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STATEMENTS AND SPEECHES

Statement by Ambassador William
Bauer, head of the Delegation of
Canada, to the closing session of
the Experts Meeting on Human
Contacts of the Conference on
Security and Cooperation in
Europe

BERNE, SWITZERLAND

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Canada

STATEMENT BY AMBASSADOR WILLIAM BAUER HEAD OF THE
DELEGATION OF CANADA TO THE CLOSING SESSION OF THE
EXPERTS MEETING ON HUMAN CONTACTS OF THE CONFERENCE
ON SECURITY AND COOPERATION IN EUROPE - 26 MAY 86

Mr. Chairman,

After hours of negotiation, our meeting has failed to reach a consensus on a concluding document.

This is, of course, a disappointment -- especially for those who carried most of the burden of the negotiations and expended so much personal energy in an effort to reach a conclusion. I think particularly of delegates from the Neutral and Non-aligned group of countries who provided draft texts to serve as a basis of negotiations and a skilled coordinator for the negotiations; we are grateful for their sustained and dedicated efforts to bring about a compromise.

It would be a mistake, however, to concentrate too much of our disappointment on our inability to produce a document. Although it was my Delegation's hope, shared by many others, that this meeting might make a genuine contribution to the CSCE provisions on human contacts, we did not envisage that contribution to be just another paper. There are other, more serious, causes for disappointment.

Mr. Chairman, the Canadian Government hoped that this meeting might be seen by some CSCE signatory states as an opportunity to signal some relaxation of their restrictive practices and policies concerning human contacts. As I mentioned in my opening statement, the reference of General Secretary Gorbachov at the 27th congress of the Communist Party of the Soviet Union, to the humanitarian element as a fundamental principle of the Soviet approach to international security and his special mention of the need for a humane and positive spirit in resolving questions of family reunification and other human contacts issues, had given us a particular reason to be encouraged. I know there was also similar hope outside our meeting, on the part of large numbers of Canadians whose lives have been so seriously and adversely affected by the existing policies in this field of the Soviet Union and some other countries.

Although we worked hard to formulate reasonable proposals which, if adopted and implemented, would have provided solutions to these questions, my delegation had no expectation that all the proposals put forward by us

and other members of the Western group of countries would be included in recommendations acceptable to all. There was an expectation, however, that those participating states which have been least attentive to the letter and spirit of their Helsinki and Madrid commitments on human contacts would take the occasion of this meeting to signal at least their intention to show more flexibility in their existing controls and greater readiness to resolve outstanding humanitarian cases.

The initial omens admittedly were not good. My Delegation's efforts to use the occasion of this meeting to discuss specific humanitarian cases, on a bilateral and private basis, bore little fruit. Some delegations we approached refused even to discuss specific cases. Even after that disappointment, however, we still looked for a sign, in our discussions here, and finally in the negotiations, of some change of approach. We tried, day after day, to explain the concerns of Canadians about the problems of human contacts in the USSR and many countries of Eastern Europe, but received little or no response from those responsible. Furthermore, of the significant proposals put forward, most were firmly rejected by certain delegations, or would have been accepted only after major amendments undermining much of their purpose and effectiveness.

The disappointment of my Delegation, Mr. Chairman, is not, therefore, so much in our failure to produce a document; we have, after all, already produced strong documents in the Helsinki Final Act and the Madrid Concluding Document. We do not really lack documents of standards of performance, Mr. Chairman; what we lack is compliance by certain signatory States. Our more profound disappointment stems from the fact that our bilateral talks, our formal discussions in our meetings, and, finally, our negotiations, have failed to reveal any new willingness by some States to make real, substantial headway in facilitating freer movement and contacts and the resolution of humanitarian cases.

Mr. Chairman, even if we have failed to reach agreed conclusions, my delegation takes satisfaction in the conduct and content of this meeting. We have examined frankly and thoroughly the nature of the obstacles to freer movement and contacts. For most of the delegations here there may be a clearer realization of the vital importance of the concept of the right to leave and return to one's country. If certain countries were to respect that right, that international undertaking, in the way that most CSCE signatory States do, then, in one stroke, most of the difficulties we have identified would be

removed. But it has unfortunately been made painfully evident here that the Soviet Union and some other Warsaw Pact countries are not prepared to honour that right in the foreseeable future, or to discuss in serious or constructive terms the human element of the Final Act. Given that unfortunate reality, it is incumbent on these states which persist in maintaining controls on the exit of citizens from their territories, to demonstrate maximum flexibility and humanitarian concern and to lessen, as much as possible, the terrible burden such constraints can place on the human spirit.

