right to freedom of assembly has improved, despite efforts to restrict demonstrations, especially in troubled areas. A flawed July 1988 law on demonstrations is still on the books, but it has been honored largely in the breach. Thousands of demonstrations took place in 1990, varying widely in size, crowd composition and stated purpose. A few examples show their diversity: a public campaign, including demonstrations, tried to force Soviet authorities to move their nuclear test site from Semipalatinsk (Kazakhstan) to Novaya Zemlya in the Arctic; irate smokers in Chelyabinsk protested the dearth of cigarettes; Ukrainians and others demonstrated to show support for the Lithuanian declaration of independence.**

### **Restrictions on Demonstrations**

**In April 1990, President Gorbachev attempted to curtail demonstrations in the center of Moscow by passing a presidential decree forbidding the liberal Moscow City Council from issuing demonstration permits. He transferred this power to the USSR Council of Ministers, a conservative body under his control.**

**In September, this decree was declared unconstitutional by the Committee on Constitutional Supervision. Its fate remains unclear, although the Moscow Soviet has continued to issue permits. Conflicts between the Moscow authorities and the central government over demonstrations continue. In November, the conservative USSR Supreme Soviet Presidium tried to ban counterdemonstrations in Moscow to the official Revolution Day parade. The demonstrations took place unhindered with the permission of the Moscow city authorities. In March 1991, Gorbachev ordered a three-week ban on demonstrations in Moscow, but massive rallies were held in defiance.**

**In Uzbekistan in January 1991 local authorities dispersed demonstrations protesting the Soviet army killings of peaceful protestors in Lithuania. Some Soviet activists were subjected to heavy fines and**

**administrative arrest for organizing "unsanctioned" meetings in Moscow, Omsk, Ufa and Voronezh in the RSFSR; in Chernovtsi, Zaporozhe and Drogobich in Ukraine; and in Frunze in Kirgizia.**

**States of emergency, in effect in eleven areas of the USSR, imposed severe restrictions on freedom of association and assembly, including curfews and bans on public meetings. In Azerbaidzhan, public assemblies were outlawed in connection with the state of emergency declared in January 1990. A similar ban was announced for the Osh area and in Frunze, Kirgizia, after violence erupted during the summer of 1990. Other areas under states of emergency were subjected to such bans as well.**

**In two republics, Moldavia and Kazakhstan, where republic authorities feared public unrest, public assemblies were banned although no state of emergency was in effect. Large protests in these republics nevertheless proceeded in peaceful defiance of official bans.**

## **Freedom of Association**

**Since the start of *glasnost*, thousands of diverse civic groups have dotted the Soviet social landscape. Among them are the mass national rights groups such as Popular Fronts that now exist in every Soviet republic, including 140 in the RSFSR alone; independent labor unions; environmental action groups, such as the "Green Front;" and "Memorial," an alliance of citizens' social justice groups, based in over 25 Soviet cities. New human rights groups have been formed in Lithuania, Georgia and Kazakhstan.**

**Conservative organizations have also taken advantage of greater Soviet permissiveness. "Socialist choice" -- or return to Brezhnev-era verities -- was the rallying cry for a new coalition of ultra-conservative groups announced in February 1991, including the parliamentary bloc, *Soyuz*, the RSFSR Communist Party; *Edinstvo*, headed by Nina Andreeva; and *Pamyat*.**

### **The New Public Associations Law**

**(See Appendix C-2 for text of Public Associations Law.)**

**In October 1990, a new law on public associations was passed by the Supreme Soviet and signed by Gorbachev. The law considers public associations to be such non-profit organizations as political parties, trade unions, and artists' and charity groups. The public association law requires registration; only registered organizations have the right to own property, to set up media outlets and publish, and to act as a juridical entity. As with other laws, the association law implies that associations not properly registered cannot engage in such activities.**

**The law allows international as well as domestic organizations to register. Organizations can be refused registration only if they do not comply with registration procedures, or if the stated goals in their by-laws are criminal (e.g., violent overthrow of the government, or incitement of ethnic discord).**

**Under the new law, the Soviet Ministry of Justice has responsibility for registering political parties and all-Union associations. The Ministry announced**



**that 54 public organizations, such as the USSR Writers' Union, the Free Trade Union Association, and the Association of Socialist Trade Unions, had applied for registration since the law took effect on January 1, 1991.**

### **Republic Restrictions**

**Protection of the right to associate differs according to region. In December 1990, the Kirgiz authorities registered the Kirgiz Popular Front, Democratic Kyrgyzstan, founded in May 1990. The Belorussian authorities fought long and hard against allowing the Belorussian Popular Front to register. The republic government waged a propaganda war against the Popular Front, falsely portraying it as preaching ethnic hatred.**

**Another such example can be seen in Tadzhikistan. The Tadzhikistan Procuracy Investigator dealing with the February 1990 events in Dushanbe said that the Tadzhikistan Supreme Court would in 1991 pass legal judgement on *Rostakhez* (Rebirth) the main nationalist movement in the republic. He accused the group of calling for unauthorized meetings, spreading rumors, inciting to violence, and calling for the overthrow of the local Party leadership. The official Supreme Soviet investigatory commission, on the other hand, explicitly exonerated *Rostakhez* from charges of incitement to violence.**

**The Azerbaidzhan Popular Front operates under restrictions imposed by state authorities during the state of emergency. The state of emergency in Osh, Kirgizia, forbade meetings of more than three people and contributed to a repressive atmosphere.**

## **Freedom of Conscience**

### **New Freedom of Conscience Law**

**(See Appendix C-3 for text of Freedom of Conscience law.)**

**In October 1990, a new law on freedom of conscience was passed by the Soviet Congress and signed by the President. The law is unequivocal in its support for religious freedom. It contains provisions on nondiscrimination and separation of church and state. Religious education is expressly permitted, and religious organizations are given rights as legal entities to own property and hire workers. Religious organizations are tax exempt, but must contribute to the social insurance fund for their employees.**

**The law's major flaw is the registration rule. Informal societies need not register, but registration with local councils seems to be the pre-condition for juridical status. Registration criteria are not stipulated, but denials may be appealed under the law on appeals.**

**The law also allows republics to draft their own registration procedures, raising the possibility that some repressive republic legislatures might pass restrictive procedures. However, reformist legislatures are free to establish *pro forma* registration criteria that every organization could meet. The new RSFSR law, for example, states that registration can be denied only for failure to follow the registration procedure laid down in the law. Nevertheless, according to a report in *Moscow News*, (January 8, 1991) the Moscow City Council refused to register a Polish Roman Catholic parish even though it had repeatedly submitted the required documents.**

**The new law does not make clear what legal rights distinguish a registered organization from a nonregistered one. For example, can a nonregistered "religious society," an entity envisioned by the legislation, buy and sell property under its own name? Presumably not, but the law does not state this. Can its individual members buy and sell property in their own names, although the activity is for the sole benefit of the society?**

### **New Houses of Worship**

There has been a huge increase in the number of places of worship for various faiths, including Muslim, Russian Orthodox, Baptist and Catholic. Some chronic problems, such as severe shortages of clergy and religious literature, are being addressed after many decades. The import of materials from abroad is much easier. In early 1991, the International Bible Society sent four million Bibles for distribution free of charge to believers in Russia, Ukraine and the Baltic republics. Religious groups are also being permitted to extend their activities to new areas, including hospital and other charitable work. Individual clergy, such as Russian Orthodox former political prisoner Father Gleb Yakunin, have been elected to various republic parliaments.

### **Christmas Holiday Made Legal**

Symbolic of improved status for Soviet believers were the official declarations by the parliaments of Ukraine, the RSFSR, Belorussia, Moldavia and Georgia which made Christmas a legal holiday. Joyous Christmas church services received wide publicity in 1990.

### **Islam and Bahai**

The nation-wide religious revival also includes Islam, giving rise to fears in some circles that Islamic fundamentalism is on the rise. Political activists in Azerbaidzhan maintain that the central government exaggerates the attraction and danger of Islamic fundamentalism to discredit the Azerbaidzhani nationalist movement. Last year, in a lengthy interview in *Komsomolskaya Pravda*, the chairman of the Spiritual Board of Moslems of Central Asia and Kazakhstan, Mufti Muhammed-Sodik Muhammed-Yusuf, dismissed fears of Islamic fundamentalism. He pointed out that official Islamic clergy oppose the creation of Islamic political parties. Activists in unofficial Moslem groups in Central Asia, as well as the Turkestan Party, have also disavowed Islamic fundamentalism. Both sides agreed on the importance of avoiding inter-ethnic conflicts in the Soviet Union, saying they violate Islamic precepts.

Spiritual unity is also the aim of the Bahai faith which used to be centered in Turkmenistan, near its first homeland in Iran. Severely repressed by

**the Soviet authorities for many years, the religion now reportedly has some 1,000 adherents.**

### **Continuing Problems**

**Conflicts continue among various faiths over authority, resources and places of worship. Such struggles are exacerbated in areas, such as Western Ukraine and parts of Belorussia, where the Soviet government had outlawed certain religions, notably the Ukrainian Catholic Church. One example serves to highlight this issue: in the Belorussian city of Soviet where the city's cathedral is claimed by the Orthodox, and the Greek and Roman Catholic, churches. The most widespread disputes, however, remain between the Ukrainian Orthodox Church, allied with the Russian Orthodox Church, and with the Ukrainian Autocephalous Orthodox Church, and the Ukrainian Catholic Church for use and ownership of church buildings.**



## **Freedom of Movement**

### **Emigration**

Restrictions on emigration have eased substantially, although the long-awaited law on the right to emigrate has still not been enacted. Comments by KGB officials in December 1990 suggest that they, at least, are opposed to unrestricted emigration. They warned of the danger of a "brain drain" caused by emigration of educated people. Nevertheless, in an interview in *Argumenti i Fakti*, KGB chief Kryuchkov said that emigration from the USSR in 1991 is likely to remain at the 1990 level of 440,000 to 460,000.

### **Draft Emigration Law**

A new draft of the long-awaited emigration law, published in October 1990, places restrictions on travel and emigration for people who possess state secrets, without defining what constitutes a state secret. One variation of the draft limits the duration of the restriction to ten years from the time of exposure to the secret. The latest draft emigration law was supposed to be discussed by the Supreme Soviet in December 1990, but the deliberation was again postponed.

USSR People's Deputy, Fyodor Burlatsky, who worked on the draft emigration law, told *Novosti* on December 7, 1990, that he thought the new law should not take effect until July 1, 1991. He cited transportation shortages as the main reason, but he said that Soviet visa offices are also understaffed and overworked.

### **Emigration Statistics**

By far the largest group of emigres continues to be Jews bound for Israel or the United States. Total Soviet emigration statistics for 1990 were: 195,526 Jews; 147,956 Germans; 7,701 Armenians; and 3,889 Evangelical Protestants. To date in 1991, 39,335 Soviet Jews have emigrated – the only group for which data is available.

### **Future Prospects**

**In the long view, experts expect a huge increase in Soviet emigration. Vladimir Shcherbakov, chairman of the Soviet State Committee on Labor and Social Services, told West European governments that 1.5 to 2 million Soviet citizens are likely to relocate to the West in search of work in the next few years.**

**During an interview on February 9, 1991, with *Izvestiya* the USSR Deputy Minister of Foreign Affairs B.N. Chaplin revealed the Soviet government was aware of likely future mass emigration from his country. He said the Soviet Union needed to decide if it should join the International Organization for Migration. Chaplin also asserted that the USSR should participate more actively in other international agreements and conventions on related topics, which would also entail new international legal standards for foreign immigrants on Soviet territory.**

**Chaplin also said that major changes in the present function and structure of OVIR (the Soviet Visa and Registration Department) were possible. OVIR could provide "objective" information on conditions in other countries, as well as obtain foreign visas. Due to an increased work load, OVIR should become an independent agency, a sort of immigration service.**

**Noting that the present European labor market was "saturated" and that many countries were discussing new entry restrictions, the minister commented that many of these countries had earlier criticized the USSR for emigration limits. In closing, Chaplin said that the implementation of the new law would require work inside the USSR and cooperation from the international community.**

## **Foreign Travel**

**The opportunity for foreign travel is one of the most visible signs of reform in the Soviet Union. Restrictions have eased substantially, although the central government still requires its citizens to have an invitation from a person living in the country of destination. After considerably increased opportunities for foreign travel for most of 1990, as the year drew to a close, the picture darkened. In early 1991, there were reports that OVIRs had closed up shop or kept shortened and arbitrary hours, thus hindering some Soviets from getting the necessary Soviet documents for foreign travel.**

**The difficulty of converting the Soviet ruble to foreign currency has kept the cost of foreign travel prohibitive for many Soviet citizens. The government will only exchange a small amount of rubles to dollars, so that only those Soviets who can rely on friends or relatives in foreign countries for basic living expenses, or those who can buy hard currency on the black market, can afford to travel abroad.**

**In late March 1991, the Soviet government instituted a new regulation which will further increase the cost to Soviet tourists of obtaining the hard currency needed for foreign travel. As of April 2, 1991, Soviet tourists will be allowed to purchase only \$200 per year (or an equivalent sum in other hard currencies). In order to do this, they will have to make payment in rubles which will be converted into hard currency at the auction rate. According to TASS, the latest auction rate is now 27 rubles to the US dollar. This new exchange requirement means that this hard currency transaction will cost more than one year's average Soviet wage. This new exchange requirement will probably lead to a major decrease in Soviet tourism.**

**Obtaining airline tickets for foreign travel is also very difficult. For example, the Soviet government announced in 1990 a severe curtailment in the number of tickets to the United States that it will sell for rubles – down to 73 per week, including for tourists and emigres. Even before this restriction, a large black market in airline tickets had sprung up. The government also announced plans to restrict the sale of train tickets abroad to those who can pay in hard currency, or perhaps in**



**the currency of the destination country. Similar plans were also announced and then abandoned for plane tickets, and the government's policy remains uncertain in this regard.**

**In early 1991 several leading American universities noted some decrease in the number of Soviet visiting scholars. Several explanations were offered: Soviet scholars changing their travel plans; delays in obtaining U.S. visas due to increased security precautions; difficulties in getting airplane tickets for foreign travel; and Soviet refusals or delays in granting travel visas.**

### **Foreigners' Travel**

**Unfortunately, the improved prospects for Soviets to travel abroad does not mean that foreigners can travel within the USSR more easily. Many areas of the USSR are closed for alleged national security reasons. Thus, a major portion of the Soviet land mass remains, in effect, closed.**

**A few new areas have been opened recently, including in the far Northeast RSFSR (Magadan, Chukotka and Kolyma) and the far West RSFSR, Kaliningrad. Significantly, it was the RSFSR, not the USSR, government which opened Magadan to foreigners. This raises the issue of whether it is the Kremlin or the RSFSR government which controls foreigners' access to the RSFSR.**

**Travel procedures for foreigners remain cumbersome and time-consuming. While foreigners can now stay in Soviet homes, the personal invitations procedure is slow and difficult. As before, itineraries have to be approved by Intourist, and Soviet visas are usually granted at the last minute. Due to the Intourist tourism monopoly, hotels are often overpriced and in poor repair, while transport is often inconvenient and crowded.**

### **Soviet Citizens' Travel**

**Although significant gains have been made in the areas of emigration and foreign travel, major problems remain with regard to internal movement within the USSR. Freedom of movement inside the Soviet Union for Soviet citizens is restricted by the residence permit system that requires official authorization to live in any particular location or to resettle permanently. The residence permit**

**system is also closely connected to employment status, particularly in big cities.**

**This restrictive system is hardly compatible with individual freedoms, to say nothing of the needs of a free market system towards which the USSR is, theoretically, striving. In October 1990, the USSR Constitutional Oversight Commission criticized the internal residence permit system, but stopped short of declaring it unconstitutional or a violation of international agreements. In any case, the Commission's declaration had no discernible effect.**



## **Displaced Populations**

**As many as 500,000 Soviet citizens have fled their homes due to civil unrest, while another 1,750,000 Soviet citizens were displaced by disasters such as the 1986 Chernobyl nuclear accident and the 1988 Armenian earthquake. In dealing with this problem, the record of the republic and national governments is far from good – sometimes due to lack of resources, sometimes due to lack of recognition of the problem.**

### **The Kremlin Role**

**Because the central government still controls most resources, and maintains a registration system that dictates where displaced persons can resettle, it has a special responsibility to displaced persons. But aside from an initial paltry payment, however, the Soviet government takes no responsibility for their welfare, saying that they are the concern of the republic governments.**

