



Statements and Speeches

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HELSINKI – THE FINAL ACT: PRINCIPLES AND PROVISIONS

Opening Canadian Statement by Mr. Klaus Goldschlag, Special Representative of the Secretary of State for External Affairs, to the Meeting of the Conference on Security and Co-operation in Europe, Belgrade, October 6, 1977.

We are all indebted to our host government for permitting our preparatory meeting and us to inaugurate this imposing and imaginative conference building and for all the courtesies that are being extended to us. The history of Yugoslavia has given it an important stake in the themes that are before us and it has done much, through its policy and through its actions, to advance them. It is entirely fitting, therefore, that the capital of Yugoslavia should imprint its name on this meeting.

A little more than two years ago, the political leaders of our countries met in Helsinki to subscribe their signatures to the Final Act. They did so "mindful of the high political significance" of that document and "declaring their determination to act" in accordance with its provisions. They recorded their resolve to continue the process that had culminated in the signing of the Final Act, and directed us to meet in Belgrade this year for this purpose. We are here today, therefore, to take stock of what has been accomplished in the interval and to see where we go from here.

When the Final Act was signed, it evoked varied reactions. There were those who attached great hopes and expectations to it. They saw it as marking the passage of Europe and North America from the period of Cold War. They took seriously the more secure and civilized international order to which it seemed to point. Others were more sceptical. They were not insensitive to the political vision the Final Act held out. But they were concerned about the balance of advantage that the negotiations had yielded. Still others shrugged it off altogether. They thought that the negotiations had been a misguided effort, that the Final Act either changed nothing or, worse, that it aroused expectations that would not and could not be fulfilled.

A balanced view would lie somewhere in between. We cannot agree that the effort should not have been made. Nor can we discount the possibilities that have been opened up. But we must also admit to ourselves that expectations fall well short of having been met. The political landscape is still far from idyllic. We are still in a situation where stability probably owes as much to fear of nuclear war as it does to any political arrangement we have yet succeeded in making. This is not a comfortable thought. It becomes even less comfortable when we review the uneven and, on the whole, modest progress achieved in the last two years towards realizing the objectives of the Final Act.

Nevertheless, we are prepared to be realistic. The Final Act covers a broad canvas of objectives. If they had been within easy reach, it would not have been necessary to negotiate them so laboriously. It is of some significance that we succeeded in formu-

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lating them at all and that they now carry the consensus of 35 countries and the commitment of our political leaders.

The Final Act reaches into the future. Perhaps two years is not long enough to assess its impact fairly. But two years is long enough to have identified the impediments to better progress. Public interest in all our countries is focused on Belgrade and those who are most serious about the Final Act are also those who expect the most from our deliberations. How best can we approach the task that has been delegated to us?

In the Canadian view, there is an inherent logic to our agenda. The first step is to proceed to a careful and objective review of the current state of implementation of the Final Act. To prepare for such a review, all of us will have drawn up our inventories and compiled our statistics. But the review, in the end, is a political matter, not an exercise for statisticians. What matters is what the statistics mean. After all, many of us started from very different positions in respect of the principles and provisions of the Final Act. What seems important to us is to see how close we have come to meeting the objectives on which we agreed in that document.

By proceeding in this way, we shall be better able to measure the gap that still separates promise from performance. Only when that has been done can we seriously turn our attention to new proposals. We see such proposals as designed not to rewrite the Final Act, which is not within our mandate, but to deepen our collective commitment to its purposes and to improve the quality of our performance.

The Final Act is a balanced document. If it were not balanced, it would not have commanded the assent of the 35 countries assembled here. The Canadian Government, therefore, regards itself as being committed to all parts of the Final Act and it intends to see all parts implemented in equal measure.

But public opinion in Canada focuses unequally on the Final Act. It does so because the different parts of the Final Act are different in their relevance to the concerns and priorities of Canadians. And it does so because Canadians have their own perception of what a policy of *détente*, practised conscientiously, should imply. In essence, Canadians will assess such a policy by one simple test, and that is whether, as a consequence of supporting their Government's policy of *détente*, they are living in a safer and more humane world. How does the course we charted at Helsinki stand up to such a test?

We are bound to admit that, in the matter of improving security, the provisions of the Final Act are modest. The modesty of our achievement was recognized at the time because there is no other chapter in the Final Act in which our heads of government gave us greater latitude for future progress. But modest or not, we should not underrate the contribution that these confidence-building measures can make to a more stable and predictable environment in an area that remains the greatest area of armed confrontation — that is, Central Europe. We have gained experience in the operation of these measures over the past two years. We are hopeful that, without going beyond the intent of the Final Act, we may be able to refine their application and broaden their practice.

