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The Final Act of Helsinki as Seen through the Eyes of a Witness from Czechoslovakia¹

In December 2004, I was in Geneva at a conference for representatives of non-governmental organizations preparing for the “Beijing Plus Ten” World Conference on Women, which was held in New York City in spring 2005. During a discussion at one of the sessions, I remarked that 2005 would be the 30th anniversary of the signing of the Final Act of the Helsinki Conference on Security and Co-operation in Europe and that this agreement, which was also signed by representatives of the Soviet bloc, including Czechoslovakia, began what became known as the Helsinki process. It helped to raise the significance of international agreements, contributed to upholding human rights in totalitarian regimes, encouraged the spontaneous founding of civic initiatives (Charter 77 was an example within Czechoslovakia), which appealed to this document, and finally contributed to the fall of totalitarian regimes throughout the entire Soviet bloc. I proposed that we try to establish a similar arrangement now, one which would be signed by states where human rights – and human rights include the rights of women – are abused today. This would create a situation analogous to that of 30 years ago, where civic initiatives could appeal to these international agreements and thereby indirectly force governments to uphold the commitments they have undertaken. Quite simply, I wanted to introduce my experience and that of people from Czechoslovakia’s dissident community into the activities of current women’s organizations, to have this experience transcend a particular time and place, and, at the same time, to remember an important anniversary.

My proposal to the Geneva meeting was met with almost no response. I was unsuccessful. For the younger delegates of women’s NGOs, the Helsinki accords were unfamiliar territory. Older delegates from the West – that is, those who even saw a need to react to my comments – scornfully referred to Helsinki as an “agreement of the establishment of the time”, an agreement among the powerful. Some even said it was meant to mislead people. Several delegates from Poland, Russia, and Ukraine, however, agreed that we should at least try to work towards establishing a similar agreement with governments of current totalitarian regimes. Nevertheless, this well-intentioned proposal was not pursued further.

This experience and the invitation to contribute to the OSCE Yearbook motivated me to record my own viewpoint – which I share with other Czechoslovak dissidents – on the beginnings of the Helsinki process. To do this, I drew on contemporary texts by Czech authors that were published “in

1 Translated from the Czech by Linda A. Mastalir.

exile". The point of view I shared with my friends and fellow dissidents was certainly coloured by the reality in which we lived. We existed in a totalitarian system, controlled by the Communist Party of Czechoslovakia, which, according to Article 4 of the Constitution, was superior to the government and the so-called Socialist Parliament. Moreover, all this was under the direct influence of the Central Committee of the Communist Party of the Soviet Union. By 1975, there was also increased political oppression in Czechoslovakia. It was then a mere seven years since the Prague Spring, which was interpreted by the post-1968 leadership of the Communist Party of Czechoslovakia as a counter-revolution and direct disobedience vis-à-vis the Soviet Union. This attempt at "Socialism with a Human Face" was also interpreted by the Soviets as a counter-revolution and punished with what they called "international brotherly assistance", an invasion of half a million soldiers from Warsaw Pact forces that entered our country in August 1968. For another twenty years, the Soviet Army "temporarily" stationed 200,000 soldiers inside Czechoslovakia – with equipment for twice that number.

Following August 1968, there was another wave of emigration and many who stayed lost their jobs during a vetting process in which they were required to acknowledge that there had been a counter-revolution and that the assistance of Warsaw Pact troops was therefore justified. In 1970, political trials were revived and a further 300,000 to 400,000 people emigrated. Members of the Communist Party who had supported reforms in 1968 were expelled from the Party (this affected about 750,000 people); they lost their jobs and their children were persecuted.² These changes affected a great number of people, and they all took place without any perceptible intervention by the West. Sympathies were on our side, and much was written about the tragedy of Czechoslovakia – which Heinrich Boell called "the Biafra of the Soul" – but diplomatic negotiations in our favour were not embarked upon by Western states.