The debate has revealed that lately progress had been made by some States in lessening the frustrations and hardships produced by restrictions on peoples freedom to leave and return to their country. Our discussion pointed up, however, that in a few States there is still a rigid outlook, seemingly arising from excessive fear or sense of insecurity, and a continuing disregard by officials of humanitarian problems. The treatment meted out to some people seeking to leave some countries -- a treatment which is at best unsympathetic, at worst actively hostile -- leaves a highly unattractive image before the world which can have a range of negative consequences. The examples of Soviet Jewry and of the Turkish minority in Bulgaria come immediately to most minds.

Our debate has also revealed, with regard to travel for family contacts and family reunification, that we are dealing not just with the problem of families now long divided by the consequences of World War II, but with the direct results, in more recent years, of the systems of exit controls in certain countries. Proposals of the Canadian Government for this meeting concentrated on solutions to these problems. For example, much of the emigration from these countries has been treated by their Governments as illegal, which has meant, as the result of harsh laws, even more severe restrictions on contacts and reunification by the families of emigrants involved. One proposal sought relief of these penalties on members of families who had committed no offence, but this was firmly rejected as "non-negotiable".

The restrictions on family travel experienced in some countries cause bitterness, but the inability to maintain friendships and professional contacts because of travel restrictions, can also be a cause of deep frustration. We have found in regard to religious contacts that individual believers in some countries may have little or no opportunity to meet co-religionists outside their country. A proposal we co-sponsored on this

matter suffered from such harsh amendment that it was transformed beyond recognition. Even the word "believer" is too inflammatory for some countries. Members of national minorities and regional cultures in some countries are prevented from being reunified with their families, or from having free contact with persons in other countries sharing their language, religion or culture, but no meaningful proposal to alleviate this problem could be obtained.

Mr. Chairman, my delegation has spoken frankly and firmly at this meeting on the problems before us. The fact that many of our attempts at reasonable dialogue were rejected does not deter us. We shall return to the subject at the CSCE Follow-up Meeting which begins in Vienna later this year, and hope that by then a more productive approach will be decided upon by the countries who were averse to this here.

We have believed, and continue to believe it necessary to speak of the dismay and even anger of Canadians -- Canadians very well acquainted with the countries in question -- who see needless restrictions, or restrictions applied in a needlessly narrow and harsh bureaucratic fashion. We have been told that certain countries are faced with difficult balance-of-payments problems, are concerned about the possibility of losing people with needed skills to emigration, or have legitimate security interests to protect. But such concerns really do not justify the disproportionately harsh measures applied in some countries against the right of citizens to leave, and return to, their own country when they wish.

Canada has no desire to aggravate the payments problems of trading partners: it has no interest in promoting immigration from Eastern Europe, and it certainly does not seek to disrupt the security of States. What Canadians do wish, however, is to be assured that all their partners within the CSCE come to share in a respect for fundamental human values -- not political and economic philosophies and policies -- but in basic concerns for people. They also ask themselves how a certain minimum level of mutual confidence can ever be achieved in fields like arms control and security when undertakings in the humanitarian field are arrogantly brushed aside as inconsistent with a country's political and social system -- whatever that may mean. They are anxious, not just about the fate of relatives and friends of Canadians, but about all people who wish to be free to live where, and with whom, they choose, or just to

be free to enjoy wider horizons when they feel the need, with the confidence that they can return to their homeland without facing suspicion, persecution or dishonour. These are the normal wishes of most people everywhere. The common realization of these truths is at the heart of the development of East-West human contacts, and, indeed, at the heart of the great European tradition to which most of us here belong. It is also an essential component of our task of building that mutual trust among our countries which must be the foundation for whatever greater structure of cooperation we attempt.

May I express in conclusion, Mr. Chairman, my Delegation's gratitude to our hosts and the Secretary-General and all the members of the Secretariat and my admiration for the patience of all my colleagues -- and of the interpreters -- who have heard us out.

NOTE:

Three other statements on the same issues, by Ambassador William Bauer (April 23 and April 30) and Mr. Stuart Beattie (May 2), are available on request from the Department of External Affairs, 125 Sussex Drive, Ottawa, ONTARIO, K1A 0G2.