### **Persons Displaced by the Chernobyl Disaster**

**The Soviet government rather quickly admitted to the fact of the Chernobyl tragedy, but has been much slower to reveal to its own citizens the extent of the problem. It engaged in some cleanup efforts, particularly of the immediate radiation site, but relocation of the affected population was slow.**

**The local population, especially in Belorussia, until recently was denied health data and inadequate steps were taken to safeguard health. In March 1990, Ukrainian ecologist Yuri Shcherbak issued an appeal for a special parliamentary commission to investigate the "criminal concealment" of information on the Chernobyl disaster from the people of the Ukrainian, Belorussian, and Russian republics.**

**By the summer of 1990, the governments of Ukraine and Belorussia had finally declared parts of their republics to be a "national**

**ecological disaster." Thus, these governments belatedly recognized the urgent need to relocate some 1,500,000 people out of the contaminated zone.**

### **Persons Displaced by the Armenian Earthquake**

**Some 250,000 people in Armenia are still homeless in the wake of the 1988 earthquake, centered in the city of Spitak, which killed some 25,000. In March 1991, eighty percent of these survivors were still living in makeshift huts and tents, two months after the two-year reconstruction deadline declared by the Soviet government. Armenian President Ter-Petrosian declared the Soviet plan a "hoax," saying that the Kremlin's two-year-ten-billion-ruble recovery plan had run its course, with only two billion rubles spent.**

### **Persons Displaced by the Armenian/Azerbaijani Conflict**

**A total of another 500,000 people, mostly in Armenia and Azerbaijan, were forced to leave their homes due to civil strife. Armenia is now trying to cope with some 300,000 displaced persons who have fled communal violence in various parts of the Soviet Union, mostly from neighboring Azerbaijan.**

**In the spring of 1988, some 18,000 Azerbaijanis felt forced to flee Nagorno-Karabakh as Armenian national feeling rose in that area. By late 1988, the number of Azerbaijanis who had left Armenia had risen to 170,000; 14,000 Russians also left Armenia. In 1989, Azerbaijan accepted 40,000 Meskhetian Turks forced to flee pogroms in Uzbekistan; later, Azerbaijan also took in 6,000 Lezgians and members of other Caucasian ethnic minorities who were escaping unrest in Kazakhstan. Azerbaijan has taken in some 240,000 displaced persons to date.**

**After the tragic anti-Armenian pogroms in Baku in January 1990, however, some 100,000 people fled Azerbaijan: 25,000 Armenians, and 75,000 Russian-speakers (including 46,000 military families). Most of the Armenian population had also fled Azerbaijan after earlier anti-Armenian pogroms in Sumgait.**

**The leaders of Armenia and Azerbaijan have declared that feeding and housing the displaced persons is one of the most difficult problems they confront. So far, these republics have received very little assistance from the central government in dealing with this immense humanitarian issue.**

### **Persons Displaced by the Georgian/Ossetian Conflict**

The latest republic to add to the displaced persons roster in the Caucasus is Georgia. By early 1991, fighting in South Ossetia had led to 15,000 new displaced persons: the Ossetians flee north to North Ossetia in the RSFSR, while the Georgians flee south to Tbilisi. Fighting between Georgians and the local Azerbaidzhani population has led to fears that they too will flee Georgia.

### **Russians Displaced by Ethnic Conflicts**

Thousands of displaced persons have also fled to Russia where one Soviet expert says 150,000 now live. The Moscow area, "home" to 43,000 refugees, has scarce resources and cannot provide much assistance. Furthermore, anti-Russian *pogroms* in Tuva, which is inside the RSFSR, led 3,000 Russians to flee to other parts of the RSFSR by early 1990.

Many other Russians have fled from communal violence in Central Asia, where they have lived for generations. Helsinki Watch was told that these Russians often feel so disoriented and unwanted in the RSFSR that they ultimately return to Central Asia. Many of the 23,000 Russians who fled Tadjikistan have done so out of fear of further disorders. In other areas, particularly in Kazakhstan and Uzbekistan, Russian groups call on local Russian communities to remain and help build democracy for all. Nevertheless, a total of 64,000 people, including many Russians, have fled Uzbekistan after recent instances of communal violence.

A Soviet public opinion poll conducted in late 1990, however, found that most of the 25 million Russians living outside the RSFSR --

**representing 17 percent of the total Russian population in the USSR -- did not want to leave their homes. The main reason given for wanting to stay put was the Russians' perception that they already enjoyed a better standard of living than they could have in the RSFSR.**

## **Lethal Force Against Protestors**

### **The Government Role**

In 1990, violence broke out in Armenia, Azerbaidzhan, Uzbekistan, Tadzhikistan, Kirgizia, Moldavia, Georgia and the RSFSR. The Soviet and republic government response to these events was generally erratic, defensive and unhelpful. In early 1991, the Soviet armed forces killed unarmed civilians in Lithuania and Latvia. In most cases, the Soviet government seemed more concerned with protecting government property than protecting citizens' lives. In some cases, governmental response seemed to be dictated more by political considerations than by a desire to minimize bloodshed.

With the exception of the events in Lithuania and Latvia, the Soviet government repeatedly denied foreign journalists immediate access to the scenes of civil unrest, and sometimes prevented Soviet journalists from releasing their material. Governmental bodies, both on the republic and national level, also may impede access to certain regions. The Azerbaidzhani government has restricted access to Nagorno-Karabakh, for example.

### **Official Investigations**

Few Soviet officials or soldiers have been subject to any penalties for involvement in the use of lethal force against unarmed civilians. There have been serious investigations, particularly on the level of the republic parliaments, of these tragic incidents. For example, the official investigations in Georgia were thorough and timely; in Kazakhstan, they were thorough, if belated. Unfortunately, however, the complete findings of these careful investigations rarely have been made public -- instead, the Soviet public sees only a tiny fraction of their work.

Furthermore, most investigations face obstacles from the local KGB and procuracies, with necessary information either denied or bowdlerized. In Tadzhikistan, for example, although the parliamentary investigatory commission found that members of the Tadzhik nationalist group *Rostakhez* were innocent of involvement in the February 1990 disorders, the republic procuracy accused them of criminal involvement one year later.



**Republic-level investigators often face resistance from national officials as well. In Lithuania, there is now fear that investigators sent from Moscow to study the January 1991 killings may distort the findings of the local investigators.**

**The most serious problem faced by these investigations, however, is that their findings are simply ignored by the government. Kazakhstan investigators, for example, in their report published in September 1990, called for the removal of specific all-Union and republic officials for their role in the December 1986 demonstrations. In November 1990, they called a special press conference in Moscow to highlight the total lack of action on their demands for the removal of these officials. Similarly, on March 6, 1991, General Prosecutor Nikolai Trubin closed the criminal case on the April 1989 Tbilisi massacre due to lack of *corpus delicti*.**

**What follows are descriptions of the major clashes between Soviet armed forces and peaceful protestors which occurred in the USSR since January 1990:**

#### **Baku: January 1990**

**The introduction of Soviet troops in Baku, the capital of Azerbaidzhan, for example, was ostensibly to protect the lives of Armenians who had been violently attacked in the days preceding the troop deployment. Yet Soviet troops stationed in Baku did nothing to assist the Armenians during the violent attacks; the declaration of a state of emergency in Baku and the introduction of soldiers took place three days after the attacks on Armenians had largely subsided.**

**Defense Minister Dmitri Yazov later voiced what was probably the primary reason for sending in Soviet troops: to prevent the Azerbaidzhani Popular Front, the most popular political group in Azerbaidzhan, from seizing power from the Communists. The Popular Front had been negotiating with the Communists and had taken control of some governmental structures nonviolently. Elections to a new Azerbaidzhani parliament had been scheduled for March, and the Popular Front looked as if it would win a commanding majority in a free election.**

**In addition to scuttling this political process which the local Communist Party seemed to be losing, Soviet troops killed numerous civilians. More than a**

**year later, after almost all Armenians have fled Baku, the state of emergency remains in force with a 1:00 a.m. to 5:00 a.m. curfew, censorship and other restrictions on civil liberties.**

### **Dushanbe: February 1990**

**The official cause of the events in Dushanbe was a rumor that scarce housing had been set aside for Armenian refugees. Given a severe local housing shortage, this rumor was sure to set off wide-scale dissatisfaction. Local activists said that the real cause for the popular protest was to criticize the local Party leadership for lack of action on poor living conditions and low wages.**

**Soviet official sources portrayed the protestors as a rowdy crowd of drunken or drugged youths. Local witnesses pointed out that most protestors were unemployed youths who had recently moved to the edges of the city from remote villages. Documentary film footage shows a quiet crowd standing under umbrellas on a rainy day -- before they were suddenly fired upon.**

**For four days, Dushanbe, the capital of Tadzhikistan, was "ruled" by mobs; 25 people were killed. Hospital records show that most of the 125 victims were civilians with gun shot wounds. The official investigatory commission concluded that most victims had been fired upon by Soviet armed forces.**

**While Dushanbe labored under mob rule, the First Party Secretary of Tadzhikistan, Makhkamov, resigned on February 13 due to popular dissatisfaction at his mishandling of the demonstrators. On the same day, a crowd of 20,000 to 30,000 protestors had selected the Committee of 17 to conduct negotiations with local Party authorities to secure the resignation of the top three republic officials; a Provisional Government was selected.**

**A republic Party plenum was hastily called on February 13 to discuss Makhkamov's resignation; he managed to get a vote of confidence from the assembled Party faithful. The new Provisional Government leaders were accused of organizing a revolt. (They were later dismissed from their Party positions and forced to resign from the Party.) On February 13, Makhkamov also called in troops from outside the republic to restore order. Until then, the residents of Dushanbe had been protected, not by the local government or militia, but by local self**

**defense units.**

**In general, the tragic events in February 1990 in Dushanbe showed that the Tadzhikistan Party leaders had no concern for the protection of Dushanbe residents. As for the Soviet armed forces -- those stationed there and those later summoned from outside -- their main goal was to protect the local government, particularly buildings. The armed forces fired upon peaceful protestors, while the needs of Dushanbe residents were ignored by local government and the armed forces.**

#### **Lithuania: January 1991**

**In March 1990, Lithuania made a dramatic statement with its declaration of immediate independence. The Soviet government reacted to this declaration with threats or displays of force, including an economic blockade from April until late June, and a propaganda campaign intended to stir up fear and hatred among ethnic minorities in Lithuania. These and other moves by the Soviet authorities were supposed to create the impression that chaos was looming in Lithuania, which would then serve as a pretext for Soviet intervention.**

**A genuine crisis in the Lithuanian government between the nationalist Lithuanian President Landsbergis and the pragmatist Lithuanian Prime Minister Prunskiene in early January served as the stimulus for moves by Soviet authorities which would end in the early morning of January 13. On January 8, the day she resigned as Prime Minister, Prunskiene had a meeting with Gorbachev. When she asked for assurances that Soviet troops would not intervene in Lithuania, Gorbachev refused to give them.**

**Later on January 8, one hundred military vehicles rolled through Vilnius streets in a somber display of force. The next day, a division of Soviet paratroopers was flown in, supposedly to search for draft evaders. This particular paratroop unit, however, was a special forces group from the Vitebsk Airborne Division, an elite unit commanded by the KGB. (The Vitebsk Division had already been used for special missions in Afghanistan and to suppress demonstrations in Baku and Tbilisi.)**

**Soviet pressure tactics continued against Lithuania on other fronts. On January 10, Gorbachev sent a letter to the Lithuanian leaders threatening to impose direct**

**presidential**

**rule if they persisted in disobeying the constitution. The next day, Soviet paratroopers took over the press building and the Lithuanian Defense building using tanks and firing automatic weapons against civilians; on January 12, two more buildings were taken over.**

**Thousands of people in the Vilnius streets formed human shields around the parliament and other key buildings. A bloody showdown occurred in the early morning hours of January 13 when the Vilnius TV tower and center were attacked and occupied by Soviet paratroopers and tanks. The crowds -- estimates of their numbers range from 20,000 to 60,000 -- organized a non-violent defense of these buildings. During this peaceful defense, 14 people were killed (two more died later of wounds from this incident; another young man died in a separate incident) and hundreds were injured. Several of those who died, including a 24-year-old woman, had been run over by tanks.**

**Considerable evidence, including leaked official documents and the conclusions of a group of military experts, shows that the ultimate aim of this brutal Soviet attack may have been to supplant the elected government of Lithuania with puppet rulers directed by the Kremlin. The actions of a shadowy Lithuania-based "National Salvation Committee" point to the collaboration of the Moscow-loyalist Lithuanian Communist Party in this possible plot.**

#### **Latvia: January 1991**

**In June 1990, Latvia announced its intention to seek independence. The Soviet government reacted to this declaration with threats and displays of force, disinformation to inflame hostility among minority groups, and mysterious bomb explosions which still continue to occur.**

**The acts of violence in Latvia were mostly the work of the so-called Black Berets, a newly organized riot-control unit officially known as the OMON (Special Function Militia Unit.) In Latvia, these units are under the direct control of the USSR Ministry of Internal Affairs. Black Beret bands stopped cars and beat people up in the streets, creating a general atmosphere of tension. In December, there were bomb explosions in and near Party property in Riga. No one has been arrested and no one was injured in any of these explosions -- leading to suspicion that these acts were orchestrated to serve as a pretext for a "rescue" of the Party by**

### **President Gorbachev.**

**On January 2, 1991, in an attempt to silence the outspoken Latvian press, Black Berets seized the Riga press building in which local newspapers and magazines are published. The official pretext was that this press building was the property of the Latvian Communist Party. Printers went on protest strike, but some papers began to appear three days later thanks to the services of a book publisher.**

**The Latvian Popular Front scheduled a large pro-independence rally in Riga for January 14, 1991; on the preceding day an anti-independence demonstration was to take place. On January 13, regular army and special paratrooper forces, escorted by tanks, marched through the streets of Riga. After the lethal attack in Vilnius on that day, the parliament, Council of Ministers building, the radio/television office and the telephone switching station were all barricaded by civilians. On the night of January 14/15, the Black Berets invaded the local police academy, beat up ten cadets, and seized the academy's arms. The following night, the Black Berets attacked and beat up a volunteer unit guarding one of the five Riga bridges.**

**On the night of January 19, the Black Berets launched an attack on the Interior Ministry at nine in the evening. The assault lasted five hours; five people were killed (including one who died later of wounds sustained) and 14 people were wounded. The Black Berets seem to have targeted journalists, since two of the victims who died were well-known Latvian film makers who were recording the event.**

## **Due Process and Detention**

### **Searches and Seizures**

**(See Appendix C-4 for Decree on Economic Sabotage.)**

**On January 26, 1991, President Gorbachev issued a decree on "economic sabotage" that gives the MVD and KGB sweeping authority to conduct warrantless searches of any place used for any kind of "labor activity." The purpose of these searches is to find evidence of "crime in the economic sphere." The scope of the law encompasses the individual contractor operating out of his or her home as well as the large industrial enterprise, raising the possibility that dwellings could be subjected to warrantless searches. The search can occur without the consent or presence of the owner, with the only safeguard being the participation of representatives of "public organizations" or local soviets. The law also allows the warrantless examination of financial records of banks and other financial institutions.**

**As this report went to press, there have been few reports on the implementation of the decree. However, its broad language invites violations of the right to privacy and home guaranteed under international law.**

### **Due Process**

**Amendments to the Fundamentals of Criminal Procedure passed in April 1990 codifies the presumption of innocence and created a right to counsel from the moment that criminal charges are brought, or within 24 hours of arrest or detention. At least one Soviet legal scholar has commented that even 24 hours is too long to allow the militia unimpeded access to a defendant; the law says nothing about the right of the accused to remain silent during that time. Moreover, in practice, defendants are not apprised of their right to counsel and are still denied access to counsel until later in the criminal process.**

**The amendments now allow defense counsel unlimited access to their clients and to the investigative file. In practice, however, access to both is still controlled (and sometimes denied) by the investigator or the militia. In addition, the small number of defense attorneys practicing in the Soviet Union make it unlikely that criminal defendants will be able to obtain the level of representation that the new law envisioned.**

**Although the criminal justice system shows some signs of improvement, other developments are disturbing. Administrative punishment, with less protection afforded the accused, has become a favorite means of harassing those seeking to exercise civil liberties, particularly freedom of expression. Administrative procedures allow detention without formal charges and the imposition of fines; penalties increase for repeat offenses. Administrative detention is used with special frequency in areas under emergency rule, such as Azerbaidzhan.**

**Recent reports show a major increase in the number of cases appealed by defendants and in the percentage of cases overturned by the higher courts. In many cases not overturned on appeal, sentences are reduced. Although one 1989 study showed that only one percent of criminal cases resulted in acquittal, more weak cases were dropped during the investigation. The Ukrainian procurator general stated in 1990 that 15 percent of cases were dropped during the investigation – a 50 percent increase. A Moscow court official said that half of the several thousand cases sent back for further investigation were dropped. In cases which are not formally dropped, however, a defendant may indefinitely face possible new prosecution.**

**Politically motivated criminal prosecutions continue to be initiated, and political prisoners remained as of March 1991. These cases are brought both by the central government and by republic governments. One political arrest without a warrant occurred in Belorussia; Confederation of Labor co-chairman, Mikhail Sobal, was taken by militia to serve a 15-day term for "disturbing the peace" -- he had organized protests.**

**Long periods of pre-trial detention, up to eighteen months, are permitted by Soviet law and still used, particularly in politically sensitive cases. For example, ten people, who had been arrested in June 1989 for allegedly participating in riots in Fergana, remained in custody in late 1990. These defendants remained in jail as the procurators tried to mount a new case against**

them, despite the fact that the judge at their trial in September 1990, had ruled that the case should be dismissed for insufficient evidence.

