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LETTERS TO THE SOVIET AUTHORITIES

A Handbook of Advice for AI Groups

AMNESTY INTERNATIONAL
International Secretariat
1 Easton Street
London WC1X 8DJ
United Kingdom



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****N.B. Since the present text was finalized, a new draft Constitution has been made public by the Soviet legislative authorities and is expected to become law in the near future.

In composing addresses of Soviets below the Union Republic level you should use the new formulation: *Sovet Narodnikh Deputatov* (Soviet of People's Deputies).

For the human rights' provisions of the Draft Constitution see appendix 3.

SECTION I: GENERAL GUIDELINES FOR LETTERS

You should write regularly to party and governmental authorities and other official bodies competent to deal with petitions and inquiries. This should be done even if, as is usual, you receive no official replies. You must work from the premise that you are already helping the prisoner if it is known in the Soviet Union that the case is known to Amnesty International and is being observed. Therefore in every letter you should give the significant details known to you and refer as accurately as possible to relevant laws and articles of the Constitution.

Letters should be written in thoroughly correct style; they should be polite and without any sort of aggressiveness. It is appropriate to mention the ratification by the USSR in September 1973 of the International Covenants of 19 December 1966 on Economic, Social and Cultural Rights and on Civil and Political Rights which represent a realization in treaty form of the Universal Declaration of Human Rights of 1948 (for which the USSR did not vote).

The leaflet in Russian containing the aims of Amnesty International and the articles of the Declaration of Human Rights on which our work is based should be enclosed especially when you are dealing with more remote locations and the lower levels of the authorities which may never previously have received letters from Amnesty International. In accordance with the advice given in *How to Free Your Prisoner*, letters to the Soviet governmental authorities and other official bodies should, in principle, be written on paper with Amnesty International letterhead. It is advisable, however, for members of groups to write also on a personal basis, especially when they can do this in their capacity as members of a specific occupational group. You should also try to find scientists, writers, artists, business leaders, trade unionists, churchmen, doctors, psychiatrists, etc., who are willing to write or sign a letter.

Obviously the specifics of your adoption (or investigation) case will help determine to which authorities you should write and where the emphasis of your intervention should lie. There are several general principles by which you should be guided:

(1) Soviet prisoners of conscience are always imprisoned through legal mechanisms and institutions. Therefore you should always be sure to write to the appropriate legal authorities. This is even more important when, as very often happens, officials themselves have violated legal norms during the case against your prisoner. One function of your letters in such cases is to try to persuade Soviet legal authorities to correct the violations of Soviet law which have been committed against your prisoner, which would in many cases result in his release from imprisonment. Procurators and higher courts are especially important in this respect.

(2) With regard to most prisoners of conscience in the USSR, AI is concerned about their conditions of detention. Since the Ministry of Internal Affairs is responsible for the custody of virtually all prisoners, you should regularly correspond to the Internal Affairs authorities. The Procurators and Supervisory Commissions have responsibility to ensure that prisoners are well-treated within the framework of Soviet law, and you should attempt always to persuade them to exercise this responsibility to the benefit of your prisoner.

(3) You should write both to local officials and to central political and administrative leaders. It is important to write to central officials (Mr Brezhnev and Mr Kosygin, for example) both to draw their attention to prisoners of conscience and to inform them of AI's broad and fundamental concerns, which may not always be of direct relevance to local or specialized officials. But it is equally important to write regularly to local officials because it is they who make most decisions in a prisoner's case and they must be shown at the very least that their actions in a given case have caused concern. It is quite simple to learn where to address your letters to local officials, even if you do not have precise names and street addresses.

(4) While all letters should show awareness of Soviet legal norms and of the fact that these are meant to be binding on Soviet authorities, at the same time AI's fundamental principles should come through: people should not be imprisoned for non-violent exercise of their rights of conscience (and the Soviet authorities have formally recognized this principle by signing a number of international instruments to that effect) and prisoners should never be mistreated. In some letters

you may find it advisable not to emphasize these fundamental principles, but rather to focus on benevolent Soviet legal norms or on violations of Soviet law committed against your prisoner. In other letters you may wish to focus on the contradictions between a particular action by a Soviet authority or a particular Soviet law and the principles of the Universal Declaration of Human Rights or the International Covenant on Civil and Political Rights. The two approaches are not mutually exclusive.

(5) It is always worthwhile to keep the USSR embassy in your country informed of your concern and activities, and to try to enlist the embassy's co-operation in your efforts.

(6) Like many governments, the Soviet government habitually does not formally reply to letters of concern about prisoners of conscience. It is worth repeating that this should never deter persistent letter-writing.

The following suggestions for letters make no claims to exclusivity and must at all times be carefully examined by the groups with regard to their usefulness for their prisoner cases. Further possibilities for letters can and should be discovered by the groups for their particular cases. You should always ensure however that requests are only addressed to the relevant bodies and that questions are framed with regard to the competence of the body concerned. Never forget to ask for an answer.

Occasionally it may be useful to enclose with your letters newspaper cuttings concerning your prisoner. However this means of attracting the attention of the authorities to the prisoner should only be used with care and after consideration. It is important that the cutting should come from a reputable newspaper and that its content should exclude polemical generalizations and commentaries. It is particularly useful to send newspaper cuttings to people who are directly concerned with the prisoner: the director of a camp, the head doctor of a psychiatric hospital, etc. It is advisable to photocopy one appropriate article and send it repeatedly. In cases of doubt you should check with the co-ordination group.

The nature of the data in the case sheet, and the information with which perhaps you yourself in the course of time can supplement it, will determine which authorities you should address yourself to. A thorough analysis of the case sheet with the assistance of the information in this booklet are prerequisite for your work.

N.B. If you have queries and areas of doubt, please bring these to the attention of the USSR co-ordination group in your national section.

SECTION II: LANGUAGE

It is obviously better to write all letters in Russian. This is especially true of the lower levels of the authorities and for more remote locations. In our experience, however, very few groups are connected with people who write perfect Russian. Often, the assistance of an acquaintance equipped with a highly unsatisfactory knowledge of Russian is accepted by a group in good faith without any possibility of checking the result. The consequences can be letters which contain errors in the most relevant terminology, wrong addresses and in the worst cases unsuitable or even damaging contents. It is better to use English if you can not be certain that the translation is correct in all significant points.

In addition, the composition of a Russian letter presents so much difficulty and involves so much time for most groups that they write far too seldom to the appropriate authorities. Frequency of correspondence has priority. Knowledge of English is fairly widespread among officials in the Soviet Union today.

However, the groups should naturally try to find someone who can translate Russian reliably or at least to find some way of checking a doubtful translator at the beginning.

The Slavonic departments of universities offer one possibility for this. Usually it is possible to find linguists who sympathize with the intention of Amnesty International to help prisoners of conscience in the USSR. Get hold of the addresses of lecturers, ask them for assistance and find out the names of other people who know Russian well.

SECTION III: TELEPHONE CALLS AND TELEGRAMS

One method of intervening for your prisoner which so far has been too little used by groups is telephone calls. The same is true to a lesser extent of telegrams.

If you are doubtful as to whether the person whom you wish to telephone speaks English (or another language at your command) it is better to find someone who is reliable and who knows Russian well, to acquaint him with the details of the case and to let him conduct the conversation in the name of Amnesty International. Experience has shown that it is particularly useful to speak to people who have direct contact with the prisoner or detailed knowledge of his case, for example the head doctor of a psychiatric hospital or the director of a prison or camp.

It is especially useful to telephone or to send telegrams when the prisoner is in a critical situation (illness, hunger strike, etc.), but certainly not only then.

SECTION IV: SPECIAL METHODS OF SENDING LETTERS

If the sender wishes to be informed of delivery, he or she may register the letters and obtain an advice of delivery form for a small extra charge. The sender will then receive information from the post office of delivery that the letter has been delivered on a card which accompanies the letter.

In addition, the sender can demand that the letter is delivered to the addressee in person ("deliver to addressee only"). This is possible only when the addressee is a private individual, rather than an official or an office. This service is available in the USA but not in Britain, France, Canada or Australia. Since it is an optional service you will have to check whether it is available in your country.

Apart from the basic postal charge (air mail letters from European countries are forwarded to the whole of the Soviet Union without a surcharge) there is an additional charge to be paid for registration, advice of delivery and "deliver to addressee only" at the time of posting.

These so-called special methods of posting are regulated for both senders and postal administrations by the Universal Postal Convention (UPC) to which all postal administrations belonging to the Universal Postal Union (UPU) are subject. The UPU, founded in 1874, became a UN specialized agency in 1947 and as of 1970 included 143 countries. The UPC contains regulations about the organization and operation of all postal services which upon ratification became domestic law in all member countries.

For these special methods of posting it is necessary to mark the left-hand side of the face of the envelope with one of the following directions in very clear writing in French, the official language of the UPU:

Registered - *Recommandé*
 Advice of Delivery - *Avis de réception*
 Deliver to addressee only - *A remettre en main propre*

It is also permitted to write similar directions in the language of the country of origin; in the case of the direction "deliver to addressee only" it is sufficient to employ the language of the country of destination, i.e. Russian. In general, it is recommended that the other directions also be written in Russian whenever possible as this facilitates transmission.

In Russian they are:

Registered - *Зарегистрированное*
 Advice of delivery - *Уведомление о получении*
 Deliver to addressee only - *Вручить в собственноручном приеме*

At the time of posting you must complete a certificate of posting with the address of the recipient (this constitutes a receipt) and a return card. This is a pink postcard with a text in the language of origin and French. On the face side the sender must write his address clearly in Roman letters. The reverse side is completed by the accepting clerk. If the address of the recipient is given in Russian (which is permitted by the UPC) you are advised to write this yourself on the reverse side. The postal clerk affixes the return card firmly to the letter.

If the return card is to be sent back by air (there is no surcharge for this between European countries and the Soviet Union), the clearly-written direction "*Renvoi par avion*" and an air mail sticker must be added.

The return card will be completed at the post office responsible for delivery and sent back directly to the sender.

Inquiries about delay or loss

If the return card has not been sent back to the sender within about four weeks, the sender can apply (through the post office from which the letter was sent) for an inquiry to be made. For this purpose you must complete a form (UPC C 9) clearly in block capitals and append:

- 1) The original certificate of posting
- 2) A duplicate of the return card marked "*duplicata de l'avis de réception*" and
- 3) a copy of the address of the recipient and all directions for posting.

These papers are transmitted to the postal administration of the country of destination which then states that the delivery has been made or that it cannot be shown to have been made. In the latter case they empower the administration of the country of origin to repay the expenses of the sender.

If they do not reply within five months, the postal administration of the country of origin is authorized by the UPU to compensate the sender at the expense of the administration of the country of destination, at the latest six months after the inquiry has been made. In addition, the post office of origin gives the sender a form for a formal application for compensation which is to be returned on completion. The compensation rate for a lost registered letter is fixed at 40 Gold Francs by the PUC. This figure is not based on the material value of the letter. It corresponds rather to the interest of the sender in securing proper delivery: it is a form of compensation for expense, time and trouble. Apart from this the sender has a claim for the return of all charges which he incurred at the time of posting.

An inquiry for a letter registered and with advice of delivery is free of charge even if it turns out that the letter was properly delivered.

The group should decide, in the light of its financial situation, to send a proportion of its letters to the Soviet Union registered with the advice of delivery, especially letters to lower levels of the authorities (eg camp administrations, village soviets, hospital administrations). This method of posting is also recommended for letters whose composition has taken a lot of hard work, for example in obtaining an important signature.

SECTION V: RUSSIAN PERSONAL NAMES

All Russians have three names. Examples are Vladimir Ilyich Lenin, Anna Andreyevna Akhmatova. The first name is a forename and the third is the family name. Masculine family names ending in -ov, -ev, -in and -ky correspond to the feminine forms ending in -ova, -eva, -ina and -kaya.

Family names of non-Russian origin (which sound different) have the same ending for men and for women. In this case, those ending in a consonant (eg Pasternak, Mandelshtam) are declined exactly like Russian ones. Those ending in a vowel remain unchanged in all cases (for example the Ukrainian names ending in -enko and the Georgian ones ending in -e and -i).

Look out for the ending where the Russian name belongs to a woman. Only masculine forms are employed for posts or titles (for example Minister, Chairman etc.).

The second name is always the patronymic. It is based on the first name of the person's father. In men it ends in -ich and in women in -ovna or -evna. Lenin's father was called Ilya so Lenin's patronymic was Ilyich. From Anna Andreyevna Akhmatova's name we can tell that her father was called Andrei.

SECTION VI: FORMS OF ADDRESSES

The name and title of an addressee is always in the dative case in Russian (the name only insofar as it is declinable, see above).

Dative forms of the family name:

Masculine	-ov : -ovu	Examples: Nekrasov	- Nekrasovu
	-ev : -evu	Fadeyev	- Fadeyevu
	-in : -inu	Yesenin	- Yeseninu
	-ky : -komu	Mayakovsky	- Mayakovskomu
	-y : -omu	Bely	- Belomu
consonant	: -u	Marx	- Marxu
vowel	-ko : -ko	Shevchenko	- Shevchenko
Feminine	-ova : -ovoy	Chekhova	- Chekhovoy
	-eva : -evoy	Turgeneva	- Turgenevoy
	-ina : -inoy	Repina	- Repinoy
	-kaya : -koy	Krupskaya	- Krupskoy
consonant	: no change	Pasternak	- Pasternak
vowel	: no change	Pailodze	- Pailodze

In addition to the family name we should both forename *and* patronymic, either in full or as initials. You may write out all three names, or only the forename and family name, or you may write out the family name and the initials of the forename and patronymic. You should never give the forename in full and then the initial of the patronymic. (Eg. Leonid I. Brezhnev is not acceptable. Leonid Ilyich Brezhnev and Leonid Brezhnev are acceptable and so are L. Brezhnev and L.I. Brezhnev.) In general only initials and family name are known to us. In the Soviet Union it is customary in addresses to put the forename and patronymic behind the family name but this is not binding on us.

In the event that there is some doubt about the name of the addressee (for example if he may no longer hold the particular office) it is better to leave it out than risk making a mistake about it. In this case you should write to the addressee mentioning only his official capacity (eg "Chairman", or "Director").

The following people are addressed with the title 'Your Excellency' ('His Excellency' in addresses):

The Chairman of the Presidium of the Supreme Soviet of the USSR
 The Chairman of the Council of Ministers of the USSR (who is often loosely referred to abroad as the "Premier")
 The General Secretary of the Central Committee of the CPSU
 The Ambassadors of the USSR

In many cases we do not know the exact addresses of particular Soviet authorities but we do know the location of their office. One has simply to discover which town or city is concerned (eg the capital of a Union Republic, the centre of a region, etc.). One has then got an adequate address. (See in this connection the Appendix listing capitals and administrative centres.) For example, if you wish to write to the procurator of a particular Region, you need simply address your letter:

USSR
 (name of Union Republic)
 (name of Region)
 (name of the Region's centre)
 Regional Procurator's Office
 To the Procurator

When describing the function of the addressee in the address it is recommended not to employ abbreviations. Write: *Ministru Yustitsii Armyanskoy SSR* and not: *ArmSSR*. *RSFSR* and *SSSR* are exceptions to this rule

In the USSR one writes 'g' in lower case before the name of a town or city to indicate straightaway to the post office that it is a town. ('g' is the accepted abbreviation for *gorod* - 'city'.)

