

## U.N. rights panel hears LaRouche case

*On Aug. 17, Ortrun Cramer, speaking on behalf of the Vienna-based International Progress Organization (IPO), delivered the speech reproduced below to governmental representatives who are members of the United Nations Commission of Human Rights, Sub-Commission on Prevention of Discrimination and Protection of Minorities. The text here has been slightly abridged. Subheads have been added.*

In previous interventions to the Sub-Commission and the United Nations Commission on Human Rights, the International Progress Organization addressed abuses in the justice system of the United States of America, notably in the case of the philosophical, political opposition movement associated with Lyndon H. LaRouche, Jr.

For more than four and a half years now, Lyndon LaRouche has been in prison in the United States, sentenced in a trial that has provoked international protest by eminent jurists and other personalities from around the world. So far, all efforts to remedy the situation have failed, despite comprehensive documentation of LaRouche's and his associates' innocence, and documentation of massive government and prosecutorial misconduct in the persecution and trial of said persons.

The Fourth Circuit Court of Appeals in Richmond, Virginia, has so far taken no action on appeal filed by lawyers Odin Anderson and Ramsey Clark, the former Attorney General of the United States. The lawyers had filed a motion of appeal against the denial of a "2255" motion for new trial filed on Jan. 22, 1992, and denied by Judge Albert V. Bryan, the same judge who had originally sentenced LaRouche and several of his associates.

### **New evidence ignored**

The 2255 motion had been accompanied by six volumes of evidence newly discovered after trial, evidence which shows that the prosecution conducted and participated in a conspiracy and concerted action with others to wrongfully convict LaRouche and his co-defendants by engaging in outrageous misconduct, including financial warfare. A cornerstone in the 2255 motion was the ruling of a leading bankruptcy court in 1989, stating that in bringing forth involuntary bankruptcy proceedings against organizations and publishing entities associated with Lyndon LaRouche the government

had acted "in objective bad faith" and committed "fraud on the court." This ruling was affirmed on appeal. However, during trial, in a "motion *in limine*," the judge had prevented the defense from even mentioning the fact that it was the government which brought about the bankruptcy proceeding which led to the organizations' and companies' inability to repay loans taken.

The continued inaction of the Fourth Circuit Court of Appeals is proof, that the pattern of gross violation of due process is being continued, despite all documented evidence, and despite the growing wave of international protests.

Approximately 270 parliamentarians from 25 countries signed a joint appeal to President Clinton, published in the *Washington Post* on June 30, 1993, to free Lyndon LaRouche. On behalf of the 62 members of the Italian parliament, former Magistrate Carlo Palermo, now a member of parliament, and another parliamentarian, personally intervened with the U.S. embassy in Rome and demanded that justice be done, and LaRouche be set free. The former President of Argentina, Arturo Frondizi, wrote an open letter to President Clinton on June 8, 1993, calling upon Clinton to "exhaust all available means to settle the LaRouche case once and for all, and thus give him back his freedom." The expectations that the new U.S. administration would do away with the pattern of misconduct perpetrated in the justice system have so far not been fulfilled, as other cases also clearly demonstrate.

The International Progress Organization appeals to the Sub-Commission not to turn a deaf ear to the voices of protest internationally, but see to it that all necessary steps are taken immediately to finally remedy this situation. This is the more urgent given the fact that Mr. LaRouche himself will turn 71 years old on Sept. 8, and the long time of incarceration does represent a serious threat to his overall life expectancy. Furthermore, extremely long sentences have been given to several of his associates, which represent most serious violations of human rights against these individuals. LaRouche associate Michael Billington, who had been sentenced with Mr. LaRouche to three years in federal prison, which he served until spring 1991, has been sentenced by a Virginia state court to 77 (seventy-seven!) years in prison, based on the same evidence and the same witnesses as in the federal case. His colleague Anita Gallagher was sentenced to 39 years, her husband Paul Gallagher to 34 years, Laurence Hecht to 33 years, Donald Phau to 25 years, and Rochelle Ascher to 10 years. Michael Billington and Rochelle Ascher are presently serving their sentences in the state of Virginia.