### **Capital Punishment**

Although there has been discussion on abolishing the death penalty, it remained in force as of March 1991. It is used to punish violent and nonviolent, including economic, crimes. Draft legislation would reduce the number of capital crimes from eighteen to six.

On January 16, 1991, the new Soviet Minister of Justice, Sergei Lushchikov, divulged what had hitherto been a state secret: statistics on death sentences. Lushchikov gave this five-year breakdown on imposition of the death penalty: 1985 – 770, including 20 pardons; 1986 – 526, with 41 pardons; 1987 – 344, with 47 pardons; 1988 – 271, with 72 pardons; and 1989 – 276, with 23 pardons. Lushchikov said most death sentences had been imposed for rape and premeditated murder under aggravating circumstances.

### **Prisoners of Conscience**

The issue of Soviet prisoners of conscience can not yet be consigned to history. Cronid Lubarsky, a veteran human rights chronicler, has documented 57 political prisoner cases, with 21 others needing more data. These cases included anti-Presidential slander, anti-Soviet agitation and propaganda, illegal border crossings, and hooliganism. Punishable offenses included criticism of Gorbachev, peaceful political activity, and emigration efforts. Twenty one additional cases involve conscientious objection or army desertion, with six others requiring more data.

Some of these prisoners of conscience have been imprisoned for many years. Valery Yanin has been incarcerated for 11 years for attempting to flee to Turkey. Vladimir Chokhisam has been held in a psychiatric hospital for 10 years for taking part in a Human Rights Day meeting and for tearing down posters. Victor Chistkov has been held for 11 years in mental hospitals (he became mentally ill *after* his detention) for trying to flee to the US.

After a lengthy public campaign, one veteran Russian prisoner of



**conscience, Leningrad physicist Mikhail Kazachkov, jailed for emigration efforts, was released in November 1990 -- 20 days before the end of his 15-year term. Kazachkov is the first prisoner of conscience released before the end of his term due to the intercession of RSFSR, not USSR, authorities.**

**One tragic case is that of Bashkir writer Nizametdin Akhmetov, who was in detention for twenty years. He narrowly escaped a new criminal case being brought against him in 1990. Akhmetov was released in 1987, emigrated to West Germany, and on November 8, 1990, he illegally crossed back into the USSR. Although criminal charges were brought, they were dropped on March 13, 1991, and Akhmetov reportedly has been released.**

**Eighteen of the 57 political prisoner cases noted above were arrested in 1990. For example, 12 people, active in the Azerbaidzhani opposition, were arrested after the January 20 events. Two Azerbaidzhani Popular Front members, Abdulaev and Dzhafarov, arrested on January 25, died in prison of unknown causes. In December, three Azerbaidzhani cases were dropped, while cases against two others, Ekhtibar Mamedov and Ragim Gaziev, were suspended after they were elected to the Azerbaidzhani parliament.**

**Republican governments, on occasion, seem to be resorting to political arrests to settle scores with political opponents. So far, the republican leadership of Georgia seems to have taken the lead in this regard.**

**February 1991 saw a campaign of arrests of political opponents of the new Georgian government led by Zviad Gamsakhurdia. In addition to arresting twenty members of a paramilitary group -- during the course of which two group members were killed -- the Georgian militia also arrested ten members of the National Democratic Party. One arrestee, Goga Khidasheli, was very badly beaten; there are reports that other National Democratic Party arrestees are being beaten and tortured in prison. Other National Democratic Party activists, D. Gugeshashvili, G. Kortava, I. Apkhazava, T. Makharadze, and R. Nadiradze, participating in a protest strike, were also arrested on February 19, 1991.**

**The recent conflict in Southern Ossetia also produced some new criminal cases which reflect inter-ethnic tensions in Georgia. Torez Kulumbegov, an Ossetian leader, was arrested on charges of inciting ethnic hostilities. He was taken into custody on January 29, 1991, by the Georgian authorities, although the arrest warrant was dated two days later. Criminal cases on the same grounds**

have also been initiated by the Georgian procuracy against several other Southern Ossetian leaders, including the First Deputy Chairman of its Supreme Soviet, Alan Chochiev, and against a Deputy, Alik Tskhovrebov.

Some other new cases reflect republic-level official opposition to political reform, especially in republics in which the local leaders consider themselves above criticism. For example, in Turkmenia, Kurbanberdi Karabalakov, a member of the opposition political group Democratic Platform, was involuntarily confined to a psychiatric hospital in October, 1990.

A Turkmen writer, Sherali Nurmuradov, leader of *Azgybirlik*, the Turkmenian Popular Front, was sentenced in December 1990 to seven years in prison on fabricated charges of embezzlement of funds from his own organization. He criticized Turkmen President Saparmurad Niyazov and was fined for organizing unsanctioned meetings. According to *Azgybirlik*, in February 1991 the Turkmen Supreme Court overturned Nurmuradov's conviction. Ruling that evidence was insufficient to justify the conviction, the court called for a new investigation. Hopefully, Nurmuradov will not suffer a fate similar to that of Arkady Manucharov who remained imprisoned even though the Belorussian Supreme Court issued three rulings on insufficiency of evidence.

Ukraine is also not immune to political arrests. Most notable among them is the arrest of opposition leader and Ukrainian Deputy, Stepan Khmara. Arrested on November 17, 1990, Khmara is still awaiting a much-postponed trial on charges of participation in a November 7 attack on a policeman. Until December 13, Khmara had been on a fast to protest his imprisonment; Metropolitan Volodymyr Sterniuk persuaded Khmara to drop his fast. Khmara's arrest has evoked strong protests both in Ukraine and abroad.

A disturbing new trend in state suppression of dissent in those republics marked by civil unrest is the subjection of nationalist leaders – most of whom are nonviolent – to lengthy terms of pretrial detention on vague charges such as membership in an organization that allegedly violated public order. For example, many members of the Azerbaidzhan Popular Front were reportedly jailed in January 1990 and spent the remainder of the year in custody on charges of membership in such an organization. Armenian activist Arkady Manucharov spent 15 months in pretrial detention before being released in May 1990.

A presidential decree issued in August rehabilitated *en masse* "all

victims of political repressions from the 1920s to the 1950s." The RSFSR parliament rejected Sergei Kovalev's proposal to rehabilitate all political prisoners from 1917 until now, suggesting that official repentance for abuses was still limited to the Stalin era. In addition, Soviet human rights advocates commented that a blanket rehabilitation has less meaning to the victims and their families than a case-by-case exoneration.

The Soviet government took some other steps to atone for past wrongs *vis a vis* former political prisoners. For example, several prominent exiled intellectuals had their citizenship restored by decree, including Aleksandr Solzhenitsyn, Vladimir Voinovich and Yuri Orlov.

### **Conditions of Detention**

The Ministry of Internal Affairs (MVD) which oversees the vast Soviet labor camp complex, has shown some concern over conditions. The more liberal former Interior Minister Vadim Bakatin stated his intention to improve lamentable camp conditions. (Bakatin was replaced as Interior Minister in late 1990 by the former Head of the Latvian KGB, Boris Pugo.)

One hopeful sign of MVD good intentions is its granting permission to Valery Abramkin's nongovernmental Prison Project to inspect *gulag* facilities. Reports of camp brutality, however, such as the severe beating in May 1990 of Baptist prisoner Anatoly Matviyenko, are still surfacing.

The MVD faced scrutiny from former political prisoner Sergei Kovalev in his new capacity as Chairman of the RSFSR Human Rights Committee. During a *gulag* inspection tour, Kovalev visited the labor camp in which he himself had been a prisoner.

### **Psychiatric Abuse**

Psychiatric abuse, both for political and non-political reasons, continues in the Soviet Union. Although Soviet officials loudly claim to be reforming the psychiatric system, the Soviet psychiatric establishment in fact shows little sign of reform. The leaders of Soviet psychiatry are largely the same cast of characters that first brought the world the brazen distortion of medical science to punish

**dissent. Many psychiatric institutions where abuse had been common are still managed by the same doctors. The only positive personnel note was the retirement of Georgy Morozov, formerly head of the Serbsky Institute.**

**Although it is discouraging that the leaders of Soviet psychiatry have changed so little on the national level, there are encouraging moves in various republics to breakup its monopoly. The psychiatric associations in Lithuania, Estonia and Latvia have broken away from the all-Union structure, setting up reformist independent groups. Psychiatric reformer Semyon Gluzman had a leading role in organizing an independent Ukrainian psychiatric association. Its goal is to strengthen humanitarian and moral values in its profession and to seek to protect the social interests of psychiatrists and other medical specialists.**

**The drugs sulfazine and atropine, banned in the US because of their dubious benefits and severe adverse side effects, are still used in the Soviet Union, despite an "official ban" by the Ministry of Health during the summer of 1989.**

**Western experts note that while many political prisoners have been released from mental hospitals, probably some unknown victims are still being held against their will in mental hospitals. Former mental patients find it hard to lead normal lives, since it is hard to obtain legal-psychiatric rehabilitation status.**

**Some in the criminal justice system still associate dissent with mental illness. Some Soviet citizens who complain about living or working conditions are punished in mental hospitals. One such victim, R. Shakin, was forcibly hospitalized five times for exposing administrative abuses in the mine where he worked. In March 1990, he was reexamined at Independent Psychiatric Association insistence and found to be completely healthy.**

**In 1990, Gennady Smirnov and Valeria Novodvorskaya were arrested for slandering the President and held for psychiatric observation. Novodvorskaya was found sane, released, and fined. Smirnov was later sentenced to a one-year term of imprisonment under the new anti-Presidential slander law.**

### **Mysterious Deaths**

**The deaths in mysterious circumstances of at least eight nonviolent political, religious or national rights activists in 1990 and early 1991 were cause for alarm. While Soviet governmental or KGB involvement cannot be proven in any of these disturbing cases, neither can it be totally discounted in light of official conduct in the not-so-distant past.**

**Details on these eight cases follow:**

**-- Noted Russian Orthodox priest Father Aleksandr Men was brutally murdered in his parish outside Moscow. An investigation by the military procurator has begun.**

**-- Father Lasar, a member of a Russian Orthodox Church Commission investigating Men's murder, was murdered in his Moscow apartment on January 2, 1991.**

**-- In late August 1990, three members of the Estonian National Independence Party (ENIP) were killed in a car accident. Several days later, a car chased and nearly ran down another ENIP activist. An investigation was launched.**

- In Azerbaidzhan, the head of the Popular Front's Electoral Committee was killed shortly before parliamentary elections were held in late September 1990.**
- Two other activists, Vadim Pergament of Moscow and Ivan Fomin of Kaluga (RSFSR), also were murdered under mysterious circumstances.**



## **Labor**

### **New Labor Union Law**

**(See Appendix C-5 for text of Labor Union Law)**

**On December 10, 1990, the USSR Supreme Soviet adopted a new trade union law. It declared unions to be independent of state, economic and political organs, granted them full financial authority and declared all unions to be equal under the law. The new law did not give the unions the powers that they had demanded to prevent the closure of unprofitable enterprises. Rather, the new law required that owners of enterprises must give unions at least three months notice of a planned closure or production suspension.**

### **The Right to Organize**

**The officially sponsored All-Union Central Council of Trade Unions (AUCCTU), the traditional "transmission belt from the Party to the masses," grouped together 30 functional trade unions. On October 24, 1990, the AUCCTU voted to disband itself and reorganize as a "voluntary alliance" to better defend worker interests under a new name, General Confederation of Trade Unions (GCTU). The GCTU, like the Communist Party of which it is essentially a part, retains many advantages due to its close links to enterprise directors, and its -- despite hot debates -- exclusive control over workers' vacation and recreation facilities, social benefits and children's camps.**

**The unofficial labor movement, which first sprang into popular awareness in the summer of 1989, has grown apace. An early independent trade union, the USSR Association of Socialist**



**Trade Unions, opened new branches in Russia and Ukraine in 1990; it began to organize among police officers, teachers and physicians.**

**Coal miners have taken the lead in the unofficial labor union movement. The Donbass area in eastern Ukraine is a very large and active center of independent labor activity. In June, 1990, the Donbass city strike committee organized the first All-Union Congress of Coal Miners. This congress condemned the Communist Party and called for the resignation of Prime Minister Ryzhkov. The Second Congress of Miners voted to establish the first major independent labor union, the Independent Union of Mineworkers.**

**The coal miners' movement in Kuzbass, western Siberia, served as the nucleus for the formation of the Confederation of Labor (COL) which describes itself as an attempt to replicate the Solidarity experience. COL plans to unite coal miners with other labor activists to form an alliance for political and economic reform; it has aligned itself with new RSFSR policies.**

### **Strikes**

**A "right to strike" law, passed in October 1989, was widely dubbed the "anti-strike" law due to its restrictive provisions. Although the formal right to strike was established for the first time, the law also provided for a lengthy dispute settlement process. The law bans strikes in government and military services; it makes vague references to "essential services" in which strikes could also be prevented. Nevertheless, strikes, often for political demands, continue to be a favorite, if often only rhetorical, tactic on the Soviet labor scene.**

**In July 1990, the new Confederation of Labor (COL) and the Donbass miners' group organized a one-day strike to call for Ryzhkov's resignation. Hundreds of mines and factories, where some two million worked, were involved. Kiev transport workers, who had just successfully struck for higher pay, demanded the end to Party cells in the army, police, KGB, courts and workplaces.**

**In September 1990, strike committees throughout Ukraine announced an eight-hour strike on October 1. Their demands included: rejection of a Union treaty; the closure of Chernobyl; and that Ukrainian conscripts serve only in Ukraine. In Kiev, at least 100,000 took part in strikes and related demonstrations.**

**Two recent examples of political demands among Soviet coal miners illustrate their radical scope. Kuzbass coal miners threatened to go on strike in January 1991 to protest Soviet inaction on post-strike pledges from 1989. Karaganda (Kazakhstan) coal miners threatened a strike in January 1991 to demand an end to nuclear testing at Semipalatinsk.**

**Soviet coal miners have put forward radical political demands, such as Gorbachev's resignation, the disbanding of the USSR Congress of People's Deputies, nationalization of Communist Party property, and depoliticization of the judiciary. These demands formed the basis for several strikes in late 1990.**

**A more recent wave of strikes occurring in March 1991 affected 160 of 600 mining areas of the country -- even more than in the summer of 1989. Economic demands, such as a doubling of wages and an inflation wage index, predominated in the Donbass, while in Kuzbass, political demands, such as the resignation of Gorbachev, were pre-eminent. By mid-March, however, sovereignty for all republics had become the chief demand for all striking miners.**

**In response to the March 1991 strikes, Soviet authorities first cut off strike leaders' inter-city telephone service, but continued paying their wages. In mid-March, however, Soviet authorities ordered that the wages of striking Soviet miners be cut off. The Baltic republics rallied in response, sending hundreds of tons of food and supplies to the Siberian Kuzbass mines. Muscovites raised 300,000 rubles for the miners at a protest rally.**

#### **Actions Against Labor Activity**

**Pavel Shumkin, leader of the Karaganda Strike Committee, was summoned by the Kazakhstan procuracy in early March 1991 and**

**threatened with charges of economic sabotage. Nevertheless, Shumkin announced that all Karaganda mines would go on strike by mid-March unless the government sat down at the negotiating table.**

**In Tadzhikistan, labor organizer Anatoly Nazarov had his organization's bank account frozen in March 1991 by order of the republic Ministry of Finance. This action was taken despite protests by the Tadzhikistan procuracy.**

