

POLITICAL PRISONERS LANGUISH UNDER GORBACHEV

Below is a document released by the MRP-AEG (The Estonian Group for the Disclosure of the Molotov-Ribbentrop Pact). That is the same group that organized the 1987 Hirve Park demonstration. They write about two long-suffering Estonian political prisoners.

Mart Niklus and Enn Tarto – Hostages of Soviet Foreign Policy?

"Freedom for Mart Niklus!", "Freedom for Enn Tarto!" - - These were some of the concise demands appearing on the placards at Hirve Park on August 23, 1987. Some other well-known Estonian political prisoners had been released earlier in the year, and those who wished could participate in the rally as free citizens. But why not Tarto and Niklus?

At a press conference in Washington, Mikhail Gorbachev implied that the question of political prisoners in the U.S.S.R. is virtually solved, and that there is no longer any actual reason to make an issue of it. Allegedly, only about twenty individuals are still imprisoned in accordance with the two articles of the Criminal Code which have caused the most indignation in the free world. We know that Niklus and Tarto are among these prisoners. But why just them?

The authorities have responded curtly to the petitions of their families: the prisoners have rightly been found guilty; there is no premise for changing their sentences.

However, in private conversations, the authorities have expressed a different opinion, saying that no political decision has been made about their release. This sounds quite plausible, but is very saddening. Their suffering counts for nothing. What counts is political expediency. Neither the spirit nor the letter of the law has any importance. If their release should prove to be expedient, then the judicial organs will give it the appearance of being in accordance with the law ... just like they gave a legal appearance to the imprisonment of Niklus and Tarto when that was deemed expedient. This gives rise to some nasty questions: What if it becomes politically expedient to never release them? Or what if it suddenly becomes expedient to send others to join them?

We mentioned suffering. A prisoner's life is full of suffering. The physical suffering of Niklus and Tarto is presumably no greater than that of other prisoners in special regime camps. Above all, this means poor food, vitamin deficiencies, shortage of medicines, poor medical care, and lack of fresh air, light and activity. The forms of mental torture are particularly severe. They include authorities who are hostile to intellectual interests and malicious down to the smallest detail. But the worst part is the nearly total isolation from the outside world (which, by the way, is absolutely illegal according to the Codes). Figuratively speaking, the prisoners are buried alive. They receive only a few of the letters mailed to them; the rest disappear. Foreign mail does not reach them at all. Of the few letters they write (they are permitted to write one letter per month), some disappear without a trace; others may take up to six months to reach their destination. The list of things which may not be written about seems endless. Some of their letters never reaching their destinations have often been seen in the hands of KGB workers.

And so the tactics of the pre-Gorbachev era continue, trying to prevent the smallest message from leaking out of the political prisoners' camps, so the world can forget they exist at all. What makes it even more ridiculous is the fact that scores of former prisoners now in the West have described

these camps and their conditions in such detail, that the world knows not only the names of camp personnel, but also about their nicknames, looks, and personality quirks.

During the last ten years, the article outlining anti-Soviet agitation and propaganda (E.S.S.R. Criminal Code, § 68) has not been applied very often in the courts. With the spread of global protest against political trials in the U.S.S.R., the authorities have tried more often to punish objectionable individuals by working outside the judicial system or by invoking any other article which was more or less appropriate. In order to be sentenced in accordance with § 68, the person had to be rather well-known, could not be too young, and had to limit himself to the written or spoken word as his means of protest. He also must have consciously avoided breaking the law. Niklus and Tarto, as men already seasoned in political prison, knew well what they were threatened with. For this reason, they avoided breaking the law in any way with their social activism, limiting themselves to peaceful and truthful words. They were undoubtedly unhappy with events in our homeland, as we all were. But they committed no crimes and broke no laws; they were not guilty. Of course the authorities dislike them, but the fact that someone doesn't like another person's looks or opinions does not constitute a crime. The decision to imprison them was purely political, one which the KGB investigators, procuracy investigators and the E.S.S.R. Supreme Court obediently rushed to obey. Among the other secret political trials of the last ten years, there has not been a single one in which the defendants were not confronted with accusations about some activity, about the duplication or circulation of something, about calling on people to do something. But this was the case with Niklus and Tarto. Their only witnesses had been intimidated into giving tendentious or false testimony. Their words taken out of context were labeled "defamatory slander." Perhaps this is the reason that Niklus and Tarto cannot be released now - - because their trials are so embarrassing to the ones who organized them.