The mandate that has been given to us is limited. But the fact that it is limited does not absolve us from looking beyond it. The Final Act, in the end, finds its place in the wider conspectus of *détente*. And, if *détente* is a matter of increasing confidence, it is ultimately inconceivable that we can manage to increase confidence in the political realm while the arms race continues unabated. Political *détente* and a deceleration in the arms race must go hand in hand. The confidence created by each has a mutually-reinforcing impact on the other. Insecurity, like security, is indivisible.

We are not here to deal with matters of disarmament. That is the responsibility of other organs of the international system. But in our deliberations here we cannot afford to leave out of account the effect that a mounting build-up of military forces and armaments, going beyond the apprehended needs of defence, will have on stability and on confidence. We cannot leave out of account the disappointing progress that is being made in curbing the arms race in negotiations in Europe and elsewhere. We are at the end of the road of peripheral measures. We have come to the heart of the disarmament matter, which is actually to begin to disarm. No one pretends that the next steps will be easy. But we cannot expect to move forward along the disarmament road simply by making declarations of good faith or by trying to legislate intentions. We have only one option, and it is the hard option of dealing with capabilities, of limiting the capacity to wage war.

That is not, as I say, on the agenda of our meeting. But we should not delude ourselves into thinking that, unless we are serious about that larger dimension of security, we can indefinitely sustain the support of our public opinions for the structure of co-operation that we put in place at Helsinki.

Much of the co-operation envisaged at Helsinki lies in the economic realm. Here, too, we believe that the language of the Final Act is indicative of a conception that carries us beyond the provisions we have come here to review.

The systems by which we manage our economies differ in many important respects. We have no illusion about those differences and it is not the purpose of the Final Act either to arbitrate or to bridge them. But we should be wrong, in our view, if we saw our task here or beyond Belgrade to be merely that of recording the agreements we have concluded or the projects in which we are jointly engaged. We should be wrong if we made the creation of new structures or the impact of our endeavours on relations between us the sole focus of our concern.

We cannot, after all, be unmindful that our economies, taken together, represent the core of what is called the industrial world. The way in which we organize and conduct our economies, the way in which we muster our respective economic strengths, has an impact that is acknowledged to be world-wide. A good part of the world will be following our deliberations here closely. They are aware that the countries that have signed the Final Act include virtually the entire industrialized world. They accept, as we do, that closer co-operation among us can lead to a more rational allocation of resources, with resulting benefit, in the first instance, for the peoples of Europe and North America. But it will also occur to them that, the more we as industrialized

countries work together to our own mutual advantage, the easier it will be for us to bear in mind our responsibilities to the world system at large and to the developing world in particular.

The facts of interdependence, in any case, are rapidly catching up with us. Regardless of how we manage our economies, we cannot, any of us, escape the implications of the energy crisis; or of the depletion of other natural resources that we have used improvidently; or of the pressure that the rising expectations of our peoples put on the finite capacities of our economies; or of the unrealized demand that is represented by the millions of disenfranchised consumers in the countries of the Third World. This is not a matter of convergence of our systems; but it is a matter of convergence of interests and concerns that we share. We should be ill-advised to disavow that convergence. We shall be much less able to deal with these problems in doctrinal isolation. But we shall not be able to work together at all unless we deal with each other in the spirit of mutual confidence that the Final Act was intended to impart to our economic relations, as to our relations over a wider spectrum.

In the end, however, it is the weight we are prepared to give to the human dimension of the Final Act that will determine the climate of confidence between us. That such a proposition should itself cause concern is a measure of the distance that still separates us from the objectives we set ourselves at Helsinki.

It is sometimes argued that to place human rights and humanitarian co-operation so high in the scale of priorities is to distort the balance of the Final Act and to distort the balance of the benefits we expect from it. We in Canada cannot subscribe to that argument. The great barrier our efforts are intended to breach is, in the first instance, a barrier between people. We cannot expect to build a structure of co-operation that will prove solid unless it involves our people and unless they identify their interests with it. We cannot proceed on the assumption that relations between states can remain unaffected where respect for human rights and fundamental freedoms is seen to be deficient. On the contrary, the link is explicitly drawn in the Final Act and we should do well to keep it in mind as our deliberations go forward.

We acknowledge that many of the principles and provisions of the Final Act are in the form of unilateral undertakings by participating states. We believe, nevertheless, that all these undertakings are a legitimate subject for discussion at our meeting here in Belgrade. This applies to human rights and human contacts, as it does to the other subjects that come within the ambit of our review. We cannot agree that such a discussion constitutes an intervention in the internal affairs of participating states. We are here to measure progress and the only measure we can apply is the degree to which undertakings freely assumed by governments are being carried out.