It is not mandatory to write the addresses of Soviet authorities in Cyrillic letters. Letters addressed in the Roman alphabet are also delivered. Always write 'USSR' (or the equivalent in your language to this English abbreviation) clearly on the envelope for the benefit of your own country's postal service, whose employees may not recognize 'SSSR' as the Soviet Union. However, the address should be in Russian (transliterated in the Latin alphabet if not in Cyrillic) using the Russian forms of geographical nomenclature. This is especially true for the lower levels of the authorities. This is not necessary on letters to the political leadership of the USSR and the Union Republics. Whoever can write perfectly in Russian should naturally do so but you are advised not simply to copy down Cyrillic letters. In any event, it is recommended to arrange the address in the sequence customary in the USSR:

Sample Address

SSSR
 g. Moskva
 Kreml
 Yego Prevoskhoditelstvu
 Predsedatelyu Prezidiuma Verkhovnogo Soveta SSSR
 Leonidu Ilyichu Brezhnevu

In English this would be:-

USSR
 Moscow
 Kremlin
 His Excellency
 The Chairman of the Presidium of the Supreme Soviet of the USSR
 Leonid Ilyich Brezhnev

NB THE ADDRESSES GIVEN AT THE END OF EACH SECTION OF THIS HANDBOOK ARE INTENDED AS EXAMPLES. TO SAVE SPACE 'USSR', THE REPUBLIC, THE CITY AND THE STREET WILL NOT BE REPEATED IN THE ENGLISH VERSION OF EVERY SAMPLE ADDRESS.

SECTION VII: ADMINISTRATIVE DIVISIONS OF THE USSR

The *central* authority in the USSR is at the All-Union (USSR) level. Immediately below that level come the 15 *Union Republics*. Ten of the Union Republics are divided into *intermediate* territorial units: Regions, Territories, ASSR's, Autonomous Regions and National Areas. These in turn are divided into *local* units called Districts, Towns and Urban Districts. (These local units are in many cases further divided into *sub-local* units: villages, micro-Districts, etc., but as a rule you need not write letters to these lowest levels.)

Most organs of state power are represented at each of these levels. Thus, there is a USSR Procurator's Office, every Union Republic has a Procurator's Office, every intermediate unit has a Procurator's Office (that is, every Region, Territory, ASSR, National Area, Autonomous Region) and every District or Town has a Procurator's Office. Another example is the CPSU. Its central unit is the Central Committee in Moscow. Each Union Republic Communist Party has a Central

Committee. Subordinate to these are the Party Committees of the intermediate levels, and subordinate to the latter are the District and Town Party Committees. The same manner of division applies to the State authorities (which run from the USSR Supreme Soviet down through all the levels to the District and Town Soviets, the MVD and the courts. (One exception is that the largest Union Republic, the RSFSR, has no Union Republic MVD.)

The USSR institutions generally have the authority to influence and reverse decisions made by institutions of any of the Union Republics. Each Union Republic in turn can overturn decisions made by the institutions of the intermediate level (the Regions, Territories, ASSR's, etc.) within its area. The institutions at the intermediate level likewise have authority to influence, check and overturn decisions made by institutions at the local level within their area.

This does not mean that intermediate and local units do not exercise considerable discretion and autonomy in decision-making regarding prisoners of conscience. Often the most important decisions in the case of a prisoner of conscience are made at a low level. However, the principle that higher and more central institutions have the capacity to alter decisions made by lower units within their jurisdiction provides one of the main avenues for trying to help prisoners. For example, if a District Procurator has brought criminal charges against a prisoner of conscience, AI should not only attempt to persuade that Procurator to change his decision but should also appeal to the Procurator of the intermediate level (for example a Region) in which the District is located to intervene against the local Procurator's original decision. We would ask the Union Republic's Procurator and the USSR Procurator General to do likewise.

1. Union Republics

There are 15 Union Republics, each with its own Communist Party, Supreme Soviet, Council of Ministers, various ministries, Procurator's Office and other institutions.

2. Intermediate Divisions

For historical, ethnic and political reasons the intermediate divisions of the Soviet Union are rather complicated. It is vital to

attain a clear conception of them if you want to write to the authorities at all levels, or even to write to the correct authority at any level.

The divisions of the 15 Union Republics are quite varied. In the relatively small republics of Lithuania, Latvia, Estonia, Moldavia, and Armenia there are no intermediate sub-divisions, only local branches of the Union Republic-level administrative authorities. In the other 10 Republics you must be aware of the following intermediate divisions:

20 Autonomous Republics (ASSR):

16 in the RSFSR, 2 in the Georgian SSR, one each in the Azerbaidzhan SSR and Uzbek SSR.

120 Regions (oblast):

There are Regions in the RSFSR, the Ukrainian SSR, Belorussian SSR, Uzbek SSR, Kazakh SSR, Kirgiz SSR and Turkmen SSR.

6 Territories (krai):

These are all in the RSFSR. Within these administrative divisions there are Autonomous Regions and National Areas.

15 capital Cities of the Republics, and the cities of Leningrad and Sevastopol:

These metropolises are directly subordinate to the Union Republic in which they are located.

8 Autonomous Regions (avtonomnaya oblast):

5 in the RSFSR, one in the Georgian SSR, one in the Tadzhik SSR.

10 National Areas

All in the RSFSR. (They are units within Territories and Regions.)

3. Local Divisions

Local sub-divisions are the same in all Union Republics.

Districts (raion):

The highest unit of local administration; rural District with either a town, a large village or an urban settlement as District centre. Subordinated to the Region, Territory ASSR, etc. in which they are located.

Towns (Gorod):

Those with 12,000 to 50,000 residents are subordinated to the District, the larger ones are independent of the Districts and subordinated to the Regional, Territorial, etc. authorities.

Urban Districts (gorodskoy raion):

Sub-divisions of large cities with more than 100,000 inhabitants.

Urban settlements (posyolok):

These have less than 12,000 inhabitants; workers' settlements, residential settlements and spas (holiday resorts), which are subordinated to the District authorities.

Villages (selo):

Rural communities, which (with rare exceptions) are subordinated to a District.

In the following publications, all the administrative units (in the case of the RSFSR, all the way down to the village soviets) are listed by name with all the necessary indices: *RSFSR Administrativno-territorialnoye deleniye* and *SSSR: Administrativno-territorialnoye deleniye soyuznikh respublik*, Izvestiya Press, Moscow. A new edition of each of these books is published periodically (in Russian only). *Remember:* The administrative sub-divisions of the USSR are much simpler than they look.

The most common pattern is the following: there are a number of

Districts in a *Region* or *Territory*, and there are a number of *Regions* or *Territories* in a *Union Republic*, and there are 15 *Union Republics* in the *USSR*. In other words, there are four levels to which you might want to write on a particular issue.

The pattern varies in that sometimes parts of the area covered by a *Territory* are administered by additional bodies called *Autonomous Regions* and *National Areas*, and sometimes a *Union Republic* has for part of its area sub-divisions called *ASSR's*. In such cases there is an alternative or an extra level of responsibility to which you could write.

On the other hand, there is no intermediate level (*Region*, *Territory*, *ASSR*, *Autonomous Region* or *National Area*) in five *Union Republics*: *Lithuania*, *Latvia*, *Estonia*, *Moldavia* and *Armenia*, and so there is one less level there.

The variations at the local level are generally not so important to you. Sometimes a *District* is a sub-division of a *City*, and so is directly subordinate to the *City*, which in turn is subordinate to the *Region* (or *Territory* or *ASSR*, etc.).

Seventeen cities (the *capitals of all the Union Republics and Leningrad and Sevastopol*) are directly subordinate to the *Union Republic* rather than to the *Region* or *Territory* within which they exist. Sometimes the basic sub-division is a *Town* (rather than a *District*).

If you have difficulties in calculating the location of a particular authority, or in constructing the address, please consult your *USSR* co-ordination group.

SECTION VIII: LETTERS TO THE PRESIDIA OF SUPREME SOVIETS

Each *Union Republic* (like the *USSR* at the federal level) has a *Supreme Soviet* as its highest legislative body. Each *Supreme Soviet* has as its executive body a *Presidium* (which in the case of the *USSR* *Supreme Soviet* has 37 members). The *Chairman of the Presidium of the USSR Supreme Soviet* (L.I. Brezhnev, as of July 1977) is formally the

head of state of the USSR. All interventions should normally be sent to the chairman of the Presidium of the given Supreme Soviet.

The Presidium of a Supreme Soviet exercises the right of pardon (*pamilovaniye*). Whether the Presidium of the Supreme Soviet of the USSR or of a Union Republic is competent depends on whether the case was heard by a court of the Union or a court of a Union Republic.

As a rule, the case is tried by a court of a Union Republic (see below, Section XIII, the Court System of the USSR). In that case the Presidium of the Supreme Soviet of the Union Republic concerned is competent to grant pardon. In a very few cases which always become known, the sentence is handed down by a court of the Union. Then the Presidium of the Supreme Soviet of the USSR is competent to grant pardon. Even if you do not know which court tried your prisoner, you can embark from the premise that it was a court of the Union Republic.

The Autonomous Republics (ASSR) are subordinated to the jurisdiction of the Union Republic to which they belong. So requests for pardon for prisoners who were tried in an ASSR should be directed to the Chairman of the Supreme Soviet of the relevant Union Republic.

Write to

The Chairman of the Presidium of the relevant Supreme Soviet by name and ask for clemency on humanitarian grounds. (Take care not to confuse 'grant pardon' with 'grant an amnesty'. An amnesty - *amnistiya* - always involves a defined category of prisoners, where-as pardon can be granted to individual prisoners.)

Wherever possible give any details which argue for pardon, for example poor health, advanced age, large family, sincerity of the prisoner's belief that he had acted in accordance with the Soviet constitution, etc.

In addition, even in cases which have been tried by a court of a Union Republic, you can write to the Chairman of the Presidium of the Supreme Soviet of the USSR with the request that he should

intervene in favour of the granting of pardon for the prisoner. This should be done at least in the case of prominent prisoners whose imprisonment must be known to the leadership and whose cases have general significance.

Sample Address

Armyanskaya SSR
g. Yerevan
Predsedatelyu Prezidiuma Verkhovnogo Soveta Armyanskoy SSR
N. Kh. Arutyunyanu

(To the Chairman of the Presidium of the Supreme Soviet of the Armenian SSR Mr N. Kh. Arutyunyan)

SECTION IX LETTERS TO SOVIETS OF WORKERS' DEPUTIES

According to the Constitution of the USSR, the Soviets (councils) of Workers' Deputies are the local organs of executive power. The Executive Committee (*ispolkom*) of each Soviet forms the *permanent administration* of the administrative area concerned, and is subordinated to the Executive Committee of the Soviet of the next higher administrative unit.

It is essential to distinguish among the following levels of Soviets of Workers' Deputies:

- The Soviet of Workers' Deputies of each Region (*oblast*), Territory (*krai*), Autonomous Region (*avtonomnaya oblast*), and National Area (*natsionalny okrug*). The seat is in the centre of the Region, Territory etc.
- The Soviet of Workers' Deputies of each City which is directly subordinated to the Union Republic (15 Union Republic capitals and Leningrad and Sevastopol). The seat is in the City concerned.
- The Soviet of Workers' Deputies of each District (*raion*). The seat is in the District centre.
- The Soviet of Workers' Deputies of Towns with more than 50,000 inhabitants, which are not subordinated to the District (*raion*).

The seat is in the Town.

- The Soviet of Workers' Deputies of Towns with up to 50,000 inhabitants, which are subordinated to the District (*raion*).
The seat is in the Town.

- The Soviet of Workers' Deputies of Urban Settlements (*posyelkovy sovety*).
The seat is in the Urban Settlement.

- The Soviet of Workers' Deputies of Villages (*sel'sky sovety*).
Sometimes several small villages are grouped together.
The seat is in the Village.

Write to

The Chairman of the Executive Committee of the appropriate Soviet of Workers' Deputies, in particular the Soviet of the place of residence of your prisoner prior to his arrest. Bring the case to their attention, and ask especially for information and support for your petitions with other authorities. If you do not know the exact place of your prisoner's residence write if possible to a soviet at a higher level: for example at the Regional level.

Take into account that the function of the Chairman of the Executive Committee (*ispolkom*) of a Town or Village Soviet corresponds to that of a mayor in the USA or in continental Europe. This can help you in composing your letter.

Sample Addresses

RSFSR
Omskaya oblast
Oktyabrsky raion
s. Pervomaisky
Predsedatelyu Ispolkoma
Selskogo soveta deputatov trudyashchikhsya

(Omsk Region
Oktyabrsky District
Pervomaisky Village
To the Chairman of the
Executive Committee of the Village Soviet of Workers' Deputies)

Uzbezkaya SSR
g. Fergana
Predsedatelyu Ispolkoma
Oblastnogo soveta deputatov trudyashchikhsya
(To the Chairman of the Executive Committee
of the Regional Soviet of Workers' Deputies)

SECTION X: LETTERS TO THE CHAIRMEN OF COUNCILS OF MINISTERS

According to the 1936 Soviet Constitution, the Council of Ministers of the USSR is the highest organizing and executive organ of the state power of the Soviet Union. The Councils of Ministers of the Union Republics are the corresponding organs in the Union Republics. This means that the Chairman of the Council of Ministers is head of the government (Prime Minister).

The Autonomous Soviet Socialist Republics (ASSR) have their own councils of ministers but they are subordinate to the Councils of Ministers of the Union Republics in whose territory they lie.

The Chairmen of Councils of Ministers can exert their influence over particular ministers, including ministers who are of interest for our work, such as the Minister of Internal Affairs, the Minister of Justice and the Minister of Health. As heads of government they can intervene on behalf of prisoners in general terms. This is especially so for the current Chairman of the Council of Ministers of the USSR, A.N. Kosygin, who is also a member of the Politburo of the Central Committee of the CPSU.

Write to

The Chairman of the Council of Ministers of the Union Republic in which your prisoner lived before his arrest and urge him to intervene with the ministers to whom you have already directed pleas on behalf of your prisoner. Or ask him directly to intervene for the release of your prisoner. You may also write to the Chairman of the Council of Ministers of an ASSR if your prisoner's normal place of residence is in an ASSR.

Write to the Chairman of the Council of Ministers of the USSR and ask him to intervene for the release of your prisoner or for the most urgent improvements in his conditions of imprisonment.

