

DOCUMENTS ON POLITICAL PRISONERS MOSCOW HELSINKI GROUP DOCUMENT NO. 56

On the Trials of Anatoly Shcharansky, Aleksandr Ginzburg and Viktoras Petkus

Cruel sentences have been meted out in rapid succession to members of the Helsinki Groups. These sentences are not only personal tragedies for those condemned, but are a severe blow to the Soviet human rights struggle as well. A few days ago, cruel new sentences rang out: Anatoly Shcharansky got a thirteen year term: three years in prison and ten years of strict regimen camp; Viktoras Petkus will serve ten years of imprisonment: three years in prison and seven years in special regimen camp, plus five years of internal exile; and Aleksandr Ginzburg will spend eight years in a special regimen camp.

The trials were held from July 10 through July 14, 1978. Anatoly Shcharansky was tried in Moscow, Viktoras Petkus in Vilnius and Aleksandr Ginzburg in Kaluga. These three trials were designed to exert cruel and forceful pressure on the human rights movement in the Soviet Union, in particular, the movement for the observance of the humanitarian obligations undertaken by governments at Helsinki. These trials were calculated to morally discredit this movement and its participants.

Furthermore, each of these trials had its own special target:

— Shcharansky's trial was intended to foster a hysterical atmosphere of spy mania around the struggle for the right to emigration, and to intimidate its participants, especially Jews, with extreme measures of punishment;

— Viktoras Petkus' trial was intended to discredit the non-violent national liberation movement in the Baltic countries and to intimidate the entire population of these countries; and

— Ginzburg's trial was intended to slander the very concept of helping people persecuted by the government, political prisoners and their families, and as a threat both to those giving and receiving aid.

Anatoly Shcharansky is one of the most respected activists in the struggle for the right of Jews to emigrate to Israel and in general for the right to emigrate regardless of nationality, religious belief, etc. Along with charges of so-called "anti-Soviet agitation and propaganda", unfounded and absurd charges of espionage and treason were declared against Shcharansky. All this contrived to create a particularly tense atmosphere of hostility and suspicion. Reporting in the Soviet press, on radio and television, linked Shcharansky's trial to that of Filatov, accused of espionage and sentenced to be shot. Filatov, however, has no connection either to Shcharansky or to the human rights movement.

The severity of the espionage charges against Shcharansky is untenable in the face of the absurd and vague evidence against him. In general, the episodes incriminating him are not illegal. The court paid undue attention to such trivial questions as, for example, whether or not Shcharansky's marriage is valid under Judaic law. The two main episodes incriminating Shcharansky in espionage were his compiling a list of "refuseniks"—people who have long been attempting to emigrate and have been refused permission— and sending this list abroad, and a certain secret questionnaire, of which Shcharansky learned only after his arrest. The accusation against Shcharansky is based entirely on the evidence of the provocateurs Lipavsky and Tspinin. Their false testimony the court held to be more convincing than the reliable public statements by President Carter that Shcharansky had no connection at all with the CIA. In his speech, the procurator could not present any proof of the crimes attributed to Shcharansky. The court repeatedly mentioned that Shcharansky had met with foreign correspondents, American senators, Congressmen, and other prominent people—all absolutely legal meetings. The attempt to use such meetings for these charges completely contradicts both the letter and spirit of the Helsinki Final Act.

Shcharansky's trial is a contemporary version of the Dreyfus trial. The difference is that Dreyfus had real possibilities for defense, something which Shcharansky completely lacks. More than anything, Shcharansky's criminal trial is a blow at the emigration movement, especially the Jewish part of this movement; it is also yet another attempt to discredit the Jewish people as a whole.

Viktoras Petkus is a well-known participant in the Lithuanian Catholic Youth Movement, for which he spent 16 years in imprisonment. He is a figure of undisputable moral authority. Along with charges of "anti-Soviet agitation and propaganda", and the creation of an "anti-Soviet organization", Petkus faced charges of homosexuality and the corruption of minors. The only witness for the last two charges was a soldier who, appearing in court under guard, testified that V. Petkus supposedly had seduced him in 1973. In view of the intensive surveillance of Petkus from the moment he was released from camp, it is obvious that if such an episode had ever really occurred, Petkus would have been arrested on purely criminal charges five years ago.