The point is sometimes made that the problem with human rights is that they are subject to very different interpretations. It is true that different societies attach different weights to particular human rights. It is also true that some societies claim precedence for the rights of the collectivity over those of the individual. We are not here to arbitrate those differences. But we do not believe that matters of definition should stand

in the way of conscientious performance. We are not, after all, writing on an unwritten page. The Universal Declaration of Human Rights is common ground between us. So, between many of us, are the relevant international covenants. The Final Act itself, in declaring human rights to derive from "the inherent dignity of the human person", has surely dispelled whatever doubt there may have been of where our obligations lie.

All our governments could probably claim to have put in place an adequate legislative basis for assuring the observance of human rights and fundamental freedoms. But concepts in this field are evolving and there is a need to ensure that this evolution is progressively reflected in our laws. We also have to consider that our systems are not perfect. All too often, there is a gap between what is prescribed in the statute book and what is vouchsafed in practice. We acknowledge that it is the responsibility of each government to see that such a gap does not develop and that, where it has developed, steps are taken to remedy it. But we also accept the right, in Canada as elsewhere, of individual citizens to concern themselves with these matters and to enter into a dialogue with their governments where precept and practice appear to diverge.

In raising these issues in Belgrade, our purpose is not to create confrontation. Nor is it to arrest the course of *détente*. Our concern, in fact, is just the reverse. The Canadian Government has itself undertaken obligations at Helsinki in the matter of human rights. We are prepared to be held to these obligations by Canadians, as well as by governments whose signatures are affixed to the Final Act with ours. We are prepared to see our performance subjected to scrutiny where it is open to challenge and to bring our laws and our practices into conformity with the obligations we have assumed where that is not already the case.

The dispositions of the Final Act in the matter of human contacts are of special concern to Canadians. We are a country of settlement, some of it recent, and many Canadian have continuing family links in Europe. The Canadian Government has pursued a policy that attaches priority to the reunification of families. It has looked to the Final Act to break the impasse that has often inhibited the pursuit of that policy.

In point of fact, the Final Act has brought about improvements in the past two years. There are still many cases outstanding, but we have been encouraged by indications that governments are prepared to take this matter seriously. What is less encouraging is that such progress as has been made is still not automatic. It has been achieved at the cost of considerable effort and even hardship on the part of those desiring to join their families. It is not yet a simple matter for people to move from one country to another if they wish. The administrative barriers are often formidable even where those involved no longer form part of the active working population of their countries. It is our hope that one of the results of our meeting will be a more generous and humane interpretation of the family-reunification clauses of the Final Act, not as an exception but as a matter of general policy and practice. If that were achievable here at Belgrade, it would help more than anything else to lend credibility to our efforts in the eyes of Canadians.

Indeed, the factor of credibility could be crucial to public support for *détente* in Can-

ada. The Final Act may have been signed only two years ago, but some of the problems with which it deals, such as family reunification, have been with us for many more years than that. Canadians thought the Final Act would at long last provide the impetus necessary to deal quickly with this problem. And so to some extent it did. But, to the extent it did not, public preoccupation in Canada continues. If governments, in the two years since the Final Act, have been unable to solve such a simple problem, people ask, how much hope is there that they will be able, even given a much longer span of time, to solve the many more difficult problems that the Final Act raises? This kind of scepticism should be a warning to us. Confidence is contagious, but so is want of confidence. If *détente* is to become permanent, we have to make confidence permanent, not just confidence between states but the confidence of our citizens that their governments were acting sensibly when they assumed the obligations of the Final Act. Seen in this light, even an apparently limited problem like family reunification can come to have a general significance if people choose to make it a test of *détente*.

The Canadian approach to the Final Act will continue to be positive. We attach importance to its provisions and to the principles it has formulated to guide relations between its signatories. But we also look beyond the Final Act to those broader issues bearing on a more-rationally ordered world that inevitably form part of the context in which the improvement of security and the development of co-operation among us must be situated. We do not see the Final Act as exhausting the responsibilities we have towards one another or to the world at large. If we are to meet those responsibilities, we must manage to overcome distrust and increase confidence between us. That is what the preamble of the Final Act enjoins us to do. If we can cross that threshold, we shall be closer to "solving the problems that separate" us and to "co-operating in the interest of mankind", to borrow the language of the Final Act.

We hope that the exchange of views on which we are about to embark will be objective and dispassionate, that it will help to clear away suspicions and misunderstandings, and that, above all, it will lay a solid basis for progress.

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