Sample Address

g .Moskva
Kreml
Yego Prevoskhoditelstvu
Predsedatelyu Soveta Ministrov SSSR
A.N.Kosyginu

(To his Excellency
The Chairman of the Council of Ministers of the USSR
Mr Alexei Nikolayevich Kosygin)

SECTION XI: LETTERS TO THE LEADERSHIP OF THE COMMUNIST PARTY

As its name implies, only the Communist Party of the whole Union is called the CPSU (Communist Party of the Soviet Union). Each of the 15 Union Republics *except the RSFSR* has a republican Communist Party, named accordingly: eg the CP of the Lithuanian SSR or the CP of Lithuania. However, the republic Communist Parties should be regarded as subordinate organizations of the CPSU for the Union Republics. The CPSU has a strongly centralized organization.

The RSFSR does not have its own party. All party functions for the RSFSR are exercised by the central organs of the CPSU.

According to article 126 of the 1936 USSR Constitution, the CPSU is the 'vanguard' of all social and state organizations. Thus it follows that in all cases and in all spheres one can write to the party leadership with the request that they influence this or that official body in the desired manner, or that they intervene directly for the release of a prisoner or against his ill treatment.

Write to

The highest level (All-Union) - to the Politburo of the Central Committee (CC) of the CPSU or by name to the General Secretary of the Central Committee of the CPSU

The highest level (Union Republics)

- to the Buro of the Central Committee of the CP of the Union Republic or by name to the First Secretary of the CC of the CP of the Union Republic, resident in the capital of the Republic.

The Regional level

- to the Buro of the Regional Committee (*Obkom*) of the CP, or the Buro of the Territorial Committee (*kraikom*) of the CP, or by name to the First Secretary of these committees, resident in regional/territorial centres.

The local level

- to the Buro or First Secretary of the District Committee (*raikom*) of the CP, resident in the District centre.

- to the Buro or First Secretary of the City Committee (*gorkom*) of the CP.

Important

The Leningrad City Committee (*gorkom*) is subordinated to the Leningrad Regional Committee (*obkom*). The Moscow City Committee (*gorkom*) is not subordinate to the Moscow Regional Committee (*obkom*).

Sample Addresses

Moskva
Kreml
Yego Prevoskhoditelstvu
Generalnomu Sekretaryu Tsk KPSS
Leonidu Ilyichu Brezhnevu

(To His Excellency
The General Secretary of the Central Committee
of the Communist Party of the Soviet Union
Mr Leonid Ilyich Brezhnev)

RSFSR

g. Krasnoyarsk
Pervomu sekretaryu kraikoma KPSS

(To the First Secretary of the Kraikom of the CPSU)

Kirgizskaya SSR

g. Frunze
Pervomu gorkoma KP Kirgizskaya SSR

(To the Bureau of the City Committee (Frunze)
of the CP of the Kirgiz SSR)

SECTION XII: LETTERS TO THE PROCURATORS (PROKURORY)

1. Cases under Preliminary Investigation by the Authorities

Article 19 of the All-Union Statute on Remand in Custody of
1 November 1969 states:

"The duty of ensuring the observance of
law in places of preliminary confinement
shall be exercised by the Procurator-
General of the USSR and the procurators
subordinate to him under the legislation
on the supervisory powers of the
Procurator's Office in the USSR."

The Procurator (*Prokuror*) is responsible for every single case from
the beginning to the end of the pre-trial investigation, irrespect-
ive of which organ is conducting the investigation. He can transfer
the case to another investigative organ, end a case or order the
release of the accused.

In article 126 of the Code of Criminal Procedure (UPK) of the
RSFSR¹ it is clearly indicated which types of crime can be in-
vestigated by the Procuracy, the Committee of State Security
(KGB) or the Ministry of Internal Affairs (MVD). The KGB can conduct
the investigation into offences under only some articles of the
Criminal Code of the RSFSR, of which the following are of special
interest to Amnesty International: Articles 64-70, 72 and 83.
The MVD can conduct the investigation into offences under several
articles, of which articles 162 (paragraph 2) and 206 are of impor-
tance to AI. Several articles under which adopted prisoners are
often sentenced are NOT amongst those which the KGB or MVD are em-
powered to investigate: Articles 190-1, 190-3, 142 and 227. In
the Code of Criminal Procedure of each Union Republic there is an
article corresponding to article 126 restricting the access of
security organs to only specified types of cases.

When the case is tried in court, the Procurator prosecutes on
behalf of the State. During this stage he has a dual function,
since he is both accuser and protector of the rights of the acc-
used.

Write to

The relevant Procurator (that is, All-Union, Union Republic,
Territory, Region, City or District) mentioning your concern for
your prisoner and ask, according to the content of the case:

- For information about the grounds for arrest and detention.
- For information as to whether the suspect has a lawyer and
whether he is able to communicate with his lawyer.
- For the release of the arrested person, since, as far as you
know, he or she has been arrested for the exercise of one of
the rights guaranteed by the Soviet Constitution (freedom

1. The RSFSR Criminal Code and Code of Criminal Procedure are cited
in this hand-book because they are more readily available in trans-
lation than the similar codes of the other Union Republics, though
the numbering of the articles varies. If you are writing about a
case in a Union Republic other than the RSFSR you may refer to the
article in the Republic's code which is "equivalent to" the part-
icular article in the RSFSR code.

to demonstrate, freedom of expression, freedom of religious observance) and by such international instruments as the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and proclaimed in the Final Act of the Conference on Security and Co-operation in Europe.

- If your prisoner has not yet been tried, draw attention to the fact that according to Soviet law the accused must be handed over to the court within nine months of being detained.
- If you have reason to believe that the KGB or MVD have been concerned with the investigation of a case, despite the provisions of the law, mention this to the Procurator.

Remember: there is a Procurator's Office at every administrative level from the district level upwards. Try always to write to the Procurator's Office of the level at which your prisoner was tried and to all procurators upwards from there. If your prisoner was tried in a District People's Court, write to the District Procurator's Office, and also to the Regional (or Territorial, ASSR, etc.) Procurator's Office, the Union Republic Procurator's Office and the USSR Procurator-General. If your prisoner was tried at the Regional (or Territorial or ASSR, etc.) level, start from that level. (Or if your prisoner was tried in a District People's Court but you know only the name of the Region/Territory, ASSR, etc. but not the name of the District, start at the level you do know of.) Every Procurator's Office has the responsibility and the authority to supervise and where necessary correct decisions made at judicial instances below it, so you should try to influence not only the lowest relevant Procurator's Office but also the higher ones.

2. Cases during the Serving of Sentence

a) Concerning the verdict and sentence

In his capacity as protector of the rights of the accused, the Procurator can file an *appeal* or a *protest* against any court judgment which, in his view, involves violation of the legal rights of the accused person.

The filing of an appeal (*Kassatsionaya Zhaloba*) must take place within

seven days, while a protest (*protest*) on behalf of the prisoner may be made at any time after the sentence has come into force. Therefore your letters can normally be useful only for *the making of a protest*. (See more details in this connection in Section XV below, 'Judicial supervision'.)

Write to

The Procurator of the Union Republic/Region/City/District in which your prisoner was tried and ask, according to the details of the case:

- That he enter a protest against your prisoner's sentence, since your prisoner's constitutional rights have been violated by the sentence.
- That he reconsider the case with a view to seeing whether other grounds exist for a protest to be made.
- For information about the actions for which the condemned prisoner was prosecuted, the place of detention, etc.
- For support for your plea for clemency to the relevant Supreme Soviet (correctly named!). In this connection state humanitarian grounds not merely in a general way but in detail, eg illness, age, the large family of the prisoner, his sincerity in believing that he acted in accordance with the Soviet Constitution, his good work record, etc.

b) Concerning the Conditions of Serving of Sentence

According to article 10 of the Fundamentals of Corrective Labour Legislation of the Soviet Union and of the Union Republics of 1969 the serving of sentence comes under the "supreme supervision" of the Procuracy. The Procurator is responsible for ensuring that the conditions of sentence established by law and by the court's decision are adhered to and is obliged to prosecute under criminal law anyone who violates these conditions.

The Procurator has to ensure that the maintenance of prisoners in the corrective labour institutions within his area (eg his Republic, ASSR, Region, District, etc.) correspond to the demands of the law, that no illegal disciplinary punishments are used, etc. He is supposed to visit the corrective labour institutions regularly, to

check on their treatment and to release those who are unlawfully imprisoned.

Write to

The USSR Procurator-General, the Procurator of the Union Republic, the Procurator of the Region, ASSR, District, etc. where your prisoner is serving his sentence. Ask each to exercise his authority with the administration of the colony or prison so that your prisoner is not subjected to maltreatment or violation of Soviet law. In particular, inform the Procurator if you have heard that your prisoner has been punished for some petty offence, that he is being forced to work under bad conditions or when ill, that he is being harrassed, that his correspondence is being stopped, that he has been subjected to an illegality, etc.

Sample Addresses

g. Moskva
ul. Pushkinskaya 15a
Prokuratura SSSR
Generalnomu Prokuroru R.A.Rudenko

(Procuracy of the USSR
To the Procurator-General Mr R.A.Rudenko)

USSR
g. Kiev
Kreshchatik 2
Prokuratura Ukrainskoy SSR
Prokuroru F.M.Glukhu

(Procuracy of the Ukrainian SSR
To the Procurator Mr F.M.Glukhu)

RSFSR
g. Smolensk
Oblastnaya prokuratura
Prokuroru

(Procuracy of the Smolensk Region
To the Procurator)

RSFSR

g. Leningrad
ul. Belinskogo 13
Gorodskaya prokuratura
Prokuroru

(Procuracy of the City of Leningrad
To the Procurator)

SECTION XIII: THE COURT SYSTEM OF THE USSR

Supreme Court of the USSR The highest instance of the USSR

Supreme Court of a Union Republic The highest instance of the
Union Republic

Regional Courts, Supreme Courts: of the)
Autonomous Republics, Courts of)
the Autonomous Regions, Courts) intermediate level
of the Territories, Courts of)
the National Areas, City Courts)

District People's Courts and Town)
People's Courts) lower level

Since the court system corresponds to the administrative division, the courts of the intermediate level possess the corresponding titles. They all perform the same functions as a Regional Court however.

In a few small republics, (the Baltic republics, Armenia and Moldavia), the courts of the intermediate level do not exist. Their functions are therefore undertaken by the Supreme Courts.

All Military Tribunals (*Voyemye Tribunaly*) are subordinate to the Military Chamber of the USSR Supreme Court.

City Courts (*gorodskoy sud*) exist only in the RSFSR and in the Uzbek SSR.

Regional Courts (*oblastnoy sud*) exist in the RSFSR, in the Belorussian, Kazakh, Kirgiz, Turkmen, Ukrainian and Uzbek SSR's.

Territorial Courts (*krayevoy sud*) and courts of National Areas (*sud natsionalnogo okruga*) exist in the RSFSR.

Courts of an Autonomous Region exist in the RSFSR, the Tadzhik, Azerbaidzhan and Georgian SSR's.

People's Courts exist in every District (*raion*), in every city District and in every city which is not divided into districts. (In the present handbook the latter are referred to as "Towns".)

Competence of the Courts

According to article 36 of the Code of Criminal Procedure of the RSFSR offences against articles 64, 66-77, 79, 81 (paragraph 2), 84, 85 (paragraph 1), 86 87, 102, 152, 176-179, 189, 190, 190-1, 190-2, 190-3 of the Criminal Code of the RSFSR¹ are dealt with in the first instance by the courts of the intermediate level, while offences against all other articles are dealt with first in the People's Courts.

In those Union Republics which have no courts of the intermediate level (that is Lithuania, Latvia, Estonia, Moldavia, Armenia), the Criminal Code articles listed in article 36 of the RSFSR Code of Criminal Procedure must be tried in the first instance by the Supreme Court of that Union Republic.

A higher court has the right to hear in the first instance cases which are in the jurisdiction of a court below it. Normally, however, the above-described pattern is adhered to. Thus, most political cases are tried in intermediate-level courts (or in the Supreme Courts of the five above-named Union Republics) and most religious cases (articles 142 and 227 of the RSFSR Criminal Code) are tried in People's Courts.

1. NB. Articles 64, 70, 72, 190-1 and 190-3 have been frequently employed in political cases.

You should write if possible before your prisoner's trial to the chairman of the court which will try him. Remember: the court is obliged to make its judgements on the basis of Soviet law in its present form, and so your letters should be restricted to mentioning any illegalities AI sees in the case against your prisoner. For example, if you know that your prisoner has been charged with "anti-Soviet agitation and propaganda", you should ask the court to be especially thorough in examining whether the accused had "anti-Soviet" motives or whether he has "knowingly" circulated "slandorous falsehoods" about the USSR. (According to Soviet law, these two elements must be proved in court before a person can be convicted of "anti-Soviet agitation and propaganda", but Soviet courts regularly violate this norm.) If your prisoner has been held for more than 9 months prior to his trial, you should point out to the court that this is in violation of Soviet law. If your prisoner has had difficulty in obtaining the services of a lawyer of his own choice, you should draw the court's attention to this. It will not often be possible to write to the court before the trial, but it is worth attempting to do so.

You should also write to the chairman of the trial court after your prisoner has been sentenced. The court will not be able to reverse its verdict and sentence against your prisoner, but the court should know that its decision has been watched. Draw the court's attention to any illegalities which may have occurred in the case (for example a guilty verdict in an anti-Soviet agitation and propaganda case without the kinds of proofs mentioned above, your prisoner's difficulties in finding a lawyer, the closed nature of the trial - if the public was prevented from watching the trial). If the prisoner received an especially severe sentence (for example the maximum sentence allowed by the article under which he was convicted, or a sentence of more than 2 years) express concern that the court was not influenced by humanitarian considerations. You could also express AI's concern that the verdict and sentence against a prisoner of conscience is in violation of his constitutional rights of conscience and the human rights guaranteed to him in international agreements to which the USSR is party.

Sample Addresses

SSSR

Ukrainskaya SSR
 Vinnitskaya oblast
 g. Vinnitsa
 Oblastnoy Sud
 Predsedatelyu

(To Vinnitsa Regional Court
 To the Chairman)

SSSR

RSFSR

Tomskaya oblast
 Aleksandrovsky raion
 s. Aleksandrovskoye
 Rayonny Narodnoy Sud
 Predsedatelyu

(Alexandrovsky District People's Court
 To the Chairman)

SECTION XIV: LETTERS TO THE CHAIRMEN OF THE SUPREME COURTS

The Chairman of the Supreme Court of the USSR has the right to protest against a decision of the Supreme Court of a Union Republic which the latter has made in the capacity of court of first instance. The Chairman of the Supreme Court of a Union Republic has the right to protest against a decision of any court of the Union Republic. (For details see Section XV, on Letters concerning *Judicial Supervision*.)

Write to

The Chairman of the Supreme Court of the Union Republic in which your prisoner was convicted and ask him to protest against the verdict. State your grounds for this request according to the specific content of the case.

Ask the Chairman of the Supreme Court of the USSR to make a protest if your prisoner has been convicted in the first instance by the Supreme Court of a Union Republic. (This would be especially frequent among cases in Lithuania, Latvia, Estonia, Moldavia and Armenia.)

