

# U.S. Journalist Sues Russian Magazine

By Peter Osnos

Washington Post Foreign Service

MOSCOW, June 25—An American correspondent sued a Soviet magazine for defamation today, demanding in a Moscow court that the Literary Gazette retract the charge that he is a CIA agent. He also demands an apology.

The complaint, by Newsweek's Moscow correspondent Alfred Friendly Jr., is thought to mark the first time a foreign journalist has taken legal action against a Soviet publication that attacked him.

It was accepted for a preliminary hearing in a Moscow People's Court a week from today, when it may become clear whether higher authorities will allow the case to proceed.

Twice in the past month, Literary Gazette, official organ of the Soviet Writers' Union, has accused Friendly and two other American correspondents here of working for the CIA charges that So-

viet journalists say privately are merely retaliation for American press reports that Russian newsmen in Washington are KGB agents.

The "proof" put forward against the Americans consists of letters, said to be from readers, meant to suggest that the reporters went beyond routine news-gathering in quest of sensitive information, particularly regarding military matters.

Friendly and the other two correspondents—Christopher Wren of The New York Times and George Krinsky of The Associated Press—have denied the charges, and the United States has made a formal protest.

In the suit, however, Friendly is acting alone. He has focussed his complaint on the assertion in Literary Gazette's May 26 edition that the correspondents owe their "loyalty" to "their true master—the CIA."

"I categorically affirm that Newsweek is my only employer in the U.S.S.R., that the CIA has never been my employer and that I never received instructions

from the CIA, nor acted under instructions from the CIA," said the papers filed today.

"The published statement detracts from my dignity and smears my honor and professional reputation before public opinion from the point of view of the observance of the law."

Friendly named as defendants the editors of Literary Gazette and V. Valentinov, author of the article—thought to be a pseudonym.

The correspondent has asked Newsweek to provide a notarized statement of his employment and is seeking a document from the CIA stating that he has never had any connection with the agency. Before coming to Moscow for Newsweek, Friendly, 38, worked for Sen. Edmund Muskie (D-Maine) and had been foreign correspondent for The New York Times.

The complaint was presented this morning to Judge Boris Shalagin of the Dzerzhinsky District Court in a routine proceeding that required the correspondent to wait in line behind Russians filing for divorces, housing claims and similar civil matters. Friendly said the judge directed that the case be tried within a month.

The correspondent is acting under Article 7 of the Russian Federation Civil Code, which states: "Citizens or organizations have the right to require that information defamatory to their honor and dignity be retracted unless the disseminator of such information can prove that it corresponds to the truth."

The code also says that "foreign citizens . . . enjoy the same rights as Soviet citizens." Friendly's next step, according to Soviet legal practice, is to get a Russian lawyer. At next week's hearing both sides are to discuss the evidence.

There is no indication that any of the three correspondents is going to be expelled. Vsevolod Sofinsky, head of the Press Department in the Soviet Foreign Ministry and not a man given to casual

gestures, shook hands warmly — and quite specifically — with them at the Kremlin signing of the U.S.-Soviet pact on peaceful nuclear testing two days after the first attack appeared.

Friendly, whose two-year stint is to end this month anyway, has been having more than the usual trouble with his telephone — a sign, he suspects, that listening devices are being adjusted. One Russian friend and several sources have passed word that further contacts are out of the question.

Krimsky's wife received a threatening phone call. Wren has not noted any particular problems lately. In short, the consequences thus far have been minimal.

The Soviets are said to have been angered by Jack Anderson columns alleging that various Soviet journalists in the United States are spies and a Time magazine article March 22 called "Soviet Spying on Capitol Hill," which listed two correspondents from Izvestia, the government newspaper, as part of a "Soviet intelligence squad" of at least 15 people.

Those assertions, according to the Soviets, have seriously hampered what they insist are legitimate news-gathering functions: "A year ago I'd call 15 senators and 10 would see me; now it's only five." The Washington correspondent for a major Soviet newspaper, who has not been labeled an agent, complained here the other day.

How Soviet journalists use the information they collect, aside from articles they write, and whether they actually serve as intelligence operatives are clearly points of contention. In any case, Moscow apparently chooses to deal with these problems by retaliation. Harassment of Russian diplomats by Jewish extremists in New York was answered by the jostling of some American officials here.

Journalists are vulnerable to such allegations because of the persistent ambiguity in CIA disavowals about the use of reporters. For in-

stance, instead of joining the three correspondents and their organizations in immediately and flatly denying the Literary Gazette charges, the CIA said in a statement, according to a UPI dispatch, that "Pending study of the full Soviet article it would stand by the response of an embassy spokesman in Moscow that he knew of no American journalist in the Soviet capital with any CIA connections."

There had been rumors for several months that such an attack was in the works, and several American correspondents had heard, at one time or another, that they might be named.

Friendly, Krimsky and Wren — who represent, respectively, a news magazine, a news agency and a newspaper — do not seem significantly different from most of the other 23 correspondents regularly accredited here for American news organizations.

In Friendly's case, the Soviets may be responding to a cover that appeared on Newsweek's International Edition Feb. 9 to illustrate a story called "Why Things Don't Work in Russia." A caricature of Communist Party leader Leonid Brezhnev, with his cap askew and his tongue hanging out, infuriated the Russians, who considered it unnecessarily crude and disrespectful.

Neither Wren nor Krimsky can single out anything like that cover for which the Soviets might want to punish them.