#### **Relevant Provisions of the Soviet Criminal Code**

**Despite its reforms, Soviet law still provides for labor under harsh conditions which often threaten health and safety, as the punishment for many crimes. Convicted criminals, including prisoners of conscience, are forced to perform such labor. As much as 90 percent of prisoners' wages is deducted by the prison system, supposedly to pay for their upkeep.**

**The International Labor Organization (ILO) Committee of Experts noted in 1990 that penal legislation was under review in the Soviet Union. The ILO also expressed the hope that the "anti-parasite" articles in the various Soviet republic criminal codes would be removed since the ILO had long ruled that this article violated its precepts against forced labor.**

## **Political Participation**

### **Elections**

**Multi-candidate elections took place on the national, republic and local levels in 1990. Although Communist Party candidates usually commanded most resources, such as access to media and campaign staff, non-Party candidates won in many cases.**

**Election observers reported irregularities in the 1990 elections in regions where the Communists triumphed as well as where they failed. In Azerbaidzhan and Tadzhikistan, elections were held during states of emergency. Interior Ministry troops were present in large numbers, a midnight to 5:00 a.m. curfew was in effect, and freedom of expression and assembly were curtailed.**

**In Azerbaidzhan, the military commandant tried to ban foreign and domestic election observers. Azerbaidzhani activists charged that falsified voting occurred, especially in the countryside where the Party is the strongest. Despite apparently strong popular support, the opposition Popular Front did very poorly in Azerbaidzhan.**

**Election abuses were reported by Communists and non-Communists alike. The leaders of Erk, a nationalist parliamentary opposition group in Uzbekistan, has called for new republic-level elections due to massive election irregularities.**

**Allegations of fraud during the December 1990 election of USSR Vice President Gennady Yanaev at the fourth session of the USSR Congress of Peoples' Deputies were raised by Interregional Deputies' Group leader, Arkady Murashev. Although an investigation has been launched, results have been inconclusive.**

### **Political Parties**

**Even before the formal end to the Party power monopoly in March 1990, "Popular Front" organizations had become *de facto* political parties in the Baltic**

**republics and Ukraine, fielding candidates for republic office. After initial opposition from Gorbachev, Article 6 of the USSR Constitution, which proclaimed the leading role of the Communist Party in public life, was abolished in March 1990.**

**A comparison of the old and new versions of Article 6 shows how far the Party has moved away, at least on the theoretical plane, from claims to a monopoly:**

**(Old version:) The leading and guiding force of Soviet society and the nucleus of its political system, of all state and public organizations is the Communist Party of the Soviet Union. The CPSU exists for the people and serves the people.**

**The Communist Party, armed with Marxism-Leninism, determines the general perspectives of the development of society and the course of the domestic and foreign policy of the USSR, 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.**

**All Party organizations shall function within the framework of the Constitutions of the USSR.**

**(New version:) The Communist Party of the Soviet Union, other political parties, trade unions, youth, social organizations and mass movements participate in shaping the policies of the Soviet state and in running state and social affairs through their representatives elected to the Congress of People's Deputies as well as in other ways.**

**In October 1990, the new law on public associations gave central government approval to a multi-party system by recognizing political parties as legal entities. The end to the Party's legalized monopoly on power opened the way for new political parties.**

**A full spectrum of political views is now represented by parties that include nationalists, fascists, socialists, anarchists, monarchists, democrats, and environmentalists, which address the needs of many social, ethnic and age groups in the USSR. Opposition to the Communist Party became a rallying cry for**

**many new parties, particularly in the non-Russian areas.**

**Republics have moved at different speeds towards a multi-party system. In Soviet Georgia, 31 parties competed for seats in the congress -- although all locally or ethnically-based parties were banned -- resulting in a nationalist parliament. In Moscow, dozens of new political parties, many marginal, sprang up. Kazakhstan moved towards a multi-party system, with three parties registered. In Uzbekistan, authorities refused to register two parties. Only in Turkmenia no known local political party has sprung up, to the probable relief of conservative Party leaders.**

**On the national level, the Justice Ministry is in charge of registration of political parties. Some applications from political parties for registration have been rejected. The Liberal Democratic Party application was rejected because it did not supply a document showing 5,000 members; it promised to do so. The Justice Ministry said all applications were being reviewed, but that many organizations' applications would be turned down due to their commercial activities. Such problems in registering parties gave rise to concerns that procedural obstacles may be erected by the Ministry of Justice.**

**To strengthen such democratic political parties as Democratic Russia, broader alliances have been formed spanning several republics. In January 1991, for example, representatives of democratic political parties from the RSFSR, Ukraine and Belorussia held a meeting in the Ukraine. The gathering, known as the "Democratic Congress," was held under the slogan: "Democrats of Sovereign States -- Unite!"**

**Some political parties expressed dismay at the material and resource advantages that the Communist Party has over the new political parties in the USSR. Igor Chubais, the co-founder of the Republican Party (which had earlier been named the Democratic Platform), admitted that his 20,000 member organization relied on the Communist Party structure throughout the USSR, thus having an advantage over other parties. On the other hand, the Democratic Russia movement, an umbrella group for Russian democratic parties, decided to set up its own cells in workers' collectives to challenge the Communist Party.**

**A different approach aimed at lessening Communist Party influence was taken by the newly elected non-Communist government of Armenia. In November 1990, it banned activities of all political groups in state and educational institutions and organizations. The Baltic republics have taken a similar tack.**

## **Section Two: Ethnic and Nationality Rights**

### **Ethnic and Nationality Issues**

#### **Background**

**The authorities of the multi-national USSR state have long claimed that they granted special legal rights to its dozens of nationalities and ethnic groups. These rights, often observed more in the breach, included education in ethnic/national languages, facilities for preserving unique cultural heritages, the opportunity to use national languages in workplaces, courtrooms and the like, and, at least in some periods of Soviet history, preferential employment policies.**

**In reality, however, many ethnic rights were vitiated by the long-standing official Soviet practice of "Russification." Members of the more than 100 national and ethnic groups in the Soviet Union felt affronted by Russification, which they viewed as a violation of cultural and national rights. Hundreds of national rights activists suffered long years of imprisonment for their nonviolent advocacy. Ukrainian cultural rights activists were imprisoned in disproportionately large numbers.**

**For many decades, then, the most important nationality issue in the USSR could be summed up in one word, "Russification." "Russification" was introduced through cultural, political, and social pressures. Personnel policies were implemented whereby most top-level Party and military appointments were reserved for Russians (or Russified members of other nationalities.) Due to these and other policies, the non-Russian part of the Soviet population was encouraged and/or pressured to become as Soviet Russian as the Soviet Russians.**

**Given the bewildering variety of 169 officially recognized ethnic and nationality groups in the USSR, it is useful to keep some basic demographic facts in mind. Soviet nationality expert Paul Goble gives the following statistical breakdown of major national groups. The 22 largest nationalities equal 98.6 percent of the Soviet population. Russians comprise about half the Soviet population, Belorussians and Ukrainians constitute some 20 percent, as do various traditionally Muslim nationalities, while Christian Caucasian groups and the three Baltic nationalities together represent about ten percent of the Soviet**



**population.**

**In recent years, however, another aspect of ethnic relations has been added to the Kremlin-centered Russian/non-Russian one. This is the web of relations between the 15 republic-level leaders and the various nationalities on their territories. There are also the special problems of the 65 million people who are living outside the territory of their titular nationality.**

**Due to greater freedom of speech, press and assembly under *glasnost*, dozens of national and ethnic groups in the Soviet Union are now voicing their grievances. In most non-Russian republics, the titular nationalities passed new laws requiring official use of their language, with various requirements that Russians and other members of non-titular nationalities learn these languages within a specified time period.**

**Such laws, and the rise to local political power of some leaders seen as espousing extremist nationalist views, has given rise to fear among members of non-titular nationalities that they will face discrimination or worse. Others, noting instances of inter-ethnic conflict in various parts of the USSR, are moving to their ethnic group's titular republic, even though in many cases, their families have not lived there for generations. In the Baltic states, for example, national tensions have increased, due in part to the imposition of strict new language laws, which the Russian minority in Estonia finds particularly offensive.**

**Several models of ethnic/national relations on the republic level seem to be emerging. One model is most highly developed in the Baltic states and in Ukraine. The mass Baltic Popular Fronts and *Rukh* in the Ukraine, a popular front, have organized grass-roots cultural support groups for the various national and ethnic minorities on their territories. These groups organize their own cultural, educational and social programs, while serving as focal points for communication between the majority nationality and the smaller groups. Such communication networks are key during times of inevitable tension and serve as a potential modest institutional structure for negotiations.**

**Despite tensions over the Baltic independence drive, the cultural rights of ethnic minorities in Lithuania, Latvia and Estonia seem to have been well respected by the new republic governments which are eager for their support. The longer the non-native population has lived in a republic, the better its relations with the native population appear to be. This demographic fact is**

important in Latvia with its older Russian communities, and in Estonia with its many recently arrived Russian workers. The Popular Front in Latvia has a special outreach program for such people.

In Ukraine, *Rukh* also developed policies and practices aimed at reassuring its ethnic minorities that they are welcome participants in the Ukrainian future. The large percentage of Russian workers in Kharkov and Donbass in Eastern Ukraine is particularly important for the future of Ukraine. Western Ukraine, annexed to the Soviet Union in the 1940s, has a much higher percentage of Ukrainians in the population and is much more solidly in favor of eventual independence for Ukraine. *Rukh* has also developed a special program to try to ensure good relations with the sizable Jewish community in Ukraine.

In other republics, most notably in Georgia and Moldavia, intra-republic ethnic/nationality relations have devolved into various hostile camps. Vocal new nationalist republic leaderships, voted in by a large margin of ethnic Georgians or Moldavians, have adopted new policies with little or no consultation with the non-titular nationalities. In addition, both Georgia and Moldavia -- unlike Latvia, Estonia or Ukraine -- have high percentages of the titular nationality living in their republics. Thus, Georgian and Moldavian leaders, including the Popular Fronts, may have felt little popular pressure to accommodate the needs of their ethnic minorities.

### **Exiled Peoples**

Ethnic minorities, forcibly removed -- often at a specific time and usually *en masse* -- from their traditional homelands in accordance with official Soviet policy of the time, continue to claim their right to live in historic territories. The Soviet government has begun to allow these groups greater cultural autonomy through numerous nation-wide associations and through better language/cultural facilities. In general, however, the Soviet government has been slow to permit their return -- or actively hindered their return -- to their areas of origin.

Soviet Kurds, dispersed throughout the USSR, were allowed to hold national meetings and to form their own cultural association in 1990. Many Soviet Kurds persist in their desire to return to their historic area on the Azerbaidzhani-Armenian border. Others complain of forced assimilation due to official policies,

particularly in Azerbaidzhan, of false passport denotation as Turks or Azerbaidzhanis.

The Soviet German population, exiled en masse to Central Asia under Stalin, has attempted to return to its historic homeland along the Volga river, but the residence registration system makes this migration practically impossible. In addition, many new Slavic settlers in the Volga area oppose the Germans' return. Many Germans have given up their attempt to return to the Volga region and have been emigrating to Germany in record numbers.

The Crimean Tatars, though officially told that they could return to the Crimea, are not able to do so because of land and housing shortages and resistance from the local population. Government plans to make housing available to them in the Crimea have been put on hold, and disputes have arisen over squatters.

The Meskhetian Turks, a small ethnic group expelled by Stalin in 1944 from their historic homeland in Meskhetia, Georgia, were the targets of a *pogrom* during the summer in the Fergana valley, Uzbekistan. Once again they were forced to flee from their homes. Some 40,000 Meskhetian Turks found refuge in Azerbaidzhan, with thousands more resettled in the RSFSR. Zviad Gamsakhurdia, the newly elected President of Georgia, has spoken out against the return of the Meskhetian Turks to that republic.

### **Anti-Semitism**

Greater hostility among various ethnic groups in the Soviet Union has raised concern about increased anti-Semitism as well. On the one hand, cultural conditions for Jews are improving, as new Jewish cultural centers are built. In addition, Jews are being allowed to emigrate freely.

Yet anti-Semitic acts continue, even as the problem of anti-Semitism was being addressed more openly in Soviet society. There is still a widespread perception among Soviet Jews and others that these acts are committed with some official complicity, if not at the highest levels of government, then at the local level.

An example of such contradictory signals can be found in the

**prosecution and conviction in 1990 of Konstantin Smirnov-Ostashvili for leading a group that disrupted a writers' meeting by shouting anti-Semitic threats. It was the first prosecution in the Soviet Union for anti-Semitic behavior, and in that sense it was a positive development. However, there were clear signs that Ostashvili's actions were officially supported, and that official efforts were made first to obstruct the prosecution and then to limit it to Ostashvili alone.**



## **Nationality Conflicts**

**Violent clashes were probably the clearest expression of social, political and economic dislocations in Central Asia and the Caucasus. According to the new Soviet Interior Minister Boris Pugo, during 1990, 1,000 people died in inter-ethnic violence in the USSR. According to unofficial information received by Helsinki Watch from local activists, the death toll from violence in Osh, Kirgizia alone was over 1,000.**

**"Inter-ethnic conflict" became a catch-all phrase in the USSR to describe various conflicts. Many so-called "inter-ethnic" are in fact *pogroms*, with one ethnic group lashing out at another. A terrible *pogrom* occurred in the summer of 1990 in the Osh area of Kirgizia; unofficial local sources cite one thousand deaths, mostly among local Uzbeks. Other conflicts, although labelled "inter-ethnic conflict," are actually mass political protest. These protests, after beginning peacefully, later become violent due to the inflexibility or the rush-to-arms of local authorities. Examples of such mass protests include those in Alma-Ata in 1986, Tbilisi and Kokand in 1989, as well as more recent incidents described below.**

### **Armenian/Azerbaijani Conflict**

**The armed conflict between Armenia and Azerbaijan over the territorial enclave of Nagorno-Karabakh continues. Dozens of civilians on both sides have been killed by Soviet troops and other civilians. According to Armenian Vice President Haratunyan, a total of 58 people (41 Armenians) have died as a result of the Nagorno-Karabakh conflict.**

**The danger has been heightened by the emergence of several vigilante armies in Armenia, with some 10,000 members. Shortly after republican elections, six people, including an Armenian parliamentarian, were killed by the Armenian National Army. Ter-Petrosian moved at once against the dozen vigilante militias. At his request, the Armenian National Army leaders surrendered their weapons and called upon followers to do the same.**

**During a meeting at Helsinki Watch on February 19, 1991, Armenian Vice President Haratunyan announced that a peace agreement reached between the leaders of Armenia and Azerbaidzhan would be brought by Gorbachev for consideration to the USSR Supreme Soviet. Haratunyan asserted that the situation has been "ripe" for negotiations for two years and expressed the hope that Gorbachev would indeed bring this new agreement to a vote.**

**Haratunyan described four main features of this new Nagorno-Karabakh agreement: elections on Nagorno-Karabakh's future status within 60 days held under the special Moscow administration; only all-Union MVD troops would remain in Nagorno-Karabakh; enactment of the Supreme Soviet decree of November 28, 1989, on democratic administration of the territory; and repeal of the Azerbaidzhan decree on the administrative status of the Shuamyansky region in that republic.**

**Since then, unfortunately, President Ter-Petrosian announced that because President Gorbachev did not bring this plan up for approval at the Federation Council meeting on February 17, 1991, certain Azerbaidzhan Party officials were able to convince Azerbaidzhani President Mutalibov that this initiative would have led to popular unrest in their republic. Thus, the initiative was dropped, even though both the Armenian and Azerbaidzhani presidents had initially approved of it.**

## **Moldavia**

**In Moldavia, a strong drive among the Moldavian majority for enhanced national rights produced a backlash among the 300,000-member Russian-Ukrainian enclave on the Dniestr River and among the 150,000-member Christian Turkish group, the Gagauz. Faced with what they perceived as discrimination by the Moldavian republic government, these two groups called their own elections for new government bodies which then proclaimed sovereignty. The Moldavian republican government declared these sovereignty proclamations to be illegal.**

**The Moldavian government issued a state of emergency in the Gagauz and Trans-Dniestr areas. Central government troops were also called in to the Gagauz area, and one Gagauz was killed after being beaten by Moldavian civilians. Tensions in the Trans-Dniestr area reached such a height that three people were killed in violent clashes between the Moldavian militia and civilians in November,**

**near Dubossary on the Dniestr River.**

**In late December, Gorbachev issued a decree in which he attempted to call Moldavia to order by threatening presidential rule from Moscow. He insisted that the Moldavian republic government repeal or revise numerous laws and decisions. Such "objectionable" laws included the creation of a separate republican guard, a language law which supposedly gives preference to Moldavian speakers, and a denunciation of Moldavia's annexation to the USSR under the 1939 Molotov-Ribbentrop pact.**