Sample Address

Ukrainskaya SSR
 g. Kiev
 Predsedatelyu Verkhovnogo Suda Ukrainskoy SSR
 A.N.Yakimenko

(To the Chairman of the Supreme Court of the Ukrainian SSR
 Mr A.N.Yakimenko)

SECTION XV: LETTERS CONCERNING "REVIEW BY WAY OF JUDICIAL SUPERVISION"

Review by Way of Judicial Supervision (*Perebmotr v poryadke sudebnogo nadaora*) is a legal means of reconsidering convictions. (This process is established in broad outline in the *Fundamentals of Criminal Procedure of the USSR and the Union Republics*, article 49. Refer to this when writing with regard to this method of reconsidering verdicts and sentences.) In contrast to the filing of an appeal, which must be done within seven days of the announcement of the sentence and which cannot therefore be considered as a useful opportunity for a letter from AI, review by way of judicial supervision can be introduced at any time after the coming into force of the sentence, even years later. Such a review is made by a higher court if a protest against the verdict or sentence is formally brought by an official authorized to do so. Only a Procurator or a Chairman of a Court (or his representative) can, within the terms of their competence, initiate a review by way of judicial supervision.

The Procurators of the intermediate levels (Regions, Territories, Cities, etc.) and the chairmen of the courts of the intermediate level are entitled to protest against the decision of a People's Court (ie a District People's Court or a City People's Court) within their geographical jurisdiction.

- The Procurator of a Union Republic and the Chairman of the Supreme Court of a Union Republic are entitled to protest against a decision of any court of the lower (People's Court) or intermediate level (Regional Courts, etc.).

- The Procurator-General of the USSR is entitled to protest against a decision of any court. The Chairman of the Supreme Court of the USSR is entitled to protest against a decision of the Supreme Court of a Union Republic in the latter's capacity as court of the first instance.

Petitions

Any of the above mentioned officials can bring a protest on his own initiative. However the law allows certain other bodies to petition them to bring such a protest. The following bodies or persons can petition the above mentioned officials to bring a protest leading to review by way of judicial supervision:

- the defence counsel in the case;
- public organizations and official bodies;
- People's Assessors (ie elected lay members of the court bench);
- Procurators at the lower level who do not themselves have the right to lodge a protest;
- private persons, including the convicted person.

Grounds for Vacating or Changing a Court Decision

When a higher court accepts a protest and conducts a *review by way of judicial supervision*, it may vacate or alter the court decision (eg the verdict or sentence) under protest if it judges that the protested decision was illegal or unfounded. The following forms of illegality and groundlessness are listed as grounds for vacating or altering the original court decision:

- (1) one-sidedness or incompleteness of the inquiry of the preliminary or judicial investigation;
- (2) lack of correspondence of the court's findings, set forth in the judgement, with the factual circumstances of the case;

- (3) substantial violation of the law on criminal procedure;
- (4) incorrect application of the criminal law;
- (5) lack of correspondence of the punishment assigned by the court with the gravity of the crime or the personality of the convicted person.

In virtually all AI cases one or another of the above grounds for review is present.

The case sheet and other materials in your particular case may indicate which of the above mentioned grounds for changing the verdict or sentence is available in your case. (In practice it is the fifth named ground that most often leads to a change being made by a higher court in the form of a reduction of sentence.)

Write to

The relevant Procurator or the relevant chairman of a court and in the name of AI ask him to protest against the sentence. Specify the grounds for your request. At the same time, ask him to suspend the application of the disputed sentence. A legal possibility for this exists (article 372 of the Code of Criminal Procedure of the RSFSR).

If your prisoner was tried in a People's Court (that is, at District or Town level), write to the Procurator, and the Chairman of the Court of the Region/Territory/ASSR etc., in which the district is located. You can also write to the Procurator and Court Chairman at higher levels, up to the Procurator-General of the USSR and (in cases tried in the first instance by the Supreme Court of a Union Republic) up to the Chairman of the Supreme Court of the USSR.

You can also write to other bodies asking that they use their right to petition procurators and court chairmen to lodge a protest. For example you could write to the CPSU committee of the district or region in which your prisoner lived prior to his arrest asking that it petition for a protest against the sentence. Likewise if your prisoner was a writer you could ask the Union of Writers of the USSR to petition for a protest. If he was an ordinary worker you could ask the All-Union Central Council for Trade Unions to intervene in this way.

SECTION XVI: LETTERS TO THE MINISTRIES OF INTERNAL AFFAIRS (MVD)

Article 5 of the Fundamentals of Corrective Labour Legislation of the USSR and the Union Republics states:

"Court sentences of deprivation of liberty, exile, restricted residence and corrective labour without deprivation of liberty shall be executed by corrective labour institutions and bodies of the Ministry of the Interior of the USSR and the Ministries of the Interior of the Union Republics.

Corrective labour institutions shall be organized and abolished by the Ministry of the Interior of the USSR and the Ministries of the Interior of the Union Republics."

The MVD of the USSR issues instructions and orders which, within the framework of the corrective labour legislation, regulate many aspects of conditions of imprisonment. Every Union Republic has its own MVD, which is tightly subordinate to the USSR MVD in Moscow. The exception is the RSFSR, which has no MVD. The functions of the MVD in the RSFSR are carried out directly by the USSR MVD. In short, all penal institutions in the USSR are subordinate to the USSR MVD.

Besides the Union Republic MVD's, another intermediate link between a given colony (camp) or prison and the USSR MVD is the Administration of Internal Affairs of the Executive Committee of the Region/Territory, etc. and District where the colony or prison is located. These are responsible for the immediate guidance of the operation of each colony and prison within the Region's territory.

The director and staff of each colony and prison are officials of the MVD: (There are also one or more KGB officials in most colonies.) They implement policy made by the USSR MVD but they are subject to a chain of responsibility which runs through the Administration of Internal Affairs of the District and Regional (Territorial, ASSR, etc.) Soviets' Executive Committees and then through the Union Republic MVD to and from the USSR MVD in Moscow.

It is important to write to each of these links in the chain of command through which colonies and prisons are administered. Although there are in the USSR laws governing penal conditions and the treatment of prisoners, prisoners' conditions are in large degree affected

by decisions taken at the discretion of the MVD organs. Thus, the USSR MVD can (and does) issue regulations which effectively make prison conditions better or worse. The MVD Administration at all lower levels is in a position to influence a colony or prison administration regarding the treatment of a particular prisoner. The director of a colony or prison is responsible for the day-to-day running of the institution, and his "small" decisions can be decisive for prisoners' well-being.

Write to

The USSR Ministry of Internal Affairs in Moscow and, if your prisoner is imprisoned in a Union Republic other than the RSFSR, to the MVD of that Republic.

If you know the location of the colony or prison where your prisoner is being held, you should also write to the Administration of Internal Affairs of the Executive Committee of the Regional (Territorial or ASSR, etc.) Soviet and the District Soviet.

Remember: when you write to MVD officials the most appropriate subject for your concern is the conditions of imprisonment of your prisoner. The essential purpose of your letters to these officials is to let them know of your interest in the prisoner and your awareness of any difficulties he or she may be having: ill health, confinement to a punishment cell, cancellation of visiting or correspondence rights, difficult working conditions, confrontation with the officials resulting in a hunger strike, inadequate medical treatment, etc. If you have information on some difficulty your prisoner is having, you should always mention it. You should state your concern at this reported situation both because of humanitarian considerations and because you (and AI) consider that the person should not be imprisoned at all. You should inquire as to the prisoner's particular problem and about his situation in general. If your prisoner appears to be chronically ill, ask the MVD authorities at every level to take steps to obtain his release under article 100 of the RSFSR Corrective Labour Code (or its equivalent in other Union Republics), which allows for the early release of seriously ill prisoners. (See the AI report *Prisoners of Conscience in the USSR: Their Treatment and Conditions*, pages 68-69 in the English-Language edition.)

Sample Addresses

SSSR

g. Moskva 103009
 ul. Ogareva 6
 MVD SSSR
 Ministru, N.A.Shchelokovu

(To the USSR Minister of Internal Affairs
 Mr N.A.Shchelokov)

RSFSR

g. Perm
 Ispolkom Oblastnogo Soveta
 Upravleniye Vnutrennikh Del
 Nachalniku

(To the Director
 Administration of Internal Affairs of the Executive Committee of
 the Perm Regional Soviet)

RSFSR

Mordovskaya ASSR
 g. Saransk
 Sovet Ministrov Mordovskoy ASSR
 Upravleniye Vnutrennikh Del
 Nachalniku

(Council of Ministers of the Mordovian ASSR
 Administration of Internal Affairs
 To the Director)

Within the USSR MVD the office in charge of administering correct-
 ive labour institutions (colonies and prisons) is the Chief Administ-
 ration of Corrective Labour Institutions. (In Russian this is
 Glavnoye Upravleniye Ispravitelno-Trudovovikh Uchrezhdenii - GUITU.)

Write to this office on any of the matters about which you would
 write to the MVD. The address is:

SSSR
 g. Moskva
 Bolshaya Bronnaya, d.3
 Glavnoye Upravleniye ITU
 Nachalniku (To the Director)

SECTION XVII: LETTERS TO THE ADMINISTRATIONS OF CORRECTIVE
LABOUR INSTITUTIONS

Colonies (camps) and prisons where prisoners serve their sentences are known in the USSR as "corrective labour institutions" ("ITU" is the Russian acronym). While prisoners of conscience usually use the term "camp" instead of the official term "colony" *koloniya*, it is advisable to use the latter phrase or else ITU (*ispravitelno-trudovoye uchrezhdeniye* - corrective labour institution) in your correspondence. The Russian word for a "prison" where persons serve sentences is *tyurma*. The leading official in each is the *Nachalnik* (Director, or Commandant). There is also a staff of administrative officials responsible to the Director for various aspects of operating the institution: prisoners' work, medical services, education, security, etc.

If the Director of a Soviet colony or prison were to reply to your letters, he would (like similar officials in most countries) probably tell you that he only carries out the instructions given by the law and by the responsible authorities in the government. However the administration in the colony or prison can have a decisive influence on the circumstances of all or any of the prisoners. Much of what happens in a colony or prison depends on the attitudes and behaviour of the Director and staff. The MVD traditionally has a hostile attitude towards political prisoners. This attitude is made worse when the political prisoners engage in confrontation with the MVD officials of the colony or prison: the guards, the administrators, etc. There have been numerous reports of guards' harrasing prisoners, refusing to respond to calls for a doctor or even beating prisoners. It is one of the Director's main tasks to prevent this happening. He has the authority to ensure that an ill prisoner is exempted from compulsory work until he recovers. He has the authority to recommend or order that a prisoner be punished in various ways for "disciplinary offences", or to award "incentive measures". He has the authority to recommend that a prisoner be given parole, or that he be released on the grounds that his health is so poor as to make pointless any further serving of sentence.

In short, it is worth writing to the Director of your prisoner's colony or prison on any issue concerning his or her conditions of detention.

Write to

The Director of the colony or prison where your prisoner is held. The general guidelines for such letters are the same as those for letters to the MVD's and Regional MVD Administrations (see above). If you know of any disciplinary punishment which has been imposed on your prisoner, inquire as to the circumstances in which it was imposed, and state your concern that other prisoners known to AI have been frequently punished for petty offences or for expressing their opinions while serving sentence. Especially if your prisoner is ill, ask that he or she not be subjected to punishments which may be dangerous to his or her health, such as confinement to a punishment cell. Soviet prisoners have very limited rights to correspond or receive visits, and if your prisoner has been deprived of his right to a letter or a parcel or a visit this should be a subject of complaint by you. If your prisoner is reported to be in ill health, inquire as to whether he is still required to work, as to the type of medical treatment he is receiving, and as to whether he has been given a diet compatible with his recovery. Ask whether your prisoner is being allowed to do work which is compatible with his skills and training.

The above suggestions are only typical ones. Your case may give rise to other subjects for inquiry. It is generally a good rule to make inquiries rather than complaints. However you will of course exercise discretion and vary your letters according to the nature of the subject, the reliability of your information and the seriousness of the problem with which you are dealing.

In some cases AI does not possess information on the specific circumstances of a particular prisoner, even though we know the colony or prison in which he is being held. This makes for a

"forgotten prisoner". Your letters to the Director on such cases may be especially important, even though they may be more difficult to compose. In such cases your letters will obviously be more in terms of general inquiries about the prisoner's situation and as to whether he is still in the particular colony or prison to which you are writing.

It is also worthwhile mentioning the subject of parole (remission) in your letters to the Director of the colony or prison if your prisoner has served one half of his or her sentence. In Soviet law parole is referred to as "conditional release from punishment before expiry of sentence" (*uslovno-dosrochnoye osvobozhdeniye*) and may be granted for good behaviour only to prisoners who have served at least one half of their sentence. The Director is competent to recommend a prisoner for parole. Normally political prisoners are not given parole, either because they are regarded as "especially dangerous" or because during imprisonment they do not show "good conduct" in the official sense of the phrase. Persons convicted of "anti-Soviet agitation and propaganda" or "treason" are not legally eligible for parole. Nonetheless in 1974 and 1975 a number of religious prisoners were released early on parole, and this may serve as an encouraging sign. Since parole is one of the few possibilities offered for early release of prisoners by Soviet law, you should regularly ask the Director what steps are being taken towards the parole of your prisoner, and urge that he give favourable consideration to recommending the prisoner for early release.

Soviet prisons and colonies always have institutional addresses consisting of at least two letters of the Russian alphabet and several numbers. In addresses this designation is preceded by the phrase "uchr", which is the abbreviation for "*uchrezhdeniye*": Russian for "institution". Thus, the three colonies in the complex of colonies in Perm Region are known as uchr. VS 389/35, uchr. VS 389/36 and uchr. VS 389/37. Usually if we know the institutional designation of a colony or prison we also know the name of the District and Region (or ASSR, Territory, etc.) in which the colony or prison is located.

If we do not know the address of a prisoner's colony or prison, send your letters to the MVD authorities in the Union Republic in which he was tried and to the USSR MVD.

Sample Addresses

Mordovskaya ASSR
Zubovo-Polyansky raion
pos. Sosnovka (or pos. Ozerny or pos. Lesnoy)
uchr. ZhKh 385/1 (or 385/17 or 385/19)
Nachalniku

(uchr. ZhKh 385/1 [or 385/17 or 385/19]
To the Director)

For a prisoner in Vladimir Prison:

RSFSR
600020 Vladimir
uchr. OD-1/ST-2
Nachalniku, Podpolkovniku Ugodinu

(Vladimir
uchr. OD-1/ST-2
To the Director, Lt. Col. Ugodin)

SECTION XVIII: LETTERS TO THE SUPERVISORY COMMISSIONS

The Supervisory Commissions for Corrective Labour Institutions (*Nablyudatel'naya Kommissia ITU*) are organs of social control attached to the Executive Committee of the Soviet of Workers' Deputies of every administrative unit in whose territory there is a corrective labour institution. Usually the chairman is a member of the Executive Committee, and the members of the commission are representatives of various social organizations and worker' collectives.