The irregularities in the case of Michael Billington serve as a chilling example for the gross misconduct in the cases against LaRouche associates:

On Dec. 1, 1989, Michael Billington was sentenced by a Virginia state court, for alleged "securities fraud" for an alleged sum of \$76,000; the funds in question were political

loans for campaigns and publishing projects. At sentencing, the prosecutor stated in court, that the sentence was intended to be a "message to those other people" and was needed to "send a message to Michael Billington and to Lyndon LaRouche and to everybody affiliated with that organization out there raising funds."

### **Political motivation is obvious**

Never before had there been any ruling, nor any civil proceeding, that the political loans at issue were "securities." Such a ruling "to fit the crime" was only made one month after Billington and others were arrested; the political motive behind the arrests could hardly become more obvious. The woman who issued that ruling was shortly thereafter promoted to the Virginia State Supreme Court.

In the course of the trial against Billington, he was by order of the court subjected to a psychiatric examination for his insistence on his constitutional right to a trial by jury! The pattern of legal abuse was intensified by the behavior of his own lawyer, who changed sides and allied openly with the prosecution; the judge outrageously denied him the chance to change lawyers during trial. During the entire time of the competency proceedings and trial, Billington was held in solitary confinement in a cell 3×4 meters, for a total of more than 100 days! . . .

The trial judge in Billington's and other Virginia cases has admitted in court to having *ex parte* communications with a private agency, the Anti-Defamation League of B'nai B'rith, about the alleged "cult" nature of the philosophical movement—a maliciously slanderous allegation circulated to secure unopposed persecution against an undesired political opponent. The *ex parte* communications included a scarcely disguised bribe that the ADL would back the judge's candidacy to the Virginia State Supreme Court.

Published writings of Lyndon LaRouche and associates who had been or are at present incarcerated give testimony of the intellectual strength and unbroken spirit, that has characterized the so-called "LaRouche movement" during the over 20 years of its existence. The world-famous violinist Norbert Brainin, the first violinist of the Amadeus string quartet, said in a nationally broadcast TV appearance in the United States television on Nov. 5, 1988, after the trial against Lyndon LaRouche had begun in Alexandria, Va., about his friend LaRouche: "He displayed the kind of analytical mind, the kind of truth-seeking which one associates with a real scientist."

The International Progress Organization calls upon the members of the Sub-Commission to immediately engage in a thorough and impartial investigation of the case, so that not only justice is being done to the victims of this blatant politically motivated persecution, but also the authority of the United States as a country respecting internationally set standards of human rights protection in their own homeland and abroad is restored.

## **Rukh mobilizes to rescue Ukraine**

by Konstantin George

On Aug. 17, two years had passed since Ukraine's Declaration of National Independence. Ukraine, with a population of 52 million and an economy second only to Russia in the former Soviet Union, became formally independent on Dec. 1, 1991. On account of its highly educated population, skilled work force, natural resources, and technological capabilities, Ukraine had the easy potential not only to flourish on its own, but to become a catalyst for economic development for its giant neighbor Russia as well. Independence began with such hopes and visions, yet two years later, Ukraine is faced with a crisis which endangers the very survival of the Ukrainian state.

### **Betrayed by the West**

From abroad, Ukraine has been the victim of a ruthless policy of economic and credit embargo by the West, coupled with economic and energy blackmail by Russia, and Russian support for ethnic Russian separatist movements in Crimea and Eastern Ukraine. These policies are designed to continually weaken Ukraine, making it ripe for re-incorporation into a new Russian Empire. Domestically, the old Ukrainian assets of the Russian imperial design, who dominate the Parliament and are heavily present in the state apparatus, have been no less responsible for the dismal state of affairs.

Living standards have collapsed, savings wiped out, and organized crime and street crime are rampant. Angry Ukrainians suspect that through a mixture of weakness, cowardice, and in some cases actions bordering on treason, the country's leading institutions, the presidency, parliament, and government, have allowed Ukraine to drift to the precipice.

### **The referendum trap**

On Aug. 12 the Ukrainian State Electoral Committee cancelled the planned Sept. 26 referendum vote of confidence in the President and the Parliament. The referendum had been put forward as a central political demand by the ethnic-Russian dominated Donetsk strike committees, during the June strike wave spearheaded by the Donetsk coal miners. The original agreement by President Kravchuk and parliament for a referendum was a set-up, and its cancellation has fed further into the chaos scenario.