**A few days later, the Moldavian parliament agreed to comply with Gorbachev's decree by disbanding its national guard and by revising a law that the Kremlin alleged restricted minority rights. Still apparently at issue are modifications in the new Moldavian language law which require that people in dozens of jobs, ranging from physicists to hairdressers, be able to speak Romanian as well as Russian by 1995. (Romanian, which is also called Moldavian, is spoken by two thirds of the population of the republic.)**

## **Georgia**

**The Ossetians, a mountain people who live in Southern Ossetia (Georgia) and Northern Ossetia (RSFSR), have fought the Georgians, who live mostly in valleys, for centuries. Recently, however, a new round of hostility has been set off, largely due to disagreements over the political status of Southern Ossetia. The conflict involves the Ossetian authorities, the new Georgian government, and the Kremlin, and began after the pro-independence Georgian government was elected in October 1990. One of the first actions of the new Georgian government was to declare the republic would not take part in the new Union treaty. At that point, the Ossetians in Georgia, perhaps fearful of their future without a guaranteed Moscow voice, tried to carve out greater independence for themselves by proclaiming Southern Ossetia an independent republic within the USSR, rather than an autonomous area inside Georgia.**

**In response to this declaration, on December 11, the Georgian parliament, led by Supreme Soviet Chairman Zviad Gamsakhurdia and his non-Communist separatist Round Table coalition, abolished both the new Ossetian republic and the previous autonomous region. In turn, President Gorbachev overturned the Georgian abolition of the Ossetian autonomous region status.**



**Violence began on December 12, 1990, when one Ossetian and two Georgians were the victims of a shootout in the Southern Ossetian capital of Tskhinvali. Within hours, the Georgian parliament declared a state of emergency which outlawed strikes and demonstrations in Southern Ossetia. One week later, Soviet Interior Ministry troops were called in to patrol the city; they were withdrawn on January 5. A few days later, local residents saw dozens of Georgian militiamen on the streets of Tskhinvali. A series of Ossetian-Georgian crossfires began, resulting in the deaths of 12 Ossetians and eight Georgian militiamen.**

**In the aftermath of the violence in Tskhinvali, about 15,000 of the city's 65,000 residents fled. The Georgians travelled to their capital in Tbilisi, while Ossetians crossed the mountains to the Northern Ossetian capital in Vladikavkaz.**

**Emotions have run high on all sides. Zviad Gamsakhurdia has accused Gorbachev of arming the Ossetians and fomenting unrest to serve as a pretext for the imposition of direct Kremlin rule in Georgia. In turn, the Ossetians have accused Gamsakhurdia of building a nationalist regime which is intolerant of the Ossetian minority in Georgia. In February 1991, Northern Ossetian Party organizations called for presidential rule in Southern Ossetia.**

## **Section Three: The Union Structure**

### **The New Secession Law**

**(See Appendix C-6 for text of Secession Law.)**

**Article 72 of the Soviet Constitution enshrined the right of Union republics to secede from the Soviet Union. Initial discussion about holding a referendum on this key law was suspended after the Lithuanian independence declaration of March 1990. On April 3, 1990 the USSR Supreme Soviet rushed through a law with the cumbersome title, "On the Procedure for Dealing with Matters Connected with the Secession of a Union Republic from the USSR." The three Baltic republics made it clear that they considered themselves exempt because they viewed their annexation by the USSR as illegal.**

**While the USSR is quite unique among foreign countries in providing for legal mechanisms for secession, this law does its best to make this Soviet constitutional right as theoretical as possible.**

**The law consists of twenty articles that provide for a complicated and lengthy process toward secession. It provides that a decision on secession be taken by referendum in the republic concerned, requiring two-thirds vote of eligible voters in order to pass. A five-year transition period follows, at the end of which the USSR Congress of People's Deputies must approve the republic's secession. If, however, the initial referendum on secession is rejected, ten years must elapse before secession can again be put to a vote.**

**The decision to hold a referendum is made either by the republic Supreme Soviet or in response to a petition signed by one tenth of the population. The referendum is held by secret ballot and must occur not earlier than six months or later than nine months after the initial decision to raise the republic's status. The law states that all USSR citizens may take part in the referendum if they permanently reside on the republic's territory when the issue of secession is raised and if they are eligible to vote under Soviet law. It is unclear if soldiers stationed in a republic may vote.**

**This law's requirement that two-thirds vote in favor of secession could**

pose difficulties in several republics. In only eight republics (Armenia, Azerbaidzhan, Belorussia, Georgia, Lithuania, Turkmenistan, Ukraine and Uzbekistan) does the titular nationality constitute over two-thirds of the population. Armenia announced in March 1991 it would become the first Soviet republic to hold the formal secession referendum in September 1991, as required by the law.

Articles 7 through 10 deal with issues relating to the post-referendum procedure, while articles 11 through 18 address various matters which must be negotiated by the republic in the transition to independence. For example, article 15 makes the seceding republic liable to all costs incurred during the resettlement of citizens outside the republic. Article 16 states that the seceding republic must guarantee that USSR citizens remaining in the republic suffer no discrimination.

Adding another layer of complexity to the already complicated question of secession is the law's treatment of ethnic minorities. The law provides that ethnic minorities living in their own autonomous formations or concentrated in certain areas of a republic have the right to record their views separately.

In some cases, autonomous areas or groups in a republic which wishes to secede may be allowed to remain inside the USSR. Thus, autonomous territories (republics, *oblasts*, or *okrugs*) in a republic concerned may decide if they wish to secede together with the republic or if they want to remain part of the USSR and "raise the issue of their own state-legal status." Outside the giant RSFSR, only four republics have autonomous formations: Azerbaidzhan, Georgia, Tadzhikistan, and Uzbekistan.

The law requires that the secession vote be recorded separately in "places densely populated by ethnic groups constituting a majority of the population of the locality in question." Almost all republics have such ethnic enclaves, including some which have already raised the issue of autonomy. A few examples of Slavic majorities: northeastern Estonia, eastern Latvia, eastern Moldavia and northern/eastern Kazakhstan, and parts of Lithuania. The law gives these ethnic enclaves the same legal standing as autonomous formations in determining their future status.

The law further stipulates that there must be separate agreements on territories which were not part of the republic at the time they joined the USSR.

**Belorussia has already asked for the return of certain territories from Lithuania which it alleges were originally part of its lands.**



## **Declarations of Sovereignty**

**The Soviet Union seems to have been struck by "sovereignty fever." By the end of 1990, every Soviet republic had issued a declaration of sovereignty – admittedly, with varying concepts of what that entailed. Inside the giant RSFSR, titular nationalities in various autonomous republics, such as the Yakuts, Tatars and others, also declared sovereignty. These declarations were not only efforts to assert national rights, but also to increase future bargaining clout with the new RSFSR leadership. Indeed, some claimed that some of these groups may have been encouraged by the Kremlin to issue these declarations to destabilize the RSFSR. Such sovereignty assertions often angered members of the non-titular nationalities living in their midst.**

**Not all republics and localities took the sovereignty route. Lithuania declared immediate independence, and Estonia and Latvia declared their intention to seek independence from the USSR in a more gradual fashion. Georgia declared their desire for ultimate independence from the Soviet Union.**

**Declarations of sovereignty or independence by republics and other territorial units, resulted in some harsh responses from governmental authorities. In March 1990, the central government responded to Lithuania's declaration of independence (the first by any entity in the Soviet Union) with an economic embargo and shows of heightened military activity, including military takeovers of the procuracy and publishing houses that printed independent newspapers. The Soviet military takeover occurred with needless violence against civilians, it also disrupted publishing and challenged civilian rule.**

**In an effort to prevent further defections from the Party ranks, Gorbachev has taken some steps to federalize the Communist Party structure. Under new Party statutes adopted in July 1990, the republican parties were given greater freedom, but the republican First Party Secretaries were made Politburo members. (By then, the Politburo was no longer a major policy-setter.)**

**To try to end the so-called "war of laws" in which republican and national laws often conflict, Gorbachev gave the republics a greater say in Kremlin decision-making through a law called "On Delimiting Powers between the USSR and the Subjects of the Federation," passed in April 1990. Although at first the new Presidential Council seemed to have greater prestige than the new Federation**

**Council (comprised of the USSR president plus the presidents of the 15 republics),  
the situation has since reversed.**

## **The Draft Union Treaty**

**The political struggles between the Kremlin and the republics over the role and nature of the Union treaty reflect profound shifts in the Soviet balance of power. Faced with clear evidence that many republics want autonomy – if not independence – Gorbachev in early 1990 finally accepted the notion of a treaty in an effort to shape the nature of the Union and to keep it together. It was not until June 12, 1990 – the day the RSFSR issued its sovereignty declaration – that Gorbachev finally authorized a working group to draw up a Union Treaty.**

**Republic leaders want the 15 republics to have final word on the future balance of power in the country. They think the treaty should be based upon voluntary "horizontal relations" among the republics, and not be imposed from above by Moscow. In fact, last year the Ukraine, RSFSR, Belorussia, and Kazakhstan signed an agreement setting up a cooperative arrangement among themselves.**

### **Negotiations**

**The initial draft treaty, published in December 1990, drops references to socialism, giving a new name to the USSR: The Union of Sovereign Soviet Republics. A second draft Union treaty was published on March 7, 1991, on the eve of the Union referendum and offered alternate language on a number of articles.**

**The drafting process has been long and difficult. At least five republics refused to participate in it since they do not intend to sign the treaty. The three Baltic republics were the first to bow out of the negotiations, followed by Armenia and later Georgia.**

### **The March 7 Draft Treaty**

**The March 7 draft treaty significantly expands republic rights, introducing elements of confederation into what is still described as a federal state. Designated representatives of only eight republics and of eighteen autonomous republics signed the draft, which now must be approved by the various republic Supreme Soviets. The March 17 referendum results will enable Gorbachev to argue that the republican Supreme Soviets should endorse the draft**



**since the voters have already approved the concept of a Union in general.**

**The draft states that republics recognize the primacy of human rights as defined in the U.N. Universal Declaration and international pacts. Citizens are guaranteed free access to information, freedom of religion, and other civil and political liberties. The republics are also committed to the development of civil society, free choice of forms of ownership (without calling for private property) and economic management, democratic government and the creation of a law-based state.**

#### **A Greater Republic Role**

**The new draft treaty provides that the Union will remain a federation in which federal laws remain supreme in such areas as Union government jurisdiction, citizenship issues, and federal taxes. (Taxes are determined by agreement with the republics, and contributions to all-Union programs are set through annual agreements.)**

**The draft treaty gives the republics expanded rights: they have more say over policies formulated by the central authorities; ownership rights are expanded. More specifically, the draft gives the republics and not the all-Union parliament the responsibility for drawing up the Union Constitution, setting secession rules, and accepting new Union members.**

**The new draft refers to the validity of republican sovereignty declarations and acknowledges that republics are full-fledged members of the international community, with powers to establish direct diplomatic and other ties with foreign states. A more problematic provision, at least for some republics, is that republics must agree to recognize the legality of inter-republic borders at the time of signing the treaty.**

### **Union Responsibilities**

**Under Article Five the Union retains exclusive responsibility for:**

- the protection of the sovereignty and territorial integrity of the Union and its constituent republics;**
- the protection of USSR state security and the demarcation and protection of the USSR state border;**
- the organization of defense and leadership of the USSR armed forces, and the declaration of war and the conclusion of peace;**
- the implementation of all-Union foreign policy;**
- the implementation of foreign economic activity within the limits of its powers;**
- the approval and execution of the state budget.**

### **Joint Republic/Kremlin Powers**

**Another set of powers, previously allocated either to the Union or not specifically denoted as joint powers, would be the joint responsibility of the Union and the republics:**

- the determination of the state security strategy of the USSR and establishment of a regimen for the USSR state border;**
- determining the USSR defense policy, implementing measures to organize and ensure the USSR defense, setting policy on the stationing and activity of troops and military installations on republic territory, and establishing procedure for military draft and military service;**
- determining and implementing USSR foreign policy;**
- establishing the foundation of foreign economic activity;**

- **compilation and oversight of the Union budget.**

**The draft treaty provides for the settlement of disputes over competence issues in the final instance by a new USSR constitutional court.**

### **Ownership Issues**

**Article Seven defines ownership issues:**

- **the Union no longer owns the land and natural resources "essential for the implementation of the powers of the USSR" but only the land and natural resources "contractually assigned to the Union" by the republics;**
- **Union property is to be used and developed exclusively in the common interests of the republics;**
- **republics are now entitled to their share of the gold, diamond and currency reserves of the USSR and take part in their utilization;**
- **the use of land and natural resources must be implemented in the framework of republican laws.**

### **Relationship to the Constitution**

**Article Nine, which defines the relationship between the Union treaty and the Soviet Constitution, is an addition to the Union treaty. It stipulates that the Union treaty is to be the basis of the USSR Constitution, and that the Constitution is to be adopted by a congress of republics which are party to the treaty.**

## **Future Prospects**

**The new draft envisages the treaty being signed by authorized delegations of the republics after it has been adopted by their supreme organs of power and the Federation Council has been given the go-ahead for ratification.**

**The draft treaty, however, leaves unresolved the key point of the nature of representation of republics in the Supreme Soviet. One variant provides for the Council of the Union to be the lower chamber, while the Council of the Republics (the renamed Federation Council) would be formed from an equal number of representatives elected by the republics which decided to remain integral parts of the new Union.**

**The other variant merely states that the Council of the Republics would be formed from an equal number of representatives elected by the present Union and autonomous republics. This variant would give the RSFSR the preponderant voice in the Council of Republics, since 16 of the 20 present autonomous republics are on its territory. In fact, the more union republics refused to sign the new treaty, the greater the weight of the RSFSR would be in the new political structures.**

**Important aspects of the decision-making process, however, are omitted from the new draft Union treaty. The key question of the mechanics of the voting procedure in the possible future councils, for example, is not even discussed.**

**The unexpectedly strong opposition to the Union treaty led Gorbachev to decide that he needed an expression of popular support for the present Union structure. Gorbachev bypassed the often recalcitrant republic leaders and go directly to the people through a referendum. Although Gorbachev managed to get the referendum proposal passed by the rather conservative USSR Supreme Soviet, there was considerable public debate over its constitutionality.**



## **Referendums**

### **The All-Union Referendum**

On January 16, 1991 the USSR Supreme Soviet decreed that a nation-wide referendum on the future status of the Union would be held on March 17, 1991. The wording of the referendum was as follows: "Do you consider it necessary to preserve the USSR as a renewed federation of equal sovereign republics, in which human rights and the freedom of all nationalities will be fully guaranteed?" The ritual bow to "human rights," "equal sovereign republics" and "freedom of all nationalities" was seen by some as a sop to Gorbachev's liberal critics.

The general wording of the referendum question seems to require a positive answer. Armenian Vice President Haratunyan summed up the reactions of many republic leaders when he said that the wording of the referendum was weighted towards the present Union structure since the voter had not even been given any specific alternatives for the future form of the Union.

Soviet TV news shows, particularly *Vremya*, conducted a hard-sell campaign for the referendum in the weeks preceding March 17. The campaign gave Soviet voters the impression that if they did not vote in favor of the referendum, they would be voting for chaos and the dissolution of the USSR. Little effort was made to present the serious issues addressed by the referendum in a fair way. Other media sources presented a more balanced picture.

### **All-Union Referendum Results**

According to the *New York Times* (March 20, 1991), incomplete figures for the March 17 referendum allowed Kremlin officials to claim that over 75 percent of the nation supported the referendum. This means that 105 million voters of a total of 136 million participants -- or 77 percent -- endorsed the Kremlin call for the "renewed federation."