In accordance with a decree of the Presidium of the Supreme Soviet of the RSFSR of 30 September 1965, there is a Supervisory Commission attached to the Executive Committee of the Soviet of every District (*raion*) and town not divided into districts which has a colony or prison in its territory. These local Supervisory

Commissions stand in direct contact with the corrective labour institutions. That is, each corrective labour institution is subject to the attention of the Supervisory Commission of the District (or town not divided into districts) in which the institution is located.

The Supervisory Commission is described in law as an organ of public supervision of the operation of corrective labour institutions. A commission is authorized to visit a prison or colony, speak with prisoners, hear prisoners' complaints, observe all operations within the prison or colony, see files, etc. It can make recommendations regarding prisoners' work, discipline, education, and other matters. It can complain to governmental authorities if it finds that prisoners are maltreated or treated too leniently. It is intended in law to represent public opinion and to give public opinion a chance to observe and influence penal conditions and the treatment and correction of offenders.

The Supervisory Commission also has important rights regarding the early release of prisoners (or persons in exile). It has the right to lodge a petition for a prisoner to be pardoned (by the Presidium of the Supreme Soviet of the Union Republic in which he was tried or by the USSR Supreme Soviet). It can (together with the prison or colony administration or, in cases of exile, with the District Soviet Executive Committee) apply to a court for a prisoner to be released on parole, or for the remaining part of his sentence to be reduced, or for him to be transferred to a milder regime or a milder type of institution (eg from prison to a colony).

Supervisory Commissions do not have executive or decision-making authority, but they do have rights of recommendation and complaint. Thus, the Supervisory Commission has, in law, considerable opportunities to ease the situation of prisoners (or to do the opposite).

You should write to the Supervisory Commissions, because apart from the Procuracy they are the organs with greatest *legal* power to

prevent abuses against prisoners by the penal administrators.

Write

In cases where the place of imprisonment (or exile) of the prisoner is known, write appeals to the respective Supervisory Commission of the Soviet of Workers' Deputies. Urge the Supervisory Commission to check on allegations of bad treatment, to give favourable consideration to recommending your prisoner for parole, etc. Also urge that they recommend the transfer of your prisoner to a milder form of imprisonment.

Sample Addresses

For a prisoner in Khasan District (District centre: Kraskino) in Primorsky Territory:

SSSR
RSFSR
Primorsky krai
Khasansky raion
pgt. Kraskino
Nablyudatel'naya Kommissiya ITU
pri ispolkome raisoveta deputatov trudyashchikhsya
Predsedatelyu

(To the Supervisory Commission for Corrective Labour Institutions under the Executive Committee of the District Soviet of Workers' Deputies)

For a prisoner in Shepetovsky District (District centre: Shepetovka) in Khmel'nitsky Region in the Ukrainian SSR:

SSR
Ukrainskaya SSR
Khmel'nitskaya oblast
Shepetovsky raion
g. Shepetovka
Nablyudatel'naya Kommissiya ITU
pri ispolkome raisoveta deputatov trudyashchikhsya
Predsedatelyu

NB One issue about which you should write to the MVD, the colony or prison administration and the Supervisory Commission is the regime of imprisonment of your prisoner. Prisoners serve their sentence in one of the following regimes, which are listed here starting with the mildest and finishing with the most severe: exile, ordinary regime colony, reinforced regime colony, strict regime colony, special regime colony, ordinary regime in prison, strict regime in prison. Although a court passing sentence decided the type of regime under which a prisoner shall serve his sentence, each of the above-mentioned levels of authority can recommend that he be transferred from one regime to another, either as punishment or as reward. You should ask each of these institutions to recommend that your prisoner be transferred to a better regime than the one he is on.

SECTION XIX: ADDRESSES OF LOCAL AUTHORITIES RELEVANT TO PRISONERS IN PERM, MORDOVIA AND VLADIMIR

The Research Department supplies adoption groups with the addresses of the Perm and Mordovian colonies and Vladimir Prison. However in addition to writing to the administrations of the colonies and the prison you should write to the relevant intermediate-level and local-level Procurators, Administrations of Internal Affairs and Supervisory Commissions.

For Prisoners in Perm Region

You can write to the *Regional* Procurator's Office or Administration of Internal Affairs at the following address:

SSSR
RSFSR
Permskaya oblast
g. Perm
(name of office and title of official to whom you are writing)

To write to the Procurator's Office, Administration of Internal Affairs and Supervisory Commission of the *District* in which the Perm colonies are located you will encounter an administrative peculiarity. The Perm colonies are all located in Chusovskoy

District, and so you would expect to have to write to the Supervisory Commission and to the District Administration of Internal Affairs at the Executive Committee of the Chusovskoy District Soviet, in Chusovoy, the centre of the District. However no District Soviet has been formed for Chusovoy District as a whole (perhaps because it has a very small population). Instead, administrative responsibilities for Chusovskoy District are exercised by the Chusovoy City Soviet's Executive Committee. Therefore for any prisoner in Perm you would write to the Supervisory Commission for Corrective Labour Institutions under the Executive Committee of the Chusovoy City Soviet. The address in Russian:

RSFSR

Permskaya oblast

g. Chusovoy

Nablyudatel'naya kommissiya ITU

pri ispolkome gorsoveta trudyashchikhsya

Predsedatelyu (To the Chairman)

(Similarly, if you wanted to write to the local Administration of Internal Affairs you would write to *Upravleniye Vnutrennikh Del* at the above address.)

To write to the District Procurator, you would use the normal pattern of address:

SSSR

RSFSR

Permskaya oblast

Chusovskoy raion

Chusovoy

Kaionnaya Prokuratura

Prokuroru

(Chusovoy District Procurator's Office

To the Procurator)

For Prisoners in Mordovian ASSR

You can write to the Mordovian ASSR Procurator's Office and Administration of Internal Affairs in Saransk, the ASSR's capital city,

at the following address:

SSSR

RSFSR

Mordovskaya ASSR

g. Saransk

(name of office and title of official to whom you are writing)

The colonies themselves are located in different Districts. Colonies ZhKh 385/1, /17 and /19 are located in Zubovo-Polyansky District, the centre of which is an Urban Settlement (pgt.) named Zubovo Polyana. So for prisoners in those colonies you should write to the District Procurator, Administration of Internal Affairs and Supervisory Commission at the following address:

SSSR

RSFSR

Mordovskaya ASSR

Zubovo-Polyansky raion

pgt. Zubovo-Polyana

(name of office and title of official to whom you are writing)

Colony ZhKh 385/3 is in Tengushevsky District, the centre of which is a village (s.) named Tengushevo. Therefore you should write to the District authorities at the following address:

SSSR

RSFSR

Mordovskaya ASSR

Tengushevsky raion

s. Tengushevo

For Prisoners in Vladimir Prison

Vladimir Prison is located in the city by the same name. Vladimir is sub-divided into Urban Districts, and Vladimir Prison is in Frunzensky Urban District. To write to the District Procurator, Administration of Internal Affairs and Supervisory Commission you should use the following address:

SSSR
RSFSR
Vladimirskaya oblast
Frunzensky raion
(name of office and title of official to whom you are writing)

To write to the Regional authorities use the same address but omit "Frunzensky raion" from the address.

SECTION XX: LETTERS TO THE MINISTER OF JUSTICE

The Ministries of Justice are not directly concerned with the enforcement of the law, but they do have indirect means of intervention and influence.

Write to

The Minister of Justice of the Union Republic in which your prisoner was sentenced.

Ask him to ensure that your prisoner has full benefit of defence counsel of his own choosing.

If your prisoner is in detention under investigation, ask the Minister to intervene in favour of your prisoner's release and the ending of judicial actions against him.

Write in the same sense to the USSR Minister of Justice.

Sample Addresses

g. Moskva
Ministru Yustitsii SSSR
V.I. Terebilovu

(To the Minister of Justice of the USSR
Mr V.I.Terebilov)

Belorusskaya SSR
g. Minsk
Ministru Yustitsii Belorusskoy SSR
N.E. Zavchenko

(To the Minister of Justice of the Belorussian SSR
Mr N.E. Zavchenko)

SECTION XXI: LETTERS TO THE COLLEGES OF ADVOCATES
('KOLLEGIYA ADVOKATOV') AND TO DEFENCE COUNSEL

The legal position and the professional organization of Soviet lawyers are laid down by the Statute on the Advocacy enacted by each Union Republic. (The RSFSR Statute was enacted in 1962, and is similar to the other Republics' Statutes on the Advocacy.)

Under this legislation, the legal profession is under the administration of the USSR Ministry of Justice. Every practising lawyer is a member of a College of Advocates. A College of Advocates is like a Bar association. There are Colleges of Advocates (with their offices in the respective capitals or centres):

- of the Union Republics without regional sub-divisions (ie Lithuania, Latvia, Estonia, Moldavia, Armenia);
- of the Autonomous Republics (ASSR);
- of the Territories (*krai*);
- of the Regions (*oblast*);
- of the National Areas.

There is a City College of Advocates in Moscow and in Leningrad.

The organizing and executive organ of each College of Advocates is the Presidium of the College, headed by a chairman. To organize the collective work of the members of the College of Advocates, Legal Advice Centres (*Yuridicheskaya Konsultatsiya*) are established in the centres of each District and in other cities and towns. These centres are staffed by residents of the District or city concerned who are members of the Regional (or Union Republic, or Territory, etc) College of Advocates.

People needing legal assistance (including defence in court) usually turn to the Legal Advice Centre in their District or city of residence or to the Centre in the vicinity of the court where their case will be heard.

An advocate is assigned after the payment of a fixed fee. The accused person's choice of lawyer should according to law be respected. According to Soviet criminal procedure (article 49 of the Code of Criminal Procedure of the RSFSR) the right of the accused to a defence does not depend on his material circumstances. The College of Advocates are obliged to ensure that the accused is defended, in those cases where the law prescribes the participation of a defence counsel, irrespective of whether the accused is in a position at the time to pay for the services of a defence counsel.

The Director (*zaveduyushchy*) of the Legal Advice Centre is obliged, among other things, to assign cases to the lawyers and to ensure that defence counsel are provided according to the requirements of the law.

The defence counsel can participate in the case and visit the accused only after the preliminary investigation has been completed (article 47 of the Code of Criminal Procedure of the RSFSR). This may be several months after the prisoner's arrest. According to an addendum to this article of 26 July 1972, the procurator may rule that the defence counsel may be admitted during the preliminary investigation, but this rarely happens in cases of concern to AI.

After the trial, the defence counsel has the legal possibility of submitting a so-called *plea for judicial supervision*. That is, he may petition an authorized Procurator or Court Chairman to lodge a protest and thus to initiate a *review by way of judicial supervision* (see above, Section XV). The defence lawyer may submit such a plea at any time after the sentence comes into effect.

Write to

The College of Advocates of the Region (or Territory, ASSR, etc) or Union Republic where your prisoner was arrested. (If he was arrested in Moscow or Leningrad write to the Moscow or Leningrad City College of Advocates.)

Ask whether your prisoner has a defence lawyer. Ask whether he is being defended by a defence lawyer nominated by himself. Ask whether the defence counsel has visited your prisoner in detention. Ask for the name of the defence lawyer.

If you learn the name of the defence counsel, write to him *after the trial* asking for information about the indictment, the verdict, the sentence and the place of serving sentence of your prisoner. Ask him whether there has been any success in appealing against the verdict and/or sentence. When appropriate, ask him to lodge a plea for judicial supervision. *Be strictly formal in your letters to defence counsel.* Do not discuss details of the case except where necessary to support your request for information or for a plea for judicial supervision. *Remember:* in all cases the lawyer in a Soviet political case bases his defence on points of Soviet law, not on the Universal Declaration of Human Rights or on criticism of the law(s) under which his client is being tried. His style of defending his client is different from AI's style, and letters from AI should not assume that the lawyer sympathizes with AI's philosophy.

Sample Addresses

Latviyskaya SSR
g. Riga
Kollegiya Advokatov Latviyskoy SSR
Predsedatelyu Prezidiuma
(To the Chairman of the Presidium
of the College of Advocates of the Latvian SSR)

g. Moskva
Neglinnaya ul. 21/1
Moskovskaya Gorodskaya Kollegiya Advokatov
Predsedatelyu Prezidiuma
(The Chairman of the Presidium
of the Moscow City College of Advocates)

SECTION XXII: LETTERS CONCERNING PRISONERS IN EXILE

Many prisoners of conscience serve all or part of their court-imposed sentence in exile. (*Soylka* is the Russian word for this punishment.) The punishment consists in confinement to a District in a remote part of the country, compulsion to work, often in a job not related to the person's training and qualifications, tight administrative surveillance by the authorities and subjection to political "correction and re-education measures".

A sentence of exile is administered by the MVD.

(1) It is the MVD which chooses where the prisoner shall serve his sentence of exile. If you do not know where exactly your prisoner is serving his sentence of exile write to the USSR MVD in Moscow to ask for his address. The address is:

SSSR
g. Moskva 103009
ul. Ogareva 6
MVD USSR
Ministru N.A. Shchelokovu

A person may be sent into exile directly from his place of trial (if his sentence consists only of a term of exile). In that case, write for the same information to the nearest Ministry or Administration of Internal Affairs to his place of trial. (If he was tried in a Union Republic Supreme Court, write to the Ministry of Internal Affairs of that Union Republic. If he was tried in a Regional, City, District, etc. Court, write to the Administration of Internal Affairs of the Executive Committee of the Soviet of that Region, City or District.) As always, the principle applies that if you do not know the name of the District in which he was tried, you should write to the level of the Region, Territory, ASSR, etc., in which that District is located. If you do not know the name of the Region, Territory, etc., you should write to the level of the Union Republic.

A person may also be sent into exile from a colony or a prison (on the expiry of the part of his sentence calling for imprisonment there and the beginning of the exile part of his sentence). If you wish to know where he has been sent for his exile, write to the

Administration of Internal Affairs of the Soviet of the District in which the colony is located from which he has been sent into exile.

(2) While a person is serving a sentence of exile it is the Administration of Internal Affairs of the Executive Committee of the Soviet of the District in which he is located that supervises him. If you do not know his place of exile, you can influence this body only indirectly, by writing to the USSR MVD, to the Union Republic MVD and to the Regional, Territorial, etc., Administration of Internal Affairs.

However if you do know the location in which the person is serving his sentence of exile you should write to the District Administration of Internal Affairs. That body is responsible for keeping the exiled person under tight surveillance, which can result in harassment and intimidation. You should write to it regarding any aspect of your prisoner's conditions.