Obviously, the main purpose of this trial was to discredit the peaceful national liberation movement in Lithuania, Latvia, and Estonia. Dissidents from each of these republics were summoned to testify at the trial in order to create the proper effect and atmosphere, and to threaten repressive measures for all participants and sympathizers in this movement. Most of these people did not, in fact, testify.

During the trial of **Aleksandr Ginzburg**, the court devoted much time and attention to slandering the character of the defendant, other "dissidents"—mostly political prisoners—and former prisoners of conscience. Aleksandr Ginzburg, a former prisoner of conscience, has spent seven years in detention in strict regimen camps and prison for his attempts to exercise freedom of speech and the press. He is a well-known highly-respected Soviet human rights activist, and administrator of the Public Fund for the Aid of Political Prisoners and their Families established by Nobel Prize for Literature Laureate, Solzhenitsyn. In this latter capacity, Ginzburg had distributed material assistance over the last few years before his most recent arrest.

Ginzburg was formally charged under the article on "anti-Soviet agitation and propaganda". For this purpose, the court had as its major witness a certain Gradoboyev, a man with a record of 12 years in camps for such crimes as theft, forgery of documents and pornography. The court spent several hours listening to the moral pronouncements of Gradoboyev, the alcoholic Ivanov, and a degraded and frightened artist from Tarusa, Khvoshchev. The procurator and judge wanted to know whether women had ever visited Ginzburg's house, how many beds were in his room, etc. The false testimony of a certain Lavashov that "Ginzburg was unemployed" could easily have been discredited by available documents. Nevertheless, this accusation was repeated in the list of formal charges against Ginzburg. We appeal to governments and the heads of all signatory states of the Helsinki Final Act to demand that the Soviet Union fulfill the obligations it voluntarily undertook at Helsinki.

We thank all those who have come to the defense of Anatoly Shcharansky, Aleksandr Ginzburg, Viktoras Petkus, Yuri Orlov, and other human rights activists who are already sentenced or who are under arrest and awaiting trial. We ask that you not slacken your efforts in their defense.

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Source:

Text from U. S. Congress, Commission on Security and Cooperation in Europe. **Reports of Helsinki Accord Monitors in the Soviet Union.** Vol. III (Nov. 7, 1978), pp. 92-95.

On the Situation of Lithuanian Former Political Prisoners

Some political prisoners who have returned to Lithuania are facing a difficult situation. An entire complex system of discrimination has been created against the prisoners who have served their terms. Having acquainted ourselves with the documentation and statements, we have established the following:

1. Some of the political prisoners released from Soviet prisons and camps have been so far categorically denied the right to return to their homeland, Lithuania (Vytautas Slapšinskas returned in 1977 after a 25-year term), although they have not been punished with deportation or with other restrictions of civil rights (Stepas Bubulas, Kostas Buknys, Antanas Deksnys, Alfonsas Gaidys, Algirdas Gasiūnas, Robertas Indrikas, Antanas Jankauskas, Jonas Karalius, Leonas Lebeda, Kostas Lakšas, Juozas Mikailionis, Aleksas Mosteika, Petras Paltarokas, Povilas Pečiulaitis, Vytautas Petrušaitis, Albinas Rašytinis, Vincas Saliokas, Vytautas Slapšinskas, Jonas Sarkanais, Vladas Vaitiekūnas, et al). They are exiled without trial, only by administrative order.