**These figures represent 59 percent of the 178 million eligible voters in the total of nine republics which took part. Six other republics, with ten million voters, did not participate in the referendum after their nationalist leaders had declared a boycott. Despite the many problems with the vote, described below, Gorbachev now claims that the Soviet public has granted him a vote of confidence in resisting the dissolution of the USSR.**

### **Republic Participation**

**In deciding to hold a national referendum, Gorbachev probably hoped that all republics – particularly the Baltics -- would feel obliged to participate. If so, his hopes were dashed.**

**Six republic governments -- Armenia, Georgia, Moldavia, Lithuania, Latvia, and Estonia -- boycotted the referendum. Four republic governments -- RSFSR, Azerbaidzhan, Ukraine, and Uzbekistan -- added additional questions to the referendum. Kazakhstan omitted key words from the referendum, making the question: "Do you think it necessary to maintain the USSR as a Union of sovereign states?" *Vremya* reported early returns showing that 80 percent of the voters in Kazakhstan supported this modified form of the national referendum.**

**Only four republics -- Byelorussia, Kirgizia, Tadzhikistan, and Turkmenistan -- left the wording unchanged. Election returns for the referendum indicate that the three Central Asian republics demonstrated ninety-plus percent support for the "renewed federation" concept. Support was not universal; in Tadzhikistan, the new Democratic Party and *Rastokhez* urged voters not to take part in the referendum. Official results show that 83 percent of Belorussian voters supported the referendum, but Belorussian activists reported wide-spread voting irregularities, including the beating up of an independent poll watcher in Minsk.**

### **Ethnic Minority Participation**

**Ethnic minorities within the republics responded to the referendum in varying fashions. The Moldavian government in Kishinev, dominated by the Moldavian majority, refused to take part in the referendum. But two tiny breakaway ethnic pockets, in the Gagauz and Trans-Dniestr areas, declared they would participate – and they did so through local organizations, factories and locally based Soviet army units. Moldavian leaders rejected Soviet assertions**

**that Moldavians had intimidated referendum voters.**

**Indeed, the Moldavian pattern in which ethnic minorities decide to take part in the referendum – despite the majority nationality boycott – was repeated in the three Baltic republics. (Baltic allegations of referendum voter fraud were widespread.) Compact ethnic communities in Georgia, such as the Southern Ossetians, also decided to take part in the referendum. (Georgian President Zviad Gamsakhurdia was quoted by TASS as branding "a traitor" anyone in Georgia who participated in the referendum.) This voting pattern was reversed in the RSFSR where five non-Russian autonomous republics – Tatarstan, Tambov, North Ossetia, Checheno-Ingushetia, and Tuva – refused to take part in the referendum, although the RSFSR government did.**

### **Baltic Independence Polls**

**The Baltic republics decided to hold their own separate public opinion polls on independence in advance of the March 17 referendum so as to counter Gorbachev's claim that the Baltic independence drive does not have majority support. The results of the Baltic opinion polls, despite the large minorities in Latvia and Estonia, represented decisive defeats for Gorbachev's claim.**

**The Lithuanian independence poll, held in February 1991, garnered 90 percent approval in an 85 percent voter turnout. On March 3, Estonia and Latvia held their own popular polls on independence, with pro-independence forces again winning clear majorities. Some 79 percent of voters in Estonia chose independence, while in Latvia the percentage was 73. While low voter turnout among ethnic minorities in the Baltic republics can be interpreted as votes against independence, a surprising number of these minorities voted in favor.**

### **Armenian Secession Referendum**

**Armenia took a maverick route. On March 1, 1991, the Armenian Supreme Soviet voted to boycott the national referendum. Armenians considered that a key issue involving Nagorno-Karabakh was inadequately addressed in the March 17 referendum: namely, the lack of opportunity for "the exercise of the right of self determination by the republics, by autonomous formations and by peoples in**



**general."**

**Instead, Armenia decided to hold its own separate referendum on secession on September 21, 1991. It thus will become the first republic to try out the new Soviet law on secession.**

### **Georgian Independence Referendum**

**On March 31, the new Georgian parliament held a separate referendum on independence for Georgia from the USSR. On April 1, 1991, the Georgian electoral commission announced that 90.53 percent of the republic's 3.3 million eligible voters had taken part in the March 31 referendum on the restoration of Georgian independence. Of those who voted, 98.93 percent voted in favor. Even areas with non-Georgian majorities, such as Abkhazia and Adzharia, had voted for independence. Perhaps the voting patterns were influenced by Georgian leader Zviad Gamsakhurdia's threat to extend Georgian citizenship and the right to own land only to those who voted in favor of independence. Southern Ossetia, however, boycotted the referendum.**

### **The RSFSR Referendum**

**The RSFSR Supreme Soviet eventually decided that the referendum should be held – together with a separate republican referendum on the popular election of the RSFSR president. The fact that various RSFSR autonomous regions had already decided they would take part in the referendum probably influenced republican leaders to participate.**

**On March 20 TASS reported the results of the March 17 RSFSR referendums from 77 of the 88 RSFSR polling districts showing a turnout of 76 percent for the all-Union referendum and 75 percent for the RSFSR referendum. Of those participating 70 percent voted to preserve the Union, and 70 percent wanted to institute the post of RSFSR president by popular vote. This means that only a bare majority of eligible voters supported each motion – 53 percent for the national referendum and 52 percent for the RSFSR.**

**Moreover, the four autonomous republics mentioned above did not participate, which means that the RSFSR referendum on a presidential election might have been defeated. (The RSFSR Supreme Soviet Presidium ruled that only half of the participating voters were needed to carry the motion on the RSFSR presidency.)**

### **Other Republics**

**Sovereignty issues were the focus of additional referendum questions in Ukraine, Azerbaidzhan and Uzbekistan. Ukrainian voters were asked to approve or disapprove the statement: "Ukraine is supposed to be in a Union of Soviet Sovereign States on the basis of the Declaration of Sovereignty." Seventy percent of eligible voters in Ukraine supported the all-Union referendum's notion of a "renewed federation," while Western Ukrainians overwhelmingly voted for Ukrainian independence.**

**Three regions of Western Ukraine, however, added a third question: "Do you want Ukraine to become an independent state?" Vyacheslav Chornovil, former political prisoner and current Lvov *oblast* chairman, claimed on March 20 that Western Ukraine, including 50 percent of the local Russians, had voted overwhelmingly for Ukrainian independence.**

**In Azerbaidzhan, voters were asked "Do you think it useful for Azerbaidzhan to participate further in a Union of Sovereign States as a Sovereign State?" Uzbekistan balloteers – who showed a 90 percent degree of support – were posed the question if they want "to belong to a new Union."**

## **Section Four: Governmental Structures**

### **New Executive Powers**

#### **States of Emergency**

**(See Appendix C-7 for text of States of Emergency Law.)**

**In April 1990, the USSR Congress passed and the President signed a new law governing states of emergency. It defines a state of emergency as a "temporary measure...[to] ensure the safety of USSR citizens during natural disasters..., and also during large-scale disturbances." The law requires that states of emergency be declared only by the Presidium of the Supreme Soviet of a union republic or by the USSR Supreme Soviet by a two-thirds vote of all its members. (Presumably autonomous republics can declare states of emergency as well, since elsewhere in the law they are given authority to lift a state of emergency that they declared.)**

**The law allows the suspension of most civil liberties. Censorship may be introduced, meetings and demonstrations may be prohibited, house arrest may be imposed for no stated reason, compulsory labor may be ordered, a curfew may be established, and political parties and other organizations may be suspended. The government entity that declares the state of emergency is given complete power over subordinate government entities.**

**Under a state of emergency, administrative and criminal penalties can be imposed for a variety of extremely vague "offenses," including disseminating "provocative rumors," the "active hindering of citizens and officials in the exercise of their lawful rights and the performance of their duties," and "any other actions of this sort that violate public order or the tranquility of citizens." The military or the internal affairs organs are authorized to handle such cases. The USSR Supreme Soviet may change the jurisdiction over any civil or criminal case pending in the affected area.**

**Troops may be introduced "in exceptional cases;" no other criteria are spelled out in the law. The President or the USSR Supreme Soviet has authority to**

**send in troops.**

**Pursuant to the reporting requirements of Article 4(3) of the International Covenant on Civil and Political Rights, the state of emergency law requires that the Soviet Union notify the United Nations whenever a state of emergency is declared. In 1990, the Soviet Union notified the U.N. on states of emergency imposed in Nagorno-Karabakh, in Baku, Azerbaidzhan in January, and in Dushanbe, Tadjikistan in February. As far as is known, Soviet authorities have not notified the UN about any other states of emergency that have been imposed.**

**States of emergency are now in force in eleven areas: three in Azerbaidzhan, two each in Armenia and Georgia, and one each in Tadjikistan, Uzbekistan, Kirgizia and Moldavia. In each area, several of the following measures were implemented: bans on public demonstrations and meetings; restrictions on the press, public organizations, and the media; administrative detention, and police searches of vehicles and people. Additional Soviet troops were evident in Moldavia, Azerbaidzhan, Kirgizia, Uzbekistan, Tadjikistan and the Baltic republics.**

**States of emergency, supposedly "temporary," have been in effect in Azerbaidzhan and Tadjikistan for over a year.**

**Article 16 defines conditions under which the USSR President may declare "presidential rule" which permits direct rule by a representative of the president. The president's right to impose presidential rule is limited by one stipulation: it can only be invoked in an area in which a state of emergency has already been declared and has failed to restore order (no time limit is defined).**

**This article concentrates a vast amount of power in the hands of the president: he may suspend local government and replace it with his own executive organ or official. Presidential agents may carry out all measures to restore public order mandated by the state of emergency.**

**The article also gives the right to suspend local *soviets* and temporarily to assume their functions; to introduce proposals at the local, republic, or all-Union governmental levels on issues of state, economic, or socio-cultural questions, and to direct the work of local enterprises, institutions, and organizations in a manner defined by the USSR Council of Ministers.**

**Presidential rule has not been imposed by Gorbachev, despite frequent calls. Many of these calls have emanated from near-anonymous "Committees of National Salvation" on the national and republic levels. Indeed, such calls, combined with allegations of danger to the army and non-native populations in Lithuania and Latvia, may have been intended as the pretext for military coups against popularly elected governments. Armenian President Ter-Petrosian, whose republic has experience with martial law, claimed the Federation Council delegation that he led to Lithuania in January 1991 had warded off presidential rule there.**

### **New Presidential Powers**

**Citing two outbreaks of communal violence in early 1990 to justify his request, Gorbachev called on the giant USSR Congress of People's Deputies in February 1990 to grant him expanded presidential powers. Some Deputies, including several from the Baltic states, objected to using such instances of violence as the main justification for expanded presidential powers. The idea of a strong presidency was also criticized by some, including Boris Yeltsin and Yuri Afanasyev, who feared it could make Mikhail Gorbachev a virtual dictator.**

**The draft law, reportedly based on American and French governmental precedent, was drawn up by a group from the Institute on State and Law. The government pyramid was to be topped by the president, normally selected by direct, national elections and to serve a six-year term. On the grounds that the situation in the country was too critical, an exception was made for the first president, Gorbachev, who was to be elected by the 2,250-seat Congress of People's Deputies. Subsequent presidents are to be elected by universal suffrage. The president appoints a prime minister and a cabinet of six top officials. These appointments were to be subject to parliamentary confirmation.**

### **Executive Powers Law**

**Under the Executive Powers Law of March 1990, the president has the right to veto legislation adopted by the Supreme Soviet, although a presidential veto can be overridden by a two-thirds majority in both houses of the USSR Supreme Soviet.**

**The president can declare a state of emergency or suspend the parliament in any region of the Soviet Union only with the consent of the relevant republic or the USSR Supreme Soviet.**

**The president has wide powers to rule by decree when the Supreme Soviet is not in session. Gorbachev did, however, agree to restrict his authority to rule by decree to areas in which administrative functions are already defined through the Constitution and law.**

**The president has the right to issue legally binding decrees provided they are based on the Constitution.**

### **New Presidential Powers**

**Despite the considerable new presidential powers granted him in March, by September 1990 Gorbachev felt that he needed additional executive authority. Citing the "inefficiency" of the USSR Supreme Soviet, Gorbachev pushed through several new laws which further enhanced his power.**

**On September 24, 1990, the USSR Supreme Soviet voted by a large margin to further expand Gorbachev's presidential powers. Until March 31, 1992, Gorbachev has the power to issue decrees (*ukazy*) which have the force of law. He can also issue instructions on such matters as property rights, price increases, the budget, salaries, the financial system, and the maintenance of law and order. Furthermore, Gorbachev is empowered to "accelerate the formation of an all-Union market and to ensure cooperation between Union and autonomous republics, autonomous *oblasts*, and autonomous *okrugs*."**

**While the USSR Supreme Soviet has surrendered a great deal of its legislative power to Gorbachev, the new law does grant it the right to overturn any decrees. In addition, Gorbachev is not supposed to promulgate any decrees that run counter to the Soviet Constitution. The constitutional question is a ticklish**

**one, since even the chairman of the USSR Constitutional Oversight Commission has admitted that some economic reform laws should be passed, even though they violate the present Constitution.**

**Gorbachev was not granted these new powers without dissent, particularly from some USSR Supreme Soviet members and from Boris Yeltsin and the RSFSR leadership. Lending credence to their fears of dictatorship was Gorbachev's own comment to the USSR Supreme Soviet on September 21. Gorbachev said that while he does not believe the introduction of a nation-wide state of emergency is necessary, he thinks it may be time to introduce presidential rule in some areas and even to suspend the activities of some *soviets*.**

**These new laws represent a step away from parliamentary democracy, particularly in the key areas of economic reform and maintenance of law and order. While the USSR Supreme Soviet has moved, or rather, lurched, very slowly in these areas, at least a portion of this legislative body genuinely represents the Soviet people – unlike the Soviet president whose right to rule has never been subjected to popular vote.**





## **Governmental Institutions**

### **Parliaments**

**In an earlier phase of *perestroika*, Gorbachev restructured the national Soviet parliament, the Congress of People's Deputies, to make it more responsive to the popular political will. He kept one third of the Congress' 2,250 seats for Communist Party and other conservative Soviet institutions' appointees.**

**A December 25, 1990 profile of the USSR Congress of People's Deputies showed that the Communist Party is in control with 730 registered supporters, or just under one third of the total. Next came the conservative *Soyuz* (Unity) group with 561, or one fourth. The Inter-Regional Group showed a sharp drop from 400, 18 months ago, to 229. Other groups included farmers (431); workers (400); ecologists (220); women (216); and Afghan veterans (52).**

**In the republics, parliaments reflected the popular will more fairly; often these parliaments then elected nationalist or populist leaders. In the cities of Moscow, Leningrad and Kiev, non-Party liberals took over the city councils. In Georgia, Armenia, Moldavia and the Baltics, non-Communists dominated legislatures. In the Ukraine, non-Communists became the dominant political force, in effect if not in numbers. Most significantly, the maverick former Moscow Party chief, Boris Yeltsin, was elected RSFSR President. Party bosses lost to non-Party activists in other parts of the RSFSR.**

**Due to these election results, Gorbachev's plan to have the same person hold the posts of republic First Party Secretary and of President was foiled – except in the Central Asian republics, Kazakhstan and Azerbaidzhan. In addition, men who had earlier been imprisoned for peaceful nationalist activity were elected as leaders of Armenia, Georgia and western Ukraine. Thus, the republican elections of 1990 were a key factor in raising the level of national self-awareness throughout the USSR.**

**In Azerbaidzhan, Belorussia, Kazakhstan and the Central Asian republics, the Communist Party retained control of the legislatures. Even in some republics, such as Azerbaidzhan and in Kazakhstan, where Communists still controlled the parliaments, republic leaders felt constrained to accommodate nationalist aspirations and to show some independence from the Kremlin.**

**For example, although the Kazakhstan parliament is conservative, it has shown it would defend its citizens' interests vis-a-vis the Kremlin. On February 7, 1991, the USSR government offered to pay the republic 350,000,000 rubles to use the Semipalatinsk nuclear weapons test site until 1991. Marat Nurtazin, head of the Kazakhstan Supreme Soviet ecology committee, announced the republic government had decided not to allow nuclear tests to be held at the expense of public health.**

**In late January 1991, 82 RSFSR Deputies issued a statement citing the "principled impossibility" of further cooperation with the national leadership in ruling the USSR. The group called for Gorbachev's resignation, for the abolition of the USSR executive presidency, and for transfer of absolute power to republics through their leaders' Coordinating Council. It stated its demands were motivated by the Kremlin's moves against the people, but the group got no response from the USSR leadership.**

**Another example shows the vulnerability of republic parliaments, in this case, the RSFSR. On February 6, 1991, RSFSR officials discovered that the KGB may have been conducting electronic eavesdropping in the RSFSR Supreme Soviet building in a specially equipped room above that of RSFSR leader, Boris Yeltsin. The RSFSR Supreme Soviet announced its intention to file a lawsuit against the USSR KGB.**

**Despite very real strides towards greater democracy and genuine popular participation in the political process, major roadblocks are still in evidence. Faced with the daily need to make unpopular decisions in a time of economic scarcity and social tension, the liberal Moscow City Council, among others, began to show signs of wear and tear. On December 3, Moscow Mayor Gavriil Popov said that due to political polarization, the City Council could not function properly. If there were no improvement, Popov said, new elections should be called. Complaints of an unwieldy Karaganda *oblast* (Kazakhstan) council emerged in early December.**

**Some observers, however, take a more gloomy view of the very structure**

of the new Soviet democracy. From the all-Union legislature to the republic parliaments down to the neighborhood councils, legislative power is held by huge, amateur, unwieldy parliaments. These hundreds of parliamentarians, who rarely make hard decisions, are nevertheless unwilling to delegate decisions to executive bodies.