Sample Addresses

SSSR
RSFSR
Yakutskaya ASSR
Leninsky raion
pgt. Nyurba
Ispolkom raionogo soveta deputatov trudyashchikhsya
Upravleniye Vnutrennikh Del
Nachalniku

(Yakutsk ASSR
Leninsky District
Nyurba
Executive Committee of the District Soviet of Workers' Deputies
Administration of Internal Affairs
To the Director)

Meanwhile, the Executive Committee as a whole of the District Soviet in which your prisoner is serving his sentence of exile

has special responsibility to ensure that the exiled person has a job. According to the law the Executive Committee should try to ensure that the person has a job compatible with his work qualifications, training and experience, an important matter for the prisoner himself in many cases. Especially regarding your prisoner's work conditions, but also with more general queries and concerns you should write to the Executive Committee of the District Soviet.

Sample Address

SSSR
RSFSR
Yakutskaya ASSR
Leninsky raion
pgt. Nyurba
Ispolkom raionnogo soveta deputatov trudyashchikhsya
Predsedatelyu

(Executive Committee of the District Soviet of Workers' Deputies
To the Chairman)

As with any prisoner, if you know the location in which your exiled prisoner is serving his sentence you should write to the District CPSU Committee and the CPSU Committee at the next highest level (Region, Territory, ASSR etc) regarding his conditions of work and treatment.

Sample Address

SSSR
RSFSR
Yakutskaya ASSR
Leninsky raion
pgt. Nyurba
Raikom KPSS
Pervomu Sekretaryu

(District Committee of the CPSU
First Secretary)

You can also write to the Supervisory Commission (*Nablyudatel'naya Kommissiya ITU* - see above, Section XVIII) at the Executive Committee

of the District Soviet of Workers' Deputies.

SECTION XXIII: LETTERS CONCERNING PRISONERS OF CONSCIENCE
HELD IN PSYCHIATRIC HOSPITALS

This is an area where letter-writing can be most effective. This is because persons confined to psychiatric hospitals are not *sentenced* to confinement there. A person can be released from a psychiatric hospital whenever the appropriate authorities decide that he has "recovered" from his mental illness (real or fabricated), or that he no longer poses a "danger" to society, or simply that external pressure and publicity make it expedient to release him from this form of detention. Many prisoners of conscience have been released from psychiatric hospitals because of this pressure, one of the main forms of which must always be letter-writing.

Even before a prisoner is released from a psychiatric hospital, his circumstances can be improved by letter-writing. Soviet psychiatric hospitals, especially those of "special" variety, are secretive places, and their political inmates are largely deprived of even the limited public support that inmates of colonies and prisons receive thanks to the *samizdat* movement. Since the inmate is held in almost complete secrecy, he is at the mercy of the staff of the hospital. It is known that at least many special psychiatric hospitals have very bad conditions, and the inmate (political or non-political alike) is likely to be subjected to abuses which in large measures are due to the ignorance of the staff and their desire to maintain discipline above all. The inmate's situation is not only forgotten, but unknown to most of the world. Usually letters from AI will be the only attention the prisoner receives, and they may be decisive in preventing abuses against him which are useless even to established authority.

Challenging the Diagnosis and the Order of Confinement

AI will not adopt an inmate of a psychiatric hospital unless we believe that he is there because of his political views and actions rather than because he genuinely requires compulsory psychiatric treatment.

There are three fundamental processes by which most AI cases come to

be confined to a psychiatric hospital.

1) The Civil Process: The health authorities may commit a person to a psychiatric hospital if he represents a social danger and if they regard him as mentally ill. The person is not charged with a criminal offence, but is detained under civil administrative regulations.

If your prisoner is faced with psychiatric confinement and has NOT been charged with a criminal offence, *write to*:

The USSR and the Union Republic Ministries of Health and to the Regional Health Department (the office of the latter being in the centre of the Region where the hospital is situated). Draw the prisoner's case to their attention. In most cases, the prisoner will have already been confined to a psychiatric hospital by the time AI learns of it. Ask for information as to the exact nature of his mental illness. Ask also for information as to how the prisoner represents a danger to society, and what "socially dangerous actions" he committed or was likely to commit. State your view that this prisoner is not "dangerous", and therefore should not be forcibly confined to a hospital. State your concern that he may be a victim of injustice: that, as in other well-documented cases, he may have been hospitalized because of the way he exercised his freedom of conscience rather than for any mental illness. Ask where the prisoner is being held, and for details of his medical treatment. Urge that his case be re-examined and that he be released.

Write also to the Union Republic and Regional Procurators and to the USSR Procurator-General. Ask the same questions, as appropriate. Ask whether the prisoner was represented by a lawyer during the period when he was subjected to psychiatric examination.

Sample Address

SSSR
 Ukrainskaya SSR
 g. Kiev
 ul. Kirova 7
 Ministru Zdravookhraneniya Ukrainskoy SSR
 V.D. Bratusu
 (To the Minister of Health of the Ukrainian SSR
 V.D.Bratus

SSSR
 RSFSR
 Smolenskaya oblast
 g. Smolensk
 Oblastnoy Otdel Zdravookhraneniya
 Zaveduyushchemu
 (The Regional Department of Health
 To the Director)

2) The Criminal Process: The second procedure by which a person can be confined to a psychiatric hospital is provided by criminal law. A person who has been arrested and charged with a criminal offence (including, for example, "anti-Soviet agitation and propaganda" or an offence against the laws relating to religious activity) can, during the criminal investigation, be sent for psychiatric investigation. It is the investigation officials who decide whether he or she should be submitted to psychiatric examination: The Procurator's Office, the KGB or the MVD (see above, Section XII).

The psychiatric examination may take months. The prisoner may be examined as an outpatient, or he may be admitted to a psychiatric clinic for examination. In most cases AI does not know the name of the clinic in which the prisoner is examined until after his case has been decided. The most notorious clinic for in-patient diagnosis of political prisoners is the Serbsky Institute of Forensic Psychiatry in Moscow, but such diagnosis also take place in local clinics.

At the end of the psychiatric examination, a commission of psychiatrists formulates a diagnosis of the prisoner's mental condition, saying specifically whether he is accountable (*vmenyayemy*) for his "criminal actions". If the diagnosis states that the prisoner is mentally ill, and not accountable, the psychiatric commission makes a recommendation as to what should be done with the prisoner. It may recommend that he be kept in the tutelage of his family. However in the cases known to AI the psychiatric commission has recommended that the prisoner be confined to an *ordinary* or a *special* psychiatric hospital.

A court hearing is convened and considers the psychiatric diagnosis and recommendation. In almost all cases known to AI the court has accepted the diagnosis and recommendation, no matter how absurd these were.

If your prisoner has been subjected to this process, you should write to three types of authority: the *investigative* authorities, the *psychiatrists* and the *court*.

You may not know which organ is *investigating* your prisoner's case, and thus which has recommended that he be sent for psychiatric examination. In any event you should write to the Region (or Territory, ASSR, etc) Procurator, who has the authority to overrule any investigator who orders a person sent for psychiatric examination. If your prisoner is under arrest for "anti-Soviet agitation and propaganda", you should also write to the Chairman of the KGB (Mr Yury Andropov) in Moscow. In each case, express your concern that this prisoner's case was sent for psychiatric evaluation.

We usually do not know until later the names of the *psychiatrists* who examine a particular prisoner, or even the name of the clinic. Since the psychiatrists are under the jurisdiction of the Ministry of Health, you should in every case write to the USSR and Union Republic Ministries of Health and the Regional (or ASSR, Territory, etc) Department of Health, along the same lines as described for civil cases (see above). Emphasize your concern that the person is under arrest for exercising his rights of conscience, and that it appears that he is being submitted to psychiatric examination for the same reason. If his family or friends have said that they do not believe that the prisoner is mentally ill mention this to the psychiatrists and Ministries of Health to whom you write. You should additionally inquire whether the prisoner is represented by a lawyer, whether he has met with his lawyer, and whether he is receiving visits from his family. You should urge that the opinion of his family and friends be taken very much into account in any evaluation of his mental condition. You should inquire whether the prisoner is being allowed to have an independent psychiatric evaluation taken into account.

If and when you learn which *court* is hearing the case of your prisoner, write to the chairman of the court. *Remember:* the court is not required to accept the official psychiatric diagnosis. It can require

that a second opinion be consulted. It can reject the diagnosis outright. The court can also reject the psychiatrists' recommendation as to what should be done with the prisoner. Urge the chairman of the court to be extremely cautious in evaluating any finding that the prisoner is mentally ill. Remind him that confinement to a psychiatric hospital is for a healthy person a more severe punishment even than imprisonment in the normal way. Urge him to request a second diagnosis from a different team of psychiatrists. If the first diagnosis was by psychiatrists in the Serbsky Institute, express concern that psychiatrists of the Serbsky Institute have, in certain categories of cases (ie political cases), made many errors in the past and that you have no confidence in their opinion in your prisoner's case. Urge the court to ensure that the prisoner is properly defended by a lawyer, and that the prisoner is allowed to be present in court during the hearing of his case. Ask the court chairman to make the hearing open to the public. Finally, ask him to use the options open to the court which do not entail compulsory confinement if he rules that the prisoner is mentally ill.

If you do not know the exact court which hears the case, send your letters to the court via the Regional (or Territory, ASSR, etc) Procurator and ask him to forward them for you. Write similar letters to the USSR and Union Republic Supreme Courts, asking them to keep close watch on the lower court's decisions in your prisoner's case.

3) Procedure for Prisoners Serving Sentence: The third way in which prisoners of conscience have come to be confined to a psychiatric hospital is when sentenced prisoners have been judged mentally ill and transferred from a colony or prison to a psychiatric hospital. In this process, the director of the colony or prison may require that a particular prisoner be sent for psychiatric examination. If the prisoner is serving sentence in a large complex of colonies (such as those in Mordovia and Perm) which has a large medical unit, the psychiatric examination is often carried out there. If the colony is smaller and does not have its own psychiatric staff, the prisoner is likely to be sent to a hospital in a nearby city (in the same Region) for examination. On some occasions prisoners have been sent all the way to the Serbsky Institute in Moscow for diagnosis.

If your prisoner is sent from a colony or prison for psychiatric examination, you should write to the Director of the colony or prison expressing concern and requesting details as to why he regarded the prisoner as being in need of psychiatric examination. Write also to the District and Regional (or Territory, ASSR etc) Administrations of Internal Affairs and to the USSR and Union Republic Ministries of Internal Affairs expressing concern, asking for details about the prisoner's supposed mental illness and asking whether he has been sent for psychiatric confinement, and if so where. Write also to the USSR Procurator-General and the Union Republic and Regional (or Territory, ASSR, etc) Procurators asking similar questions and expressing concern that any decision to send the prisoner to a psychiatric hospital might be equivalent to an unjustified change in the court's sentence on the prisoner.

NOTE: You should write to all of the above-mentioned authorities even long after they have made their decisions: that is, after your prisoner has been committed for diagnosis, diagnosed as mentally ill and sent to a psychiatric hospital. In letters sent after the original decisions, you should raise all of your concerns and ask the authorities concerned to reconsider their original decisions in the light of your concerns and the considerations which you draw to their attention.

Likewise, while your prisoner is in a psychiatric hospital you should be writing to the central authorities urging that they reopen your prisoner's case with a view to determining whether an error was made. The Procuracy and the Ministries of Health have competence in these matters and can provide you with information (although they are unlikely to do so).

You should also write to the director of the psychiatric hospital to which your prisoner is confined and ask him when your prisoner is going to be examined next by a psychiatric commission. Urge him to recommend to the commission which reviews each case once every six months that the prisoner be released from compulsory confinement. Ask him to inform you of the results of the most recent psychiatric commission review, and to tell you on what medical grounds the prisoner

is still being held in the hospital.

Letters Concerning Treatment in Psychiatric Hospitals

You should write regular letters inquiring about the treatment of your prisoner in the psychiatric hospital: general physical conditions, medical treatment, specific allegations of abuses which you may have heard of, etc.

Write to

The director of the hospital, and the hospital's chief doctor, whether you know these by name or not, and the USSR and Union Republic Ministries of Health.

Write to

The USSR Procurator-General and the Procurator of the Union Republic and of the Region where the psychiatric hospital is located. The Procuracy has responsibility to supervise the psychiatric hospitals. You can inform the Procurator of allegations of abuse which you have heard, and you can ask him (even in the absence of specific reports of abuses) to keep close watch on the treatment of your prisoner.

If your prisoner is in a *special* psychiatric hospital, write also to: the USSR and Union Republic Ministries of Internal Affairs and the Regional (or ASSR, Territory, etc) Administration of Internal Affairs. Special psychiatric hospitals are under the jurisdiction of the MVD.

Sample Addresses

SSSR
RSFSR
Tatarskaya ASSR
g. Kazan
Spetsialnaya Psikhiatricheskaya Bolnitsa
Glavnomu Vrachu
- or, alternatively, Zaveduyushchemu-

(Tatar ASSR
Kazan
Special Psychiatric Hospital
Chief Doctor
- or, alternatively, The Director-)

SSSR
 RSFSR
 Tatarskaya ASSR
 g. Kazan
 Sovet Ministrov Tatarskogo ASSR
 Upravleniye Vnutrennikh Del
 Nachalniku

 (Tatar ASSR
 Kazan
 Council of Ministers of the Tatar ASSR
 Administration of Internal Affairs
 To the Director)

SSSR
 RSFSR
 Kaliningradskaya oblast
 g. Chernyakhovsk
 Spetsialnaya Psikhiatricheskaya Bolnitsa
 Zaveduyushchemu

 (Kaliningrad Region
 Chernyakhovsk
 Special Psychiatric Hospital
 To the Director)

SSSR
 Ukrainskaya SSR
 Dnepropetrovskaya oblast
 g. Dnepropetrovsk
 ul Chicherina 101, p/ya YaE 308/RB-9
 Spetsialnaya Psikhitricheskaya Bolnitsa
 Glavnomu Vrachu

 (Dnepropetrovsk Region
 Dnepropetrovsk
 Chicherin Street 101, postbox YaE 308/RB-9
 To the Chief Doctor)

SSSR
 Ukrainskaya SSR
 Dnepropetrovskaya oblast
 g. Dnepropetrovsk
 Oblastnaya prokuratura
 Prokuroru

 (Dnepropetrovsk Region
 Dnepropetrovsk
 Regional Procurator's Office
 To the Procurator)

SECTION XXIV: LETTERS TO PROFESSIONAL ASSOCIATIONS, ACADEMIES ETC

If your prisoner was a member of a professional group or an academy, a member of a university or an institute, write to the appropriate institution, and possibly to the Ministry responsible for the field of professional work in question .

The Unions of artists, architects, composers, film directors and writers are all essentially structured in the same hierarchical way as the CPSU. The unions of the 15 Union Republics and of the Autonomous Republics are all subordinate to the central union of the USSR. Subsidiary organizations exist in the regions and towns.

Apart from the Academy of Sciences (AN) of the USSR, there is an Academy of Sciences of each Union Republic except the RSFSR. There are also academies for individual areas of the sciences: these include the Academy of Medical Sciences (AMN) and the Academy of Fine Arts.

Write to

The President or Chairman of the institution, express your deep concern over the fate of your prisoner and ask where appropriate for information.