Only in 1975 did the position of the Western states slowly begin to change – at least from our isolated perspective here in Czechoslovakia. After some 30 months of negotiations between the Western states and the Soviet Union and its satellites, the Final Act of the Helsinki Conference was signed. Many Western politicians, intellectuals, and publicists considered the Helsinki agreements an affirmation of the post-war situation and the gains made by the Soviet Union. In fact, Alexander Solzhenitsyn called it a new betrayal and a new Munich.³

We saw things a little differently. Of all the details of the Helsinki accords, most important for us was the fact that our government had also acknowledged the Universal Declaration Of Human Rights (albeit only formally), though its publication here was not officially sanctioned. The declar-

2 Cf. Milan Šimečka, *The Restoration of Order*, London 1984 (English edition; original: *Obnovení pořádku*).

3 Cf. Josef Pokštefl, Helsinki – a co dál?, in: *Listy* 7/1975, pp. 33-59.

ation was not even published in Czechoslovakia following the official signing of the accords, but if we managed to duplicate the document ourselves then the Communist Party of Czechoslovakia could not label it a subversive act. Perhaps it is also because of this fact that I consider the Helsinki Final Act to be one of the most important turning points of the last quarter of the Twentieth Century. Its political consequences, especially in the realm of renewing civic initiatives in totalitarian countries, have not yet been adequately evaluated.

The official state press (there was no other sort in Czechoslovakia) publicized the Helsinki Declaration in the pages of the daily *Rudé Právo*, but interpreted it above all as securing peace and economic co-operation. There was hardly a mention of the “third basket”, which dealt with human rights issues. In Czechoslovakia, as in all of the Communist countries at that time, the press was under the watchful eye of the Central Committee of the Communist Party. The media was strictly censored, and only information that agreed with the official party line could be published – and this also needed to match the official viewpoint of the Communist Party of the Soviet Union. For example, although the Helsinki Conference was a topic in our newspapers, any information was published only after it had been disclosed in the USSR, and the censors ensured that Czechoslovak newspapers did not devote more space to matters of Helsinki than did the official Soviet newspaper, *Pravda*.⁴

We regarded whatever was written in *Rudé Právo*, the official daily of the Communist Party of Czechoslovakia, as propaganda. Therefore, we only began to pay attention to the Helsinki document once mention of it was made in the Czech press in exile; that is, in periodicals published for us (which often included contributions by authors writing under pseudonyms inside Czechoslovakia) and smuggled back into the country to be distributed unofficially. This process was another reason why we often had a delayed reaction to world events. Although given the timelessness in which we lived, this did not matter much.

The year 1975 was a pivotal one for our country not only because of the Helsinki accords. In April 1975, Václav Havel sent his “Open Letter” to the General Secretary of the Communist Party of Czechoslovakia, Gustav Husák,⁵ in which he outlined the unhappy state of our country, its demoralization and devastation, and informed Husák about the situation of political prisoners. This letter was sent officially to the General Secretary, and with the author’s approval, many copies were also distributed unofficially amongst the population. On their own initiative, people made multiple carbon copies of Havel’s letter, passed it on to others and discussed its contents. Sometimes I think that our citizens were more interested in information pertaining to

4 Cf. Pavel Tigrid, *Helsinki jako hůl*, in: *Svědectví 50/1975*, pp. 199-201.

5 Václav Havel, *Otevřený dopis Gustávu Husákovi, generálnímu tajemníkovi ÚV KSČ*, in: *Svědectví 50/1975*, pp. 377-394.

human rights when it was copied using carbon paper, than they are today when it is readily available printed and bound. By playing a role in copying and distributing Havel's letter, people risked their livelihoods, and many lost their jobs.⁶