### **The Judicial System**

Progress continues in the Soviet judicial system. On the civil side, a revised Law on the Right to Appeal acts of government officials entered into force in July 1990. Unlike the old law, the new one allows judicial review of decisions of anonymous collegial bodies, so that it is not necessary to identify particular officials as defendants.

The new law does, however, contain possible barriers to effective judicial review. First, it excludes from court scrutiny "normative" acts. Second, if a republic creates a different appeals procedure for particular administrative decisions, these decisions are not subject to review under this law. Finally, some new laws such as those on the press and religious freedom contain express references to the appeals law, although the appeals law by its terms does not require such a reference to be invoked, creating potential confusion when no explicit reference is made.

The Party still largely controls the naming of judges, although local councils [*soviets*] are starting to do this. Through control of scarce goods and services, however, the Party exerts undue influence over the naming of judges and over the course of their work. Some judicial reforms were meant to address this problem, such as the Ministry of Justice's decision to remove the Party from the promotion process. New methods, however, for the promotion of judicial leaders are not yet in place. A law on "liability for contempt of court" was meant to deter Party officials from the exercise of "telephone justice" by providing up to three-year sentences.

Some favor more radical solutions to the problem of judicial independence. Latvia issued a law in 1990 which forbade judges from belonging to any party. Andrei Sakharov also suggested that judges' removal from Party membership was an essential precondition for a more democratic judiciary.

**A law which provided for the option of a jury trial was signed by Gorbachev in April 1990. It allowed republics the option to provide for trial by jury in crimes punishable by imprisonment of over ten years or death. A few jury trials did occur in 1990 in the Soviet Union.**

**Defense lawyers, just as judges, are still subject to some state and Party controls. For example, in trials which involve KGB participation, only those defense lawyers with a special KGB permit are permitted to take part in the proceedings.**

### **Constitutional Oversight Commission**

**Charged with reviewing the constitutionality of new legislation and the conformity of republic and local laws with USSR laws, the Constitutional Oversight Commission was formed in late 1989. If any law is found to violate basic human rights provisions in the USSR Constitution or in international compacts to which the Soviet Union is a party, it is supposed to be automatically suspended.**

**In 1990 the Commission ruled unconstitutional a presidential decree on demonstrations and criticized the internal passport system. Soviet legal specialists complain, however, that the Commission's findings have no real force; for example, the internal passport regime is still in place at year's end.**

**In an interview – which does not, however, reflect the Commission's work – with *Komsomolskaya Pravda* (January 15, 1991), Sergei Alekseev, Commission chairman – said that in his personal opinion "some of the actions" (referring to the incident in which the Soviet army killed 15 unarmed civilians) in Lithuania on January 13 were**

**unconstitutional. According to Radio *Rossiya*, the Commission will make a final decision in March on the constitutionality of the executive order deploying joint army-police patrols in large cities starting on February 1.**



## **The Soviet Armed Forces**

**The Soviet army has long played an important role in Soviet society. In the post-World War II period, Soviet political power, particularly in Eastern Europe, was firmly based on huge numbers of well-equipped Soviet soldiers.**

**Ideological fragmentation within the army has increased in 1990, as the dimensions of the Soviet political rout in Eastern Europe became clear. Conservative Soviet army elements increasingly expressed dissatisfaction with their diminished role at home and abroad. The Soviet withdrawal from former East Germany was particularly humiliating.**

**One of the loudest proponents of a conservative "law and order" approach, Colonel Viktor Alksnis, is an officer in the Army Political Directorate, meaning he is a professional Army Communist Party propaganda officer. Although the "Black Colonel," as Alksnis is often called, is taken to represent the Army writ large, his views more likely represent those of the influential -- and hated by regular officers -- army corps of political officers.**

### **Reform Proposals**

**The main movers behind reform proposals for the Soviet army seem to be a group of mid-level officers in the Congress of People's Deputies. The main outlines of their proposals appeared in February 1990 in *Komsomolskaya Pravda* and included a gradual transition to a professional army, starting with the Strategic Missile Forces, the Assault Troops, the Navy and Air Force and continuing with the Ground and Air Defense Forces. The reform proposals also called for governmental and public scrutiny of defense policy and the military bureaucracy. Military structure and spending should correspond to the doctrine of defensive sufficiency. The army budget should reflect major reductions in troop strength, cost-effective training, more reliance on civilian specialists, an end to separate military industries and to privileges for the military**

**leadership. The Party should end its direct control of national defense policies. Finally, the army should be humanized and the way of life in the barracks should give soldiers more rights.**

**Reportedly, this military reform draft was never presented for formal consideration by the Congress of People's Deputies. The military command has apparently undertaken punitive measures against would-be reformers, such as threatening to dismiss the officers in the reform commission.**

**Along with the rest of Soviet society, the Soviet army has been subjected to pressures which have fragmented its monolithic structure. Another liberal Soviet army reform group, known as *Shchit* (Shield) has sprung up, supported by mid-level officers. Among the other issues *Shchit* has raised is whether the USSR should move toward a professional, rather than a conscript, army.**

***Shchit* also sent teams to investigate the army's role in violence in Baku and Vilnius. These military investigators concluded that the violent crackdown by the Soviet army in Lithuania in January 1991 was meant to be a prelude to a well-planned coup and was spearheaded by the pro-Moscow Lithuanian Communist Party. Three reserve officers who were part of the *Shchit* investigatory team, were detained for several days by army and the KGB on February 12 in Vilnius and falsely charged with possession of weapons, narcotics and gold.**

### **The Conscription Drive**

**The Soviet army's anger over the various changes in Soviet society came to focus on genuinely serious conscription problems. On January 7, 1991, the USSR Defense Ministry announced on national TV that airborne units would be used to enforce the draft in the three Baltic republics, Armenia, Georgia, Moldavia and the western regions of Ukraine.**

**Turnout for the fall draft had been intolerably low in these areas, and had been decreasing for the last two years. An average of 78 percent of conscripts reported for duty throughout the USSR. The rate fell to 12 percent in Lithuania, 24 percent in Estonia, 25 percent in Latvia, 10 percent in Georgia, 28 percent in Armenia and 58 percent in Moldavia.**

**In addition to being a reaction against the military, opposition to**



conscription in these areas was clearly part of a broader assertion of national identity. Thus, Gorbachev's order to send in the troops to try to enforce conscription laws has wider political dimensions. The conscription drive may well be part of a Kremlin effort to thwart national assertiveness on other fronts.

### **The Republics**

While the Soviet army has been experiencing some ideological fragmentation on the national level, some republic leaders are also discussing the need for separate armies. Republics that raised this issue include the Baltics, Moldavia, Georgia, Armenia, and Ukraine. Boris Yeltsin reportedly was approached by ten generals who urged the creation of a separate Russian army. (Yeltsin draws much support from the "Leftist Center" group in the Russian parliament, headed by General Dmitri Volkonogov and liberal officers of the *Shchit* parliamentary faction.)

### **Mistreatment of Army Recruits**

A human rights issue which first came to wide public awareness in 1990 was the maltreatment of soldiers in the Soviet army. Reports from *Shchit* (Shield), an unofficial military reform group, and from the Committee of Soldiers' Mothers, another unofficial group, claimed that thousands of members of the armed forces had suffered noncombat deaths in the previous four to five years. The causes of death included mistreatment, negligence and suicide. Numerous cases of intimidation and hazing of new recruits were also reported. Widespread popular anger caused the Soviet Army to publish data on non-combat deaths in 1990.

Soviet army statistics state that every year approximately 7,000 Soviet soldiers -- out of a total of 4.5 million -- die in non-combat situations. This number, high for a country not at war, is 1.5 per thousand. (The United States has a rate of one per 1,000.) The Defense Ministry claims that most of these soldiers died through suicide, negligence or misfortune. Thousands of parents charge that their sons were killed and that the military, loathe to acknowledge its wrongdoing, covered up evidence of crimes.

A Soviet army officer with access to more detailed official sources said that these sources and other evidence show that "far more soldiers die under

**mysterious and felonious circumstances." Unpublished statistics made available by this officer to a *New York Times* reporter stated: 18 percent of non-combat Soviet army deaths were suicides; 21 percent from illness; 17 percent from safety violations; 15 percent from traffic accidents; 13.5 percent from accidents; and 9.5 percent from misuse of firearms. Furthermore, this officer asserted, even this classified information has been falsified to camouflage "hidden murders."**

**Responding to strong popular pressure, particularly from the Committee of Soldiers' Mothers, Gorbachev established a special advisory commission in November 1990 to look into the mothers' charges. Working in the offices of the Supreme Soviet, the commission is comprised of parents, Deputies, medical specialists, military-legal specialists and lawyers. The commission has already recommended that thousands of cases should be reopened by civilian authorities, but it has no legal standing to compel them to do so. Indeed, in late December, *Vremya* quoted a spokeswoman that the commission's work had been sabotaged; she implied that elements in the army and in the USSR Procurator's office were responsible.**

**Reports were also rife of army discrimination and harassment based on national origin. Anxious parents from all over the country asserted that their children were targets and victims of ethnic hatred. A decree issued by President Gorbachev did not address this maltreatment directly, but urged other governmental bodies to introduce a universal insurance system to be funded by the Defense Ministry and to consider adopting a procedure for soldiers to challenge unlawful acts of their superiors.**

## **The Committee for State Security (KGB)**

**The KGB still affects almost all aspects of life in the Soviet Union. Not only does this vast organization, with its varied scope of activities, have enormous coercive potential, it also remains the biggest single information network in the USSR and perhaps the world. The KGB maintains files on untold millions of Soviet citizens. It also has a huge network of informers plus mail and telecommunications surveillance. The KGB archives give it access to mountains of information which can be used against any movement. In a disturbing new initiative, many KGB officers have been elected to the USSR and republic parliaments.**

### **Internal Reform Efforts**

**The KGB undertook a major public relations effort, beginning in 1989, with the publication of an unclassified, limited circulation, monthly journal. This *Information Bulletin* was to promote, to some degree, *glasnost*, and improve information flow inside the agency. Several areas of increased KGB activity -- against international terrorism and contraband -- led to the creation of a new 80,000-strong volunteer militia to assist regular KGB border units in guarding the Soviet borders.**

**Early in 1990, the KGB announced it had eliminated its notorious Fifth Directorate which had held the anti-dissident dossier. In its place, the KGB set up a new section, the Administration for Safeguarding the Constitution. KGB critics, such as former KGB General Oleg Kalugin, scoff at this announcement, declaring that anti-dissident functions have merely been taken over by other KGB sections.**

**Two other new KGB administrations were set up in 1990. The new Administration for Combatting Crime is said to employ up to 80 percent of KGB personnel. The third new KGB structure seemed to be engaged in counterintelligence in the economic area, charged with minding joint ventures and preventing foreign companies from gaining too much data on the Soviet economy.**

**Traditionally, the KGB has relied on the Party for policy guidance and**

**morale boosting. In late 1989, however, evidence emerged that the KGB was turning to other sources, such as the Council of KGB Veterans which it created at that time. This increased reliance for policy guidance on retired KGB officers, cast doubt on KGB claims that it had gotten rid of personnel connected to Stalin or Brezhnev-era crimes.**

**Possibly the most surprising new area of KGB work has been the rehabilitation of the victims of Stalinist repression. The KGB controls access to its huge archives with information on these victims. The official Soviet rehabilitation campaign of the victims of Stalinism is also headed by the KGB. This KGB-guided campaign has cleared the reputations of many thousands of Stalinist victims. Their families have at long last been given certain social services. Nevertheless, it is one of the many ironies of Soviet history that the same police agency which created so many victims is now officially charged by the Soviet government with rehabilitating them!**

**In early 1990, the KGB produced its own draft "reform" law. Essentially, the KGB draft law merely described its current functions, including four branches of troops (Border, Signals, Construction, and Special.) Rather than reformulating the concept of Soviet national security, the KGB in effect took the opportunity to simply draw up a new legal basis for its present status.**

### **Relationship to Parliament**

**In 1989, the KGB was removed from Party control through the Central Committee and was transferred to the oversight of the USSR Supreme Soviet Committee for Defense and State Security. This committee has oversight for the Soviet law enforcement agencies, including the KGB, police and armed forces.**

**A group of Deputies, headed by Academician Yuri Ryzhov, tried to block the KGB draft reform law. It called for a broader concept of national security, describing four major national security areas now run by the KGB which might be divided among several agencies: foreign and domestic military/political security; economic security; psychological warfare/propaganda; and scientific/technical security. Asserting that security issues fell under the Soviet president's jurisdiction, KGB Chairman Kryuchkov rebuffed this group's efforts in April 1990.**

**In late 1989, the KGB Collegium issued a directive that KGB officers were**

**to establish close working relationships with the Congress of People's Deputies and various levels of the Supreme Soviet. KGB operational groups were set up throughout the country to assist conservative Deputies sympathetic to KGB views with information and campaign techniques. Meetings were held with parliamentarians around the country.**

**This KGB campaign took new shape early in 1990, when the agency created special task forces to influence elections, including special training courses for KGB candidates. This campaign netted major election wins for the KGB: 1,453 KGB officers were elected to republican and local *soviets* in the RSFSR; 537 in Ukraine; 229 in Kazakhstan; 125 in Tadzhikistan; 98 in Uzbekistan; 96 in Turkmenistan; 81 in Belorussia; 72 in Kirgizia; 34 in Moldavia; 21 in Latvia and nine in Estonia. At the republican-level Supreme Soviets, 34 KGB officers, including generals, were elected: 15 in the RSFSR, four in Ukraine, seven in Tadzhikistan, three in Kirgizia, two in Kazakhstan, and one each in Moldavia, Latvia and Estonia.**

**The KGB candidates showed that they had the greatest success in Central Asia (ranging from a high of 92 percent of the vote in Kirgizia to a low of 63 percent in Tadzhikistan) and only about a fifty percent rate in the Slavic republics, with the lowest rates in Estonia.**

**Thanks to sophisticated campaigning, the KGB managed to elect a rather high number of its candidates from among regional chiefs and border guard commanders. The KGB electoral success gave rise to serious concern about the viability of a legislative process in which the secret service plays a prominent role.**

### **Relationship to the Party**

**KGB Chairman Vladimir Kryuchkov announced in April 1990 that his agency would soon no longer be subordinated to the Politburo but to the USSR President, the Supreme Soviet and the Council of Ministers. Gorbachev also probably relied on the KGB in his internal struggles with the Soviet bureaucracy.**

**Leading outspoken Party reformers, such as Boris Yeltsin and Algirdas Brazauskas, were the target of attacks by Kryuchkov and other KGB officers in early 1990. One KGB general attacked democratization and called on all KGB men to protect Lenin's legacy. Members of the KGB central apparatus called on the Kremlin to halt the decay of the Soviet federation, to prosecute those who discredit Soviet values, and to stop the Soviet media campaign against the armed forces, KGB, judges and prosecutors.**

### **Relationship to the Republics**

**Most KGB officers probably recognize that the collapse of the Soviet Union as a unitary state would also mean the disintegration of their organization. Keeping up with the changing times, however, the KGB has diversified its activities in various republics in line with two main imperatives: to guarantee its own continued influence, and that of the Kremlin, and to try to prevent the country's disintegration.**

**In the Baltic republics, Moldavia, Georgia and Armenia, where popularly-elected nationalist parliaments now rule, the KGB has kept a low profile and professed loyalty to the new authorities. Behind the scenes, the KGB still offers aid to local Communist parties, so-called "international" movements, and other pro-Kremlin groups that oppose local self-determination drives.**

**The KGB has had a behind-the-scenes role in what have usually been joint MVD and Army actions against largely peaceful protestors in Baku, Dushanbe, Vilnius and Riga. Recent evidence has shown that the**

**KGB had a coordinating function in the Baku events. Investigation into the first such action, in Alma-Ata in December 1986, has shown a KGB role in such actions as early as 1986.**

**Although many KGB officers are drawn from the various local nationalities, they are usually Russified and Sovietized. KGB training has also stressed the contributions made by various nationalities to the organization and to the Soviet Union. The KGB also has more bureaucratic reasons for remaining loyal to the Kremlin: all KGB funding comes from Moscow, and the republic branches are dependent on the center for logistical support.**





## **The Interior Ministry (MVD)**

**The MVD is the ordinary Soviet police agency under KGB control through special administrative sections. With a total of 800,000 employees, the MVD is the largest Soviet military force outside the army. Its 1990-1991 budget was increased by 13 percent to 6,400 million rubles, plus 700 million rubles to pay personnel. In addition, the previous MVD Minister Bakatin received approval to buy 100 million rubles of equipment.**

### **Anti-Crime Units**

**Only 40 percent of MVD staff is engaged in patrol activities. As many as 50,000 MVD police – or 15 percent of the total MVD force – is deployed in Moscow; many police are in place to protect the vast number of government buildings in the city. In fact, a disproportionate number of MVD personnel is stationed in the major cities of the USSR. The Soviet rural population has long complained that it is denied adequate MVD protection. Western experts have noted that the MVD police is preoccupied with the protection of government property and with the crimes of murder, and, somewhat, rape. As a result, the MVD police provides little protection for private or cooperative property.**

**An anti-corruption drive, initiated by Gorbachev, has resulted in the purge of 200,000 -- or one fourth -- of the entire MVD police corps. While these policemen were corrupt, they were often the most experienced. A recent high on-the-job mortality rate of some 200 per year has also decreased MVD ranks. (This rate is five times higher than that of Western Europe or the United States.)**

### **Volunteer Units**

**The Soviet government has long relied on volunteer units, usually working within the MVD structure, to enforce discipline or maintain public order. In some recent conflicts, such as in Alma-Ata in December 1986, there is evidence that local authorities introduced workers wielding metal rods to instigate ethnic hostility. Gorbachev introduced measures in 1990 whereby workers, this time overseen by the KGB, would monitor food distribution.**

### **The Party Okhrana**

One of the largest MVD components directly subordinated to Moscow is the All-Union *Okhrana* Administration. Its main duty is to assist the KGB in the protection of the Soviet ruling elite. While the *Okhrana* watches the buildings, the KGB acts as bodyguards. Of the 200,000 *Okhrana* men, 80,000 guard Party and government premises and TV centers; the rest guard major state buildings, armories and financial institutions.