Mobilize representatives of corresponding institutions or professional groups in your own country and ask them to sign your letters or send their own.

Sample Address

SSSR
 Ukrainskaya SSR
 g. Kiev
 Akedemiya Nauk Ukrainskoy SSR
 Predsedatelyu B.E. Patonu

(To the President of the Academy of Sciences of the Ukrainian SSR
 Dr B.E. Paton)

SECTION XXV: LETTERS TO THE COUNCIL FOR RELIGIOUS QUESTIONS OF
 THE COUNCILS OF MINISTERS OF THE USSR AND UNION REPUBLICS

Relations between the Soviet state and religious communities should in principle be conducted by the Council for Religious Questions under the Council of Ministers, without any external interference in the internal affairs of the religious communities. In practice, the principal function of the Council for Religious Affairs consists in observing whether the laws on religion, in their official interpretation, are being obeyed and where they are being broken.

A Council for Religious Questions exists for the USSR Council of Ministers, and the Council of Ministers of each Republic has a similar Council attached to it.

Write to

The Council for Religious Questions of the USSR Council of Ministers and of the relevant Union Republic Council of Ministers. Draw attention to the case of your religious prisoner; express your concern that he has been arrested despite the 'Freedom to Observe Religious Cults' guaranteed in the Constitution. Ask them to intervene for the release of your prisoner.

Sample Address

g. Moskva
 Kreml
 Sovet po religionzym voprosam
 pri Sovete Ministrov SSSR
 Predsedatelyu V.A. Kuroyedovu
 (To the Chairman of the Council for Religious Questions

of the Council of Ministers of the USSR
 Mr V.A.Kuroyedov)

SECTION XXVI: LETTERS TO THE TRADE UNIONS

In the Soviet Union there is only one unitary trade union, in which all the workers are organized. There are, it is true, trade union branches but these are co-ordinated in comprehensive trade union councils, established on a territorial basis. Trade union councils exist for Union Republics, Territories, Regions and Cities.

The "grass roots" basis of the trade unions consists in the primary organizations in factories and institutions, called FZMK (*Fabrichny Zavodsky Mestny Komitet*). The trade unions are led by the Central Council of Soviet Trade Unions (VTsSPS) in Moscow. All subordinate trade union councils are under its jurisdiction.

Write to

The Presidium of the FZMK of your prisoner's factory or place of work.

Write to

The Central Council of Soviet Trade Unions in Moscow, the Central Council of Soviet Trade Unions of the relevant Union Republic in the Union Republic capital, to the Trade Union Councils of the relevant Territory, Region, District or City.

Draw attention to the case of your prisoner. Express your deep concern about his imprisonment. Ask for information and for intervention on behalf of your prisoner.

Sample Address

SSSR
 g. Moskva B-119
 Leninsky Prospekt 42
 Vsesoyuzny Tsentralny Sovet Profsoyuzov
 Sekretaryu A. Shibayevu

(To A. Shibayev, Secretary of the All-Union Central Council of Trade Unions)

SECTION XXVII: LETTERS TO THE SOVIET AMBASSADOR

Ambassadors are considered the personal representatives abroad of the Head of State. On many levels and in many areas, they mediate between the country they represent and the country to which they are accredited. They have the task, *inter alia*, of informing their government of the state of opinion in the country concerned.

From time to time, send your letters addressed to the highest authorities (and personalities) to the Soviet Ambassador and ask him to forward them.

Inform the Ambassador that, to your surprise, your repeated letters to the Soviet authorities have gone unanswered. Ask him to inform his government that you are following the fate of your prisoner with the deepest concern.

In the event that you produce a leaflet, send a copy to the Soviet Ambassador and inform him that you have drawn the attention of people here to the fate of your prisoner by means of this leaflet. The same should be done for other sorts of actions.

Sample Addresses

His Excellency M. Nikolai M. Lunkov
Ambassador of the USSR
'Harrington House'
13 Kensington Palace Gardens
London W8 4QX

His Excellency M.A. Dobrynin
Ambassador of the USSR
1125 Sixteenth Street NW
Washington DC
20036

SECTION XXVIII: INVESTIGATION CASES

Investigation cases require special treatment. In these cases, the case sheet always contains special indications. In general, the groups which receive an investigation case should write to the Soviet authorities asking for an answer to the following questions: is the person concerned in a prison, a corrective labour colony or a psychiatric hospital? Of what was the person accused? When was/will be his trial? According to which article(s) was he sentenced, and to what was he sentenced? Ask them if it is possible to receive a copy of the indictment or sentence.

In these letters you absolutely must indicate that you are making inquiries in this case. *On no account* must you call the prisoner a prisoner of conscience since it has not yet been established with certainty that the prisoner is one. Requests for pardon can not be made. You can however ask for clarification if you can establish that the prisoner has been convicted for breaking a law that seems to contradict the Soviet Constitution or internationally recognized human rights.

Write in order to obtain information about the investigation case and the trial to the relevant Procurator (see in this connection the chapters above on Organization of the Procuracy, letters to the Procuracy and the details on your case sheet).

Write in order to obtain information about the place of imprisonment of your prisoner to the Chief Administration of Corrective Labour Institutions in Moscow:

g. Moskva
Bolshaya Bronnaya, dom 3
Glavnoye Upravleniye ITU
Nachalniku

(To the Director of the Chief Administration of
Corrective Labour Institutions)

Write in investigation cases to the Soviet Ambassador and ask him to support you in your fact-finding efforts.

APPENDIX 1

RUSSIAN NOMENCLATURE AND ABBREVIATIONS

Administrative and Postal Nomenclature

SSSR	USSR (Union of Soviet Socialist Republics)
SSR	Soviet Socialist Republic
RSFSR	Russian Soviet Federative Socialist Republic
ASSR	Autonomous Soviet Socialist Republic
krai (kr.)	Territory
avtonomnaya oblast	Autonomous Region
oblast (obl.)	Region
natsionalny okrug	National Area
raion (r-n)	District
gorod (g.)	City, town
gorodskoy raion	Urban District, (ward, borough)
posyolok (pos.)	Settlement
selo (s.)	Village
selsky soviet (s/s, s/soviet or selsovet)	Village Soviet
derevnya (d. followed by name)	village
khutor (kh.)	isolated farmstead, hamlet
pochtovy otryad (p/o)	post office
stantsiya (st.)	railway station or halt, also hospital department remote from main hospital
kvartal	area of a city
ulitsa (ul.)	street
prospekt	wide boulevard
doroga	way, highway, thoroughfare
pereulok (per.)	alleyway, passage
dom (d. followed by number)	house, apartment block, block of flats
kvartira (kv.)	apartment, flat
koridor (kor.)	corridor, floor (in block of flats, apartment block)
pochtovy yashchik (p/ya)	post box
<u>Administration of the Law</u>	
prokuror	procurator (district attorney, procurator fiscal etc.)
generalny prokuror	Procurator-General (Attorney General)

prokuratura	procuracy (office of procurator)
Verkhovny sud	Supreme Court
kraievoy sud	Territorial court
oblastnoy sud	Regional court
gorodskoy sud	City court
raionny-narodny sud	District people's court
gorodskoy-narodny sud	City (town) people's court
predsedatel suda	chairman of the court
UK (Ugolovny Kodeks)	Criminal Code (Penal Code)
UPK (Ugolovno-Protsesualny Kodeks)	Code of Criminal Procedure
statya	Article, paragraph
ITK (Ispravitelno-Trudovoy Kodeks)	Corrective-Labour Code
<u>Imprisonment, Internment</u>	
GUITU (Glavnoe upravleniye ispravitelno-trudovikh uchrezhdenii)	Chief Administration of Corrective-Labour Institutions
uchrezhdeniye (uchr.)	Establishment, institution (term for prisons and camps)
ispravitelno-trudovoe uchrezhdeniye (ITU)	Corrective-Labour Institution
ispravitelno-trudovaya koloniya (ITK)	Corrective-Labour Colony (camp)
ispravitelno-trudovoe seleniye	Corrective-Labour settlement
sona	zone, (camp area)
otryad (otr.)	detachment (e.g. of guards)
brigada (br.)	brigade
kartsen	punishment cell
SHIZO (shtrafnoy izolator)	punishment isolator
PKT (pomeshcheniye kamernogo tipa)	cell-type premises
saklyuchyonny	prisoner
tyurma	prison
tyuremnaya administratsiya	prison administration
tyuremnaya bolnitsa	prison hospital
<u>The CPSU</u>	
Generalny Sekretar	General Secretary
Pervy Sekretar	First Secretary
Ts.K. (Tsentralny komitet)	Central Committee
KPSS (Kommunisticheskaya Partiya Sovetskogo Soyusa)	Communist Party of the Soviet Union (but not of the individual republics with the exception of the RSFSR)
KP (followed by the name of the republic)	Communist Party (of the republic)
Politbyuro	Politburo (political or policy-making body)

<i>kraikom</i>	Territorial committee
<i>ohkom</i>	Regional Committee
<i>okruzhkom</i>	committee of a (National) Area
<i>gorkom</i>	City (town) committee
<i>raikom</i>	District committee
<u>Organs of the State</u>	
<i>Verkhovny Sovet</i>	Supreme Soviet
<i>sovet deputatov trudyashchikh</i>	Soviet of workers' deputies
<i>sovet narodnikh deputatov</i>	Soviet of People's deputies (from 1977)
<i>ispolnitelny komitet (Ispolkom)</i>	executive committee (EC)
<i>gorispolkom</i>	City (town) EC
<i>oblispolkom</i>	Regional EC
<i>rayispolkom</i>	District EC
<i>krayispolkom</i>	Territorial EC
<i>KGB pri SM SSSR (Komitet Gosudarstvennoy Bezopasnosti pri Sovete Ministrov Soyuz SSSR)</i>	Committee for State Security (under the Council of Ministers of the USSR)
<i>MVD (Ministerstvo Vnutrennikh Del)</i>	Ministry of Internal Affairs
<i>Ministerstvo Yustitsii</i>	Ministry of Justice
<i>Ministerstvo Zdravookhraneniya</i>	Ministry of Health (lit. for the Protection of Health)
<i>oblastravotdel (oblastnoy otel zdravookhraneniya)</i>	Regional Health Department

CAPITALS & CENTERS

1. Russian Soviet Federative Socialist Republic (RSFSR).

Capital : Moskva (Moscow)	
City independent of Region : Leningrad	
<u>Oblast (Region)</u>	<u>Center</u>
Amurskaya obl.	g. Blagoveshchensk
Arkhangel'skaya	Arkhangelsk
Astrakhanskaya	Astrakhan
Belgorodskaya	Belgorod
Bryanskaya	Bryansk
Chelyabinskaya	Chelyabinsk
Chitinskaya	Chita
Gorkovskaya	Gorky
Irkutskaya	Irkutsk
Ivanovskaya	Ivanovo
Kalininskaya	Kalinin
Kaliningradskaya	Kaliningrad
Kaluzhskaya	Kaluga
Kamchatskaya	Petropavlovsk- Kamchatsky
Kemerovskaya	Kemerovo
Kirovskaya	Kirov
Kostromskaya	Kostroma
Kuibyshevskaya	Kuibyshev
Kurganskaya	Kurgan
Kurskaya	Kursk
Leningradskaya	Leningrad
Lipetskaya	Lipetsk
Magadanskaya	Magadan
Moskovskaya	Moskva (Moscow)
Murmanskaya	Murmansk
Novgorodskaya	Novgorod
Novosibirskaya	Novosibirsk
Omskaya	Omsk
Orenburgskaya	Orenburg
Orlovskaya	Oryol
Penzenskaya	Penza
Permskaya	Perm
Pskovskaya	Pskov
Rostovskaya	Rostov-na-Donu
Ryazanskaya	Ryazan
Sakhalinskaya	Yugo-Sakhalinsk
Saratovskaya	Saratov
Smolenskaya	Smolensk
Sverdlovskaya	Sverdlovsk
Tambovskaya	Tambov
Tomskaya	Tomsk
Tul'skaya	Tula
Tyumenskaya	Tyumen
Ulyanovskaya	Ulyanovsk
Vladimirskaaya	Vladimir
Volgogradskaya	Volgograd
Vologodskaya	Vologda
Voronezhskaya	Voronezh
Yaroslavskaya	Yaroslavl
<u>Kray (Territory)</u>	<u>Center</u>
Altayskiy	g. Barnaul
Khabarovskiy	Khabarovsk
Krasnodarskiy	Krasnodar
Krasnoyarskiy	Krasnoyarsk

Kray (Territory)
Primorsky
Stavropolsky

Autonomous Republic (ASSR)
Bashkirskaya ASSR
(Bashkir ASSR)
Buryatskaya ASSR
(Buryat ASSR)
Checheno-Ingushskaya ASSR
(Chechen-Ingush ASSR)
Chuvashskaya ASSR
(Chuvash ASSR)
Dagestanskaya ASSR
(Dagestan ASSR)
Kabardino-Balkarskaya ASSR
(Kabardino-Balkar ASSR)
Kalmytskaya ASSR
(Kalmyk ASSR)
Karelskaya ASSR
(Karelian ASSR)
Komi ASSR
Mariiskaya ASSR
(Mari ASSR)
Mordovskaya ASSR
(Mordovian ASSR)
Severo-Osetinskaya ASSR
(North Osetian ASSR)
Tatarskaya ASSR
(Tatar ASSR)
Tuvinskaya ASSR
(Tuvinian ASSR)
Udmurtskaya ASSR
(Udmurt ASSR)
Yakutskaya ASSR
(Yakut ASSR)

Autonomous Region
Adygeiskaya avtonomnaya oblast
(Adygei Autonomous Region)
Gorno-Altayskaya
(Altai Mountain AR)
Karachaevsko-Cherkesskaya
(Karachaevsko-Cherkessk AR)
Khakasskaya
(Khakassian AR)
Yevreiskaya
(Jewish AR)

National Area
Aginsky Buryatsky natsionalny okrug
(Aginsk Buryat NA)
Chukotsky
(Chukot NA)
Evenkiisky
(Evenki NA)
Khanti-Mansiisky
(Khanti-Mansiisk NA)
Komi-Permyatsky
(Perm Komi NA)
Koryaksky
(Koryak NA)
Nenatsky
(Nenets NA)

Center
g. Vladivostok
Stavropol

Capital
g. Ufa

Ulan-Ude

Grozny

Cheboksary

Makhachkala

Nalchik

Elista

Petrozavodsk

Syktuykar
Yoshkar-Ola

Saransk

Ordzhonikidze

Kazan

Kyzyl

Izhevsk

Yakutsk

Center
g. Maikop

Gorno-Altaysk

Cherkessk

Abakan

Birobidzhan

Center
pos. Aginskoye

g. Anadyr

pos. Tura

g. Khanti-Mansiisk

g. Kudymkar

pos. Palana

g. Naryan-Mer

National Area
Taymirsky (Dolgano-Nenetsky)
(Taymir Dolgan Nenets NA)
Ust-Ordynsky Buryatsky
(Ust-Ordynsk Buryat NA)
Yamalo-Nenetsky
(Yamalo Nenets NA)

