

## Institutions without forms

though it will obviously follow the precedent set by the Madrid and Belgrade predecessors, was only mandated to begin with a preparatory meeting in September 1986. On the way to Vienna, the CSCE process convened many meetings on different subjects, with the Ottawa Meeting of Experts on Human Rights in 1985 seen as a turning point in, and demonstration of, the current state of the CSCE.

Although the process was fully endorsed by Mikhail Gorbachev in his October 1985 Paris press conference, and again in his speech to the 27th Congress of the Communist Party of the Soviet Union, it is now stagnant. Critics claim that the Soviets have been able to reap all of the benefits of Helsinki: the confirmation of borders, inviolability of frontiers, and a European Security Conference, while at the same time being able to renege on the much heralded humanitarian promises of Basket III and respect for human rights in Principle VII of Basket I.

### Meetings of the CONFERENCE ON SECURITY AND COOPERATION IN EUROPE

#### **Founding meetings**

Helsinki and Geneva, 1972-August 1975

#### **Follow-up meetings**

Belgrade, October 4, 1977-March 9, 1978  
Madrid, November 11, 1980-September 9, 1983  
Vienna, November 4, 1986-?

#### **Experts' meetings**

Montreux, October 31-December 11, 1987; Peaceful Settlement of Disputes.

Valletta, February 13-March 26, 1979; Questions relating to security and cooperation in the Mediterranean.

Hamburg, February 18-March 3, 1980; Scientific Forum

Stockholm, January 14, 1984-September 19, 1986; Conference on Confidence- and Security-building Measures and Disarmament in Europe (CDE).

Athens, March 21-April 30, 1984; Peaceful settlement of disputes.

Venice, October 16-26, 1984; Seminar on Mediterranean cooperation.

Ottawa, May 7-June 17, 1985; Meetings of Experts on Human Rights.

Helsinki, July 31-August 1, 1985; Tenth Anniversary Commemoration.

Budapest, October 15-November 25, 1985; Cultural Forum

Bern, April 16-May 26, 1986; Experts' Meeting on Human Contacts.

## First, freeze the borders

For many years after the death of Stalin the Soviet Union was anxious to convene a conference that would deal with military and security questions in Europe. The diplomatic maneuverings leading up to the Helsinki negotiations were subject to the mercurial nature of East-West relations during that time. Finally, with the stabilization of European politics in the early 1970s, coupled with the US pursuit of détente, it became easier to establish a structure in which to negotiate European security. These negotiations were held in Helsinki and Geneva, and resulted in the signing of the Final Act of the Conference on Security and Cooperation in Europe on August 1, 1975. Thirty-five Heads of State made their way to Helsinki to sign the Accords that many greeted as the codification of the principles of détente. The uniqueness of the final Act was twofold: first, the non-binding legal aspect; and second, the way the Final Act came to be developed and interpreted by all sides.

The Conference on Security and Cooperation in Europe Final Act, more popularly known as the Helsinki Accord, is often explained away as simply the codification of détente and the confirmation of post-World War II boundaries in Europe. In the Final Act there are sections of indisputable importance, yet certain well-known clauses have tended to take the focus away from other sections of this potentially productive accord. The Americans view the Helsinki Accord from their superpower vantage point and forget that thirty-three other countries enjoy benefits from other baskets. These include the economic and technological parts of the second basket, and the human contacts portions of the third basket. As well, the process simply gives smaller European countries and Canada the opportunity to negotiate politically with the Soviets in an international arena outside the United Nations.

The enthusiasm of the Soviet Union and all signatories of the conference was maintained briefly in the post-signing period. Although the Soviets were not entirely surprised at the domestic response to the Accords, they were concerned specifically with certain agreed upon principles. The Final Act soon became a focal point, not for the sections confirming boundaries and inviolability of frontiers or increasing the transfer of technology, but instead for the human rights provisions in Principle VII of Basket One. Because of the nature of the reaction, the Soviet authorities were compelled to respond strongly.

## Willy-nilly institutionalization

It is difficult to discuss the Helsinki Accords entirely in terms of institutions, because the mandated nature maintains a fluid type structure that allows it to be a dynamic process. The dynamism of the CSCE process is important to all thirty-five participants including the superpowers. These two countries, though dominating the alliance aspect of the CSCE, are not entirely "more equal than others" in the Helsinki process. The instituted procedure of consensus is the most vulnerable aspect of the process, and permits each and every country to be truly equal. This was most appropriately demonstrated by a filibustering Malta in the latter stages of the Madrid conference.