Permeating this politically energized atmosphere were articles published in exile which focused on the Helsinki Final Act and especially the third basket, entitled "Co-operation in Humanitarian and Other Fields". Many editorials written by our people in exile were, of course, sceptical. Authors warned that the Final Act contained no provision for the enforcement of individual articles, and that there were no guarantees that they would be interpreted identically. However, it was pointed out that the agreements signed by our government could be used as a means for increasing freedom in Socialist countries – though only if "Western democracies had enough desire, strength and patience to use Helsinki as a cane against a dog who does not retrieve as he should, and as was agreed".⁷ From these texts written in exile we also learned that the Soviet Union was already violating conditions of the newly signed agreements in 1975, for example, by failing to announce military exercises in Eastern Europe. Other members of the Warsaw Pact also omitted to announce military manoeuvres, despite the fact that this approach violated article 2 of the first section of the Helsinki Final Act (Document on confidence-building measures and certain aspects of security and disarmament). We also knew that Leonid Brezhnev explained to American senators that some articles were more valid than others and that those articles comprising the third basket needed to be amended with "specific, additional agreements between the USSR and other states".⁸ Despite being alerted to the Soviet Union's interpretation that this agreement was the document affirming the post-World War II division of Europe, for which it had been waiting thirty years,⁹ we also realized that those details which were downplayed in our Communist press were precisely those which might be most important for us.

The Helsinki accords – and most specifically the third basket – codified certain principles by which states (including the Communist states) should abide in relations with their citizens. How well they did this was to be assessed in Belgrade in two years time. This gave us a certain hope that something would change, that something could change, and that, if our own government persecuted us, we could appeal to these agreements, which the government had signed. At the same time, the hope that conditions would change for us on the basis of some external pressure ended – there would be no revision of political spheres of influence. Although this was a sad realization, it also prodded us to recognize that we must help ourselves. Antonin J. Liehm, a political scientist and journalist in exile, wrote that the USSR, like all to-

6 Cf. Vilém Prečan, Introduction to *Knihy Charty*, in: *Index 4/1977*, pp. 5-28.

7 Tigríd, cited above (Note 4).

8 *Ibid.*, p. 199.

9 Cf. Antonin J. Liehm (under the pseudonym of Dalimil)/František Listopad (under the pseudonym of Portugalsko), *Helsinki a Československo 1975*, in: *Listy 5/1975*.

talitarian countries, was able to suppress all attempts at radically changing the system, but they could not so easily stop the efforts of those who appealed to a programme of simple “improvement”.¹⁰ As it happens, a slow loosening of the chains is exactly what most endangers Soviet-style systems. We knew that the Final Act was not ideal, that it lacked a means to force totalitarian governments to uphold their agreements, yet we were still filled with the hope of positive change. Helsinki stimulated courage in people. I recall that the former Foreign Minister, Professor Jiří Hájek, who was continuously watched by police because he called the entry of Warsaw Pact troops in 1968 an invasion, and František Kriegel, the only member of the Central Committee of the Communist Party of Czechoslovakia who refused to sign the protocol in Moscow in August 1968, participated in unofficial discussions about the Helsinki accords, and they both stressed that the third basket, pertaining to human rights, freedom of expression, and freedom of information, should be constantly emphasized in the West. Those of us who lived in Czechoslovakia realized that we could use these agreements to our benefit, that we could appeal to them and try to renew civic initiatives in their spirit. We saw, and we wanted to see, primarily the positive features of the Helsinki accords – those features that we could use to change our reality. This approach to the accords was the key difference for people who were in opposition to the regime, yet living in Eastern European states. The Helsinki accords were used similarly by opponents of the regimes in Czechoslovakia, Poland (where the KOR, the Workers Defence Committee, was formed), and even in the Soviet Union (the group surrounding the physicist Andrei Sakharov).

In such cases, even an imperfect agreement may be used towards a good end – in our case, for the protection of human rights, as a basis for criticizing the political regimes of the time, and for the expansion of freedom. I think that the governments of the Eastern Bloc underestimated their citizens when these agreements were signed. They certainly did not anticipate such a ground-level reaction. It is possible that not even the Western initiators of the third basket anticipated such a reaction from the East. Through unofficial channels we sent texts written here to the West (an act punishable even according to the Helsinki agreements), our friends in exile then printed the pieces and publicized them in broadcasts carried by Voice of America, Radio Free Europe, the BBC’s Czech section, and the German foreign service broadcaster *Deutsche Welle*, and via these sources our citizens were able to learn about their rights. These efforts always appealed to the fact that our government signed the Helsinki Final Act and should therefore uphold the commitments contained therein. Distributing these texts should no longer have been punishable, though it was; however, if a citizen knew enough to appeal to the Helsinki agreements, s/he was in a much better position than s/he would have been before the government had put its signature to the Final Act. For example, under the by-line of “Advocate of the Poor” an article ap-