### **Anti-Riot Units (OMON)**

In recent years, crowd control during mass rallies has taken increasing MVD attention and staff time. Unfortunately, however, the MVD police has shown little, if any, expertise or interest in humane methods of crowd control. These troops are equipped with the most lethal weapons, such as AKS 74 automatic rifles which fire high speed 5.45 mm bullets. During riots, as many as 30,000 MVD Special-Purpose Police Detachments (OMON) have been mobilized. Reportedly, it takes 1,000 hours to train OMON men; most are recruited from former airborne troops and Afghan veterans. Although OMON has Western-style equipment, its methods are comparable to the notorious Polish ZOMO anti-riot police units disbanded in 1989.

OMON units have been in operation since July 1988 when the law on demonstrations was issued, along with another law which extended the MVD right to use force; by mid-1989 OMON squads had been formed in 23 large cities. The OMON have been deployed in Moscow alone more than 600 times, where they are popularly known as "Detachments for Mechanical Processing of the Population." Although the OMON is under the nominal control of the republic-level MVD, it is usually under Moscow command.

### **MVD Internal Troops**

Most MVD soldiers are deployed in the MVD Internal Troops which now may number as many as 400,000; the fastest growing component of 125,000 to 135,000 of the MVD Internal Troops are engaged in riot control. Other MVD Internal

**Troop functions include guarding prisoners in transit and labor camps, nuclear power stations and other strategic installations.**

### **Republican MVD Pressures**

**In addition to new pressures on the national MVD, the republic-level MVDs have undergone major changes. The MVDs of the three Baltic republics have become independent. The Moldavian MVD turned to Romania for training assistance; the Georgian MVD has moved towards independence.**



## **A Greater Role for Security/Military Forces**

### **Presidential Chain of Command**

**The 400,000 Internal Troops are directly responsible to the Interior Minister, and, through the military line of command, to President Gorbachev in his capacity as chairman of the Defense Council. In fact, Gorbachev placed the Internal Troops at his command by a special decree. In March 1989, Gorbachev ordered that the Internal Troops, the KGB and the Railroad Troops be separated from the armed forces. In this way, President Gorbachev assumed operational command of the security forces. Thus, Gorbachev's assertion that he had no knowledge of the armed forces' lethal operations in the Baltic republics in January 1991 rings very hollow.**

**In 1990, President Gorbachev further strengthened his operational connection to the potential deployment of Soviet armed forces in the republics. Under Article 1 of the 1990 Law on Internal Troops (*Izvestiya*, March 31, 1990) the Soviet president is given the right to use force on the territory of a republic without prior approval of that republic.**

### **KGB/MVD Security Forces**

**The total number of MVD internal security forces -- the MVD Internal Troops, the *Okhrana*, and the OMON units -- is 625,000 to 640,000 troops. To this figure one must add the KGB forces: 400,000 KGB officers in the central and territorial apparatus, plus 370,000 KGB Border Guard Troops and other KGB troops. Thus, the total number of state and internal security forces at the Kremlin's -- and Gorbachev's -- disposal is 1,400,000 to 1,450,000.**

### **Joint Army/Militia Patrols**

**(See Appendix C-8 for Decree Issued on Joint-Militia Patrols and Order of Defense Ministry of Joint Patrols.)**

Joint army/militia patrols were set up in late December 1990, and publicized in January 1991. At first these patrols were limited to major Soviet cities; their patrol area was soon expanded to 83 cities. Thousands, mostly "economic criminals," have already been detained. Local officials were not consulted, contrary to the terms of the decree.

One Soviet official claimed that the initiative for the joint military-police patrols came from the national MVD. If this is so, the MVD initiative dovetailed with army officers on the lookout for an increased domestic role for the army.

Another Soviet official, Major General Viktor Solomatn, head of the Soviet Armed Forces Department general staff, claimed that the joint patrols had been set up only to fight the booming crime rate in the USSR. Two other officers "reassured" people by saying that these patrols would not use armored personnel carriers. They also said that republic leaders would have a voice in how the patrols were deployed.

There has been wide-spread protest over these new patrols. Leonid Batkin, a leader of "Democratic Russia," said the group would organize civil disobedience measures to resist this order. The use of the military to perform civilian duties such as street patrols seems to extend some aspects of a martial law regime to most major urban areas of the USSR.

### **A Greater Military Security Role in Soviet Rule**

After Soviet army fatal actions against protestors in Baku and Dushanbe early in 1990, Gorbachev set in motion legal and bureaucratic mechanisms which increased his role in decision-making and his control over special military/security units. In March, he pushed through constitutional amendments which greatly strengthened the presidency – while exempting himself from direct popular election for the post. As head of the newly created Security Council, Gorbachev also brought 1,400,000 security and anti-riot troops (KGB, MVD, and army) under his direct control.

**Gorbachev has increasingly turned to conservative elements in the military, highlighted by a November 13, 1990 meeting with hundreds of army officers. At that meeting, which some charged was stage-managed by the Army Political Administration of the Defense Ministry, Gorbachev heard furious demands for redress from dozens of officers serving in republics with low conscription turnouts (the Baltic states, Armenia, Georgia, Moldavia and western Ukraine).**

**In December 1990, Gorbachev issued a decree ordering local governments to enforce all-Union conscription laws. Gorbachev also dismissed new republican draft laws as "unconstitutional." In January, elite paratroop units were marshalled to enter the Baltic states, as a prelude to sending troops to the other conscript-poor republics. The conscription drive -- and other indications of supposed real or impending chaos -- was widely seen as the precursor to Gorbachev's declaration of "presidential rule."**

**Recent high-level military personnel appointments also point in this "law and order" direction: the former commander of Soviet forces in Afghanistan, Boris Gromov, was named First Deputy Interior Minister; he stated that his main duties would involve public order and MVD operations during emergencies. Colonel General Achalov, who commanded Soviet airborne troops during the military blockade of Lithuania, was named Deputy USSR Defense Minister.**

**As 1990 drew to a close, Gorbachev's policies took a sharply conservative turn, including Kremlin efforts to increase military involvement in domestic affairs. The chorus of calls for "law and order" and for "presidential rule," possibly orchestrated by Soviet conservatives, became louder.**

**In January 1991, Gorbachev heeded the "law and order" summons -- running literal roughshod over the wishes of the peaceful local populace -- in Lithuania and Latvia. One should note, however, vocal opposition from regular army commanders to the use of Soviet troops against civilians in the Baltic republics. One army unit, the Vitebsk Division, refused to move on Vilnius. Such insubordination by the Soviet army in Vilnius probably led Soviet planners to rely solely on the MVD Special Black Beret units (OMON) in the deadly use of force against unarmed civilians in Riga.**

**Army opposition to its role in putting down civilian protests was**

**expressed at a high level. In a talk at Helsinki Watch in March 1991, Paul Goble, State Department Baltic specialist, observed that in the week of January 13 five Baltic-based Soviet generals and admirals refused to use armed forces to put down civilian unrest. These protests may well have forestalled the Kremlin from further reliance on lethal force, particularly in Estonia.**

**Warning of the "danger of dictatorship," Soviet Foreign Minister Eduard Shevardnadze, in his December resignation speech, pointed to lethal force used by the Soviet army/militia in 1990 against unarmed civilians in Baku and his native Tbilisi in April 1989. He also deplored what he saw as increasing reliance on violence to deal with the complex and difficult issues facing the USSR. The tragic killings of unarmed civilians by Soviet troops in Azerbaidzhan and Tadzhikistan in 1990, and in Lithuania and Latvia in 1991, seem to bear out Shevardnadze's warning.**

**A dozen areas of the Soviet Union are already under martial law (parts of Azerbaidzhan, Armenia, Georgia, Moldavia, Tadzhikistan, Uzbekistan, and Kirgizia.) This fact, plus Gorbachev's recent order setting up joint military/militia patrols in over 80 Soviet cities, reveals a Kremlin drive to remilitarize Soviet society.**

**Gorbachev may calculate that only the Soviet military (KGB, MVD, army) can keep the Soviet Union together and preserve his power base. While these are crucial imperatives for any political leader, Soviet history has shown that violence can never serve as the basis for a rule-of-law state. Indeed, violence leads to more violence, and is antithetical to building a civil society and respect for human rights.**



## **Sources**

**Readers who wish to find further information on various topics discussed in this report will find the following articles as helpful as the author did. These articles appeared in the RFE/RL Research Institute's *Report on the USSR*:**

### **On Soviet institutions:**

**Alexander Rahr, "KGB Attack on Gorbachev and his Reforms," (April 13, 1990);  
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### **On Self-Determination:**

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Ann Sheehy, "The State of the Multi-national Union," (January 4, 1991).  
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### **On States of Emergency:**

**Elisabeth Fuller and Stephen Foye, "Special Status," "State of Emergency," and Presidential Rule," (February 1, 1991);**

### **On Presidential Powers:**

**Elisabeth Teague, "Executive Presidency Approved," (March 9, 1990);  
Dawn Mann, "*Ukaz* and Effect: Gorbachev is Granted Additional Powers," (October 5, 1990);**

**On the Armed Forces and on Militarization:**

**Stephen Foye, "Radical Military Reform and the "Young Turks," (April 13, 1990);**

**Stephen Foye, "The Armed Forces: From Defending the Empire to Saving the Union," (January 4, 1991);**

**Stephen Foye, "Crackdown Ordered to Enforce Military Draft," (January 18, 1991)**

## **Appendix A**

### **1990: The Year of USSR Sovereignty and Independence Declarations**

**Azerbaijan: Declared Sovereignty on September 23, 1990**  
**Lithuania: Declared Independence on March 11, 1990**  
**Estonia: Declared Independence on March 30, 1990**  
**Latvia: Declared Independence on May 4, 1990**  
**Russia (RSFSR): Declared Sovereignty on June 12, 1990**  
**Uzbekistan: Declared Sovereignty on June 20, 1990**  
**Moldavia: Declared Sovereignty on June 24, 1990**  
**Ukraine: Declared Sovereignty on July 16, 1990**  
**Belorussia: Declared Sovereignty on July 27, 1990**  
**Armenia: Declared Independence on August 23, 1990**  
**Turkmenistan: Declared Sovereignty on August 23, 1990**  
**Tadzhikistan: Declared Sovereignty on August 24, 1990**  
**Kazakhstan: Declared Sovereignty on October 25, 1990**  
**Georgia: Declared Independence after November 11, 1990**  
**Kirgizia: Declared Sovereignty on December 12, 1990**

**Based on information from *The Washington Post*,**



## **Appendix B**

### **Ethnic Composition of the Soviet Republics**

#### **RSFSR (Russian Republic)**

**84% Russian**  
**4% Ukrainian**  
**12% Other**

#### **Ukraine**

**73% Ukrainian**

**21% Russian**  
**1% Jewish**  
**5% Other**

#### **Belorussia**

**80% Belorussian**  
**12% Russian**  
**4% Polish**  
**4% Other**

#### **Moldavia**

**64% Moldavian**  
**14% Ukrainian**  
**13% Russian**  
**9% Other**

#### **Georgia**

**69% Georgian**  
**9% Armenian**  
**8% Russian**  
**14% Other**

#### **Estonia**

**66% Estonian**  
**28% Russian**  
**3% Ukrainian**  
**4% Other**

#### **Latvia**

**49% Latvian**

**38% Russian**  
**5% Belorussian**  
**5% Belorussian**  
**8% Other**

#### **Lithuania**

**80% Lithuanian**  
**9% Russian**  
**8% Polish**  
**3% Other**

#### **Kirgizia**

**48% Kirgiz**  
**26% Russian**  
**12% Uzbek**  
**14% Other**

#### **Kazakhstan**

**40% Kazakh**  
**40% Russian**  
**6% Ukrainian**  
**14% Other**

**Azerbaijan**  
**78% Azeri**  
**8% Russian**  
**8% Armenia**  
**6% Other**

**Turkmenistan**  
**69% Turkmen**  
**13% Russian**  
**9% Uzbek**  
**9% Other**

**Armenia**  
**90% Armenian**  
**6% Azeri**  
**3% Russian**  
**1% Other**

**Uzbekistan**  
**69% Uzbek**  
**11% Russian**  
**4% Tajik**  
**16% Other**

**Tajikistan**  
**58% Tajik**  
**23% Uzbek**  
**11% Russian**  
**7% Other**

**From the *Los Angeles Times*, January 28, 1990**  
**Information source: The Central Intelligence Agency**

## **Appendix C**

### **Selected Laws, Decrees and Orders Enacted in 1990 in the USSR**

- C-1. Law on the Press and Other Mass Communications Media**
- C-2. Law on Public Associations**
- C-3. Law on Freedom of Conscience and Religion**
- C-4. Decree on Economic Sabotage**
- C-5. Law on Trade Union Rights**
- C-6. Law on Republic Secession**
- C-7. Law Governing States of Emergency**
- C-8. Decree Issued on Joint Army-Militia Patrols; Order of Defense  
Ministry of Joint Patrols**

**122 123 124 125 126 127 128 129 130 131 132**

**133 134 135 136 137 138 139 140 141 142 143**

**144 145 146 147 148 149 150 151 152 153 154**

**155 156 157 158 159 160 161 162 163 164 165**

**166 167 168 169 170 171 172 173 174 175 176**

**177 178 179 180**



**Appendix C-1**  
**Law on the Press and Other Mass Communications Media**  
as printed in *Izvestia*, June 20, 1990







































**Appendix C-2**  
**Law on Public Associations**  
as printed in *Pravda*, October 16, 1990,  
translated by FBIS













**Appendix C-3**  
**Law on Freedom of Conscience and Religion**  
as printed in *Pravda*, October 9, 1990,  
translated by FBIS

























**Appendix C-4**  
**Decree on Economic Sabotage**  
as printed in *Izvestia*, January 28, 1991,  
translated by FBIS



**Appendix C-5**  
**Law on Trade Union Rights**  
as printed in *Pravda*, December 15, 1990,  
translated by FBIS

















**Appendix C-6**  
**Law on Republic Secession**  
as printed in *Pravda*, April 7, 1990,  
translated by FBIS

















**Appendix C-7**  
**Law Governing States of Emergency**  
as printed in *Izvestiia*,  
translated in *Current Digest of the Soviet Press*, Vol. XLII, No. 19, 1990





**Appendix C-8**  
**Decree Issued on Joint Army-Militia Patrols**  
as printed in *Pravda*, January 30, 1991,  
translated by FBIS

**Order of Defense Ministry of Joint Patrols**  
as printed in *Commerzant*, January 28, 1991