2. Ukrainian Soviet Socialist Republic (USSR)

Capital : Kiev
City independent of Region : g. Sevastapol

Oblast (Region)
Cherkasskaya obl.
Chernigovskaya
Chernovitskaya
Dnepropetrovskaya
Donetskaya
Ivano-Frankovskaya
Kharkovskaya
Khersonskaya
Khmelnitskaya
Kievskaya
Kirovogradskaya
Krymskaya
Lvovskaya
Nikolaevskaya
Odesskaya
Poltavskaya
Rovenskaya
Sumskaya
Ternopolskaya
Vinnitskaya
Volynskaya
Voroshilovgradskaya
Zakarpatskaya
Zaporozhskaya
Zhitomirskaya

Center
pos. Dudinka

pos. Ust-Ordynsky

g. Salekhard

Center
g. Cherkassy

Chernigov
Chernovtsy
Dnepropetrovsk
Donetsk
Ivano-Frankovsk
Kharkov
Kherson
Khmelnitsky
Kiev
Kirovograd
Simferopol
Lvov
Nikolaev
Odessa
Poltava
Rovno
Sumy
Ternopol
Vinnitsa
Lutsk
Voroshilovgrad
Uzhgorod
Zaporozhe
Zhitomir

3. Byelorussian Soviet Socialist Republic (BSSR)

Capital : Minsk
Oblast (Region)
Brestskaya obl.
Gomelskaya
Grodzenskaya
Minskaya
Mogilevskaya
Vitebskaya

Center
g. Brest

Gomel
Grodno
Minsk
Mogilev
Vitebsk

4. Uzbek Soviet Socialist Republic (UzSSR)

Capital : Tashkent
Oblast (Region)
Andizhanskaya obl.
Bukharskaya
Dzhizakskaya
Ferganskaya
Kashkadaryinskaya
Khorezmskaya
Namanganskaya
Samarkandekaya
Surkhandaryinskaya
Syrdaryinskaya
Tashkentakaya

Center
g. Andizhan

Bukhara
Dzhizak
Fergana
Kashgi
Urganch
Namangan
Samarkand
Termez
Gulistan
Tashkent

- Autonomous Republic (ASSR)
Karakalpakskaya ASSR
(Karakalpak ASSR)
5. Kazakh Soviet Socialist Republic (KazSSR)
- Capital : Alma-Ata
Oblast (Region)
Aktyubinskaya obl.
Alma-Atinskaya
Chimkentskaya
Dzhambul'skaya
Dzhezkazganskaya
Guryevskaya
Karagandinskaya
Kzyl-Ordinskaya
Kokchetavskaya
Kustanaiskaya
Mangyshlaksкая
Pavlodarskaya
Severo-Kazakhstanskaya
Semipalatinskaya
Taldy-Kurganskaya
Tselinogradskaya
Turgaiskaya
Uralskaya
Vostochno-Kazakhstanskaya
- Capital
g. Nukus
- Center
g. Aktyubinsk
Alma-Ata
Chimkent
Dzhambul
Dzhezkazgan
Guryev
Karaganda
Kzyl-Orda
Kokchetav
Kustanai
Shevchenko
Pavlodar
Petropavlovsk
Semipalatinsk
Taldy-Kurgan
Tselinograd
Arkalyk
Uralsk
Ust-Kamenogorsk
6. Georgian (Gruzin) Soviet Socialist Republic (GruzSSR)
- Capital : Tbilisi
Autonomous Republic (ASSR)
Abkhazskaya ASSR
(Abkhaz ASSR)
Adzharskaya ASSR
(Adzhar ASSR)
Autonomous Region
Yugo-Osetinskaya avt. obl.
(South Osetian AR)
- Capital
g. Sukhumi
- Center
g. Batumi
- Center
g. Tskhinvali
7. Azerbaidzhan Soviet Socialist Republic (AzSSR)
- Capital : Baku
Autonomous Republic (ASSR)
Nakhichevanskaya ASSR
(Nakhichevan ASSR)
Autonomous Region
Nagorno-Karabakhskaya avt. obl.
(Nagorno-Karabakh AR)
- Capital
g. Nakhichevan
- Center
g. Stepanakert
8. Lithuanian Soviet Socialist Republic (LitSSR)
- Capital : Vilnius
9. Moldavian Soviet Socialist Republic (MSSR)
- Capital : Kishinyov
10. Latvian Soviet Socialist Republic (LatvSSR)
- Capital : Riga
11. Kirgiz Soviet Socialist Republic (KirSSR)
- Capital : Frunze
Oblast (Region)
Issyk-Kul'skaya obl.
Narynskaya
Oshskaya
- Center
g. Przhevalsk
Naryn
Osh

12. Tadjik Soviet Socialist Republic (TadjhSSR)
- Capital : Dushanbe
Oblast (Region)
Kulyabad'skaya obl.
Leninabad'skaya
- Center
g. Kulyabad
Leninabad
- Autonomous Region
Gorno-Badakhshanskaya avt. obl.
(Badakhshan Mountain AR)
- Center
g. Khorog
13. Armenian Soviet Socialist Republic (ArmSSR)
- Capital : Erevan (Yerevan)
14. Turkmen Soviet Socialist Republic (TSSR)
- Capital : Ashkhabad (subordinate to Ashkhabad Region)
Oblast (Region)
Ashkhabad'skaya obl.
Chardzhouskaya
Krasnovodskaya
Maryiskaya
Tashauzskaya
- Center
g. Ashkhabad
Chardzhou
Krasnovodsk
Mary
Tashauz
15. Estonian Soviet Socialist Republic (ESSR)
- Capital : Tallin

APPENDIX 3

HUMAN RIGHTS GUARANTEES IN THE USSR1. Human Rights and Other Relevant Guarantees in the USSR Constitution

As of July 1977 the Basic Law of the USSR is still the 1936 Constitution. However in June 1977 the Soviet authorities made public the text of a draft constitution which is expected to come into effect within the next few months and which will replace the 1936 Constitution. The 1977 draft Constitution's provisions with regard to human rights differ only marginally from those of the 1936 Constitution.

The articles reproduced here are taken from the official Soviet English language translation of the 1977 draft Constitution. The article-numbers of the corresponding articles in the 1936 Constitution are given in italics.

Article 47

Citizens of the USSR shall in accordance with the aims of communist construction be guaranteed freedom of scientific, technical and artistic creative work. This freedom shall be ensured by extensive scientific research, promotion of inventions and innovations, and development of the arts. The state shall secure the due material conditions for this, and render support to voluntary societies and creative unions.

The rights of authors, inventors and innovators shall be protected by law.

Article 49

Every citizen of the USSR shall have the right to submit to state organs and public organizations proposals for improving their activity, to criticize shortcomings in their work. Officials shall be obliged within terms established by law to examine proposals and requests of citizens, to reply to them and take due action.

Persecution for criticisms shall be prohibited.

Article 50 (Article 125)

In conformity with the interests of the working people and for the purpose of strengthening the socialist system, citizens of the USSR shall be guaranteed freedom of speech, press, assembly, meetings, street processions and demonstrations. Exercise of these political freedoms shall be ensured by putting at the disposal of the working people

and their organizations public buildings, streets and squares, by broad dissemination of information, and the opportunity for using the press, television and radio.

Article 51 (first part of Article 126)

In conformity with the aims of building communism citizens of the USSR shall have the right to unite in public organizations facilitating development of their political activity and initiative, and satisfaction of their diverse interests.

Public organizations shall be guaranteed conditions for the successful performance of their diverse interests.

Article 52 (Article 124)

Freedom of conscience, that is, the right to profess any religion and perform religious rites or not profess any religion, and to conduct atheistic propaganda, shall be recognized for all citizens of the USSR. Incitement of hostility and hatred on religious grounds shall be prohibited.

The church in the USSR shall be separated from the state, and the school from the church.

Article 58

Citizens of the USSR shall have the right to lodge complaints against actions of officials in state organs and public organizations. These complaints shall be examined in the manner and within terms defined by law.

Actions of officials performed in violation of the law, over and above the powers vested in them, impinging on the rights of citizens, may be referred to a court of law in the manner defined by law.

Citizens of the USSR shall have the right to compensation for damage inflicted by unlawful actions of state institutions and public organizations, and likewise by officials in the performance of their duties, in the manner and within limits defined by law.

Article 71 (Article 17)

Every union republic shall retain the right freely to secede from the USSR.

2. The Universal Declaration of Human Rights (Vseobshchaya Deklaratsiya Prav Cheloveka)

The Universal Declaration of Human Rights was adopted by vote of the United Nations' General Assembly in 1948. The USSR abstained

from voting. The Universal Declaration of Human Rights' most relevant provisions are:

Article 5

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 13

1. Everyone has the right to freedom of movement and residence within the borders of each state.
2. Everyone has the right to leave any country, including his own, and to return to his country.

Article 18

Everyone has the right of freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20

1. Everyone has the right to freedom of peaceful assembly and association.
2. No one may be compelled to belong to an association.
3. The United Nations' International Covenant on Civil and Political Rights (Mezhdunarodny Pakt o Grazhdanskikh i Politicheskikh Pravax)

The USSR ratified the Covenant in 1973 and it came into force in 1976.

Article 7

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no

one shall be subjected without his free consent to medical or scientific experimentation.

Article 12

1. Everyone lawfully within the territory of a State, shall, within that territory, have the right to liberty of movement and freedom to choose his residence.
2. Everyone shall be free to leave any country, including his own.
3. The above-mentioned rights shall not be subject to restrictions except those which are provided by law, are necessary to protect national security, public order (*ordre public*), public health or morals or the rights and freedoms of others, and are consistent with the other rights recognized in the present Covenant.
4. No one shall be arbitrarily deprived of the right to enter his own country.

Article 18

1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.
2. No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.
3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.
4. The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.

Article 19

1. Everyone shall have the right to hold opinions without interference.
2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.
3. The exercise of the rights provided for in paragraph 2 of this Article carries with it special duties and responsib-

ilities. It may therefore be subject to certain restrictions but these shall only be such as are provided by law and are necessary:

- a) For respect of the rights or reputations of others;
- b) For the protection of national security or of public order (*ordre public*), or of public health or morals.

Article 21

The right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (*ordre public*), the protection of public health or morals or the protection of the rights and freedoms of others.

Article 22

1. Everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests.
2. No restrictions may be placed on the exercise of this right other than those which are prescribed by law and which are necessary in a democratic society in the interests of national security or public safety, public order (*ordre public*), the protection of public health or morals or the protection of the rights and freedoms of others. This Article shall not prevent the imposition of lawful restrictions on members of the armed forces and of the police in their exercise of this right.
3. Nothing in this article shall authorize States Parties the International Labour Organization Convention of 1948 concerning Freedom of Association and Protection of the Right to Organize to take legislative measures which would prejudice, or to apply the law in such a manner as to prejudice, the guarantees provided for in that Convention.

APPENDIX 4

Articles of Soviet Criminal Law Which Prescribe Imprisonment for Exercise of Fundamental Human Rights

The following articles are reproduced from the Criminal Code of the RSFSR. Similar articles exist with different numbers in the criminal codes of all the other Union Republics of the USSR.

Article 64: Treason. (a) Treason, that is, an act intentionally committed by a citizen of the USSR to the detriment of the state independence, the territorial inviolability or the military might of the USSR: going over to the side of the enemy, espionage, transmission of a state or military secret to a foreign state, flight abroad or refusal to return from abroad to the USSR, rendering aid to a foreign state in carrying on hostile activity against the USSR, or a conspiracy for the purpose of seizing power, shall be punished by deprivation of freedom for a term of ten to fifteen years with confiscation of property with or without additional exile for a term of two to five years, or by death with confiscation of property.

Article 70: Anti-Soviet Agitation and Propaganda. Agitation or propaganda carried on for the purpose of subverting or weakening the Soviet regime or of committing particular, especially dangerous crimes against the state, or the circulation, for the same purpose, of slanderous fabrications which defame the Soviet state and social system, or the circulation or preparation or keeping, for the same purpose, of literature of such content shall be punished by deprivation of freedom for a term of 6 months to 7 years, with or without additional exile for a term of 2 to 5 years, or by exile for a term of 2 to 5 years.

The same actions committed by a person previously convicted of especially dangerous crimes against the state or committed in wartime shall be punished by deprivation of freedom for a term of 3 to 10 years, with or without additional exile for a term of 2 to 5 years.

Article 72: Organizational Activity Directed to Commission of Especially Dangerous Crimes against the State and also Participation in Anti-Soviet Organizations. Organizational activity directed to the preparation or commission of especially dangerous crimes against the state, or to the creation of an organization which has as its purpose the commission of such crimes, or participation in an anti-Soviet organization, shall be punished in accordance with Articles 64-71 of the present code.

Article 83: Illegal Exit Abroad and Illegal Entry into the USSR. Exit abroad, entry into the USSR, or crossing the border

without the requisite passport or the permission of the proper authorities, shall be punished by deprivation of freedom for a term of one to three years.

Operation of the present article shall not extend to instances of arrival in the USSR of foreign citizens, without the requisite passport or permit, for exercise of the right of asylum granted by the Constitution of the USSR.

Article 142: Violation of Laws on Separation of Church and State and of Church and School. The violation of laws on the separation of church and state and of school and church shall be punished by correctional tasks for a term not exceeding one year or by a fine not exceeding 50 roubles.

The same acts committed by a person previously convicted of violation of laws on the separation of church and state and of school and church, as well as organizational activity directed to the commission of such acts, shall be punished by deprivation of freedom for a term not exceeding 3 years.

Article 190-1: Circulation of Fabrications known to be False which Defame Soviet State and Social System. The systematic circulation in an oral form of fabrications known to be false which defame the Soviet state and social system and, likewise, the preparation or circulation in written, printed or any other form of works of such content shall be punished by deprivation of freedom for a term not exceeding 3 years, or by correctional tasks for a term not exceeding one year, or by a fine not exceeding 100 roubles.

Article 227: Infringement of Person and Rights of Citizens under Appearance of Performing Religious Ceremonies. The organizing or directing of a group, the activity of which, carried on under the appearance of preaching religious beliefs and performing religious ceremonies, is connected with the causing of harm to citizens' health or with any other infringements of the person or rights of citizens, or with the inducing of citizens to refuse social activity or performance of civic duties, or with the drawing of minors into such groups, shall be punished by deprivation of freedom for a term not exceeding 5 years or by exile for a similar term with or without confiscation of property.

The active participation in the activity of a group specified in paragraph one of the present article, or the systematic propaganda directed at the commission of acts specified therein, shall be punished by deprivation of freedom for a term not exceeding 3 years, or by exile for the same term, or by correctional tasks for a term not exceeding one year.

Note: If the acts of persons stated in paragraph 2 of the present article, and the persons themselves, do not represent a great social danger, measures of social pressure may be applied to them.