2. Some of the returnees refuse to obey the order ("order"—because jurists maintain that such a law does not exist, and therefore they cannot defend these people's rights) and refuse to leave Lithuania. Such individuals must arm themselves with patience, cool nerves, perseverance, and strong will. In some cases, the administration, having tried various penalties and trials, finally allows them to register officially. In other cases, permission to register is refused. They do not deport the stubborn individual, they simply adjust themselves to the accomplished fact. That is what happened on April 20th of this year to arrested Balys Gajauskas, who had lived in Kaunas for four years without having been duly registered. Povilas Pečiulaitis was allowed to register in Kaunas, then his registration was cancelled and he was showered with monetary fines for not being registered. On May 20, 1975, he was sentenced to one year in a strict regime camp. After he had served his term, the authorities again refused to have him registered in Lithuania or outside its limits . . .

3. Sometimes, after permission has been granted for residence in Lithuania, the administration changes its mind after a prolonged time, annuls the registration, and the person is expelled from Lithuania (Leonas Lebeda, Kostas Lakšas, Povilas Pečiulaitis, and others); Kazys Katkus, for instance, had his registration annulled in Plungė in 1975 after having lived there for ten years upon his return from camp.

4. Soviet administration sometimes likes to play cat-and-mouse. Juozas Tribušauskas, for instance, returned to his native Panevėžys and lived there for several years, but was then expelled from Lithuania. He took up residence in Latvia and a few years later was again allowed to return to Panevėžys.

5. These individuals, deported without trial and without any definite term, do not know when they can return home. Everything depends on the whims of the administration since one cannot say that nobody is allowed to return. For example, the priests Petras Jasas, Antanas Mitrikas, Kazimieras Vaičionis, Kazimieras Vasiliauskas, and others were kept in Latvia for over ten years; later they were allowed to return to their native country. Thus, exiled people do not know when they will be able to return to Lithuania.

6. Similarly, people who have never been sentenced have been deported nevertheless. Thus, the Apostolic administrators of the archdiocese of Vilnius and of the diocese of Kaišiadorys, Bishops Julijonas Steponavičius and Vincentas Sladkevičius remain in exile for almost twenty years. It is true they were exiled to the border areas of Lithuania, not outside its limits. Archbishop Teofilis Matulionis and Bishop Pranciškus Ramanauskas died in such exile after having been released from prisons and camps.

7. Those exiled are usually fathers and heads of families. The entire family moves to the place of exile. There, the problem of finding schools that teach Lithuanian is very important. At one time, the Lithuanian deportees in Siberia were forbidden to have Lithuanian schools, although they did not lack qualified teachers who were also exiles. For the same reasons, all the efforts of Lithuanians in East Prussia (now the Kaliningrad area) to establish Lithuanian schools for their children collapsed.

In this manner the Soviet administration of Lithuania disregards the international obligations of the USSR, because it exiles both former political prisoners and citizens who have not been tried at all, wherever, whenever, and for whatever term it wishes to, and the deportee's family ends up in exile together with him.

Sources:

1. Statement
2. Application
3. Reply to USSR Ministers' Council
4. Statement (in Russian)
5. Certificate No. 049912 (in Russian)
6. Certificate No. 045589 (in Russian)
7. Certificate No. 094225 (in Russian)
8. Certificate of Form No. 15 (in Russian)
9. Check of Form No. 20 (in Russian)

June 14, 1977

(Signed):

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Source:

Text from U. S. Congress, Commission on Security and Cooperation in Europe. **Reports of Helsinki Accord Monitors in the Soviet Union**. Vol. III (Nov. 7, 1978), pp. 165-66.

* KAROLIS GARUCKAS (1908-1979) was educated in Lithuania and Western Europe. In 1941 he was ordained priest. Garuckas was a member of the Lithuanian Jesuit province. After the Soviets closed down monastic orders, he worked as a parish priest in the Archdiocese of Vilnius. His last parish was Ceikiniai, located northeast from the city of Vilnius. Deported to Siberia like many of his generation he returned in spirit unbowed to the Kremlin. Prominent among Lithuanian Catholic dissidents he supported petitions for freedom of religion and other Catholic activities, and in 1976 became a founding member of the Lithuanian group to monitor Helsinki agreements. He died of cancer in April, 1979.