10 Ibid.

peared in *Listy* (October 1976) entitled “A Citizen and the Administration (Or Instructions Regarding the Rights of Citizens and the Obligations of the Administration)”, and copies of this article circulated in Czechoslovakia. Other articles (published in *samizdat*) based on the Helsinki accords instructed people how to conduct themselves during an interrogation, what the StB (*Statni bezpecnost*; state security service) had a right to do and what it did not, how to apply for permission to leave the country, and what our rights were with respect to visiting relatives who had emigrated. It appears that government representatives of Eastern Bloc countries thought only of the first and second baskets when signing the agreements, and therefore only concerned themselves with questions of a military and economic nature, or perhaps with how to profit from scientific information and discoveries made in the West. They assumed that citizens of the Eastern Bloc states were so tired and bored with the procedure that they would not take notice of what was written in the third basket on humanitarian questions. I know from my own experience during StB interrogations that whenever I appealed to these rights and informed my interrogators that the approach of the state police went against the Helsinki accords, they always looked at me with astonishment and did not know how to react. Other dissidents had exactly the same experience.

The Helsinki Final Act was also the basis for the most important declaration made by the Czechoslovak opposition in the 1970s – that is, the declaration of Charter 77. The text begins by referring to the fact that “on 13 October 1976, the Collection of Laws of the Czechoslovak Socialist Republic (number 120) made public the ‘International Covenant on Civil and Political Rights’ and the ‘International Covenant on Economic, Social and Cultural rights’, which were [...] approved in the name of our country at Helsinki in 1975 and came into effect in Czechoslovakia on 23 March 1976. From this moment, our citizens have the right to conduct themselves accordingly, and our state has the obligation to abide by the agreements.”¹¹ The declaration of Charter 77 then continued to list the offences committed by the Czechoslovak government by failing to uphold the Helsinki agreements. For example, tens of thousands of citizens had been denied the right to work in their profession because they held opinions that differed from the official Party line, and others were persecuted and discriminated against for their religious beliefs. Freedom of speech was suppressed by central control of all means of mass communication. No philosophical or scientific opinion or artistic expression differing from the official ideology could be publicized. It was impossible to defend oneself against damaging accusations contained in official propaganda, false accusations could not be overturned, and even the second paragraph of Article 12 of the International Covenant on Civil and Political Rights, which guarantees a citizen the right to freely leave his country, was denied. I could cite numerous other examples from Charter 77. In conclusion,

11 Prohlášení Charty 77 [Declaration of Charter 77], at: http://www.totalita.cz/texty/ch77_dok_1977_01_01.php.

the signatories of Charter 77 appealed to the fact that these conditions were already agreed to and signed in Helsinki in 1975, and that they had been officially accepted by the Czechoslovak government. "With its symbolic name, Charter 77 emphasizes that it emerged on the threshold of the year which was declared The Year of Rights of Political Prisoners, and the year in which the Belgrade Conference should investigate whether the commitments made in Helsinki were being fulfilled."¹² Charter 77's founding declaration is dated 1 January 1977.

I am of the opinion that without the Final Act of the Helsinki Conference on Security and Co-operation in Europe, we would have lived under much worse conditions back then, and that despite a number of reservations, this agreement contributed significantly to the expansion of freedom inside Czechoslovakia. However, what was most important was that we did not view this agreement as one which concerned only states, but used the text to fulfil civic initiatives.

Therefore, my evaluation of the significance of the Helsinki accords differs greatly from the reactions and evaluations of those whom I cited at the beginning of this recollection. It is my opinion that the Final Act had great significance for shaping Europe's future, and that it was not simply a scrap of paper precisely because it was understood by citizens at the grassroots level. On the occasion of this year's anniversary, we should also remind ourselves of the importance of civic initiatives that force "the establishment" to stand by its declarations, to fulfil that which it has promised, and to adhere to those conditions to which it has made a commitment. In this sense, the Helsinki Final Act continues to have meaning today.

12 Ibid.