A system of true justice includes the tenet that every law which repeals or lightens a sentence is always retroactive, i.e. if a once-punishable action becomes permissible, then all those who are being punished for that action must be released immediately. Right now we are surrounded by articles in every newspaper and magazine, and speeches and programs on television and radio, in which the facts are ten times more condemning and the criticism ten times sharper than Tarto and Niklus ever dared to express. Their "defamatory slander" pales before that which is currently published in the Voice of the People or Estonian Communist. The grains of truth that they dared to express are insignificant within the current context of permissiveness in free speech. Why are they still imprisoned?

Some rather peculiar things happened to both men this year - - to Mart Niklus in the spring and to Enn Tarto in the summer. They were taken out of their camps, fed and pampered for a month, and flown with special escorts to Tallinn. Up to this point, these events are not unusual. Many political prisoners over the entire U.S.S.R. received similar treatment this year. This sequence of events was followed by lengthy discussions (often lasting several months) with the KGB, to work out a certain mutual understanding and to define the character and limits of the prisoner's future social activities. The discussions usually ended with the signing of a more or less compromising document, and finally, release from prison or departure from the U.S.S.R.

But no serious discussions were held with Tarto or Niklus. During their month's stay in Tallinn's Patarei (Battery) prison, they were presented with formal proposals suggesting that they recant their former activities and publicly discredit themselves. The proposals were put together in such a way as to make them obviously and utterly unacceptable. Niklus and Tarto were left in peace and not disturbed again for the remainder of their prescribed one-month term in Patarei, when they were transported back to the camps like regular prisoners in a prison rail car.

What was the purpose of all this? Did Moscow receive reports about several weeks' worth of intense negotiations to reach a compromise with the prisoners, but... it can't be helped, these prisoners are so stubborn that it's impossible to reach any kind of compromise with them...? Who was fooling and deceiving whom? Was the Estonian KGB deceiving the Party leadership? Or was the Estonian Party leadership deceiving the Moscow Politburo? Or was the KGB deceiving the Politburo? Or were all of them deceiving themselves?

Presumably the authorities realize that the names of Niklus and Tarto are widely known among the Estonian people, although only a few know them personally. Also, Tarto and Niklus have great moral authority. There are few men who have spent their lives daring to stand openly, boldly and peacefully for their unwavering beliefs. Do some Party leaders fear them as potential political rivals? Or are they plagued by a collective guilt for the injustice done to Niklus and Tarto? Perhaps one of them has an unconquerable personal dislike for Tarto and Niklus? This isn't statesmanlike, but it is humanly understandable.

Why, then, are they not allowed to go abroad, like many others have? Niklus endeavored to do so even before his arrest, and Tarto is probably weary enough of his torments as well.

The Hirve Park placards demanding freedom for Niklus and Tarto were symbolic of more than the fate of just two persons. The current status and eventual fate of these two men have a great deal which is symbolic, essential and significant for all of us and our future.

Their continued imprisonment indicates that arbitrariness has not been condemned in practice, that the law is being abused, and that decisions are made according to personal whim. It shows that individuals may be used as pawns in foreign policy dealings or set up as examples for intimidation at home. It indicates that the procuracy and courts are not independent establishments of justice, but political lackeys. It indicates that there have been no irreversible changes in the direction of justice and democracy. How can we possibly believe in the other aspects of *perestroika*?

For the Estonian people, Niklus and Tarto have become tangible criteria for the evaluation of the seriousness of *perestroika*. Other peoples of the U.S.S.R. apparently have their own analogous touchstones.

Freedom for Enn Tarto and Mart Niklus! May their freedom bring all of us freedom, faith in the future and decisiveness in action!

-- from MRP-AEG

(the Estonian Group for the Disclosure
of the Molotov-Ribbentrop Pact)