

Excerpts From State Department Memo on Human Rights

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WASHINGTON, Nov. 4 — Following are excerpts from a State Department memorandum on human rights policy that was prepared by Deputy Secretary of State William P. Clark and Richard T. Kennedy, Under Secretary of State for Management, and approved by Secretary of State Alexander M. Haig Jr.:

Human rights is at the core of our foreign policy because it is central to what America is and stands for. "Human rights" is not something we tack on to our foreign policy but is its very purpose: the defense and promotion of freedom in the world. This is not merely a rhetorical point. We will never maintain wide public support for our foreign policy unless we can relate it to American ideals and to the defense of freedom. Congressional belief that we have no consistent human rights policy threatens to disrupt important foreign policy initiatives. Human rights has been one of the main avenues for domestic attack on the Administration's foreign policy.

"Human rights" — meaning political rights and civil liberties — conveys what is ultimately at issue in our contest with the Soviet bloc. The fundamental distinction is our respective attitudes toward freedom. Our ability to resist the Soviets around the world depends in part on our ability to draw this distinction and to persuade others of it.

Neutrality abroad and a sagging domestic spirit partially are caused by fear of Soviet military might and our perceived inability or lack of desire to resist it. Perhaps even a more significant cause lies in the notion of "relativism" — why arm, and why fight, if the two superpowers are morally equal? Our human rights policy must be at the center of our response. Our audience is not only at home but in Western Europe and Japan and among electorates elsewhere. We must continue to draw the central distinction in international politics between free nations and those that are not free. To fail at this will ultimately mean failure in staving off movement toward neutrality in many parts of the West. That is why a credible U.S. policy in this area is so vitally important. Overall U.S. foreign policy, based on a strong human rights policy, will be perceived as a positive force for freedom and decency.

A 2-Track Policy

We recommend a two-track policy, positive as well as negative, to guide our rhetoric and our policy choices. On the positive track we should take the offensive:

¶Expounding our beliefs and affirmatively opposing the U.S.S.R. in the U.N., C.S.C.E. [Conference on Security and Cooperation in Europe] and other bodies.

¶Hitting hard at abuses of freedom and decency.

¶Reinforcing international moral and legal standards, including strong responses to outrages against diplomats and acts of terrorism.

¶Maintaining our reputation as a reliable partner for our friends so as to maximize the influence of our quiet diplomacy.

On the negative track, we must reconsider our relations in light of serious abuses. However, the human

rights element in making decisions affecting bilateral relations must be balanced against U.S. economic, security and other interests. We must take into account the pressures a regime faces and the nature of its enemies. This policy must be applied evenhandedly. If a nation, friendly or not, abridges freedom, we should acknowledge it, stating that we regret and oppose it. However, our response or retaliatory actions should result from a balancing of all pertinent interests. Human rights is not advanced by replacing a bad regime with a worse one, or a corrupt dictator with a zealous Communist politburo.

In practice, we must, for instance, abstain from supporting or vote against friendly countries in the M.D.B.'s [multilateral development banks] on human rights grounds if their conduct merits it. We should, however, motivate improvement in human rights by voting "yes" when there has been substantial progress. In highly controversial areas such as crime control equipment, we should not issue licenses in questionable cases. The cost for such a decision would be minimal — this equipment is readily available from other sources. Thus, our decision will not damage another nation's security. On the other hand, failure to make such a decision would undercut our human rights policy.

Costs of the Policy

Any significant improvement in U.S.-Soviet relations must include demonstrable Soviet movement toward greater freedom.

A human rights policy means trouble, for it means hard choices which may adversely affect certain bilateral relations. At the very least, we will have to speak honestly about our friends' human rights violations and justify any decision wherein other considerations (economic, military etc.) are determinative. There is no escaping this without destroying the credibility of our policy, for otherwise we

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William P. Clark

would be simply coddling friends and criticizing foes. Despite the costs of such a human rights policy, it is essential. While we need a military response to the Soviets to reassure our friends and allies, we also need an ideological response. Our struggle is for political liberty. We seek to improve human rights performance whenever we reasonably can. We desire to demonstrate, by acting to defend liberty and identifying its enemies, that the difference between East and West is the crucial political distinction of our times.

Recommendations

1. Abrams [Elliott Abrams, nominee to be Assistant Secretary for Human Rights and Humanitarian Affairs] must be afforded the opportunity to appoint three new D.A.S.'s [deputy assistant secretaries] and make other personnel changes, if he finds it neces-

sary. We have promised him our help in implementing personnel changes as fast as possible and in persuading F.S.O.'s [Foreign Service Officers] to join this bureau. To have H.A. [Bureau of Human Rights and Humanitarian Affairs] successfully wage the "battle of ideas," internal restructuring may be necessary, as may be addition of a public affairs office to the bureau. We have told Abrams we will look sympathetically at reasonable requests for specific new positions.

2. Name of the Bureau. We propose the name of the H.A. Bureau remain as it is, so that we not create needless controversy which might even harm our nominee and undercut our policy. However, we should move away from "human rights" as a term, and begin to speak of "individual rights," "political rights" and "civil liberties." We can move on a name change at another time.

3. Policy Management. A new Assistant Secretary will need credibility before Congress and the public in stating, when necessary, that human rights issues have been raised at the highest levels. He should therefore be able to raise particularly crucial issues with you. The usual reporting relationship will be to the Deputy Secretary.

H.A. should be designated the lead agency on human rights not only for the department but also for the Government, with a specific role providing policy guidance on human rights issues to I.C.A. [International Communication Agency] and to all U.S. representatives to international organizations such as the U.N. and the M.D.B.'s. H.A. should also be able, with proper approval, to involve other governmental agencies in implementing human rights policies — for example, by using defense attachés in some cases as part of our "quiet diplomacy."